421658
REPLAT
ELKSTONE OWNERS ASSN INC
TO
REPLAT ELKSTONE 2ND AMEND
REPLAT ELKSTONE 21 PARKING

State of Colorado)
County of San Miguel) ss
Filed for Record at 9:37 O'Clock
A.M. FEBRUARY 14, 2012
and duly recorded in plat
book PLAT1 page 4521-4522
M. Kathleen Erie
County Clerk & Recorder
By: Rebecca Dibble Deputy
Fees: 21.00

421658
Page 1 of 2
SAN MIGUEL COUNTY, CO
M. KATHLEEN ERIE, CLERK-RECORDER
02-14-2012 09:37 AM Recording Fee $21.00

CERTIFICATE OF OWNERSHIP, DECLARATIONS, RESERVATIONS AND DEDICATIONS

The President of Elkstone Owners Association, Inc., a Colorado nonprofit corporation (the "Association"), for itself and as the entity charged with management, operation and maintenance of the Common Elements of the Community on behalf of the Owners, as well as the designated party charged by the Owners at the Approving Meeting with executing, delivering and recording this Second Restated Map on behalf of the Owners, hereby certifies as follows:

The real property affected by this Second Amended Map is legally described, as follows:

The 29 Units and associated tenant-in-common ownership interests in the Common Elements for Elkstone, a Common Interest Community (the "Community"), all according to the (i) Declaration of Covenants, Conditions and Restrictions for Elkstone, a Colorado Common Interest Community, recorded in the records of the Clerk and Recorder for San Miguel County, Colorado (the "Official Records"), May 16, 2003 under Reception No. 357307, as supplemented by that First Supplement to the Declaration recorded July 11, 2005 at Reception No. 376074; Second Supplement recorded December 13, 2006 at Reception no. 388999; Third Supplemental Declaration recorded July 27, 2007 at Reception No. 393385; Fourth Supplemental Declaration recorded June 29, 2011 at Reception No. 418710; as amended by the First Amendment to the Declaration recorded October 4, 2011 at Reception No. 419926 and as amended by the Second Amendment to the Declaration recorded 2-14, 2012 at Reception No. 421657 (collectively, the "Declaration"); and (ii) the Condominium Map recorded May 16, 2003 in Plat Book 1, at page 3138, under Reception No. 357310, as amended by First Supplemental Map to Elkstone Common Interest Community Map, recorded July 11, 2005 in Plat Book 1 at page 3484, under Reception No. 376075, as supplemented by Second Supplemental Map to Elkstone Common Interest Community Map recorded December 13, 2006 in Plat Book 1 at page 3776, under Reception No. 389000, as amended by the Third Supplemental Map to Elkstone Common Interest Community Map recorded July 27, 2007 in Plat Book 1 at page 3857 under Reception No. 393384 and as supplemented by the Fourth Supplemental Map of Elkstone Common Interest Community Map recorded on April 26, 2010 in Plat Book 1 at Page 4332 under Reception No. 412201, and Fifth Supplemental Map to Elkstone Common Interest Community Map, recorded June 29, 2011 in Plat Book 1 at Page 4478 under Reception No. 418711 and as amended by the First Amended Map recorded October 4, 2011 in Plat Book 1 at Page 4509 under Reception No. 419927 (collectively, the "Map"), all affecting Lot 600A, Substantial Amendment to the Final Plat of Replat No. 7, Filing No. 1, Telluride Mountain Village, according to the Plat recorded December 9, 1983 in Plat book 1 at page 1600; TOGETHER WITH the benefits set forth in Easement Agreement recorded, October 20, 2000 at Reception No. 337660 and Easement Agreement recorded, October 30, 2000 at Reception No. 337659, to the extent the same constitute an interest in real property pursuant to Colorado Statutes; and

TOGETHER WITH such easements as inure to the benefit of the above referenced real property;

All of which are located within the Town of Mountain Village, County of San Miguel, State of Colorado.

The President of the Association does hereby declare:

a. This Second Amended Map is executed, delivered and recorded in the Official Records in conjunction with, and subject to the terms and conditions contained in, that certain Second Amendment to the Declaration recorded on 2-14, 2012 at Reception No. 421657 (the "Second Amended Declaration").

b. Pursuant to the Declaration, this Second Amended Map hereby ratifies, confirms and approves the addition, joiner and submittal of all the Units into the Community and its rights and obligations of condominium ownership requirements, each with the allocations of voting rights, assessments and Limited Common Elements, all as further depicted hereon.

c. The execution, delivery and recording in the Official Records of both this Second Amended Map and the Declaration were approved, directed and authorized by the vote of at least 67% of the Owners at a duly-convened meeting of the Owners held on February 10, 2012 (the "Approving Meeting"). At the Approving Meeting, the Owners further empowered, authorized and directed the President of the Association to execute, deliver and record in the Official Records both the Second Amended Map and the Second Amended Declaration.

d. Except as otherwise specified and/or defined, all capitalized terms on this Second Amended Map shall have the meaning set forth in the Declaration and/or Map.

