



1144286

Kathleen Neel - Summit County Recorder

14 Pages

6/22/2017 4:03 PM

DF: \$0.00

**SECOND AMENDMENT TO CONDOMINIUM DECLARATION
AND PLAN OF VACATION OWNERSHIP
FOR
GRAND COLORADO ON PEAK 8**

This Second Amendment (the "Second Amendment") to the Condominium Declaration and Plan of Vacation Ownership for Grand Colorado on Peak 8 (the "Declaration") is made and executed this 6th day of June, 2017, by Peak 8 Properties LLC, a Colorado limited liability company (herein "Declarant") and the Grand Colorado on Peak 8 Owners Association, Inc. (the "Association").

RECITALS

- A. The Declaration, dated August 25, 2015, was recorded August 31, 2015, at Reception No. 1090316 in the Summit County, Colorado public records (the "Records"). Capitalized terms used herein throughout have the meanings given to them in the Declaration.
- B. The Condominium Map of Grand Colorado on Peak 8 (the "Map") was recorded August 31, 2015, at Reception No. 1090317 in the Records. The Map includes a parcel of real estate labeled "Future Expansion Property" which is subject to the Expansion and Development Rights set forth in the Declaration, Article 16.
- C. A First Amendment to Condominium Declaration and Plan of Vacation Ownership for Grand Colorado on Peak 8 was recorded on August 10, 2016, under Reception No. 1118284 in the Summit County, Colorado Clerk and Recorder's Office.
- D. Pursuant to the rights reserved to Declarant in Articles 15 and 16 of the Declaration, Declarant has created Additional Improvements and desires to submit such Additional Improvements to the Declaration.
- E. Pursuant to the rights reserved to Declarant in Articles 15 and 22 of the Declaration, Declarant desires to submit additional Residential Units in the Project to the Plan of Vacation Ownership under the Declaration, and in conjunction therewith, to amend Exhibit B to the Declaration to reallocate the Allocated Interests shown thereon and to amend Exhibit E to the Declaration to reflect the additional Residential Units submitted to the Plan of Vacation Ownership.
- F. Declarant has previously shown the location of the additional Residential Units on the recorded Map, as amended by that certain Second Supplement to the Condominium Map of Grand Colorado on Peak 8, recorded on or about the date hereof in the Records

(the “Second Supplement”).

G. Pursuant to Article 15 of the Declaration, certain Special Declarant Rights and Additional Reserved Rights have been reserved to the Declarant including the right to amend the Declaration under Section 15.1(h).

NOW THEREFORE, Declarant hereby declares and publishes as follows:

1. Exercise of Development Rights. Declarant hereby submits the following Residential Units to the Plan of Vacation Ownership: 2132E, 2132F, 2132G, 2132H, 2134A, 2134B, 2135A, 2135B, 2136E, 2136G, 2136H, 2136I, 2231A, 2231B, 2232E, 2232F, 2232G, 2232H, 2233A, 2233B, 2233C, 2233D, 2234A, 2234B, 2235A, 2235B, 2236E, 2236G, 2236H, 2236I, 2331A, 2331B, 2332E, 2332F, 2332G, 2332H, 2333A, 2333B, 2333C, 2333D, 2334A, 2334B, 2335A, 2335B, 2336E, 2336G, 2336H, 2336I, 2431A, 2431B, 2432A, 2432B, 2433A, 2433B, 2433C, 2433D, 2434A, 2434B, 2435A and 2435B.
2. Allocated Interests. The Allocated Interests appurtenant to each Residential Unit in the Condominium Project set forth on Exhibit B to the Declaration are hereby reallocated, based upon the formula in Section 4.2 of the Declaration. Exhibit B to the Declaration is hereby amended and replaced in its entirety as set forth on **Exhibit 1** to this Second Amendment.
3. Exhibit E to Declaration. Exhibit E to the Declaration is hereby amended as set forth on **Exhibit 2** to this Second Amendment.
4. General. In the event of any conflict or inconsistency between the provisions of the Declaration and this Second Amendment, the provisions of this Second Amendment shall control. All capitalized terms used in this Second Amendment, but not defined herein, are defined in the Declaration. A reference to the Declaration or the Map in any document or instrument shall be deemed to include this Second Amendment without any further or specific reference thereto.

