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Cheri Brunvand - Summit County Recorder

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**TENTH SUPPLEMENT
TO
CONDOMINIUM DECLARATION FOR
TREEHOUSE CONDOMINIUMS**

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, there was recorded a Condominium Declaration for Treehouse Condominiums (the "Declaration") on May 13, 1974 under Reception No. 141305, in Book 252 at Pages 796-817, of the records of Summit County, Colorado; and

WHEREAS, there was recorded an Amendment to Condominium Declaration for Treehouse Condominiums on August 16, 1974 under Reception No. 143162, in Book 255 at Pages 460-461, of the records of Summit County, Colorado; and

WHEREAS, there was recorded a First Supplement to Condominium Declaration for Treehouse Condominiums on March 12, 1975 under Reception No. 147357, in Book 262 at Pages 989-995, of the records of Summit County, Colorado; and

WHEREAS, there was recorded a Second Supplement to Condominium Declaration for Treehouse Condominiums on June 20, 1975 under Reception No. 149260, in Book 266 at Pages 532-536, of the records of Summit County, Colorado; and

WHEREAS, there was recorded a Third Supplement to Condominium Declaration Condominiums on March 28, 1977 under Reception No. 164133, in Book 291 at Pages 213-219, of the records of Summit County, Colorado; and

WHEREAS, there was recorded a Fourth Supplement to Condominium Declaration for Treehouse Condominiums on February 21, 1978 under Reception No. 173552 of the records of Summit County, Colorado; and

WHEREAS, there was recorded a Fifth Supplement to Condominium Declaration for Treehouse Condominiums on September 15, 1978 under Reception No. 180839 of the records of Summit County, Colorado; and

WHEREAS, there was recorded a Sixth Supplement to Condominium Declaration for Treehouse Condominiums on August 22, 1979 under Reception No. 195360 of the records of Summit County, Colorado; and

WHEREAS, there was recorded a Seventh Supplement to Condominium Declaration for Treehouse Condominiums on November 14, 1979 under Reception No. 199574 of the records of Summit County, Colorado; and

WHEREAS, there was recorded an Eighth Supplement to Condominium Declaration for Treehouse Condominiums on November 14, 1979 under Reception No. 199576 of the records of Summit County, Colorado; and

WHEREAS, there was recorded a Statement of Declarant Completion of Expandable Condominium Project for Treehouse Condominiums (the "Statement") on January 9, 1981 under Reception No. 218148 of the records of Summit County, Colorado; and

WHEREAS, pursuant to C.R.S. § 38-33.3-118, the Treehouse Condominium Association ("Association") elected to be treated as a common interest community under the Colorado Common Interest Ownership Act ("Act"), and a Statement of Election was duly recorded on December 26, 2006 under Reception No. 8482487 of the records of Summit County, Colorado; and

WHEREAS, a Ninth Supplement to Condominium Declaration for Treehouse Condominiums (the "Ninth Supplement") was recorded on December 26, 2006 under Reception No. 842488 and re-recorded on March 9, 2007 under Reception No. 849114 of the records of Summit County, Colorado; and

WHEREAS, pursuant to the Ninth Supplement, a new paragraph 36, entitled "Supplemental Development Rights", was added to the Declaration authorizing the Association to assign the right to construct one or more buildings on a portion of the Common Elements and to file and record an amendment or amendments to the Declaration to add condominium units and reallocate the undivided interests in the Common Elements; and

WHEREAS, pursuant to the Ninth Supplement, Treehouse Condominium Association entered into the Warranty and Assignment of Supplemental Development Rights dated June 26, 2008 with The Village at Treehouse, Inc. which was recorded on June 27, 2008 under Reception No. 891271 of the records of Summit County, Colorado (the "Warranty and Assignment"); and

WHEREAS, by the Warranty and Assignment, the Supplemental Development Rights established by the Ninth Supplement were assigned to The Village at Treehouse, Inc. and, pursuant to the Warranty and Assignment, The Village at Treehouse, Inc. has constructed additional buildings and other improvements on portions of the Common Elements; and

WHEREAS, pursuant to the terms of the Ninth Supplement and the Warranty and Assignment, the Association finds that all of the conditions of the Ninth Supplement and the Warranty and Assignment have been satisfied with respect to the buildings and improvements constructed by The Village at Treehouse, Inc. and described and depicted on the Phase 10 Condominium Map for Treehouse Condominiums recorded herewith ("Phase 10 Map") and that, therefore, the Declaration may be amended in accordance with said Ninth Supplement and Warranty and Assignment.

