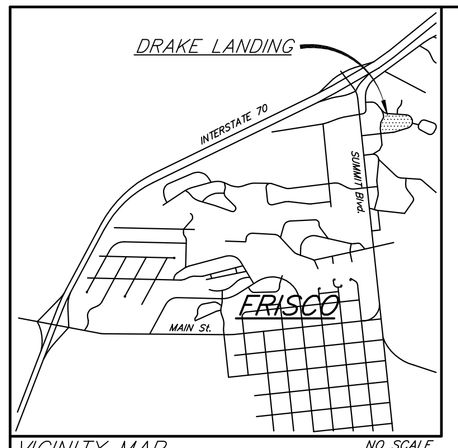
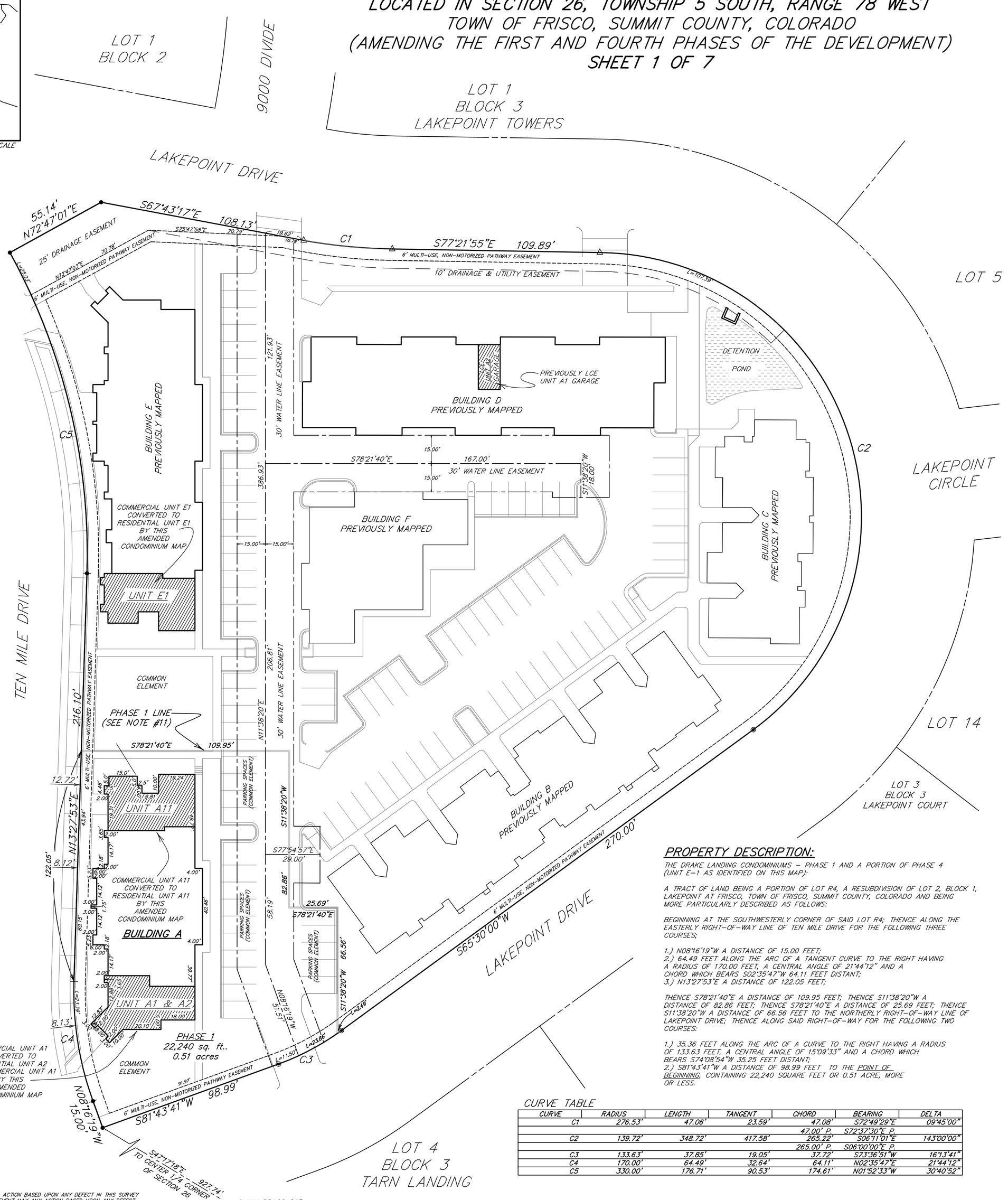
SECOND AMENDMENT TO THE CONDOMINIUM MAP
TO EFFECT THE SECOND AMENDMENT TO THE CONDOMINIUM DECLARATION
FOR THE DRAKE LANDING CONDOMINIUMS