[Remainder of page intentionally blank; signature pages follow.]

VAIL SUMMIT RESORTS INC.'S CONSENT

Pursuant to Section 21.8 of the Condominium Declaration and Plan of Vacation Ownership for Grand Lodge on Peak 8 dated August 31, 2015, and recorded August 31, 2015 at Reception No. 1090316 in the Summit County, Colorado public records, Vail Summit Resorts, Inc. hereby consents to and approves this Second Amendment to Condominium Declaration and Plan of Vacation Ownership for Grand Colorado on Peak 8 and the Second Supplement to the Map.

VAIL SUMMIT RESORTS, INC.

By: *John Buhler*
Name: *John Buhler*
Title: *VP & COO*

STATE OF COLORADO)

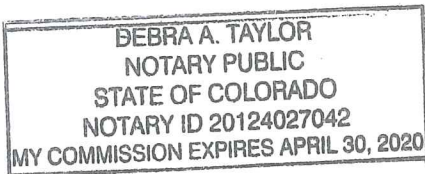
)ss.

COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this *21* day of *June*, 2017, by *John Buhler, VP & COO* of Vail Summit Resorts, Inc.

Witness my hand and official seal.

My commission expires: *April 30, 2020*



Debra A. Taylor
NOTARY PUBLIC

MORTGAGEE'S CONSENT

The undersigned hereby consents to the execution and recording of the foregoing Second Amendment to Declaration and Plan of Vacation Ownership for Grand Colorado on Peak 8 and the Second Supplement to the Map.

Dated this 8th day of June, 2017.

FIRSTBANK, a Colorado banking corporation

By: Candice Panariso

Candice Panariso, Senior Vice President

STATE OF COLORADO)

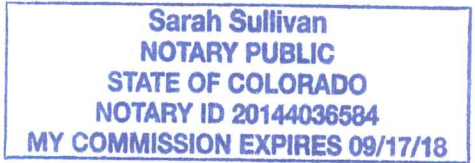
)ss.

COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this 8th day of June, 2017, by Candice Panariso, Senior Vice President of FirstBank, a Colorado banking corporation.

Witness my hand and official seal.

My commission expires: 9-17-2018



Sarah Sullivan

NOTARY PUBLIC

LIBERTY BANK'S CONSENT

The undersigned hereby consents to the execution and recording of the foregoing Second Amendment to Declaration and Plan of Vacation Ownership for Grand Colorado on Peak 8 and the Second Supplement to the Map.

Dated this 7th day of June, 2017.

LIBERTY BANK,
A Connecticut Non-Stock Mutual Savings Bank

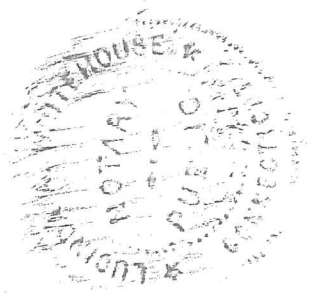
By: [Signature]
Name: Jason M. Gordon
Title: Vice President

STATE OF CONNECTICUT)
)ss.
COUNTY OF Middlesex)

The foregoing instrument was acknowledged before me this 7th day of June, 2017, by Jason M. Gordon, as Vice President of Liberty Bank, A Connecticut Non-Stock Mutual Savings Bank.

Witness my hand and official seal.

My commission expires: 11-30-2021.



