

**FIRST AMENDMENT  
TO THE  
CONDOMINIUM DECLARATION FOR  
THE SHADOW CREEK CONDOMINIUMS**

KNOW ALL MEN BY THESE PRESENTS, that in accordance with Paragraph 13.2 of the CONDOMINIUM DECLARATION FOR THE SHADOW CREEK CONDOMINIUMS, the undersigned constituting the Owners of Condominium Units in the said Shadow Creek Condominiums to which at least eighty percent of the votes in the Association are allocated for the use and benefit of themselves and all persons claiming or to claim any part of the real property described on Exhibit A attached hereto by through or under them, hereby declare and agree that the CONDOMINIUM DECLARATION FOR THE SHADOW CREEK CONDOMINIUMS recorded on Film 1426 as Reception No. 784761 in the office of the County Clerk and Reorder of Boulder County, Colorado, as supplemented, shall be and that said document is hereby amended in the following particulars, to wit:

60

1. Paragraph 4.8(b) of the said Declaration is amended in its entirety to read as follows:

(b) Contracts, Licenses and Other Agreements: The Board of Directors shall have the right to enter into, grant, perform, enforce or vacate contracts, agreements, licenses, leases, easements and/or rights-of-way, for the use by Owners, their Guests and members of their households, and other persons, concerning the Common Elements and any improvements located thereon. Any such contracts, licenses, leases, agreements, easements and/or rights-of-way, shall be upon such terms and conditions as may be agreed to from time to time by the Board of Directors without the necessity of the consent thereto, or joinder therein, by the Owners or First Mortgagee and which may include provisions by which the Association agrees that it shall pay part or all of the costs and expenses of maintaining and repairing same. Such costs shall be treated by the Board of Directors as a portion of the Annual Assessment for Common Expenses pursuant to Paragraph 5.3(a) hereof.



The Board of Directors is specifically authorized to execute on behalf of the Owners and First Mortgagees of the Shadow Creek Condominiums the Plat of the Shadow Creek Subdivision prepared by Downing, Thorpe & James, dated February 10, 1989, without the necessity of the consent thereto or joinder therein by the Owners or First Mortgagees.

That in all other respects the said CONDOMINIUM DECLARATION FOR THE SHADOW CREEK CONDOMINIUMS, as supplemented, shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have caused this FIRST AMENDMENT TO THE CONDOMINIUM DECLARATION FOR THE SHADOW CREEK CONDOMINIUMS to be executed this 27<sup>th</sup> day of February 1989.

ATTEST:

THE SHADOW CREEK CONDOMINIUM ASSOCIATION

Alvin Eason  
Secretary

By: [Signature]  
President

STATE OF COLORADO )  
                          ) ss.  
COUNTY OF BOULDER )

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of February, 1989, by Alvin Eason as Secretary and James Wilcox as President of The Shadow Creek Condominium Association.



My commission expires: June 29, 1991

Witness my hand and official seal.  
[Signature]  
Notary Public

EXHIBIT A  
TO THE CONDOMINIUM DECLARATION  
FOR THE SHADOW CREEK CONDOMINIUMS

LEGAL DESCRIPTION OF THE REAL PROPERTY  
SUBMITTED TO THE SHADOW CREEK CONDOMINIUM REGIME

PARCEL 1:

ALL THAT PORTION OF THE N 1/2 OF THE N 1/2 OF SECTION 36, T1N, R71W, OF THE 6th P.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE N 1/4 CORNER OF SAID SECTION 36, THENCE S 0°35'50" E, 544.94 FEET ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 36 TO THE CENTERLINE OF ARAPAHOE AVENUE IN THE CITY OF BOULDER, COLORADO; THENCE N 88°11' W, 504.46 FEET TO THE CENTERLINE OF THE FORMER DENVER, BOULDER AND WESTERN RAILROAD RIGHT-OF-WAY; THENCE N 14°45' W, 16.31 FEET; THENCE N 88°36' E, 78.21 FEET TO THE POINT OF BEGINNING;

THENCE N 88°36' E, 28.32 FEET;

THENCE S 0°01' E, 16.98 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID FORMER DENVER, BOULDER AND WESTERN RAILROAD;

THENCE N 75°05' E, 14.70 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID FORMER DENVER, BOULDER AND WESTERN RAILROAD TO THE SOUTH LINE OF THAT TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN BOOK 675 AT PAGE 297 OF THE RECORDS OF BOULDER COUNTY, COLORADO;

