

LAW OFFICES OF  
**OATES, KNEZEVICH & GARDENSWARTZ, P.C.**

PROFESSIONAL CORPORATION  
THIRD FLOOR, ASPEN PLAZA BUILDING  
533 EAST HOPKINS AVENUE  
ASPEN, COLORADO 81611

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July 14, 1999

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DAVID B. MUELLER

OF COUNSEL:  
JOHN THOMAS KELLY

Lee C. Wilson  
Property Manager, Chamonix at Woodrun  
Snowmass Lodging Company  
P.O. Box 6077  
Snowmass Village, CO 81615

**Re: *Amendment to Condominium Declaration and Quit Claim Deed / Unit 21, Chamonix at Woodrun  
Condominiums / Dean and Susan Spanos***

Dear Lee:

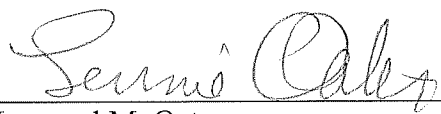
You will please find enclosed herewith the original Amendment to the Condominium Declaration and Quit Claim Deed relating to the modifications made to the Spanos' unit, which has been recorded as Reception No.432979, in the records of Pitkin County, Colorado. Also enclosed is a copy of the P.U.D. Modification of Record of Decision of the Snowmass Town Planner, recorded as Reception No. 432978, in the records of Pitkin County, Colorado, certifying that all land use processes were completed in connection with the physical modification of Unit 21.

Finally although not enclosed herewith, you are advised that the Condominium Map, reflecting the modifications to Unit 21, has been filed for record as Reception No.432980, of the records of Pitkin County, Colorado.

With this transmittal, this matter should now be complete. As you and I have discussed in the past, I would discourage anyone in the future from undertaking this type of amendment to the condominium documentation. This has been a long and arduous process, not to mention extremely costly to the Spanos.

Very truly yours,

**OATES, KNEZEVICH & GARDENSWARTZ, P.C.**

By   
Leonard M. Oates

LMO/amc  
Enclosure  
cc: Marsha Wells

AMENDMENT TO CONDOMINIUM DECLARATION

FOR

CHAMONIX AT WOODRUN CONDOMINIUMS

AND

QUIT CLAIM DEED REGARDING UNIT NO. 21

This Amendment to the Condominium Declaration for Chamonix at Woodrun Condominiums ("Chamonix") and Quit Claim Deed regarding Unit 21, Chamonix at Woodrun Condominiums ("Unit 21 Amendment"), is made this 2<sup>nd</sup> day of ~~April~~<sup>July</sup>, 1999.

1. Definitions. "Condominium Declaration" shall mean this Unit 21 Amendment together with the original Declaration recorded in Book 481 at Page 109 and the Supplemental Declaration recorded in Book 486 at Page 530, as corrected by Correction Amendment to Supplemental Condominium Declaration for Chamonix recorded in Book 505 at Page 381 of the records of Pitkin County, Colorado, and any further Amendments made to any of the foregoing recorded in those records and as amended by this Amendment. The "Condominium Map" means the original Condominium Map prepared by Sydney Lincicome of Lines-in-Space recorded in Plat Book 16 at Page 85 and as supplemented by the Supplemental Condominium Map recorded in Plat Book 17 at Page 17, and any further Amendments thereto filed for record, and as amended by the Unit 21 Amended Condominium Map to be filed for record in connection herewith as herein provided for.
2. Declaration. Pursuant to the provisions of Paragraph 19 of the Condominium Declaration the undersigned being the owners of at least seventy-five percent (75%) interest in and to the Common Elements appurtenant to the Condominium Units of Chamonix with the consent of the holders of all first mortgages of the Condominium Units in Chamonix agree, state and declare:
  - a. The Condominium Declaration is hereby amended and the Condominium Map shall, as hereinafter provided, be amended to provide for the alteration of a portion of a storage room, an enclosed chase, an exterior walkway and air space above an exterior stairway by declaring that the altered space ceases to be a part of the General Common Elements and hereafter is designated for all purposes as an addition to, incorporated in, and a part of Condominium Unit No. 21, all as shown on the Amended Condominium Map to be filed for record in connection herewith;
  - b. The altered space is herein designated as an addition to Condominium Unit 21 and shall be sold and title thereto will be conveyed by the Owners to the Chamonix at



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Woodrun Condominium Association, Inc. which in turn will convey the same to the present owners of Unit 21 in consideration of the sum of \$35,000.00 which has been paid by the present Owner of Unit 21 to the Association. The proceeds of such sale shall inure entirely and exclusively to the use and benefit of the Association.

