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RECEPTION#: 3174882
11/2/2026 10:25:37 AM, 1 of 5
Recording: $43.00,
Bobbie Gross, Mesa County, CO.
CLERK AND RECORDER

MERGER PLAN AND AGREEMENT

THIS MERGER PLAN AND AGREEMENT ("Agreement") is entered into on July 8, 2013, by and among the following:

Palace Estates I Condominium Association, Inc.
Palace Estates II Condominium Association, Inc.
Palace Estates III Condominium Association, Inc.
Palace Estates IV Condominium Association, Inc.
Palace Estates V Condominium Association, Inc.
Palace Estates VI Condominium Association, Inc.
Palace Estates VII Condominium Association, Inc.
Palace Estates VIII Condominium Association, Inc.
Palace Estates IX Condominium Association, Inc.
Palace Estates X Condominium Association, Inc.
Palace Estates XI Condominium Association, Inc.
Palace Estates XII Condominium Association, Inc.
Palace Estates 2 Condominium I Association, Inc.
Palace Estates 2 Condominium II Association, Inc.
Palace Estates 2 Condominium III Association, Inc.
Palace Estates 2 Condominium IV Association, Inc.
Palace Estates 2 Condominium V Association, Inc.
Palace Estates 2 Condominium VI Association, Inc.
Palace Estates 2 Condominium VII Association, Inc.
Palace Estates 3 Condominium I Association, Inc.
Palace Estates 3 Condominium II Association, Inc.
Palace Estates 3 Condominium III Association, Inc.
Palace Estates 3 Condominium IV Association, Inc.
Palace Estates 3 Condominium V Association, Inc.
Palace Estates 3 Condominium VI Association, Inc.
Palace Estates 3 Condominium VII Association, Inc.

all Colorado nonprofit corporations, all located c/o Heritage Property Management, 2650 North Avenue, Suite 116, Grand Junction, Colorado 81501 (collectively, the "Old Communities"), all being condominium communities held in the same form of ownership pursuant to C.R.S. § 38-33.3-221 and the applicable provisions of the declarations for each community.

IN CONSIDERATION of the mutual benefits accruing to the parties in having the Old Communities merged and entirely included within the common interests community to be know as the **Palace Estates Consolidated Condominium Association, Inc.** (the "New Community") and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. The Old Communities shall be terminated and merged into the New Community pursuant to and in accordance with C.R.S. §§ 38-33.3-221, 7-131-104, and 7-90-204, and become wholly a part of the New Community. New Community shall be the legal successor for all purposes of the Old Communities and the operations and activities of the Old Communities, including, without limitation, their respective owners associations, are merged and consolidated into the New Community. All rights, privileges, and powers of the Old Communities, all real, personal, and mixed property of any kind owned by the Old Communities, and all obligations due the Old Communities, as well as all liabilities and other things, including causes of action known and unknown, of the Old Communities, shall vest with the New Community as of the date this Agreement is recorded in the records of Mesa County Clerk and Recorder pursuant to paragraph 6, below.

2. The New Community shall be operated and managed by the Palace Estates Consolidated Condominium Association, Inc, a Colorado non-profit corporation, organized for the purpose of furthering the interests of the owners of property in the merged common interest community and enforcing the restrictions set forth in the Declaration of Covenants Conditions and Restrictions of the Palace Estates Consolidated Condominiums recorded or to be recorded in the records of the Mesa County Clerk and Recorder (the "Consolidated Declaration") against the property and owners of property within the merged common interest community. The resulting common interest community shall be subject to the provisions of the Colorado Common Interest Ownership Act, C.R.S. §§ 38-33.3-101, *et seq.*, (the Act), and the business of the New Community shall be conducted in accordance with the Act.

3. In connection with this Agreement, the Old Communities, and each of them, have or shall vote and agree to amend and restate in their entirety their respective declarations, as that term is defined in the Act, thereby subjecting all real property within the New Community to the provisions of the Consolidated Declaration. The existing plats and maps concerning, depicting or describing the Old Communities, or any part thereof, shall become a part of the Consolidated Declaration, and shall, together with any other plats and/or maps made a part of the Consolidated Declaration, constitute the plat of the resulting merged common interest community in accordance with C.R.S. § 38-33.3-209. Units within the New Community may continue to be identified in any instrument affecting title to said unit by the number shown on the plat of any of the Old Communities, as each appears in the records of the Mesa County Clerk and Recorder, in the same fashion as they have heretofore been described.

4. The common elements of the New Community shall consist of the common elements of the Old Communities and shall remain undivided. Each owner's allocated interest in the common elements, common expense assessments and votes in New Community shall be as set forth in the Consolidated Declaration.

5. The Old Communities and the New Community, respectively, agree to take all actions necessary to effectuate the Agreement, including, without limitation, noticing and conducting special meetings of the board of directors or any other body responsible for approving and recommending this Agreement to the membership of any involved owners association, noticing and conducting special meetings of the members of each such association respectively for the purpose of approving and obtaining agreement to the terms of this Agreement, and using good faith efforts to obtain ballots, proxies or other documents necessary to assure that such meetings result in the approval of this Agreement.

6. Upon approval of this Agreement, and in accordance with C.R.S. §§ 38-33.3-221, and 7-131-101, *et seq.*, and other applicable provisions of Colorado law, the New Community, as the surviving entity and surviving common interest community, shall cause this Agreement to be recorded in the records of the Mesa County Clerk and Recorder and shall file and/or record with any government agent or agency any other documents necessary to fully and completely effectuate this Agreement.

WHEREFORE, the Old Communities and the New Community, by and through their respective owners associations, acting, in turn through their, presidents hereby execute this Merger Plan and Agreement.

CERTIFICATION

Members of the foregoing listed entities sufficient to constitute a quorum, and to whom are allocated a percentage of the votes of in the association's affairs necessary to terminate the common interest community pursuant to C.R.S. § 38-33.3-221 and applicable provisions of the declaration (i.e. 75%), meet on July 8, 2013, pursuant to proper notice, and voted in favor of and/or agreed to the terms of the above Merger Plan and Agreement by affixing their signatures to proxies reflecting said agreement or otherwise. Records of the votes and proxies received are maintained in the records of the Palace Estates Consolidated Condominium Association, Inc.

By: _____
Kin Herrera, President for:

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Palace Estates 3 Condominium VII Association, Inc.

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 27th day of October, 2026, by Kin Herrera as President of each of the following entities:
Palace Estates I Condominium Association, Inc.
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Palace Estates 3 Condominium VII Association, Inc.

Witness my hand and official seal.
My commission expires: 04/08/2030.

Ranese Rash
Notary Public

RANESE RASH
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID# 20264014113
MY COMMISSION EXPIRES 04/08/2030