

**FOURTH AMENDMENT TO THE AMENDED DECLARATION
OF THE BLUE MESA LODGE CONDOMINIUMS, AMENDING EXHIBIT A**

THIS FOURTH AMENDMENT to the Amended Declaration of the Blue Mesa Lodge Condominiums is made this 19 day of July 2020, (the "**Fourth Amendment**"), by the Blue Mesa Lodge Condominiums Association, Inc. (the "**Association**"), pursuant to the provisions of the (i) the Amended Declaration of the Blue Mesa Lodge Condominiums, filed in the office of the Clerk and Recorder, San Miguel County, Colorado, on August 29, 1997 under Reception Number 314222 (the "**Original Amended Declaration**"); (ii) the First Amendment to the Amended Declaration of the Blue Mesa Lodge Condominiums filed in the Public Records on October 5, 19908 under Reception No. 321574 (the "**First Amendment**"); and (iii) the Second Amendment to the Amended Declaration of the Blue Mesa Lodge Condominiums filed in the Public Records on March 17, 2010 under Reception No. 411615 and (iv) the Third Amendment to the Amended Declaration of the Blue Mesa Lodge Condominiums filed in the public records on April 13, 2020 (collectively, the "**Amended Declaration**").

RECITALS

- A. The Blue Mesa Lodge Condominium Association, duly convened, and according to the Amended Bylaws of the Blue Mesa Lodge Condominium Association, Inc., the Amended Declaration, and the Colorado Common Interest Ownership Act, C.R.S. Section 38-33.3-101, et. seq, by and through the understgned Unit Owner, seek to (i) re-designate one Residential Studio Apartment Unit as a Residential Unit (not Residential Studio Apartment Units) (the "**New Residential Unit**").
- B. The uses and designation for the New Residential Unit shall be consistent with the zoning designation of a Lodge Unit as defined by Town of Mountain Village's Community Development Code dated as of Sept 19, 2019 (the "**Code**").
- C. The creation of the New Residential Unit converts one Residential Studio Apartment Inits into one New Residential Unit.
- D. The town of Mountain Village Town Council has approved the rezoning of the Residential Studio Apartment Unit (zoned as an Efficiency Lodge Unit) into a Lodge Unit, pursuant to Ordinance No. 2020-08, which designation is consistent with the floor plans and improvements within the New Residential Unit.
- E. Pursuant to Section 2.5 of the Original Amended Declaration, Residential Units may be altered or combined within the Blue Mesa Lodge community upon approval of only such Owners of the impacted Unit (the "**New Residential Unit Owner**") and the Association need not seek approval of any uninvolved Owners.
- F. The New Residential Unit Owner has taken all steps required by the Amended Declaration and the Town Of Mountain Village to approve this Fourth Amendment.

NOW THEREFORE, the undersigned New Residential Unit Owner, being duly authorized to affect this Fourth Amendment, and having taken those steps necessary and advisable in order to effectuate an amendment to the Amended Declaration, hereby amends the Amended Declaration of the Blue Mesa Lodge Condominiums as follows:

FOURTH AMENDMENT TO AMENDED DECLARATION

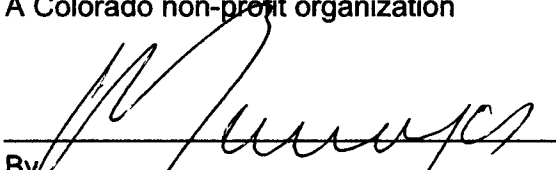
1. The New Residential Unit is hereby no longer designated as a Residential Studio Apartment Unit and thus now shall be designated generally a Residential Unit consistent with the uses allowed in a Lodge Unit according to the Code, as reflected on the First Amended Map and as follows:

Unit 20B is re-designated as Residential Unit 20B-R

2. Exhibit A of the Amended Declaration is hereby amended as set forth in the attached revised Exhibit A
3. A Second Amendment to Blue Mesa Lodge Condominium Map (the "**Second Amended Map**") shall be duly recorded in the Public Records to reflect the Combined Units as set forth in this Fourth Amendment.
4. Pursuant to Section 2.5 of the Original Amendment Declaration the New Residential Unit Owner approves of this Fourth Amendment effectuating the consolidation of the New Residential Unit, which as also been acknowledged and accepted by the Association.
5. All other provisions of the Amended Declaration not specifically amended hereby shall remain in full force and effect.
6. This Fourth Amendment shall have no impact on any Unit or Unit Owners not specifically referenced herein.

ACKNOWLEDGED AND ACCEPTED BY:

Blue Mesa Lodge Condominium Association Inc.
A Colorado non-profit organization

By 

Title *Blue Mesa Lodge HOA President*