

Recorded with the Clerk and Recorder of Eagle County, Colorado on March 2, 1982 in Book 337 at Page 126.

**AMENDMENT  
OF THE SUPPLEMENTAL DECLARATION OF  
LAND USE RESTRICTIONS**

**Pertaining to Tract B (Block 1)  
Beaver Creek Subdivision**

WHEREAS, Vail Associates, Inc., a Colorado corporation (hereinafter referred to as "VAI"), recorded Supplemental Declaration of Land Use Restrictions Pertaining to Tract B, (Block 1) Beaver Creek Subdivision on January 16, 1981, in Book 316, at Page 726 of the records of the County Clerk and Recorder of Eagle County, Colorado (the "Supplemental Declaration");

WHEREAS, VAI is the Owner of all sites in the Affected Property (as defined in the Supplemental Declaration) listed on Exhibit A attached hereto, being all of the sites within the Affected Property; and

WHEREAS, VAI owns all of the sites within Tract B of the Affected Property and has determined that the Supplemental Declaration should be amended by making certain revisions thereto insofar as such Supplemental Declaration affects the sites within Tract B.

NOW THEREFORE, the Supplemental Declaration is amended as follows:

1. Paragraph 3.1 is amended to read in its entirety:

"3.1 Lots 1, 2 and 3 of the Affected Property have been designated "Road Right of Way" in the Plat. No Building Improvement shall be built on, over, under or through any of such lots except roof overhangs and balconies, a road and related roadway improvements (such as road shoulders, road signs, streetlights, fences, bicycle and skier paths and walkways), underground utilities, and overpasses allowing at least twelve feet of clearance over the finished grade thereof, if approved in writing by the Resort Company and Declarant."

2. Paragraph 3.3(a) is amended to read in its entirety:

"3.3 (a) Living Units. is an apartment or condominium project which contains up to 108 Living Units."

Except as herein specified, all provisions, restrictions, covenants, and conditions contained in the Supplemental Declaration shall remain in full force and effect; provided that in the event the provisions of this Amendment shall in any way conflict with said Supplemental Declaration, the provisions of this Amendment shall control.

EXECUTED this 15th day of December, 1981.

ATTEST: VAIL ASSOCIATES, INC.,  
a Colorado corporation  
/s/ Jean A. Dennison By: /s/ R. W. Lessman  
Assistant Secretary Vice President

ATTEST: BEAVER CREEK RESORT COMPANY,  
a Colorado non-profit corporation  
/s/ Leslie J. Allen By: /s/ Brian W. Rapp  
Secretary President

ATTEST: BEAVER CREEK METROPOLITAN  
DISTRICT a quasi-municipal corporation  
/s/ Leslie J. Allen By: /s/ Larry E. Lichliter  
Secretary President