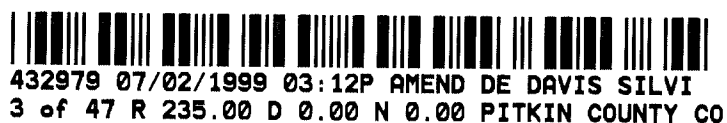
3. Method of Description. Every contract for the sale of Condominium Unit No. 21 and every other instrument affecting title to such Condominium Unit may describe that Condominium Unit by the Unit number and building designation shown on the original, Supplemental Condominium Map, and the Amended Map to be filed for record in connection herewith appearing in the records of the County Clerk and Recorder of Pitkin County, Colorado in the following fashion:

Condominium Unit No. 21, Chamonix at Woodrun Condominiums, according to the Condominium Map thereof recorded on February 8, 1985, in Plat Book 16 at Page 85 as Reception No. 265939, as supplemented by the Supplemental Condominium Map recorded on May 22, 1985, in Plat Book 17 at Page 17 as Reception No. 268379, and the Unit 21 Amended Condominium Map recorded on July 2 1999 in Plat Book 50 at Page 39 as Reception No. 432980, and as defined and described in the Condominium Declaration for Chamonix at Woodrun Condominiums recorded in Book 481 at page No. 109 as Reception No. 265938, and the Supplemental Declaration thereto recorded in Book 486 at Page 530 as Reception No. 268378, as corrected by Correction Amendment to Supplemental Condominium Declaration for Chamonix at Woodrun Condominiums recorded in Book 505 at Page 381 and the Unit 21 Amendment of Declaration recorded as Reception No. 432979 in the records of the County Clerk and Recorder of Pitkin County, Colorado.

Such description will be construed to describe the Condominium Unit, together with the appurtenant undivided interest in the common elements which undivided interest shall remain unchanged from that set forth in the original Condominium Declaration and the Supplemental Declaration, as corrected, and to incorporate all the rights incident to ownership of a Condominium Unit and all the limitations on such ownership as described in the original Condominium Declaration and the Condominium Map and any amendments and/or supplements thereto. The foregoing notwithstanding, the condominium assessments charged to Unit 21 shall take into account the increased square footage of Unit 21 in relation to the square footage of all of the condominium units of Chamonix, the effect of which will be to increase the assessment chargeable to Unit 21 and reduce that of all other units at Chamonix.

4. Common Elements. All General and Limited Common Elements as designated on the First Amended Condominium Map to be filed for record in connection herewith are hereby subjected to the original Condominium Declaration, the Supplemental Declaration, as corrected and this Unit 21 Amended Declaration.
5. Quit Claim. By execution hereof, the undersigned, for good and valuable consideration hereby convey and quit claim to the Chamonix at Woodrun Condominium Association, Inc. all of the undersigned's undivided right, title and interest in and to the portion of the Common Elements by this Amended Declaration incorporated into Unit 21 as shown on the Unit 21 Amended Condominium Map to be filed for record in connection herewith.
6. General. All provisions of the Condominium Declaration not specifically superseded by this Unit 21 Amended Declaration shall apply to all Chamonix Condominium Units, including Condominium Unit 21, as altered by this Amended Declaration and the Amended Map.
7. Counterparts. The signature and acknowledgment pages of this Unit 21 Amendment may be executed in multiple counterparts which when attached to this Amendment shall constitute an original.
8. Attorney-in-Fact. The undersigned hereby each constitute and appoint the President and Vice President of the Association from time to time as their attorney-in-fact for the limited purposes of execution of the Unit 21 Amended Condominium Map to be filed for record to accomplish the purpose of the foregoing Unit 21 Amendment and to do such other and further acts as shall be necessary to accomplish the purposes hereof.

**IN WITNESS WHEREOF**, the undersigned has executed this Unit 21 Amended Condominium Declaration for Chamonix at Woodrun Condominiums and Quit Claim Deed the day and year first above written.



Units No.: 15 and 25

OWNER:

SNOWMASS VENTURES

By Charles B. Lebovitz  
Charles Lebovitz, its General Partner

STATE OF Tennessee  
COUNTY OF Hamilton ) SS.

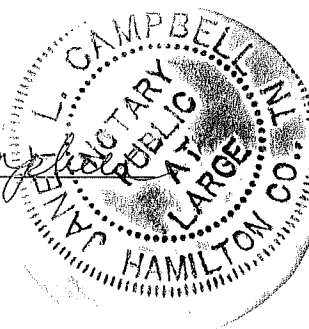
The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of May, 1997  
by Snowmass Ventures, Charles Lebovitz its General Partner, owner of Units No.15  
and 25, Chamonix at Woodrun Condominiums.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: 2/8/2000

(Seal)

Michael L. Campbell  
Notary Public



CONSENT OF FIRST MORTGAGEES

**THE UNDERSIGNED**, as the holder of a First Mortgage or Deed of Trust encumbering a Condominium Unit in Chamonix at Woodrun Condominiums hereby consents to the foregoing Amendment to Condominium Declaration for Chamonix at Woodrun Condominiums and Quit Claim Deed.

Unit No.: E1, E2, & E3

ALPINE BANK SNOWMASS VILLAGE

By Stan Kornasiewicz  
STAN Kornasiewicz, its PRESIDENT

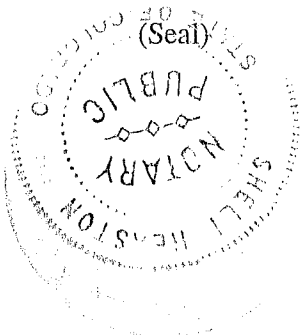
STATE OF COLORADO )  
 ) SS.  
COUNTY OF Pitkin )

The foregoing consent was acknowledged before me this 14 day of May, 1997 by Stan Kornasiewicz, as President of Alpine Bank Snowmass Village, the holder of a First (Mortgage) Deed of Trust encumbering Unit No. E1, E2 & E3, Chamonix at Woodrun Condominiums.

WITNESS MY HAND AND OFFICIAL SEAL.

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

MY COMMISSION EXPIRES 10-25-97



Shell Henston  
Notary Public

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