

BOOK 354 10:00 Am  
PAGE 384 March 11, 1983

SECOND AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
PITKIN CREEK TOWNHOUSES

WHEREAS, a Declaration of Covenants, Conditions and Restrictions was recorded in the records of the County Clerk and Recorder of Eagle County, Colorado on February 21, 1979 in Book 282 at Page 203, and a first amendment thereto was recorded on November 30, 1979 in Book 295 at Page 263, affecting the property described therein, which property is legally described as Lots 1 through 23 and Parcel A of Townhouse Plat of Pitkin Creek Filing No. 1, Eagle County, Colorado.

NOW, THEREFORE, this Second Amendment to the Declaration is made this 7th day of March, 1983, by Pitkin Creek Townhouse Association, a Colorado non-profit corporation (the "Association"), by the undersigned officer of the Association thereunto duly authorized:

1. Paragraph 3 of Article I of the Declaration has been amended to read as follows:

"Association" shall mean and refer to the Falls At Vail Townhouse Association, a Colorado corporation not-for-profit.

2. The foregoing amendment to the Declaration was duly approved in the manner required by Paragraph 2 of Article XI of the Declaration as follows:

(a) At a properly convened special meeting of the members of the Association held May 30, 1982, owners representing two-thirds or more of the townhouse real property interests, represented in person or by proxy, approved the change in name specified above.

(b) Attached hereto and incorporated herein as Exhibits A-1 through A-10 are the consents to the name change executed by two-thirds or more of the persons

then holding recorded first mortgages or being the beneficiaries of recorded first deeds of trust encumbering all or any part of the properties.

(c) Attached hereto as Exhibit B and incorporated herein is the consent to the name change executed by the Town of Vail Planning and Environmental Commission, Vail, Colorado.

3. The foregoing is true and correct to the best knowledge, information and belief of the undersigned.

THE FALLS AT VAIL TOWNHOUSE  
ASSOCIATION (formerly known  
as Pitkin Creek Townhouse  
Association)

By: Jay W. Enyart  
Jay W. Enyart  
Vice President

STATE OF COLORADO )  
  ) ss.  
CITY AND COUNTY OF DENVER )

The foregoing instrument was acknowledged before me, a notary public, this 14th day of March, 1983, by Jay W. Enyart as Vice President of The Falls At Vail Townhouse Association (formerly known as Pitkin Creek Townhouse Association), a Colorado corporation not-for-profit.

My Commission expires: 12/30/84

Sandra L. Brock  
Notary Public

1720 S. Bellvue St, #1100  
Denver, Co 80222  
Address of Notary Public



EXHIBIT A-1

CONSENT OF MORTGAGE HOLDER  
TO NAME CHANGE

The undersigned being the holder of a promissory note which is secured by a valid first lien upon Units 2, 3, 9, 16, 17, 21 and 23, Pitkin Creek Townhouses, Vail, Colorado, does hereby consent to an amendment to the Articles of Incorporation of Pitkin Creek Townhouse Association changing its corporate name to "The Falls at Vail Townhouse Association."

Dated this 7th day of July, 1982.

WESTERN FEDERAL SAVINGS AND  
LOAN ASSOCIATION OF DENVER

By:


  
Robert E. Scott, Senior  
Vice President

EXHIBIT A-2

CONSENT OF MORTGAGE HOLDER  
TO NAME CHANGE

The undersigned being the holder of a promissory note which is secured by a valid first lien upon Unit #4, Pitkin Creek Townhouses, Vail, Colorado, does hereby consent to an amendment to the Articles of Incorporation of Pitkin Creek Townhouse Association changing its corporate name to "The Falls at Vail Townhouse Association."

Dated this 25th day of May, 1982.

Alpine Federal Savings & Loan Association

By: Cheryl L. Dingwell  
Authorized Officer



EXHIBIT A-3

CONSENT OF MORTGAGE HOLDER  
TO NAME CHANGE

The undersigned being the holder of a promissory note which is secured by a valid first lien upon Unit 7, Pitkin Creek Townhouses, Vail, Colorado, does hereby consent to an amendment to the Articles of Incorporation of Pitkin Creek Townhouse Association changing its corporate name to "The Falls at Vail Townhouse Association."

Dated this 17th day of Mar, 1982.

Western Federal Savings and Loan  
Association of Denver


By:   
Authorized Officer - Vice-President

EXHIBIT A-4

CONSENT OF MORTGAGE HOLDER  
TO NAME CHANGE

The undersigned being the holder of a promissory note which is secured by a valid first lien upon Unit 8, Pitkin Creek Townhouses, Vail, Colorado, does hereby consent to an amendment to the Articles of Incorporation of Pitkin Creek Townhouse Association changing its corporate name to "The Falls at Vail Townhouse Association."

