

**AMENDMENT TO
THE CONDOMINIUM DECLARATION FOR
CHERRY STREET LOFTS CONDOMINIUMS
(a Common Interest Mixed Community)**

This Amendment to the Condominium Declaration for Cherry Street Lofts Condominiums (a Common Interest Mixed Community) (the "Amendment") is made effective as of the date recorded with the Clerk and Recorder of Larimer County, Colorado.

Recitals

A. The Condominium Declaration for Cherry Street Lofts Condominiums (a Common Interest Mixed Community) was recorded with the Clerk and Recorder of Larimer County, Colorado on April 7, 2006, at Reception No. 2006-0025637 (the "Declaration").

B. Under Article XV, Section 3 of the Declaration, the Declaration may be altered or amended at any time by a vote of sixty-seven percent (67%) or more of the votes entitled to be cast by all Unit Owners through a duly written and recorded instrument. In addition, under Article X, Section 3(a)(10) also requires the approval of at least fifty-one percent (51%) of the Eligible Mortgagees.

D. As reflected in the Certification appearing at the end of this Amendment, this Amendment has received the consent of sixty-seven percent (67%) or more of the then record Owners of the Lots and of fifty-one percent (51%) of the Eligible Mortgagees.

Amendment

1. Article XIV, Section 2 ("Restrictions on Alienation") of the Declaration shall be deleted in its entirety and replaced with the following:

Section 2: Restrictions on Alienation.

(a) Time Shares. A Unit may not be conveyed pursuant to a time-sharing arrangement.

(b) Short-Term Rentals. Any Owner shall have the right to lease his or her Unit for one (1) night or longer upon the following terms:

- (1) All such rentals shall be pursuant to a written lease agreement that incorporates by reference the Declaration and rules and regulations of the Association;
- (2) All such rentals shall be licensed by the City of Fort Collins and comply with all City of Fort Collins regulations regarding short-term rentals;
- (3) Tenants shall comply with all provisions of the Declaration of the Association and all rules and regulations of the Association;

- (4) Three (3) documented violations of the Declaration of the Association and/or the rules and regulations of the Association by Unit Owners stemming from short-term tenants shall constitute immediate grounds for suspension of the offending Owner's right to lease his or her unit for less than thirty (30) days;
- (5) When applicable, tenants shall utilize parking within the garage of the rented Unit only and will not otherwise interfere with regular parking adjacent to the Association;
- (6) Owners shall be responsible for all damages to the Common Elements by their tenant;
- (7) Owners shall be responsible for providing access to their tenants; however, due to security concerns, short-term tenants shall not be provided the permanent access codes to the building's entry doors but may be provided a temporary code so long as the temporary code expires at the end of the short-term rental period to that specific tenant;
- (8) Tenant details and contact information shall be shared with adjacent Owners upon request.

2. Unless otherwise defined in this Amendment, capitalized terms used in this Amendment have the definitions given to them in the Declaration.

3. Except as amended by this Amendment, all provisions of the Declaration remain in full force and effect.

Dated this 6th day of April, ²⁰¹⁸2017.

Cherry Street Lofts Condominium Association, a Colorado nonprofit corporation

By: _____

Greg Glebe, President

ATTEST:

By: _____

Josh Vandenende, Secretary

Tom Hannon
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20074003454
MY COMMISSION EXPIRES January 30th 2019

STATE OF COLORADO)
) ss.
COUNTY OF LARIMER)

~~2017~~ The forgoing instrument was acknowledged before me this 6th day of April, ~~2017~~, by Gary Glebe, as President, and Josh Vandenende, as Secretary, of Cherry Street Lofts Condominium Association, a Colorado nonprofit corporation.

Witness my hand and official seal.

My commission expires: 1/30/2019


Notary Public

CERTIFICATION


The undersigned, being the Secretary of the Cherry Street Lofts Condominium Association, a Colorado nonprofit corporation ("Association"), certifies as follows:

1. The foregoing Amendment to the Condominium Declaration for Cherry Street Lofts Condominiums (a Common Interest Mixed Community) (the "Amendment") has received the consent of sixty-seven percent (67%) or more of the votes entitled to be cast by all Unit Owners and of fifty-one percent (51%) of the Eligible Mortgagees.

2. Gary Glebe is the duly elected president and I am the duly elected secretary of the Association. By proper corporate action of the Association, Gary Glebe and I have been authorized to execute the foregoing Amendment.

Dated this 6th day of April, ~~2017~~, ²⁰¹⁸.

Cherry Street Lofts Condominium Association, a Colorado nonprofit corporation

By: 
Josh Vandenende, Secretary

STATE OF COLORADO)
) ss.
COUNTY OF LARIMER)

The foregoing instrument was subscribed and sworn to before me this 6th day of April, 2018 by Josh Vandenende, as Secretary of the Cherry Street Condominium Association, a Colorado nonprofit corporation.

Witness my hand and official seal.

My commission expires: 1/30/2019


Notary Public

Tom Hannon
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20074003454
MY COMMISSION EXPIRES January 30th 2019