THENCE S 89°58'30" E, 40.88 FEET ALONG THE SOUTH LINE OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 675 AT PAGE 297;

THENCE N 0°01' W, 36.78 FEET TO THE CENTERLINE OF SAID FORMER DENVER, BOULDER AND WESTERN RAILROAD RIGHT-OF-WAY;

THENCE N 75°05' E, 73.46 FEET ALONG THE CENTERLINE OF SAID DENVER, BOULDER AND WESTERN RAILROAD RIGHT-OF-WAY TO THE NORTHWEST CORNER OF THAT TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN BOOK 748 AT PAGE 242 OF THE RECORDS OF BOULDER COUNTY, COLORADO;

THENCE N 08°05'00" W, 172.75 FEET;

THENCE N 82°56' W, 100.00 FEET;

THENCE N 87°41' W, 24.34 FEET;

THENCE S 15°00'56" W, 195.25 FEET;

THENCE S 48°33'23" E, 58.78 FEET TO THE POINT OF BEGINNING.

AREA=0.80 ACRES, MORE OR LESS.

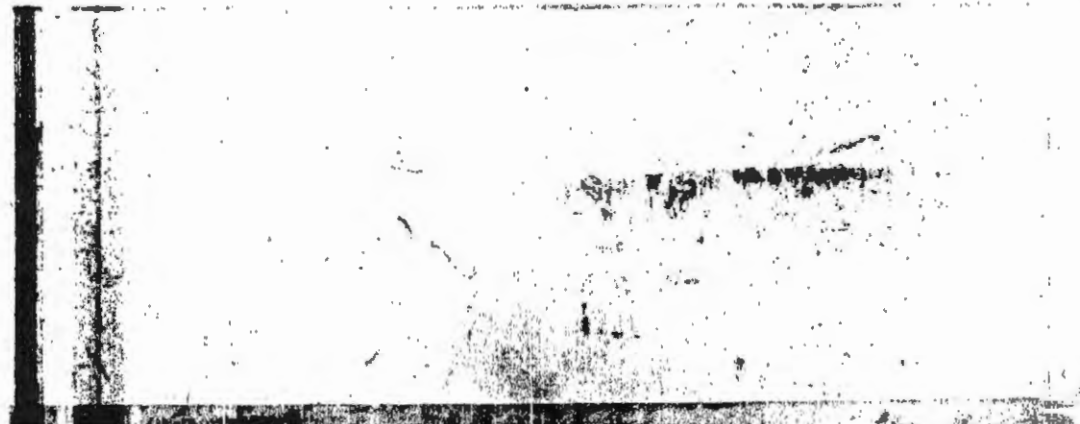


EXHIBIT A  
TO THE CONDOMINIUM DECLARATION  
FOR THE SHADOW CREEK CONDOMINIUMS

LEGAL DESCRIPTION OF THE REAL PROPERTY  
SUBMITTED TO THE SHADOW CREEK CONDOMINIUM REGIME

PARCEL 2:

ALL THAT PORTION OF THE N 1/2 OF THE N 1/2 OF SECTION 36, T1N, R71W, OF THE  
62E P.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE N 1/4 CORNER OF SAID SECTION 36, THENCE S 0°25'50" E, 544.84  
FEET ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 36 TO THE CENTERLINE  
OF ARAPAHOE AVENUE IN THE CITY OF BOULDER, COLORADO; THENCE N 88°11' W,  
504.48 FEET TO THE CENTERLINE OF THE FORMER DENVER, BOULDER AND WESTERN  
RAILROAD RIGHT-OF-WAY; THENCE N 14°45' W, 18.31 FEET TO THE POINT OF BEGINNING;

THENCE N 14°45' W, 13.69 FEET;

THENCE N 89°45' W, 23.44 FEET;

THENCE N 06°06' W, 49.84 FEET;

THENCE N 77°36' W, 18.56 FEET TO THE SOUTHEAST CORNER OF THAT TRACT OF LAND  
AS DESCRIBED IN DEED RECORDED ON FILM 929 AS RECEPTION NO. 182591 OF THE  
RECORDS OF BOULDER COUNTY, COLORADO;

THENCE N 74°46' W, 41.72 FEET ALONG THE EASTERLY LINE OF THAT TRACT OF  
LAND AS DESCRIBED ON SAID FILM 929 AS RECEPTION NO. 182591;