[Signature]
NOTARY PUBLIC

LUCINDA A. WHITEHOUSE
NOTARY PUBLIC
MY COMMISSION EXPIRES NOV. 30, 2021

EXHIBIT 1
Exhibit B to Declaration
ALLOCATED INTERESTS
[See attached]

	Use	Unit No.		Allocation Factor	Average Square Feet	Percentage Interest in Common Elements	Percentage Share of Common Expense Liability	Votes in the affairs of the Association	Vacation Estates Undivided Interest in Vacation Unit
1	R	1010	A	1.1500	955	0.6766%	0.6766%	1	1/52
2	R	1010	B	0.8500	435	0.5001%	0.5001%	1	1/52
3	R	1010	C	0.8500	435	0.5001%	0.5001%	1	1/52
4	R	1010	D	1.1500	955	0.6766%	0.6766%	1	1/52
5	R	1012	A	1.1500	955	0.6766%	0.6766%	1	1/52
6	R	1012	B	0.8500	435	0.5001%	0.5001%	1	1/52
7	R	1020	A	1.1500	955	0.6766%	0.6766%	1	1/52
8	R	1020	B	0.8500	435	0.5001%	0.5001%	1	1/52
9	R	1020	C	0.8500	435	0.5001%	0.5001%	1	1/52
10	R	1020	D	1.1500	955	0.6766%	0.6766%	1	1/52
11	R	1022	A	1.1500	955	0.6766%	0.6766%	1	1/52
12	R	1022	B	0.8500	435	0.5001%	0.5001%	1	1/52
13	R	1220	E	1.4500	1,240	0.8531%	0.8531%	1	1/52
14	R	1220	G	0.8500	435	0.5001%	0.5001%	1	1/52
15	R	1220	H	0.8500	435	0.5001%	0.5001%	1	1/52
16	R	1220	I	0.8500	435	0.5001%	0.5001%	1	1/52
17	R	1221	A	1.1500	955	0.6766%	0.6766%	1	1/52
18	R	1221	B	0.8500	435	0.5001%	0.5001%	1	1/52
19	R	1221	C	0.8500	435	0.5001%	0.5001%	1	1/52
20	R	1221	D	1.1500	955	0.6766%	0.6766%	1	1/52
21	R	1222	E	1.4500	1,240	0.8531%	0.8531%	1	1/52
22	R	1222	F	0.8500	435	0.5001%	0.5001%	1	1/52
23	R	1222	G	0.8500	435	0.5001%	0.5001%	1	1/52
24	R	1222	H	0.8500	435	0.5001%	0.5001%	1	1/52
25	R	1320	E	1.4500	1,240	0.8531%	0.8531%	1	1/52
26	R	1320	G	0.8500	435	0.5001%	0.5001%	1	1/52
27	R	1320	H	0.8500	435	0.5001%	0.5001%	1	1/52
28	R	1320	I	0.8500	435	0.5001%	0.5001%	1	1/52
29	R	1321	A	1.1500	955	0.6766%	0.6766%	1	1/52
30	R	1321	B	0.8500	435	0.5001%	0.5001%	1	1/52
31	R	1321	C	0.8500	435	0.5001%	0.5001%	1	1/52
32	R	1321	D	1.1500	955	0.6766%	0.6766%	1	1/52
33	R	1322	E	1.4500	1,240	0.8531%	0.8531%	1	1/52
34	R	1322	F	0.8500	435	0.5001%	0.5001%	1	1/52
35	R	1322	G	0.8500	435	0.5001%	0.5001%	1	1/52
36	R	1322	H	0.8500	435	0.5001%	0.5001%	1	1/52
37	R	1420	A	1.1500	955	0.6766%	0.6766%	1	1/52
38	R	1420	B	0.8500	435	0.5001%	0.5001%	1	1/52
39	R	1421	A	1.1500	955	0.6766%	0.6766%	1	1/52
40	R	1421	B	0.8500	435	0.5001%	0.5001%	1	1/52
41	R	1421	C	0.8500	435	0.5001%	0.5001%	1	1/52
42	R	1421	D	1.1500	955	0.6766%	0.6766%	1	1/52
43	R	1422	E	1.4500	1,240	0.8531%	0.8531%	1	1/52
44	R	1422	F	0.8500	435	0.5001%	0.5001%	1	1/52
45	R	1422	G	0.8500	435	0.5001%	0.5001%	1	1/52
46	R	1422	H	0.8500	435	0.5001%	0.5001%	1	1/52
47	R	1521	A	1.1500	955	0.6766%	0.6766%	1	1/52
48	R	1521	B	0.8500	435	0.5001%	0.5001%	1	1/52
49	R	1521	C	0.8500	435	0.5001%	0.5001%	1	1/52