LOCATED IN SECTION 26, TOWNSHIP 5 SOUTH, RANGE 78 WEST
TOWN OF FRISCO, SUMMIT COUNTY, COLORADO
(AMENDING THE FIRST AND FOURTH PHASES OF THE DEVELOPMENT)
SHEET 1 OF 7



VICINITY MAP NO SCALE



LEGEND

- FOUND REBAR & CAP (PLS 15242)
- FOUND BRASS CAP (PLS 4974)
- FOUND REBAR & CAP (PLS 10847)
- FOUND #4 REBAR
- FOUND REBAR & CAP (PLS 26292)
- FOUND REBAR & CAP (PLS 26292)
- (P.) PREVIOUSLY PLATTED COURSE
- SET REBAR & CAP (PLS 26292)

NOTE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

PROPERTY DESCRIPTION:

THE DRAKE LANDING CONDOMINIUMS – PHASE 1 AND A PORTION OF PHASE 4 (UNIT E-1 AS IDENTIFIED ON THIS MAP):

A TRACT OF LAND BEING A PORTION OF LOT R4, A RESUBDIVISION OF LOT 2, BLOCK 1, LAKEPOINT AT FRISCO, TOWN OF FRISCO, SUMMIT COUNTY, COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT R4; THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF TEN MILE DRIVE FOR THE FOLLOWING THREE COURSES;

1.) N08°16'19"W A DISTANCE OF 15.00 FEET;
2.) 64.49 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 170.00 FEET, A CENTRAL ANGLE OF 21°44'12" AND A CHORD WHICH BEARS S02°35'47"W 64.11 FEET DISTANT;
3.) N13°27'53"E A DISTANCE OF 122.05 FEET;

THENCE S78°21'40"E A DISTANCE OF 109.95 FEET; THENCE S11°38'20"W A DISTANCE OF 82.86 FEET; THENCE S78°21'40"E A DISTANCE OF 25.69 FEET; THENCE S11°38'20"W A DISTANCE OF 66.56 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF LAKEPOINT DRIVE; THENCE ALONG SAID RIGHT-OF-WAY FOR THE FOLLOWING TWO COURSES:

1.) 35.36 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 133.63 FEET, A CENTRAL ANGLE OF 15°09'33" AND A CHORD WHICH BEARS S74°38'54"W 35.25 FEET DISTANT;
2.) S81°43'41"W A DISTANCE OF 98.99 FEET TO THE POINT OF BEGINNING. CONTAINING 22,240 SQUARE FEET OR 0.51 ACRE, MORE OR LESS.

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	276.53'	47.06'	23.59'	47.08'	S72°49'29"E	09°45'00"
				47.00' P.	S72°37'30"E P.	
C2	139.72'	348.72'	417.58'	265.22'	S06°11'01"E	143°00'00"
				265.00' P.	S06°00'00"E P.	
C3	133.63'	37.85'	19.05'	37.72'	S73°36'51"W	16°13'41"
C4	170.00'	64.49'	32.64'	64.11'	N02°35'47"E	21°44'12"
C5	330.00'	176.71'	90.53'	174.61'	N01°52'53"W	30°40'52"

MORTGAGE HOLDER CERTIFICATE:

FIRSTBANK OF BRECKENRIDGE, N.A. DOES HEREBY CERTIFY THAT THEY HAVE EXAMINED THIS SECOND AMENDMENT TO THE CONDOMINIUM MAP FOR THE PROJECT AND AS THE LENDER FOR UNITS A-1, A-2, A-11 AND E-1 DOES HEREBY APPROVE OF THE REDESIGNATION OF THESE UNITS AS RESIDENTIAL UNITS.

BY:_____

NAME:_____

TITLE:_____

ACKNOWLEDGMENT:

STATE OF _____)
)SS
COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY DAY OF _____, 20____, BY _____.
AS _____.

