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Kathleen Neel - Summit County Recorder

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**TWELFTH 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 for Treehouse 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. 198576, 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. 842487 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, a Tenth Supplement to Condominium Declaration for Treehouse Condominiums ("Tenth Supplement") was recorded on August 25, 2009, under Reception No. 921085 of the records of Summit County, Colorado; and

WHEREAS, there was recorded an Eleventh Supplement to Condominium Declaration for Treehouse Condominiums on August 2, 2016, under Reception No. 1117373 in the records of Summit County, Colorado; and

WHEREAS, a Phase 10 Map for Buildings J and K was recorded on August 25, 2009, under Reception No. 921086, of the records of Summit County, Colorado ("Phase 10, Buildings J and K Map"); and

WHEREAS, a Phase 10 Map for Building L was recorded on August 25, 2009, under Reception No. 921086 in the records of Summit County, Colorado (Phase 10, Building L Map); 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 an additional building 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 building and improvements constructed by The Village at Treehouse, Inc., and described and depicted on the Phase 10, Condominium Map for Treehouse Condominiums recorded on AUGUST 10, 2017, under Reception No. 1148502 ("Phase 10 Map, Building M"); 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 M-1 and M-2 described and depicted on the Phase Map, Building M, 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, Building M, 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 M-1 and M-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 the Condominium Units M-1 and M-2. As the result of the fact that the water, sewer, gas, and electricity for Condominium Units M-1 and M-2 will be the sole responsibility of the Owners of those Units, Condominium Units M-1 and M-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 M-1 and M-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 M-1 and M-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 Twelfth Supplement to Condominium Declaration for Treehouse Condominiums ("Twelfth Supplement"); provided, however, that Condominium Units M-1 and M-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. The residential address for Unit M-1 is 335 Lodge Pole Circle, Silverthorne, Summit County, Colorado 80498.

7. The residential address for Unit M-2 is 333 Lodge Pole Circle, Silverthorne, Summit County, Colorado 80498.

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

IN WITNESS WHEREOF, this Twelfth Supplement to Condominium Declaration for Treehouse Condominiums is executed by Treehouse Condominium Association this 4th day of August, 2017.

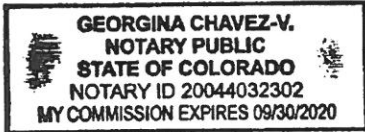
TREEHOUSE CONDOMINIUM ASSOCIATION  
a Colorado non-profit corporation

By: Philippa Lawton  
Philippa Lawton, President

STATE OF COLORADO )  
COUNTY OF Denver ) ss.

The foregoing instrument was acknowledged before me this Aug. 4<sup>th</sup> day of, 2017, by Philippa Lawton as President of Treehouse Condominium Association, a Colorado non-profit corporation.

Witness my hand and official seal.  
My commission expires: 9-30-2020




*[Handwritten Signature]*  
Notary Public

JOINDER AND CONSENT

As Assignee under the Warranty and Assignment described in the foregoing Twelfth Supplement to Condominium Declaration for Treehouse Condominiums, The Village at Treehouse, Inc., a Colorado corporation, hereby joins in the making of said Twelfth Supplement and consents to the execution thereof by Treehouse Condominium Association and to the recording thereof in the records of Summit County, Colorado.

THE VILLAGE AT TREEHOUSE, INC.  
a Colorado corporation

By:   
David W. Hammer, President

STATE OF COLORADO )  
                                  ) ss.  
COUNTY OF Summit

The foregoing instrument was acknowledged before me this 4 day of August, 2017, by David W. Hammer, as President of The Village at Treehouse, Inc., a Colorado corporation.

Witness my hand and official seal.  
My commission expires: \_\_\_\_\_

  
Notary Public