THENCE N 01°30' W, 80.00 FEET ALONG THE EASTERLY LINE OF THAT TRACT OF  
LAND AS DESCRIBED ON SAID FILM 929 AS RECEPTION NO. 182591;

THENCE S 89°57' W, 8.13 FEET ALONG THE EASTERLY LINE OF THAT TRACT OF  
LAND AS DESCRIBED ON SAID FILM 929 AS RECEPTION NO. 182591;

THENCE N 01°00'30" W, 87.45 FEET ALONG THE EASTERLY LINE OF THAT TRACT OF  
LAND AS DESCRIBED ON SAID FILM 929 AS RECEPTION NO. 182591;

THENCE N 82°00' E, 12.82 FEET;

THENCE S 87°21' E, 100.00 FEET;

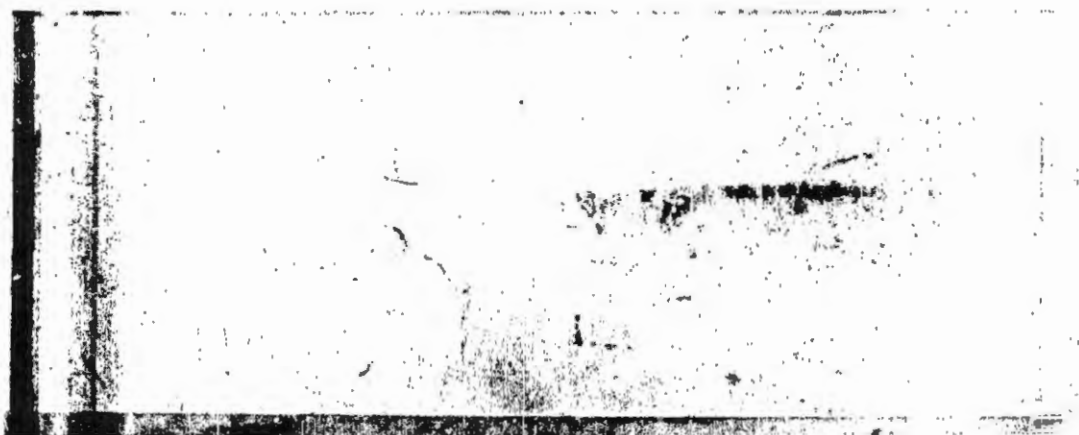
THENCE S 87°41' E, 75.86 FEET;

THENCE S 15°00'56" W, 195.25 FEET

THENCE S 48°33'23" E, 58.78 FEET;

THENCE S 88°36' W, 78.21 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 0.7 OF AN ACRE, MORE OR LESS.



12-5

**OWNERS:**

Harriett T. McKinley  
Harriett T. McKinley, Unit No. CA 101/315



STATE OF COLORADO)  
COUNTY OF BOULDER) ss.

The foregoing instrument was acknowledged before me this 17th  
day of \_\_\_\_\_, 1989, by Harriett T. McKinley.  
My commission expires: June 29, 1991  
WITNESS my hand and official seal.

Elizabeth E. Smith  
NOTARY PUBLIC

**OWNERS:**

Ruth H. Fossette, Unit No. CA 103/315

STATE OF COLORADO)  
COUNTY OF BOULDER) ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_  
day of \_\_\_\_\_, 1989, by Ruth H. Fossette.  
My commission expires: \_\_\_\_\_  
WITNESS my hand and official seal.

\_\_\_\_\_  
NOTARY PUBLIC

**OWNERS:**

Grace K. Zabel  
Grace K. Zabel  
Carroll H. Zabel Unit No. CA 104/315



STATE OF COLORADO)  
COUNTY OF BOULDER) ss.

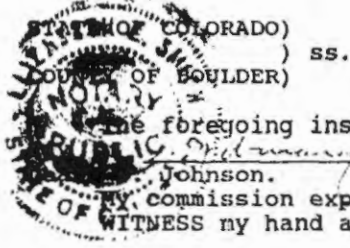
The foregoing instrument was acknowledged before me this HL  
day of \_\_\_\_\_, 1989, by Grace K. Zabel and  
Carroll H. Zabel.  
My commission expires: June 29, 1991  
WITNESS my hand and official seal.

Elizabeth E. Smith  
NOTARY PUBLIC

OWNERS:

Andrew J. Johnson  
Andrew J. Johnson

Deane D. Johnson 204  
Deane D. Johnson, Unit No.  
CA 204/315



The foregoing instrument was acknowledged before me this 7th  
February, 1989, by Andrew J. Johnson and  
Deane D. Johnson.  
My commission expires: June 29, 1991  
WITNESS my hand and official seal.