WITNESS MY HAND AND OFFICIAL SEAL:

NOTARY PUBLIC

MY COMMISSION EXPIRES _____.

NOTES

1.) TITLE INFORMATION FROM CONTINENTAL DIVIDE TITLE COMPANY COMMITMENT NO. 2005-97-003, DATED JANUARY 7, 1997.

2.) LOT 2, BLOCK 1 IS IDENTIFIED AS STAGE 3 IN THE PRELIMINARY DEVELOPMENT PLAN FOR LAKEPOINT AT FRISCO AND MAY BE USED AS PROVIDED IN SECTION 9.01 OF THE PRELIMINARY DEVELOPMENT PLAN, AS AMENDED BY THE FIRST AMENDMENT TO THE PRELIMINARY DEVELOPMENT PLAN FOR LAKEPOINT AT FRISCO APPROVED BY THE TOWN ON JULY 11, 2000, AND THE SECOND AMENDMENT TO PRELIMINARY DEVELOPMENT PLAN FOR LAKEPOINT AT FRISCO APPROVED BY THE TOWN ON AUGUST 14, 2012.

3.) SEE ORIGINAL PLAT OF LAKEPOINT AT FRISCO RECORDED AUGUST 5, 1981 (REC. NO. 226882).

4.) THE DRAKE LANDING CONDOMINIUM COMMUNITY (THE "COMMUNITY") WAS ESTABLISHED ON MAY 31, 2001, AND HAS BEEN PREVIOUSLY AMENDED AND SUPPLEMENTED AS FOLLOWS:

THE DECLARATION FOR THE DRAKE LANDING CONDOMINIUMS (THE "DECLARATION") RECORDED IN THE REAL PROPERTY RECORDS OF SUMMIT COUNTY, COLORADO ON MAY 31, 2001 AT RECEPTION NO. 653750, AND THE MAP FOR THE COMMUNITY DECLARATION WAS RECORDED ON MAY 31, 2001 AT RECEPTION NO. 653751.

THE FIRST AMENDMENT TO THE DECLARATION DATED NOVEMBER 5, 2001 WAS RECORDED IN THE REAL PROPERTY RECORDS OF SUMMIT COUNTY, COLORADO ON ON NOVEMBER 5, 2001 AT RECEPTION NO. 667236 IN SUMMIT COUNTY, COLORADO.

THE FIRST SUPPLEMENTAL DECLARATION (SECOND PHASE) WAS RECORDED IN THE REAL PROPERTY RECORDS ON JUNE 25, 2001 AT RECEPTION NO 655735, AND THE MAP FOR THE SECOND PHASE OF THE COMMUNITY WAS RECORDED ON JUNE 25, 2001 AT RECEPTION NO. 655734.

THE SECOND SUPPLEMENTAL DECLARATION (THIRD PHASE) WAS RECORDED IN THE REAL PROPERTY RECORDS ON NOVEMBER 16, 2001 AT RECEPTION NO. 668304, AND THE MAP FOR THE THIRD PHASE OF THE COMMUNITY WAS RECORDED ON NOVEMBER 16, 2001 AT RECEPTION NO. 668305. THE FIRST AMENDMENT TO THE MAP FOR THE SECOND SUPPLEMENT WAS RECORDED ON JUNE 14, 2006 AT RECEPTION NO. 823860 (TO CORRECT THE DESIGNATION OF THE LCE GARAGE FOR UNIT A-1).

THE THIRD SUPPLEMENTAL DECLARATION (FORTH PHASE) WAS RECORDED IN THE REAL PROPERTY RECORDS ON JUNE 4, 2003 AT RECEPTION NO 719398, AND THE MAP FOR THE FOURTH PHASE OF THE COMMUNITY WAS RECORDED ON JUNE 4, 2003 AT RECEPTION NO. 719397.

THE FOURTH SUPPLEMENTAL DECLARATION (FIFTH PHASE) WAS RECORDED IN THE REAL PROPERTY RECORDS ON SEPTEMBER 23, 2004 AT RECEPTION NO 769767, AND THE MAP FOR THE FIFTH PHASE OF THE COMMUNITY WAS RECORDED ON SEPTEMBER 23, 2004 AT RECEPTION NO. 769768.

