



**SECOND AMENDMENT TO
DECLARATION FOR WESTGATE**

9/46

This Second Amendment to Declaration for Westgate (the "Second Amendment") is made as of August 6, 2007 by Gretchen McNamee and William Michael Larson as the owners of Units 201 and 202, Westgate Condominiums, respectively (the "Unit Owners").

WITNESSETH:

WHEREAS, pursuant to the Declaration for Westgate on December 5, 1997 at Book 745, Page 422, Reception No. 641367 and as amended by First Amendment to Declaration for Westgate, recorded September 24, 2003, at Reception No. 851222, and re-recorded October 3, 2003 at Reception No. 852619 in the Office of the Clerk and Recorder of Eagle County, Colorado (collectively, the "Declaration"), and the Condominium Map, Westgate, recorded on December 5, 1997 at Book 745, Page 421, as corrected by Correction Map recorded January 21, 1998 at Reception No. 644988, and as amended by First Amendment to the Condominium Map, recorded September 24, 2003, at Reception No. 851223 in the Office of the Clerk and Recorder of Eagle County, Colorado (collectively, the "Map");

WHEREAS, all capitalized terms used herein shall have the meanings as defined in the Declaration, unless otherwise defined or modified herein;

WHEREAS, Westgate Association (the "Association") is the owners association under the Declaration;

WHEREAS, the Unit Owners and the Association desire to amend the Declaration in this Second Amendment;

WHEREAS, simultaneously with the recording of this Second Amendment, the Map is being amended by that certain Second Amendment to the Condominium Map, Westgate ("Map Amendment"), which show the new boundaries of Unit 201 and Unit 202; and

WHEREAS, all necessary consents to this Second Amendment as required by Section 3.5 of the Declaration have been secured as evidenced by the Certification of the Association attached to this Second Amendment.

NOW, THEREFORE, the Association hereby approves the Map Amendment which amends the boundaries of Unit 201 and Unit 202, and the Declaration is hereby amended as set forth below.

1. Map Amendment. A Map Amendment, which complies with the provisions in Articles 3 and 21 of the Declaration, shall be filed of record simultaneously with the recordation of this Second Amendment. The Map Amendment, which amends the Condominium Map for

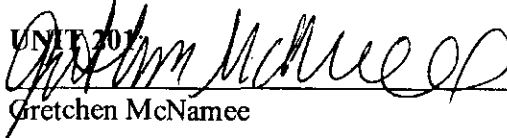
Westgate with respect to the boundaries of Units 201 and 202 as depicted on the Map Amendment prepared by Eagle Valley Surveying, Inc, dated June 7, 2007, is hereby approved, including but not limited to, the location, boundaries and size of Units 201 and 202. The Map Amendment shall be recorded in the Office of the Clerk and Recorder of Eagle County, Colorado.

2. Ownership Interest. Interest in the Common Elements of Units 201 and 202 are revised as stated on Schedule 1 attached hereto and incorporated herein by reference. All other Ownership Interests shall remain the same. Assessments by the Association as provided in Article 8 of the Declaration, upon the recording of this Second Amendment and the Map Amendment, shall be divided among the Units according to the interest allocations and formula set forth on the attached Schedule 1 and Exhibit B to the Declaration is hereby amended in its entirety to read in accordance with Schedule 1 hereto. Notwithstanding the modification in the boundaries of Units 201 and 202, and the amendment of the percentage interests of the Owners in the Common Elements, each Owner shall remain fully liable with respect to his obligation for the payment of the Common Expenses of the Association.

3. Severability. Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provisions which shall remain in full force and effect.

4. Conflicts Between Documents. In case of conflict between the Declaration, as amended hereby, and the Articles or Bylaws of the Association, the Declaration as amended shall control.

UNIT OWNERS:

UNIT 201

Gretchen McNamee

UNIT 202:

William Michael Larson

Westgate with respect to the boundaries of Units 201 and 202 as depicted on the Map Amendment prepared by Eagle Valley Surveying, Inc, dated June 7, 2007, is hereby approved, including but not limited to, the location, boundaries and size of Units 201 and 202. The Map Amendment shall be recorded in the Office of the Clerk and Recorder of Eagle County, Colorado.

2. Ownership Interest. Interest in the Common Elements of Units 201 and 202 are revised as stated on Schedule 1 attached hereto and incorporated herein by reference. All other Ownership Interests shall remain the same. Assessments by the Association as provided in Article 8 of the Declaration, upon the recording of this Second Amendment and the Map Amendment, shall be divided among the Units according to the interest allocations and formula set forth on the attached Schedule 1 and Exhibit B to the Declaration is hereby amended in its entirety to read in accordance with Schedule 1 hereto. Notwithstanding the modification in the boundaries of Units 201 and 202, and the amendment of the percentage interests of the Owners in the Common Elements, each Owner shall remain fully liable with respect to his obligation for the payment of the Common Expenses of the Association.

3. Severability. Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provisions which shall remain in full force and effect.

4. Conflicts Between Documents. In case of conflict between the Declaration, as amended hereby, and the Articles or Bylaws of the Association, the Declaration as amended shall control.

UNIT OWNERS:

UNIT 201:

Gretchen McNamee

UNIT 202:

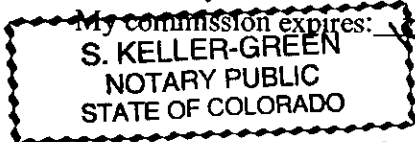


William Michael Larson

STATE OF COLORADO)
)ss.
COUNTY OF EAGLE)

The foregoing instrument was acknowledged before me this 2nd day of July, 2007,
by Gretchen McNamee.

Witness my hand and official seal.



My Commission Expires 10/02/2009

[Signature]
Notary Public

STATE OF COLORADO)
)ss.
COUNTY OF EAGLE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2007,
by William Michael Larson.

Witness my hand and official seal.

My commission expires: _____

Notary Public

STATE OF COLORADO)
)ss.
COUNTY OF EAGLE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2007,
by Gretchen McNamee.

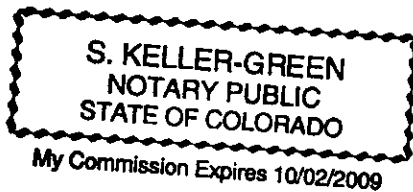
Witness my hand and official seal.
My commission expires: _____

Notary Public

STATE OF COLORADO)
)ss.
COUNTY OF EAGLE)

The foregoing instrument was acknowledged before me this 6 day of August 2007,
by William Michael Larson.

Witness my hand and official seal.
My commission expires: 10/02/09



[Signature]
Notary Public

SCHEDULE 1

OWNERS' INTERESTS IN COMMON ELEMENTS

<u>Unit No.</u>	<u>Percentage Interest in Common Elements Appurtenant to the Unit</u>
101	3.41
102	3.41
103	3.58
104	3.23
105	2.29
106	3.67
107	3.53
108	3.44
109	3.59
110	3.48
111	17.28
201	4.79
202	8.87
203	5.87
204	3.04
205	3.47
206	3.21
207	3.04
208	5.62
209	10.14
210	0.69
211	0.35