Elizabeth E. Smith  
NOTARY PUBLIC

OWNERS:

C.Q.G., INC.

By: Tim Mather  
Tim Mather, President

Unit No. CA 301/315



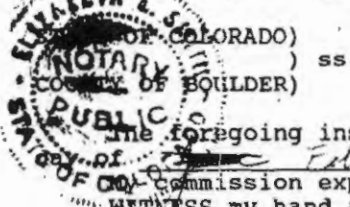
The foregoing instrument was acknowledged before me this 7th  
February, 1989, by Tim Mather, President of  
C.Q.G., Inc., a Colorado Corporation.  
My commission expires: June 29, 1991  
WITNESS my hand and official seal.

Elizabeth E. Smith  
NOTARY PUBLIC

OWNERS:

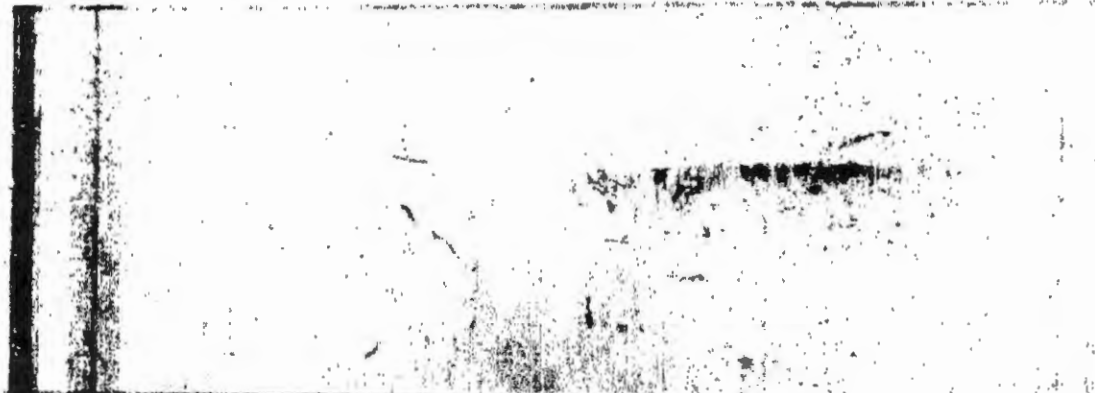
Daniel J. Carr  
Daniel J. Carr

Unit No. CA 302/315



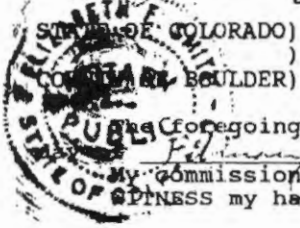
The foregoing instrument was acknowledged before me this 7th  
February, 1989, by Daniel J. Carr.  
My commission expires: June 29, 1991  
WITNESS my hand and official seal.

Elizabeth E. Smith  
NOTARY PUBLIC



OWNERS:

Mary Spalding #303 in 315 Angels  
Mary Spalding Unit No. CA 303/315



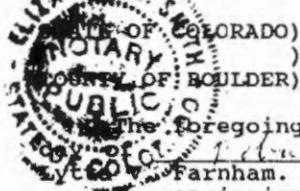
) ss.

The foregoing instrument was acknowledged before me this 17th  
February, 1989, by Mary Spalding.  
My commission expires: June 29, 1991  
WITNESS my hand and official seal.

W. J. Smith  
NOTARY PUBLIC

OWNERS:

Thomas H. Farnham Lytta V. Farnham  
Thomas H. Farnham Lytta V. Farnham, Unit No. CA 101/337



) ss.

The foregoing instrument was acknowledged before me this 7th  
February, 1989, by Thomas H. Farnham and  
Lytta V. Farnham.  
My commission expires: June 29, 1991  
WITNESS my hand and official seal.

W. J. Smith  
NOTARY PUBLIC

OWNERS:

Zdenek Dostal Olga Dostal, Unit No. CA 102/337

STATE OF COLORADO)  
COUNTY OF BOULDER) ss.

