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**CORRECTION AND SUPPLEMENT TO CONDOMINIUM DECLARATION  
FOR  
AVON TOWN SQUARE, LOT 2 CONDOMINIUMS**

This Correction and Supplement to the Condominium Declaration for Avon Town Square Lot 2 Condominiums (this "**Declaration Supplement**") is made as of August 5, 2015, by A.T.S. Joint Venture (the "**Declarant**").

WITNESSETH:

WHEREAS, the Condominium Declaration for Avon Town Square, Lot 2, Condominiums was recorded December 14, 1995 in Book 683 at Page 606 in the real property records of the County of Eagle, State of Colorado, as amended and supplemented by amendment recorded May 30, 1996 in Book 695 at Page 767, supplement recorded May 12, 2000 at Reception No. 729726, amendment recorded October 13, 2000 at Reception No. 741623, amendment recorded May 23, 2001 at Reception No. 757695, and supplement recorded May 7, 2003 at Reception No. 832538 (collectively, the "**Declaration**"). Capitalized terms used but not otherwise defined in this Declaration Supplement shall have their meaning set forth in the Declaration.

WHEREAS, the Condominium Map for Avon Town Square, Lot 2, Condominiums (the "**Project**") was recorded on December 14, 1995 in Book 683 At Page 605 (the "**Phase II Map**") and supplemented by that Supplemental Condominium Map for Avon Town Square, Lot 2, Condominiums recorded on May 12, 2000 at Reception No. 729725 (the "**Phase III Map**") (the Phase II Map and the Phase III Map, as further amended by instruments described below, are referred to collectively as the "**Map**"). The Map was further amended and supplemented by Amendment recorded February 27, 2002 at Reception No. 787329 ("**First Amendment**"), Amended Supplemental Map recorded May 7, 2003 at Reception No. 832537 (the "**First Phase III Supplement**"), Second Amendment recorded September 15, 2010 at Reception No. 201018249 (the "**Second Amendment**"), Third Amendment recorded September 17, 2010 at Reception No. 201018513 ("**Third Amendment**"), Fourth Amendment recorded September 30, 2010 at Reception No. 201019471 ("**Fourth Amendment**"), Second Amendment to Condominium Map recorded January 18, 2011 at Reception No. 201100943 ("**Second Phase III Supplement**"), Fifth Amendment recorded July 6, 2015 at Reception No. 201512360 ("**Fifth Amendment**"), and Third Amended Supplemental Map recorded August 5, 2015 at Reception No. 201514767 ("**Third Phase III Supplement**"), each in the real property records of Eagle County, Colorado. The property subjected to the Phase II Map, as amended and supplemented, is referred to herein as "**Phase II**" or the "**Phase II Building**" and the property subjected to the Phase III Map, as amended and supplemented, is referred to herein as "**Phase III**" or the "**Phase III Building**."

WHEREAS, pursuant to the First Amendment, Second Amendment, Third Amendment, Fourth Amendment and Fifth Amendment, certain parking spaces in the underground parking facility of the Project were reallocated as limited common elements to various Units within the

Project, thus requiring an adjustment to the allocation Schedules attached to the Declaration as Exhibits A and A-1.

WHEREAS, pursuant to the First Phase III Supplement, the boundaries of Units 101 through 105 and of Units 204 and 205 of the Phase III Building were modified, further requiring an adjustment to the allocation Schedules attached to the Declaration as Exhibits A and A-1.

WHEREAS, pursuant to the Second Phase III Supplement, the boundaries of Units 207 and 208 of the Phase III Building were modified, further requiring an adjustment to the allocation Schedules attached to the Declaration as Exhibits A and A-1.

WHEREAS, pursuant to the Third Phase III Supplement, the boundaries of Units 203 and 204 of the Phase III Building were modified, further requiring an adjustment to the allocation Schedules attached to the Declaration as Exhibits A and A-1.

WHEREAS, by their respective signatures on the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Second Phase III Supplement and Third Phase III Supplement, the Owners of the Units whose allocations are being modified by this Declaration Supplement have consented to this Declaration Supplement, which is necessitated by such Amendments, and Declarant is executing this Declaration Supplement pursuant to its right to correct errors in the Declaration pursuant to Section 38-33.3-205(4), Colorado Revised Statutes.