5.) THE LINES LABELED ON THIS MAP AS PHASE LINES ARE CONDOMINIUM PHASE LINES AND DO NOT CONSTITUTE PROPERTY LINES NOR A SUBDIVISION OF LOT R4.

6.) CE INDICATES COMMON ELEMENT. LCE INDICATES LIMITED COMMON ELEMENT.

7.) ELEVATIONS ARE BASED ON U.S.G.S. MEAN SEA LEVEL DATUM.

8.) UNIT BOUNDARIES ARE TO THE FACE OF UNFINISHED WALLS.

9.) ALL AREAS OF THE PROPERTY OUTSIDE OF THE BUILDINGS WHICH ARE NOT DESIGNATED AS LCE ARE COMMON ELEMENTS (CE).

10.) THE GRAVEL PATHWAYS AND THE CONCRETE SIDEWALKS WILL BE MAINTAINED AS ACCESSIBLE PEDESTRIAN WALKWAYS YEAR-ROUND.

11.) THE ORIGINAL CONDOMINIUM MAP DESIGNATED 5 RESIDENTIAL UNITS: A-4, A-6, A-8, A-10 AND A-12, AND 7 COMMERCIAL UNITS: A-1, A-2, A-3, A-5, A-7, A-9 AND A-11. THE THIRD SUPPLEMENT (FOURTH PHASE) DESIGNATED 7 RESIDENTIAL UNITS: E-2, E-4, E-6, E-8, E-10, E-12 AND E-14 AND DESIGNATED 8 COMMERCIAL UNITS: E-1, E-3, E-5, E-7, E-9, E-11, E-13 AND E-15.

12.) THIS AMENDED MAP REDESIGNATES COMMERCIAL UNITS A-11 AND E-1 AS RESIDENTIAL UNITS, AND RECOGNIZES THE CREATION AND DESIGNATES AS RESIDENTIAL UNIT A-2 (ESTABLISHED OUT OF UNIT A-1). ALL AS APPROVED IN THE SECOND AMENDMENT TO TO THE PRELIMINARY DEVELOPMENT PLAN FOR LAKEPOINT AT FRISCO DESCRIBED ABOVE IN NOTE 2.

13.) THIS AMENDED MAP RECOGNIZES THE LCES ASSOCIATED WITH EACH OF THE REDESIGNATED UNITS, AND REASSIGNS GARAGE UNIT A-1 TO UNIT A-2, IT BEING UNDERSTOOD UNIT A-1 DOES NOT HAVE A DESIGNATED GARAGE.

DECLARANT AND OWNER'S CERTIFICATE:

KNOW ALL PERSONS BY THESE PRESENTS: THAT DRAKE LANDING, LLC, A COLORADO LIMITED LIABILITY COMPANY, BEING THE OWNER OF THE PROPERTY DESCRIBED AS UNITS A-1, A-2, A-11 AND E-1 IDENTIFIED IN THIS SECOND AMENDED MAP TO THE DRAKE LANDING CONDOMINIUMS AS THE DECLARANT OF THE DRAKE LANDING CONDOMINIUMS HAS CAUSED THE SAME TO BE DESIGNATED AS RESIDENTIAL UNITS ON THIS SECOND AMENDED CONDOMINIUM MAP, AND HEREBY CONSENTS TO THE REDESIGNATION OF SAID UNITS AS RESIDENTIAL UNITS.

DRAKE LANDING, LLC

_____

THOMAS M. SILENGO, MANAGER

ACKNOWLEDGMENT:

STATE OF _____)
)SS
COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY DAY OF _____, 20____, BY THOMAS M. SILENGO AS MANAGER OF DRAKE LANDING, LLC.

WITNESS MY HAND AND OFFICIAL SEAL:

NOTARY PUBLIC

MY COMMISSION EXPIRES _____.

APPROVAL BY THE BOARD OF DIRECTORS OF THE DRAKE LANDING CONDOMINIUM ASSOCIATION:

THE WITHIN SECOND AMENDMENT TO THE CONDOMINIUM MAP OF THE DRAKE LANDING CONDOMINIUMS IS APPROVED FOR FILING THIS _____ DAY OF _____, 20____, CONSISTENT WITH THE SECOND AMENDMENT TO THE PRELIMINARY DEVELOPMENT PLAN FOR LAKEPOINT AT FRISCO, AND THE RESOLUTION OF THE BOARD OF DIRECTORS OF THE DRAKE LANDING CONDOMINIUM ASSOCIATION APPROVING SAME.