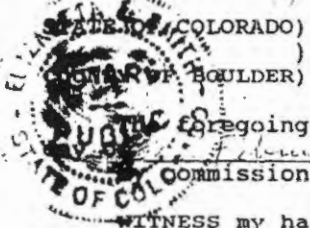
The foregoing instrument was acknowledged before me this  
day of \_\_\_\_\_, 1989, by Zdenek Dostal and Olga  
Dostal.  
My commission expires: \_\_\_\_\_  
WITNESS my hand and official seal.

\_\_\_\_\_  
NOTARY PUBLIC



OWNERS:

Louise J. Smith Unit No. CA 103/337



STATE OF COLORADO )  
NOTARY PUBLIC ( BOULDER ) SS.

The foregoing instrument was acknowledged before me this 7th day of February, 1989, by Louise J. Smith.

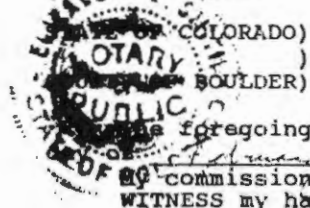
My commission expires: June 29, 1991

WITNESS my hand and official seal.

Hubert E. Smith  
NOTARY PUBLIC

OWNERS:

Ciola J. Maphis Unit No. CA 104/337



STATE OF COLORADO )  
NOTARY PUBLIC ( BOULDER ) SS.

The foregoing instrument was acknowledged before me this 7th day of February, 1989, by Ciola J. Maphis.

My commission expires: June 29, 1991

WITNESS my hand and official seal.

Hubert E. Smith  
NOTARY PUBLIC

OWNERS:

Margaret L. Baumgartner Robert B. Baumgartner  
Margaret L. Baumgartner Robert B. Baumgartner, Unit No. CA 201/315



STATE OF COLORADO )  
NOTARY PUBLIC ( BOULDER ) SS.

The foregoing instrument was acknowledged before me this 7th day of February, 1989, by Margaret L. Baumgartner and Robert B. Baumgartner.

My commission expires: June 24, 1991

WITNESS my hand and official seal.

Hubert E. Smith  
NOTARY PUBLIC



OWNERS:

Beverly C. Tomasi  
Beverly C. Tomasi Unit No. CA 202/337

STATE OF COLORADO )  
COUNTY OF BOULDER ) ss.

The foregoing instrument was acknowledged before me this 7th  
day of February, 1989, by Beverly C. Tomasi.

My commission expires: June 29, 1991

WITNESS my hand and official seal.

Elizabeth E. Smith  
NOTARY PUBLIC

OWNERS:

Sheryl J. Horner  
Sheryl J. Horner Unit No. CA 204/337

STATE OF COLORADO )  
COUNTY OF BOULDER ) ss.

The foregoing instrument was acknowledged before me this 7th  
day of February, 1989, by Sheryl J. Horner.

My commission expires: June 29, 1991

WITNESS my hand and official seal.

Elizabeth E. Smith  
NOTARY PUBLIC

OWNERS:

Marjorie McIlvaine Unit No. CA 301/337

STATE OF COLORADO )  
COUNTY OF BOULDER ) ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_  
day of \_\_\_\_\_, 1989, by Marjorie McIlvaine.

My commission expires: \_\_\_\_\_

WITNESS my hand and official seal.

\_\_\_\_\_  
NOTARY PUBLIC

12-10

**OWNERS:**

Linda L. Pearce Unit No. CA 302/337

STATE OF COLORADO)  
 ) ss.  
COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 1989, by Linda L. Pearce.  
My commission expires: \_\_\_\_\_.  
WITNESS my hand and official seal.

\_\_\_\_\_  
NOTARY PUBLIC

**OWNERS:**

Barbara G. Behmer Unit No. CA 303/337

STATE OF COLORADO)  
 ) ss.  
COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 1989, by Barbara G. Behmer.  
My commission expires: \_\_\_\_\_.  
WITNESS my hand and official seal.