#### TERMS OF CORRECTION AND SUPPLEMENT

NOW, THEREFORE, Declarant hereby declares the following:

1. Amendment and Restatement of Exhibits A and A-1. The Assessment, Common Element and Voting Ratio Schedules attached to the Declaration as Exhibits A and A-1 (including, without limitation, that certain instrument recorded February 22, 2011, at Reception No. 201103360 (misabeled Second Amendment to Map)) are hereby deleted in their entirety and the Assessment, Common Element and Voting Ratio Schedules attached to this Declaration Supplement as Exhibits A and A-1 are substituted in their place. This Declaration Supplement wholly amends, restates and replaces Exhibits A and A-1 of the Declaration.
2. Governing Law. This Declaration Supplement will be governed by and interpreted in accordance with the laws of the State of Colorado.
3. Conflicts Between Documents. This Declaration Supplement hereby supersedes and controls over any contrary provision contained in the Declaration. In case of conflict between the Declaration as amended hereby and the Articles and the Bylaws of the Avon Town Square, Lot 2, Condominium Association, Inc., the Declaration, as amended, shall control.
4. Effect. Except as specifically set forth in this Declaration Supplement, the Declaration remains unchanged and in full force and effect. This Declaration Supplement shall hereafter be interpreted for all purposes as part of the Declaration.

IN WITNESS WHEREOF, the Declarant has executed this Declaration Supplement on the day and year written below.

A.T.S JOINT VENTURE  
By W.D.C, Inc., Managing Joint Venturer

By: Cary Atkinson  
Title: Vice President

STATE OF Colorado )  
  ) SS.  
COUNTY OF Douglas )

The foregoing instrument was acknowledged before me this 23rd day of July  
2015, by Cary Atkinson as Vice President of W.D.C., Inc., Managing Joint  
Venturer of A.T.S. Joint Venture.

My commission expires: 6/21/2018

[SEAL]

**BRENDA BECKER  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 19904007270  
MY COMMISSION EXPIRES 06/21/2018**

Brenda Becker  
Notary Public

APPROVED AND CONSENTED TO BY AVON TOWN SQUARE, LOT 2, CONDOMINIUM ASSOCIATION:

AVON TOWN SQUARE, LOT 2,  
CONDOMINIUM ASSOCIATION, a  
Colorado nonprofit corporation

By: Gary Atkinson  
Title: VICE PRESIDENT

STATE OF Colorado )  
                                  ) SS.  
COUNTY OF Douglas )

The foregoing instrument was acknowledged before me this 23rd day of July 2015, by Gary Atkinson as Vice President of Avon Town Square, Lot 2, Condominium Association, a Colorado nonprofit corporation.

My commission expires: 6/21/2018

[SEAL]

**BRENDA BECKER**  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 19904007270  
MY COMMISSION EXPIRES 06/21/2018

[Signature]  
Notary Public

**EXHIBIT A**  
**ASSESSMENT, COMMON ELEMENT AND VOTING RATIO SCHEDULE**  
**FOR PHASE II BUILDING**

<u>Unit</u>	<u>Square Footage</u>	<u>% of Overall Common Elements</u>	<u>% of Building Common Elements</u>	<u>% of Under-ground Parking</u>
101	2316	6.45%	16.66%	
101A	878	2.45%	6.32%	
102	1072	2.99%	7.71%	
103	1347	3.75%	9.69%	
104	1792	4.99%	12.89%	
200	449	1.25%	3.23%	1.70% (1 space)
201	420	1.17%	3.02%	1.70% (1 space)
202	809	2.25%	5.82%	
203	932	2.60%	6.71%	5.10% (3 spaces)
204	1855	5.17%	13.35%	5.10% (3 spaces)
205	1165	3.25%	8.38%	
206	583	1.62%	4.19%	3.40% (2 spaces)
207	282	0.79%	2.03%	
Sub-Total	13,900	38.73%	100%	17.00%