CERTIFICATE OF OWNERSHIP, DECLARATIONS, RESERVATIONS AND DEDICATIONS (cont.)

ASSOCIATION: ELKSTONE OWNERS ASSOCIATION, INC., a Colorado nonprofit corporation (by and on its own behalf and the Owners, as directed and authorized at the Approving Meeting)

By: _____
Mark Kline, President

ACKNOWLEDGMENT

State of Colorado)
) ss
County of San Miguel)

This Second Amended Map was acknowledged before me by Mark Kline, as President of ELKSTONE OWNERS ASSOCIATION, INC., a Colorado nonprofit corporation

on the 13th day of February, 2012.

My commission expires: 2.22.13

Witness my hand and official seal.

MONIQUE BENEDICT NOTARY PUBLIC STATE OF COLORADO

_____
Notary Public

SURVEYOR'S CERTIFICATE

I, Jeffrey C. Haskell, being a Registered Land Surveyor in the State of Colorado, do hereby certify that this map and survey of SECOND AMENDED MAP TO ELKSTONE COMMON INTEREST COMMUNITY MAP (the "Second Amended Map") (i) was made under my direct supervision, responsibility and checking (ii) is true and accurate to the best of my knowledge and belief (iii) is clear and legible (iv) contains all the information required by C.R.S. 38-33.3-209.

Dated this 10th day of February, 2012.

COLORADO JEFFREY C. HASKELL 37970 REGISTERED LAND SURVEYOR

_____ 2/10/12
Jeffrey C. Haskell PLS 37970

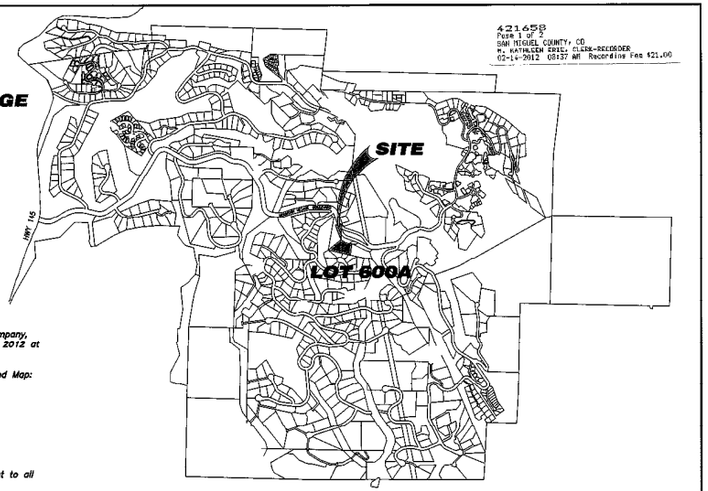
ATTORNEY'S OPINION:

I, Douglas R. Tueller, being an Attorney-at-Law duly licensed to practice before the Courts of record in the State of Colorado and representing the Association, hereby certify that I have examined the title to the lands shown on this Second Amended Map and that the title to the lands shown hereon is subject to the rights of described hereon and is free and clear of all encumbrances, liens, taxes and special assessments except as follows: (i) 2012 real property taxes assessed but not yet due or payable and (ii) those matters reflected in the Official Records.

Dated this 13th day of February, 2012

By: _____
Douglas R. Tueller
Attorney-at-Law
Registration No. 12958

TOWN OF MOUNTAIN VILLAGE VICINITY MAP NOT TO SCALE



NOTES

1. Easement research from Fidelity National Title Insurance Company, Commitment No. 310-F0395704-338-SPH, dated January 18, 2012 at 7:00 A.M.

2. The following abbreviations are used in this Second Amended Map:

GCE – General Common Element

LCE – Limited Common Element

Townhome Units – Units 1–7, inclusive,

Elkstone 21 Units – Units 8–28, inclusive and Unit 29.

LCE Elkstone 21 Units or E21 LCE – Limited Common Element to all Elkstone 21 Units,

LCE Townhome Units – Limited Common Element to all Townhome Units

3. The Community is subject to the terms and conditions of the Declaration and Map, as amended by this Second Amended Map and Second Amended Declaration, all as described as amended and modified by hereon.

4. NOTICE: According to Colorado law you must commence any legal action based upon defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in the survey reflected by this Second Amended Map be commenced more than ten years from the date of the certification shown hereon.

5. BASIS OF BEARINGS: The northwesterly line of Lot 600A and the Community assumed to bear N51°20'14"E between the monuments shown hereon.

6. The use of all Units shall be in conformity with all applicable Town Land Use Ordinance provisions and specifically "Unit 29" shall be owned and occupied in accordance with the Deed Restriction.