_____

PRESIDENT OF THE BOARD

SURVEYOR'S CERTIFICATE:

I, ROBERT R. JOHNS, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS CONDOMINIUM MAP PREPARED BY ME AND UNDER MY SUPERVISION AND THAT BOTH ARE ACCURATE TO THE BEST OF MY KNOWLEDGE. THIS PLAT CONTAINS ALL INFORMATION REQUIRED BY C.R.S. SECTION 38-33.3-209(1) OF THE COLORADO COMMON INTEREST OWNERSHIP ACT. I FURTHER CERTIFY THAT IN ACCORDANCE WITH C.R.S. 38-33.3-201(2), AS OF THIS DATE, ALL STRUCTURAL WITHIN "THE DRAKE LANDING CONDOMINIUMS", CONTAINING OR COMPRISING ANY UNITS THEREBY CREATED ARE SUBSTANTIALLY COMPLETED.

DATED THIS _____ DAY OF _____, 20 ___.

SIGNATURE _____
ROBERT R. JOHNS, P.L.S.
COLORADO REGISTRATION NO. 26292

TITLE COMPANY'S CERTIFICATE:

LAND TITLE COMPANY DOES HEREBY CERTIFY THAT IT HAS EXAMINED THE TITLE TO UNITS A-1, A-2, A-11, AND E-1 IMPACTED BY THIS SECOND AMENDMENT TO THE DRAKE LANDING CONDOMINIUMS AND THAT TITLE TO THE UNITS IS IN THE OWNER/DECLARANT FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES, EXCEPT THE FIRST DEED OF TRUST GRANTED TO FIRSTBANK OF BRECKENRIDGE, AND EXCEPT AS FOLLOWS:

_____

_____

DATED THIS _____ DAY OF _____,A.D. 20____.

_____

AGENT

APPROVAL BY THE TOWN COUNCIL:

THE WITHIN SECOND AMENDED CONDOMINIUM MAP OF THE DRAKE LANDING CONDOMINIUMS IS APPROVED FOR FILING THIS _____ DAY OF _____, 20____, CONSISTENT WITH THE SECOND AMENDMENT TO THE PRELIMINARY DEVELOPMENT PLAN FOR LAKEPOINT AT FRISCO.

BY:_____
MAYOR

ATTEST: _____
TOWN CLERK

TOWN OF FRISCO PLANNING COMMISSION APPROVAL

THE PLANNING COMMISSION OF FRISCO, COLORADO DOES HEREBY AUTHORIZE AND APPROVE OF THIS SECOND AMENDMENT TO THE CONDOMINIUM MAP OF THE DRAKE LANDING CONDOMINIUMS CONSISTENT WITH THE SECOND AMENDMENT TO THE PRELIMINARY DEVELOPMENT PLAN FOR LAKEPOINT AT FRISCO THIS ____ DAY OF _____, 20____

_____

CHAIRMAN

CLERK & RECORDER'S ACCEPTANCE:

THIS PLAT WAS ACCEPTED FOR FILING IN THE OFFICE OF THE SUMMIT COUNTY CLERK AND RECORDER ON THIS _____ DAY OF _____, 20_____. AND FILED FOR RECORD AT _____.M., UNDER RECEPTION NUMBER _____.

SIGNATURE _____ BY: _____
SUMMIT COUNTY CLERK AND RECORDER DEPUTY

FRISCO LAKEPOINT P.U.D. RECORDED UNDER RECEPTION NUMBER _____.

PROTECTIVE COVENANTS RECORDED UNDER RECEPTION NUMBER _____.

SIGNATURE _____ BY: _____
SUMMIT COUNTY CLERK AND RECORDER DEPUTY

Drawn RRJ/RLB	Dwg CONA-A1	Project 15566
Checked RRJ	Date August 28, 2012	Sheet 1 of 7

R-A-N-G-E W-E-S-T INC.
ENGINEERS & SURVEYORS
P.O. Box 589
Silverthorne, CO 80498 970-468-6281

C:\PV15566\A15566\dwg\CONA-A1.DWG, 8/28/2012 11:49:06 AM, RRJ