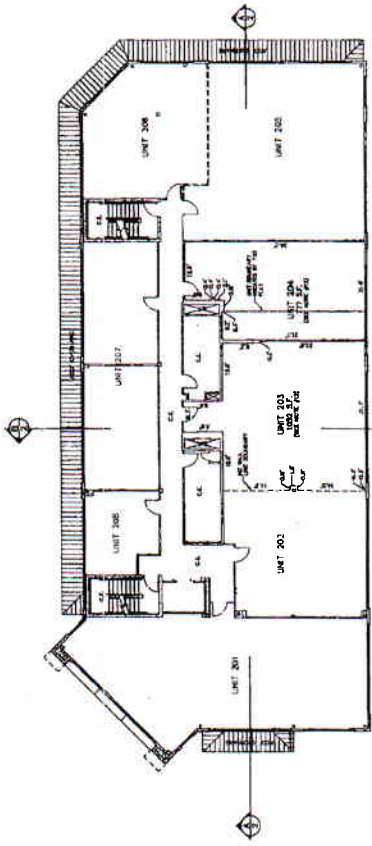
[PERCENTAGES BELOW BEING RECALCULATED:]

**EXHIBIT A-1**  
**ASSESSMENT, COMMON ELEMENT AND VOTING RATIO SCHEDULE**  
**FOR PHASE III BUILDING**

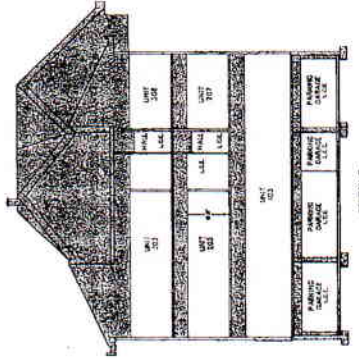
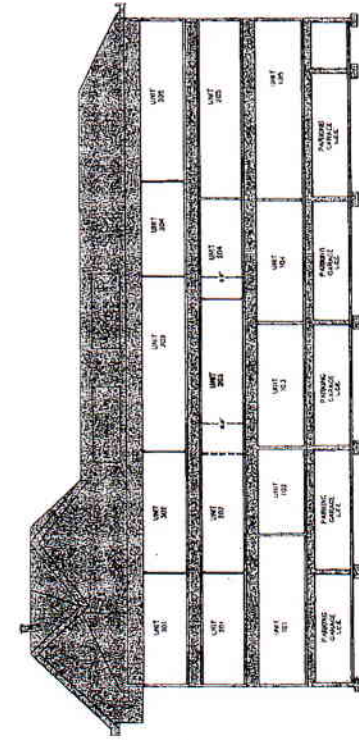
<u>Units</u>	<u>Square Footage</u>	<u>% of Overall Common Elements</u>	<u>% of Building Common Elements</u>	<u>% of Under-ground Parking</u>
101	1572	4.38%	7.18%	
102	516	1.44%	2.35%	
103	1735	4.83%	7.89%	
104	1578	4.40%	7.18%	
105	2114	5.89%	9.61%	104 and 105 combined 6.80% (4 spaces)
201	1500	4.18%	6.82%	76.20% (45 spaces)
202	826	2.30%	3.76%	
203	1052	2.94%	4.80%	
204	777	2.17%	3.54%	
205	1342	3.74%	6.10%	
206	709	1.98%	3.22%	
207	864	2.41%	3.93%	
208	266	0.74%	1.21%	
301	1386	3.86%	6.30%	
302	826	2.30%	3.76%	
303	1251	3.49%	5.69%	
304	797	2.22%	3.62%	
305	1208	3.37%	5.49%	
306	644	1.79%	2.93%	
307	364	1.02%	1.65%	
308	654	1.82%	2.97%	
Sub- Total	21,981	61.27%	100%	83.00%
Grand Total	35,881	100%		100%



THIRD AMENDED SUPPLEMENTAL CONDOMINIUM MAP  
 AVON TOWN SQUARE COMMERCIAL CONDOMINIUMS  
 LOT 2, PHASE II, A RESUBDIVISION OF UNITS 203 AND 204  
 AVON TOWN SQUARE SUBDIVISION  
 TOWN OF AVON  
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THIRD AMENDED SUPPLEMENTAL CONDOMINIUM MAP  
 AVON TOWN SQUARE COMMERCIAL CONDOMINIUMS  
 LOT 2, PHASE II, A RESUBDIVISION OF UNITS 203 AND 204  
 AVON TOWN SQUARE SUBDIVISION  
 TOWN OF AVON  
 EAGLE COUNTY, COLORADO  
 2 OF 2