7. All of the Community and underlying property shown on this Second Amended Map is benefited by the fact that it is located adjacent to or near a skiing and resort area with associated ski and other trails and snow making and lift facilities and that such location represents a unique and desirable amenity that includes many year-round activities. The forgoing activities are anticipated to generate unpredictable disturbance of light, noise, odors and snow making over-spray associated with snow grooming activities, ski area operations and trail maintenance. The occupants of all Units in the Community (including those shown on this Second Amended Map, or subsequent maps, can anticipate the forgoing disturbances from time-to-time. By accepting a deed to all or any portion of any Unit in the Community, the owner (for itself and its successors and assigns) acknowledges that such Unit may be so affected and forever waives, releases and relinquishes any right to contest, object to or make any claim for damages, nuisance or otherwise against Declarant, it's successors and assigns arising out of the forgoing activities or any disturbances caused thereby.

8. By accepting a deed to all or any portion of a Unit, the Owner thereof (for itself and its successors and assigns) further hereby acknowledges an awareness of and assumes all risk and responsibilities relating to any mud or debris flow, run off, drainage or snow related hazards affecting the Community and hereby releases, waives and forever discharges Declarant and its agents, consultants, representatives, successors and assigns from any liability or claims for any losses or damages to persons or property including personal injury or death that may result to said owner, its successors and assigns from the presence of any of the foregoing.

UNIT SPECIFIC LCE ELKSTONE 21 UNITS CHART

UNIT	PARKING SPACE(S)	SKI LOCKER	OWNER STORAGE LOCKER	WINE LOCKERS
8	PS 101	SL 101	OS 101	WL 101
9	PS 102	SL 102	OS 102	WL 102
10	PS 103	SL 103	OS 103	WL 103
11	PS 104	SL 104	OS 104	WL 104
12	PS 201	SL 201	OS 201	WL 201
13	PS 202	SL 202	OS 202	WL 202
14	PS 203	SL 203	OS 203	WL 203
15	PS 204	SL 204	OS 204	WL 204
16	PS 205	SL 205	OS 205	WL 205
17	PS 301	SL 301	OS 301	WL 301
18	PS 302	SL 302	OS 302	WL 302
19	PS 303	SL 303	OS 303	WL 303
20	PS 304	SL 304	OS 304	WL 304
21	PS 305	SL 305	OS 305	WL 305
22	PS 306	SL 306	OS 306	WL 306
23	PS 307	SL 307	OS 307	WL 307
24	PS 401	SL 401	OS 401	WL 401
25	PS 402	SL 402	OS 402	WL 402
26	PS 403	SL 403	OS 403	WL 403
27	PS 501	SL 501	OS 501	WL 501
28	PS 502	SL 502	OS 502	WL 502
29**	PS 206	N/A	N/A	N/A

(UNIT 29 IS AN EMPLOYEE HOUSING UNIT)

LCE ELKSTONE 21 UNITS PARKING SPACES

PARKING SPACES	DESCRIPTION	DESIGNATION
#1	ASSOC. SPACE	E21 LCE
#2	HANDICAP SPACE	E21 LCE
#3	HANDICAP SPACE	E21 LCE
#4	ELKSTONE 21 SPACE	E21 LCE
#5	ELKSTONE 21 SPACE	E21 LCE
#6	ELKSTONE 21 SPACE	E21 LCE
#7	ELKSTONE 21 SPACE	E21 LCE
#8	ELKSTONE 21 SPACE	E21 LCE
#9	ELKSTONE 21 SPACE	E21 LCE
#10	ELKSTONE 21 SPACE	E21 LCE
#11	ELKSTONE 21 SPACE	E21 LCE

PARKING UNIT AREAS

UNIT	AREA
A	169 SQ.FT.
B	107 SQ.FT.

RECORDER'S CERTIFICATE

This Second Amended Map was filed for record in the Official Records on this 14th day of February A.D. at Plat Book P1-1 Page 4521-4522 Reception No. 421658 Time 9:37 AM

M. Kathleen Erie

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SECOND AMENDED MAP FOR ELKSTONE COMMON INTEREST COMMUNITY MAP LOCATED ON LOT 600A, TOWN OF MOUNTAIN VILLAGE, LOCATED WITHIN THE SW 1/4 OF THE NW 1/4, SECTION 3, T.42N., R.9W., OF THE N.M.P.M. IN THE COUNTY OF SAN MIGUEL, COLORADO

Project Mgr: JH	
Technician: MC	
Technician:	
Checked by:	
Start date: 06/2010	

Rev.	description	date	by

FOLEY ASSOCIATES, INC.
ENGINEERING · PLANNING · SURVEYING
970-728-6153 970-728-6050 fax
P.O. BOX 1385
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TELLURIDE, COLORADO 81435

Drawing path: dwg\2nd Amended Map\2nd Amended Map page 1 | Sheet1 of 2 | Project #: 94112

C:\Civil 3\Jobs\JOBS\94112\dwg\2nd Amended Map\2nd Amended Map page 1.dwg, 2/10/2012 12:21:34 PM, jeff