



3500

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Jennifer E. Breusch
Jacobs Chase Frick Kleinkopf & Kelley LLC
1050 - 17th Street, Suite 1500
Denver, Colorado 80265



**AMENDMENT TO
DECLARATION OF PARTY WALL EASEMENTS**

(Tucker Mountain Lodge and Camp One)

THIS AMENDMENT TO DECLARATION OF PARTY WALL EASEMENTS (this "Amendment") is made as of Aug 31, 2000 between COPPER MOUNTAIN, INC., a Delaware corporation ("Copper") and TUCKER MOUNTAIN LODGE CONDOMINIUM ASSOCIATION, INC., a Colorado nonprofit corporation (the "Association").

RECITALS

A. The Association is the homeowners association for Tucker Mountain Lodge Condominium, which was created on the real property described on Exhibit A attached hereto (the "Tucker Mountain Property") by that certain Declaration of Covenants, Conditions and Restrictions for Tucker Mountain Lodge Condominium recorded in the official real property records of Summit County, Colorado (the "Official Records") on June 15, 2000, at Reception No. 624811.

B. Copper owns certain real property (the "Camp One Property") located generally southeast of and contiguous to, the Tucker Mountain Property. Copper has constructed on the Camp One Property a commercial and residential structure known as Camp One ("Camp One").

C. Both the Tucker Mountain Property and the Camp One Property are subject to that certain Declaration of Party Wall Easements, dated to be effective as of June 12, 2000 and recorded in the Official Records on June 15, 2000 at Reception No. 624806 (the "Original Declaration").

D. Copper and the Association now desire to amend the Original Declaration as set forth herein.

DECLARATION

In consideration of the foregoing, the parties hereby agree as follows:

1. Amendment.

Exhibit B to the Original Declaration is hereby deleted and replaced in its entirety with Exhibit B attached hereto.

2. Miscellaneous.

(a) Except as specifically modified by this Amendment, the terms, conditions and provisions of the Original Declaration remain in full force and effect.

(b) This Amendment may be executed in two (2) counterparts, each of which, when executed, shall be deemed an original and both of which together shall be deemed one and the same instrument.

Executed to be effective as of the date first set forth above.

COPPER MOUNTAIN, INC.,
a Delaware corporation

By: [Signature]
Name: Paul J. Ashick
Title: V. P. Real Estate.

TUCKER MOUNTAIN LODGE
CONDOMINIUM ASSOCIATION, INC.,
a Colorado nonprofit corporation

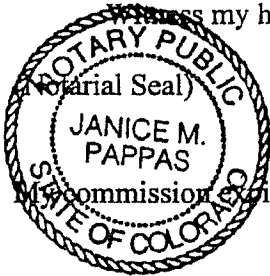
By: [Signature]
Name: Steve Kelly
Title: PRESIDENT



STATE OF COLORADO)
) ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this 31st day of August, 2000
by Paul Stashick as Vice President of Copper
Mountain, Inc., a Delaware corporation, on behalf of said corporation.

Witness my hand and official seal.

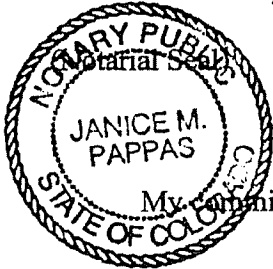


Janice M Pappas
Notary Public

STATE OF COLORADO)
) ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this 31st day of August, 2000
by Steve H. Kelly as President of Pucker
Mountain Lodge Condominium Association, a Colorado nonprofit corporation.

Witness my hand and official seal.



Janice M Pappas
Notary Public



EXHIBIT A

(Attached to and forming a part of the
Amendment to the Declaration of Party Wall Easements.)

TUCKER MOUNTAIN PROPERTY

(SEE ATTACHED)



LEGAL DESCRIPTION
TUCKER MOUNTAIN LODGE CONDOMINIUM

A TRACT OF LAND BEING A PORTION OF LOT 14, ACCORDING TO THE PLAT OF LOTS 14, 15 AND 16, COPPER MOUNTAIN FILING NO. 3, A SUBDIVISION RECORDED AT RECEPTION NO. 593089 IN THE OFFICE OF THE CLERK AND RECORDER, SUMMIT COUNTY, COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A

COMMENCING AT THE NORTHWESTERLY CORNER OF SAID LOT 14, ALSO BEING THE SOUTHWESTERLY CORNER OF LOT 6, COPPER MOUNTAIN FILING NO. 3; THENCE S04°30'00"E A DISTANCE OF 110.99 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE FOLLOWING 28 COURSES:

- 1.) S88°00'00"E A DISTANCE OF 161.83 FEET;
- 2.) N59°11'05"E A DISTANCE OF 53.95 FEET;
- 3.) S88°00'00"E A DISTANCE OF 32.88 FEET;
- 4.) N57°56'16"E A DISTANCE OF 51.22 FEET;
- 5.) S32°03'44"E A DISTANCE OF 2.00 FEET;
- 6.) N57°56'16"E A DISTANCE OF 48.18 FEET TO POINT 'A';
- 7.) S32°03'44"E A DISTANCE OF 73.62 FEET;
- 8.) S57°56'16"W A DISTANCE OF 55.60 FEET;
- 9.) N32°03'44"W A DISTANCE OF 1.75 FEET;
- 10.) S57°56'16"W A DISTANCE OF 63.67 FEET;
- 11.) S32°03'44"E A DISTANCE OF 2.00 FEET;
- 12.) S57°56'16"W A DISTANCE OF 10.42 FEET;
- 13.) N32°03'44"W A DISTANCE OF 14.69 FEET;
- 14.) S57°56'16"W A DISTANCE OF 36.04 FEET;
- 15.) S00°15'41"W A DISTANCE OF 17.79 FEET;
- 16.) N89°44'19"W A DISTANCE OF 9.00 FEET;
- 17.) N00°15'41"E A DISTANCE OF 6.50 FEET;
- 18.) N89°44'19"W A DISTANCE OF 17.68 FEET;
- 19.) S00°15'41"W A DISTANCE OF 28.93 FEET;
- 20.) N89°44'19"W A DISTANCE OF 18.11 FEET;
- 21.) S00°15'41"W A DISTANCE OF 13.33 FEET;
- 22.) N89°44'19"W A DISTANCE OF 47.33 FEET;
- 23.) N00°15'41"E A DISTANCE OF 10.18 FEET;
- 24.) S89°58'36"W A DISTANCE OF 55.92 FEET;
- 25.) N45°17'47"W A DISTANCE OF 16.34 FEET;
- 26.) N00°15'41"E A DISTANCE OF 32.18 FEET;
- 27.) N89°44'19"W A DISTANCE OF 48.14 FEET;
- 28.) N00°15'41"E A DISTANCE OF 73.67 FEET TO THE POINT OF BEGINNING, CONTAINING 36,701 SQUARE FEET OR 0.84 ACRE, MORE OR LESS.

TOGETHER WITH PARCEL B, THE ADDITIONAL SUBTERRANEAN PARKING AREA FOR TUCKER MOUNTAIN LODGE CONDOMINIUM DESCRIBED AS FOLLOWS:

COMMENCING AT POINT 'A' (ABOVE); THENCE S32°03'44"E A DISTANCE OF 6.41 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE FOLLOWING 8 COURSES:

- 1.) N57°56'16"E A DISTANCE OF 7.09 FEET;
- 2.) N32°00'00"W A DISTANCE OF 75.41 FEET;
- 3.) S54°20'41"W A DISTANCE OF 81.99 FEET;
- 4.) N35°39'19"W A DISTANCE OF 15.12 FEET;
- 5.) N57°56'16"E A DISTANCE OF 20.10 FEET;
- 6.) S32°03'44"E A DISTANCE OF 1.75 FEET;
- 7.) N57°56'16"E A DISTANCE OF 49.53 FEET;
- 8.) N32°03'44"W A DISTANCE OF 67.22 FEET TO THE POINT OF BEGINNING, (THE "ADDITIONAL PROPERTY"), LESS AND EXCEPT ALL PORTIONS OF THE ADDITIONAL PROPERTY THAT ARE LOCATED ABOVE THE UNDERGROUND PARKING FACILITY BEING DEEMED TO INCLUDE ALL MEMBRANES APPLIED TO THE EXTERIOR SURFACE OF SUCH UNDERGROUND PARKING FACILITY, INCLUDING WITHOUT LIMITATION ALL SURFACE RIGHTS AND AIR SPACE RIGHTS APPURTENANT TO THE ADDITIONAL PROPERTY, CONTAINING 1,809 SQUARE FEET OR 0.04 ACRES, MORE OR LESS.

PREPARED BY:

Robert R. Joins
ROBERT R. JOINS, P.L.S.
COLORADO LICENSE NO. 26292



PREPARED FOR: COPPER MOUNTAIN, INC.
PROJECT NO: 16389-411

4547E/S/100

P.O. Box 589
Silverthorne, CO 80498

RANGE
WEST, INC.
Engineers & Surveyors

Phone: 970-468-6281
FAX: 970-666-3765

EXHIBIT B

(Attached to and forming a part of the
Amendment to the Declaration of Party Wall Easements.)

MAP OF THE PARTY WALL

(SEE ATTACHED)

NOT PART OF THIS MAP

WATER & SEWER EASEMENT

SUBTERRANEAN PARKING
LOCATED WITHIN THE TUCKER
RODGE CONDOMINIUM (PARCEL B)

PARCEL B
PARCEL A
LCER

PART OF CAMP ONE (FUTURE MAPPING)

party wall

NOTE: ALL COLUMNS
ARE GENERAL COMMON ELEMENTS

TRASH UNIT
LOC
12.7