	Use	Unit No.		Allocation Factor	Average Square Feet	Percentage Interest in Common Elements	Percentage Share of Common Expense Liability	Votes in the affairs of the Association	Vacation Estates Undivided Interest in Vacation Unit
50	R	1521	D	1.1500	955	0.6766%	0.6766%	1	1/52
51	R	1522	E	1.4500	1,240	0.8531%	0.8531%	1	1/52
52	R	1522	F	0.8500	435	0.5001%	0.5001%	1	1/52
53	R	1522	G	0.8500	435	0.5001%	0.5001%	1	1/52
54	R	1522	H	0.8500	435	0.5001%	0.5001%	1	1/52
55	C	C-1: Restaurant		3.5885	2,494	2.1113%	2.1113%	4	
56	C	C-2: Lockers & First Aid		8.0230	5,576	4.7204%	4.7204%	8	
57	A	C-3: OPC Desk		0.1036	72	0.0610%	0.0610%	0	
58	R	1223	A	1.1500	955	0.6766%	0.6766%	1	1/52
59	R	1223	B	0.8500	435	0.5001%	0.5001%	1	1/52
60	R	1223	C	0.8500	435	0.5001%	0.5001%	1	1/52
61	R	1223	D	1.1500	955	0.6766%	0.6766%	1	1/52
62	R	1224	E	1.4500	1,240	0.8531%	0.8531%	1	1/52
63	R	1224	F	0.8500	435	0.5001%	0.5001%	1	1/52
64	R	1224	G	0.8500	435	0.5001%	0.5001%	1	1/52
65	R	1224	H	0.8500	435	0.5001%	0.5001%	1	1/52
66	R	1226	A	1.1500	955	0.6766%	0.6766%	1	1/52
67	R	1226	B	0.8500	435	0.5001%	0.5001%	1	1/52
68	R	1323	A	1.1500	955	0.6766%	0.6766%	1	1/52
69	R	1323	B	0.8500	435	0.5001%	0.5001%	1	1/52
70	R	1323	C	0.8500	435	0.5001%	0.5001%	1	1/52
71	R	1323	D	1.1500	955	0.6766%	0.6766%	1	1/52
72	R	1324	E	1.4500	1,240	0.8531%	0.8531%	1	1/52
73	R	1324	F	0.8500	435	0.5001%	0.5001%	1	1/52
74	R	1324	G	0.8500	435	0.5001%	0.5001%	1	1/52
75	R	1324	H	0.8500	435	0.5001%	0.5001%	1	1/52
76	R	1326	A	1.1500	955	0.6766%	0.6766%	1	1/52
77	R	1326	B	0.8500	435	0.5001%	0.5001%	1	1/52
78	R	1423	A	1.1500	955	0.6766%	0.6766%	1	1/52
79	R	1423	B	0.8500	435	0.5001%	0.5001%	1	1/52
80	R	1423	C	0.8500	435	0.5001%	0.5001%	1	1/52
81	R	1423	D	1.1500	955	0.6766%	0.6766%	1	1/52
82	R	1424	E	1.4500	1,240	0.8531%	0.8531%	1	1/52
83	R	1424	F	0.8500	435	0.5001%	0.5001%	1	1/52
84	R	1424	G	0.8500	435	0.5001%	0.5001%	1	1/52
85	R	1424	H	0.8500	435	0.5001%	0.5001%	1	1/52
86	R	1426	A	1.1500	955	0.6766%	0.6766%	1	1/52
87	R	1426	B	0.8500	435	0.5001%	0.5001%	1	1/52
88	R	1523	A	1.1500	955	0.6766%	0.6766%	1	1/52
89	R	1523	B	0.8500	435	0.5001%	0.5001%	1	1/52
90	R	1524	E	1.4500	1,240	0.8531%	0.8531%	1	1/52
91	R	1524	F	0.8500	435	0.5001%	0.5001%	1	1/52
92	R	1524	G	0.8500	435	0.5001%	0.5001%	1	1/52
93	R	1524	H	0.8500	435	0.5001%	0.5001%	1	1/52
94	C	C-4: Spa		2.7022	1,878	1.5898%	1.5898%	3	
95	C	C-5: Lobby Bar		0.3957	275	0.2328%	0.2328%	0	
96	C	C-6: Market		0.5036	350	0.2963%	0.2963%	1	