\_\_\_\_\_  
NOTARY PUBLIC

**OWNERS:**

WONDERLAND HILL DEVELOPMENT COMPANY

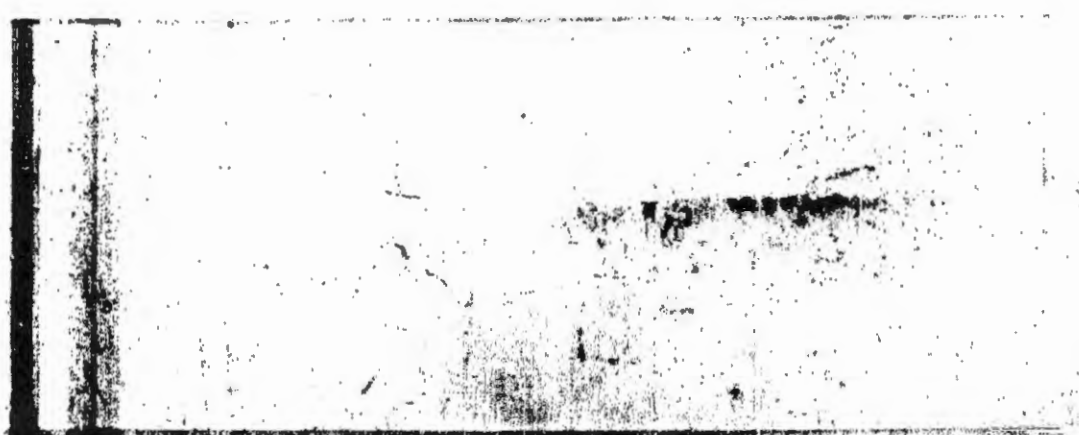
By: \_\_\_\_\_  
President Unit Nos. CA 102/315, 201/315, 202/315  
CA 203/315, 304/315, 203/337  
CA 304/337

STATE OF COLORADO)  
 ) ss.  
COUNTY OF BOULDER)



The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of June, 1989, by James W. Leach as President of Wonderland Hill Development Company, a Colorado Corporation.  
My commission expires: June 29, 1991.  
WITNESS my hand and official seal.

\_\_\_\_\_  
Elizabeth E. Sward  
NOTARY PUBLIC



**OWNERS:**

Linda L Pearce  
 Linda L. Pearce Unit No. CA 302/337

STATE OF COLORADO)  
 ) ss.  
 COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this 14  
February, 1989, by Linda L. Pearce.  
 My commission expires: 10-23-89

WITNESS my hand and official seal.

NOTARY PUBLIC  
 BOULDER COUNTY COURTHOUSE  
 BOULDER, COLORADO

Barbara Anuta  
 NOTARY PUBLIC

**OWNERS:**

Barbara G. Behmer Unit No. CA 303/337

STATE OF COLORADO)  
 ) ss.  
 COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this \_\_\_  
 day of \_\_\_\_\_, 1989, by Barbara G. Behmer.  
 My commission expires: \_\_\_\_\_  
 WITNESS my hand and official seal.

\_\_\_\_\_  
 NOTARY PUBLIC

**OWNERS:**

WONDERLAND HILL DEVELOPMENT COMPANY

By: \_\_\_\_\_  
 President Unit Nos. CA 102/315, 201/315, 202/315  
 CA 203/315, 304/315, 203/337  
 CA 304/337

STATE OF COLORADO)  
 ) ss.  
 COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this \_\_\_  
 day of \_\_\_\_\_, 1989, by \_\_\_\_\_ as  
 President of Wonderland Hill Development Company, a Colorado  
 Corporation.  
 My commission expires: \_\_\_\_\_  
 WITNESS my hand and official seal.

\_\_\_\_\_  
 NOTARY PUBLIC

**OWNERS:**

12-12

Linda L. Pearce Unit No. CA 302/337

STATE OF COLORADO)  
  ) ss.  
COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 1989, by Linda L. Pearce.  
My commission expires: \_\_\_\_\_  
WITNESS my hand and official seal.

\_\_\_\_\_  
NOTARY PUBLIC

**OWNERS:**

Barbara G. Behmer  
Barbara G. Behmer Unit No. CA 303/337

STATE OF COLORADO)  
  ) ss.  
COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this 10 day of 9, 1989, by Barbara G. Behmer.  
My commission expires: 11-5-99  
WITNESS my hand and official seal.

*Cynthia ...*  
NOTARY PUBLIC  
MANitou SPRINGS, COLORADO  
My Commission Expires NOV. 5, 1992

**OWNERS:**

WONDERLAND HILL DEVELOPMENT COMPANY

By: \_\_\_\_\_  
President Unit Nos. CA 102/315, 201/315, 202/315  
CA 203/315, 304/315, 203/337  
CA 304/337

STATE OF COLORADO)  
  ) ss.  
COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this 24 day of February, 1989, by James W. ... as President of Wonderland Hill Development Company, a Colorado Corporation.

My commission expires: June 29, 1991  
WITNESS my hand and official seal.

*Elizabeth E. ...*  
NOTARY PUBLIC