NOW, THEREFORE, the Association hereby amends the Declaration as follows:

1. Condominium Units J-1, J-2, K-1 and K-2 described and depicted on the Phase 10 Map hereby are declared to be condominium units subject to the Declaration and are incorporated into the Treehouse Condominiums project.

2. The General Common Elements and Limited Common Elements described and depicted on the Phase 10 Map hereby are subjected to the Declaration and are incorporated into the Treehouse Condominiums project.

3. The reallocated undivided interests in the General Common Elements for all of the Condominium Units that are subject to the Declaration and a part of the Treehouse Condominiums project are set forth on Exhibit A, attached hereto and incorporated herein.

4. Because Condominium Units J-1, J-2, K-1 and K-2 each have separate connections and/or separate meters for the water, sewer, gas and electricity services, all charges for such services shall be the sole responsibility of the Owner of each of Condominium Units J-1, J-2, K-1 and K-2. As the result of the fact that the water, sewer, gas and electricity for Condominium Units J-1, J-2, K-1 and K-2 will be the sole responsibility of the Owners of those Units, Condominium Units J-1, J-2, K-1 and K-2 and the Owners thereof are exempt from the payment of any portion of common or special assessments allocated to expenses for water, sewer, gas or electricity service for the previously existing Condominium Units in Buildings A through I and, therefore, Condominium Units J-1, J-2, K-1 and K-2 and the Owners thereof will be responsible only for their fractional share (as set forth in Exhibit A as it may be amended) of expenses common to the entirety of Treehouse Condominiums, including, but not limited to: snow removal; common lighting; operation, maintenance and repair of the clubhouses; maintenance and repair of the exterior of all of the buildings of Treehouse Condominiums; cable television service; property management services; and other similar common activities and services.

5. In accordance with the Ninth Supplement and Section 36.(b)(iv) as set forth in said Ninth Supplement, Condominium Units J-1, J-2, K-1 and K-2 are exempt from the payment of any portion of common or special assessments allocated to capital expenses for the previously existing condominium units in Buildings A through I for a period of five (5) years from the date of the recording of this Tenth Supplement to Condominium Declaration for Treehouse Condominiums ("Tenth Supplement"), provided, however, that Condominium Units J-1, J-2, K-1 and K-2 will remain liable for common or special assessments for capital expenses for portions of the Common Elements, such as the clubhouses, which are not specific to any of Buildings A through I or any group of such Buildings.

6. All terms used in this Tenth Supplement shall have the same meaning as attributed to them in the Declaration unless defined herein. Except as specifically amended by this Tenth Supplement, all the terms, conditions and provisions of the Declaration, as previously supplemented or amended, shall remain in full force and effect.

[SIGNATURE PAGE TO FOLLOW]

**EXHIBIT A
TO
TENTH SUPPLEMENT
TO
CONDOMINIUM DECLARATION FOR
TREEHOUSE CONDOMINIUMS**

<u>Unit</u>	<u>Building</u>	<u>Appurtenant Undivided Interest in General Common Elements</u>
G1	A	1/249
G2	A	1/249
G3	A	1/249
101	A	1/249
102	A	1/249
103	A	1/249
104	A	1/249
105	A	1/249
106	A	1/249
107	A	1/249
108	A	1/249
201	A	1/249
202	A	1/249
203	A	1/249
204	A	1/249
205	A	1/249
206	A	1/249
207	A	1/249
208	A	1/249
301	A	1/249
302	A	1/249
303	A	1/249
304	A	1/249
305	A	1/249
306	A	1/249
307	A	1/249
308	A	1/249
G1	B	1/249
G2	B	1/249
G3	B	1/249
101	B	1/249
102	B	1/249
103	B	1/249
104	B	1/249