	Use	Unit No.		Allocation Factor	Average Square Feet	Percentage Interest in Common Elements	Percentage Share of Common Expense Liability	Votes in the affairs of the Association	Vacation Estates Undivided Interest in Vacation Unit
97	A	A-1: Front Desk & Admin Offices		2.1525	1,496	1.2664%	1.2664%	2	
98	A	A-2: Concierge Desk		0.2158	150	0.1270%	0.1270%	0	
99	A	A-3: Sales Office / Multipurpose Room		1.4892	1,035	0.8762%	0.8762%	2	
100	R	2132	E	1.4500	1,240	0.8531%	0.8531%	1	1/52
101	R	2132	F	0.8500	435	0.5001%	0.5001%	1	1/52
102	R	2132	G	0.8500	435	0.5001%	0.5001%	1	1/52
103	R	2132	H	0.8500	435	0.5001%	0.5001%	1	1/52
104	R	2134	A	1.1500	955	0.6766%	0.6766%	1	1/52
105	R	2134	B	0.8500	435	0.5001%	0.5001%	1	1/52
106	R	2135	A	1.1500	955	0.6766%	0.6766%	1	1/52
107	R	2135	B	0.8500	435	0.5001%	0.5001%	1	1/52
108	R	2136	E	1.4500	1,240	0.8531%	0.8531%	1	1/52
109	R	2136	G	0.8500	435	0.5001%	0.5001%	1	1/52
110	R	2136	H	0.8500	435	0.5001%	0.5001%	1	1/52
111	R	2136	I	0.8500	435	0.5001%	0.5001%	1	1/52
112	R	2231	A	1.1500	955	0.6766%	0.6766%	1	1/52
113	R	2231	B	0.8500	435	0.5001%	0.5001%	1	1/52
114	R	2232	E	1.4500	1,240	0.8531%	0.8531%	1	1/52
115	R	2232	F	0.8500	435	0.5001%	0.5001%	1	1/52
116	R	2232	G	0.8500	435	0.5001%	0.5001%	1	1/52
117	R	2232	H	0.8500	435	0.5001%	0.5001%	1	1/52
118	R	2233	A	1.1500	955	0.6766%	0.6766%	1	1/52
119	R	2233	B	0.8500	435	0.5001%	0.5001%	1	1/52
120	R	2233	C	0.8500	435	0.5001%	0.5001%	1	1/52
121	R	2233	D	1.1500	955	0.6766%	0.6766%	1	1/52
122	R	2234	A	1.1500	955	0.6766%	0.6766%	1	1/52
123	R	2234	B	0.8500	435	0.5001%	0.5001%	1	1/52
124	R	2235	A	1.1500	955	0.6766%	0.6766%	1	1/52
125	R	2235	B	0.8500	435	0.5001%	0.5001%	1	1/52
126	R	2236	E	1.4500	1,240	0.8531%	0.8531%	1	1/52
127	R	2236	G	0.8500	435	0.5001%	0.5001%	1	1/52
128	R	2236	H	0.8500	435	0.5001%	0.5001%	1	1/52
129	R	2236	I	0.8500	435	0.5001%	0.5001%	1	1/52
130	R	2331	A	1.1500	955	0.6766%	0.6766%	1	1/52
131	R	2331	B	0.8500	435	0.5001%	0.5001%	1	1/52
132	R	2332	E	1.4500	1,240	0.8531%	0.8531%	1	1/52
133	R	2332	F	0.8500	435	0.5001%	0.5001%	1	1/52
134	R	2332	G	0.8500	435	0.5001%	0.5001%	1	1/52
135	R	2332	H	0.8500	435	0.5001%	0.5001%	1	1/52
136	R	2333	A	1.1500	955	0.6766%	0.6766%	1	1/52
137	R	2333	B	0.8500	435	0.5001%	0.5001%	1	1/52
138	R	2333	C	0.8500	435	0.5001%	0.5001%	1	1/52
139	R	2333	D	1.1500	955	0.6766%	0.6766%	1	1/52
140	R	2334	A	1.1500	955	0.6766%	0.6766%	1	1/52
141	R	2334	B	0.8500	435	0.5001%	0.5001%	1	1/52
142	R	2335	A	1.1500	955	0.6766%	0.6766%	1	1/52
143	R	2335	B	0.8500	435	0.5001%	0.5001%	1	1/52