Dated this 14<sup>th</sup> day of May, 1982.

Vail National Bank

By: Shawn K. Hanning  
Authorized Officer

EXHIBIT A-5

MAY 18 1982

CONSENT OF MORTGAGE HOLDER  
TO NAME CHANGE

The undersigned being the holder of a promissory note which is secured by a valid first lien upon Unit 11, Pitkin Creek Townhouses, Vail, Colorado, does hereby consent to an amendment to the Articles of Incorporation of Pitkin Creek Townhouse Association changing its corporate name to "The Falls at Vail Townhouse Association."

Dated this 21st day of May, 1982.

WESTERN FEDERAL SAVINGS AND LOAN  
ASSOCIATION OF DENVER

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By: Robert E. Scott  
Authorized Officer Sr. Vice President

EXHIBIT A-6

CONSENT OF MORTGAGE HOLDER  
TO NAME CHANGE

The undersigned being the holder of a promissory note which is secured by a valid first lien upon Unit 13, Pitkin Creek Townhouses, Vail, Colorado, does hereby consent to an amendment to the Articles of Incorporation of Pitkin Creek Townhouse Association changing its corporate name to "The Falls at Vail Townhouse Association."

Dated this 12 day of May, 1982.

Jim Paulbauer

By: \_\_\_\_\_  
Authorized Officer

EXHIBIT A-7

CONSENT OF MORTGAGE HOLDER  
TO NAME CHANGE

The undersigned being the holder of a promissory note which is secured by a valid first lien upon Unit 14, Pitkin Creek Townhouses, Vail, Colorado, does hereby consent to an amendment to the Articles of Incorporation of Pitkin Creek Townhouse Association changing its corporate name to "The Falls at Vail Townhouse Association."

Dated this 15 day of MAY, 1982.

FOOTHILL INDUSTRIAL BANK

By: Robert Stevens  
Authorized Officer



EXHIBIT A-8

CONSENT OF MORTGAGE HOLDER  
TO NAME CHANGE

The undersigned being the holder of a promissory note which is secured by a valid first lien upon Unit 15, Pitkin Creek Townhouses, Vail, Colorado, does hereby consent to an amendment to the Articles of Incorporation of Pitkin Creek Townhouse Association changing its corporate name to "The Falls at Vail Townhouse Association."

Dated this 14 day of May, 1982.

FOOTHILL INDUSTRIAL BANK

By: Robert Stevens  
Authorized Officer



EXHIBIT A-9

CONSENT OF MORTGAGE HOLDER  
TO NAME CHANGE

The undersigned being the holder of a promissory note which is secured by a valid first lien upon Unit T-10, Pitkin Creek Townhouses, Vail, Colorado, does hereby consent to an amendment to the Articles of Incorporation of Pitkin Creek Townhouse Association changing its corporate name to "The Falls at Vail Townhouse Association."

Dated this 20th day of May, 1982.

CENTERRE BANK, N. A.

By:

Sergio M. Perry  
Authorized Officer  
Mortgage Loan Officer

102876-2-1

EXHIBIT A-10


CONSENT OF MORTGAGE HOLDER  
TO NAME CHANGE

The undersigned being the holder of a promissory note which is secured by a valid first lien upon Unit 19, Pitkin Creek Townhouses, Vail, Colorado, does hereby consent to an amendment to the Articles of Incorporation of Pitkin Creek Townhouse Association changing its corporate name to "The Falls at Vail Townhouse Association."

Dated this 10th day of June, 1982.

~~WESTERN FEDERAL SAVINGS AND LOAN ASSOCIATION OF DENVER~~

By: Robert E. Seem  
Authorized Officer Senior Vice President

 Apell and John Leahy  
P. O. Box 511  
Vail, Colorado 81658  
Fly Continental

20 May 82

Sirs:

Due to much confusion with a new PUD, Pitkin Creek Park, the homeowners' association has voted to rename Pitkin Creek Townhouses The Falls at Vail. Approval of 1st mortgage holders is required. If you require further info, please feel free to contact me.

Thank you.

Sincerely,

April M Leahy

P.S. Please return this form to me.

EXHIBIT B

CONSENT TO NAME CHANGE

The Planning and Environmental Commission of the Town of Vail, Vail, Colorado does hereby consent and agree that the Pitkin Creek Townhouse Association may change its name to "The Falls at Vail Townhouse Association."

PLANNING & ENVIRONMENTAL COMMISSION  
OF THE TOWN OF VAIL

By: *Dan Green* - Chairman  
Authorized Officer

Date: May 24, 1982