105	B	1/249
106	B	1/249
107	B	1/249
108	B	1/249
201	B	1/249
202	B	1/249
203	B	1/249
204	B	1/249
205	B	1/249
206	B	1/249
207	B	1/249
208	B	1/249
301	B	1/249
302	B	1/249
303	B	1/249
304	B	1/249
305	B	1/249
306	B	1/249
307	B	1/249
308	B	1/249
G1	C	1/249
G2	C	1/249
G3	C	1/249
101	C	1/249
102	C	1/249
103	C	1/249
104	C	1/249
105	C	1/249
106	C	1/249
107	C	1/249
108	C	1/249
201	C	1/249
202	C	1/249
203	C	1/249
204	C	1/249
205	C	1/249
206	C	1/249
207	C	1/249
208	C	1/249
301	C	1/249
302	C	1/249
303	C	1/249
304	C	1/249
305	C	1/249
306	C	1/249

307	C	1/249
308	C	1/249
G1	D	1/249
G2	D	1/249
G3	D	1/249
101	D	1/249
102	D	1/249
103	D	1/249
104	D	1/249
105	D	1/249
106	D	1/249
107	D	1/249
108	D	1/249
201	D	1/249
202	D	1/249
203	D	1/249
204	D	1/249
205	D	1/249
206	D	1/249
207	D	1/249
208	D	1/249
301	D	1/249
302	D	1/249
303	D	1/249
304	D	1/249
305	D	1/249
306	D	1/249
307	D	1/249
308	D	1/249
G1	E	1/249
G2	E	1/249
G3	E	1/249
101	E	1/249
102	E	1/249
103	E	1/249
104	E	1/249
105	E	1/249
106	E	1/249
107	E	1/249
108	E	1/249
201	E	1/249
202	E	1/249
203	E	1/249
204	E	1/249

205	E	1/249
206	E	1/249
207	E	1/249
208	E	1/249
301	E	1/249
302	E	1/249
303	E	1/249
304	E	1/249
305	E	1/249
306	E	1/249
307	E	1/249
308	E	1/249
G1	F	1/249
G2	F	1/249
G3	F	1/249
101	F	1/249
102	F	1/249
103	F	1/249
104	F	1/249
105	F	1/249
106	F	1/249
107	F	1/249
108	F	1/249
201	F	1/249
202	F	1/249
203	F	1/249
204	F	1/249
205	F	1/249
206	F	1/249
207	F	1/249
208	F	1/249
301	F	1/249
302	F	1/249
303	F	1/249
304	F	1/249
305	F	1/249
306	F	1/249
307	F	1/249
308	F	1/249
G1	G	1/249
G2	G	1/249
G3	G	1/249
101	G	1/249
102	G	1/249

103	G	1/249
104	G	1/249
105	G	1/249
106	G	1/249
107	G	1/249
108	G	1/249
201	G	1/249
202	G	1/249
203	G	1/249
204	G	1/249
205	G	1/249
206	G	1/249
207	G	1/249
208	G	1/249
301	G	1/249
302	G	1/249
303	G	1/249
304	G	1/249
305	G	1/249
306	G	1/249
307	G	1/249
308	G	1/249
G1	H	1/249
G2	H	1/249
G3	H	1/249
G4	H	1/249
101	H	1/249
102	H	1/249
103	H	1/249
104	H	1/249
105	H	1/249
106	H	1/249
107	H	1/249
108	H	1/249
201	H	1/249
202	H	1/249
203	H	1/249
204	H	1/249
205	H	1/249
206	H	1/249
207	H	1/249
208	H	1/249
301	H	1/249
302	H	1/249
303	H	1/249

304	H	1/249
305	H	1/249
306	H	1/249
307	H	1/249
308	H	1/249
G1	I	1/249
G2	I	1/249
G3	I	1/249
G4	I	1/249
101	I	1/249
102	I	1/249
103	I	1/249
104	I	1/249
105	I	1/249
106	I	1/249
107	I	1/249
108	I	1/249
201	I	1/249
202	I	1/249
203	I	1/249
204	I	1/249
205	I	1/249
206	I	1/249
207	I	1/249
208	I	1/249
301	I	1/249
302	I	1/249
303	I	1/249
304	I	1/249
305	I	1/249
306	I	1/249
307	I	1/249
308	I	1/249
J-1	J	1/249
J-2	J	1/249
K-1	K	1/249
K-2	K	1/249