	Use	Unit No.		Allocation Factor	Average Square Feet	Percentage Interest in Common Elements	Percentage Share of Common Expense Liability	Votes in the affairs of the Association	Vacation Estates Undivided Interest in Vacation Unit
144	R	2336	E	1.4500	1,240	0.8531%	0.8531%	1	1/52
145	R	2336	G	0.8500	435	0.5001%	0.5001%	1	1/52
146	R	2336	H	0.8500	435	0.5001%	0.5001%	1	1/52
147	R	2336	I	0.8500	435	0.5001%	0.5001%	1	1/52
148	R	2431	A	1.1500	955	0.6766%	0.6766%	1	1/52
149	R	2431	B	0.8500	435	0.5001%	0.5001%	1	1/52
150	R	2432	A	1.1500	955	0.6766%	0.6766%	1	1/52
151	R	2432	B	0.8500	435	0.5001%	0.5001%	1	1/52
152	R	2433	A	1.1500	955	0.6766%	0.6766%	1	1/52
153	R	2433	B	0.8500	435	0.5001%	0.5001%	1	1/52
154	R	2433	C	0.8500	435	0.5001%	0.5001%	1	1/52
155	R	2433	D	1.1500	955	0.6766%	0.6766%	1	1/52
156	R	2434	A	1.1500	955	0.6766%	0.6766%	1	1/52
157	R	2434	B	0.8500	435	0.5001%	0.5001%	1	1/52
158	R	2435	A	1.1500	955	0.6766%	0.6766%	1	1/52
159	R	2435	B	0.8500	435	0.5001%	0.5001%	1	1/52
160	C	C-7: Ambulance Bay		0.7914	550	0.4656%	0.4656%	1	
Total:				169.9655	114,366	100.00%	100.00%	171	

EXHIBIT 2
Exhibit E to Declaration
UNITS SUBMITTED TO THE PLAN OF VACATION OWNERSHIP

<u>Phase 1:</u>	<u>Phase 2:</u>	<u>Phase 3:</u>
1010A 1522E	1223A	2132E 2433A
1010B 1522F	1223B	2132F 2433B
1010C 1522G	1223C	2132G 2433C
1010D 1522H	1223D	2132H 2433D
1012A	1224E	2134A 2434A
1012B	1224F	2134B 2434B
1020A	1224G	2135A 2435A
1020B	1224H	2135B 2435B
1020C	1226A	2136E
1020D	1226B	2136G
1022A	1323A	2136H
1022B	1323B	2136I
1220E	1323C	2231A
1220G	1323D	2231B
1220H	1324E	2232E
1220I	1324F	2232F
1221A	1324G	2232G
1221B	1324H	2232H
1221C	1326A	2233A
1221D	1326B	2233B
1222E	1423A	2233C
1222F	1423B	2233D
1222G	1423C	2234A
1222H	1423D	2234B
1320E	1424E	2235A
1320G	1424F	2235B
1320H	1424G	2236E
1320I	1424H	2236G
1321A	1426A	2236H
1321B	1426B	2236I
1321C	1523A	2331A
1321D	1523B	2331B
1322E	1524E	2332E
1322F	1524F	2332F
1322G	1524G	2332G
1322H	1524H	2332H
1420A		2333A
1420B		2333B
1421A		2333C
1421B		2333D
1421C		2334A
1421D		2334B
1422E		2335A
1422F		2335B
1422G		2336E
1422H		2336G
1521A		2336H
1521B		2336I
1521C		2431A
1521D		2431B
		2432A
		2432B