

Alyo H. H. H. H.
Recorder

FIRST SUPPLEMENT
TO
CONDOMINIUM DECLARATION
FOR
TREEHOUSE CONDOMINIUMS

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, there was recorded a Condominium Declaration for Treehouse Condominiums on May 13, 1974 under Reception No. 141305, Book 252, page 796-817, records of Summit County, Colorado, and

WHEREAS, there was recorded an Amended Condominium Declaration for Treehouse Condominiums on August 16, 1974 under Reception No. 143162, Book 255, page 460-461, records of Summit County, Colorado, and

WHEREAS, the provisions of paragraph 33 of the Declaration provide that this condominium project may be enlarged (by constructing additional condominium buildings and other improvements on adjoining property), such addition to be expressed in and by a supplement to the Declaration and supplement to the Map, and

WHEREAS, an additional building and other improvements have been constructed on separate adjoining property, which property is described in the annexed Exhibit "A", which, by this reference, is made a part hereof, and

WHEREAS, Watts Bros. Development Corp. (hereinafter referred to as "Declarant"), the owner of the property described in Exhibit "A", hereby submits to the condominium project such additional improvements and real property;

NOW, THEREFORE, Declarant does hereby publish and declare that the following terms, covenants, conditions, easements, restrictions, uses, limitations, and obligations shall be deemed to run with the land, shall be a burden and a benefit to Declarant, the successors and assigns and any person or entity acquiring or

owning an interest in the real property and improvements, their grantees, successors, heirs, executors, administrators, devisees, or assigns.

1. Division of Property Into Condominium Units.

(a) The real property described in Exhibit "A" and the improvements thereon are hereby divided into the fee simple estates as set forth in the attached Exhibit "B", which by this reference is made a part hereof. Each such estate shall consist of the separately designated units and the undivided interest in and to the general common elements appurtenant to each unit as set forth therein.

(b) Declarant and the unit owners shall have the right to (i) physically combine the space within one unit with the space within one or more adjoining units, or (ii) to combine a part of or combination of parts of the space within one unit with part or parts of the space within one or more adjoining units. Any such physical changes to units shall be reflected by an amendment to Exhibit "B", and the Map (one or both as may be required), which amendment shall set forth the reapportioned undivided interests of the affected units; provided, however, that no such physical changes shall be made without the written consent of the mortgagee(s) of the affected unit(s); and, provided, further, that the cost and expenses incurred for legal, architectural or engineering fees relative to preparation of such amendment shall be borne by that person requesting such physical change to the unit(s).

2. Description of Condominium Unit.

(a) Every contract for the sale of a condominium unit written prior the filing for record of the Map or Declaration may legally describe a condominium unit by its identifying unit designation, the building symbol, followed by the name of this condominium. The location of such condominium unit shall be depicted on the Map subsequently filed for record.

(b) Every contract, deed, lease, mortgage, trust deed, will or other instrument may legally describe a condominium unit by its identifying unit designation, the building symbol, followed by the name of this condominium, with further reference to the Map and Declaration filed for record. Every such description shall be good and sufficient for all purposes to sell, convey, transfer, encumber or otherwise affect not only the unit, but also the general common elements and the limited elements appurtenant thereto. Each such description shall be construed to include a perpetual non-exclusive easement for ingress and egress to and from an owner's unit to and from the public road and use of the limited common elements appurtenant to his unit.

(c) The reference to the Map and Declaration in any instrument shall be deemed to include any supplements or amendments to the Map or Declaration without specific reference thereto.

3. Supplement to Condominium Map.

The supplement to the Map depicting the location of each unit, both horizontally and vertically, together with the engineering and other data as provided by the provisions of paragraph 4 of the recorded Declaration shall not be filed for record until the building has been substantially completed in order to permit the location, both horizontally and vertically of the units.

4. Reservations.

Declarant reserves the right to enlarge this condominium project as is provided in paragraph 33 of the Condominium Declaration for Treehouse Condominiums.

5. Acceptance of Provisions of All Documents.

A conveyance or encumbrance of a condominium unit shall be deemed to include the acceptance of all the provisions of the Declaration, this First Supplement thereto, the Articles of Incorporation and Association By-Laws and Rules and Regulations, and shall

be binding upon each grantee or encumbrancer without the necessity of inclusion of such an expressed provision in the instrument of conveyance or encumbrance.

6. Adoption by Reference.

Except as otherwise provided in this Supplement, all of the terms, covenants, conditions, easements, restrictions, uses, reservations, limitations, and obligations set forth in said Declaration for Treehouse Condominiums are, by this reference, adopted and incorporated and made a part hereof as though fully set forth herein. The word "Declaration" as therein used shall be applicable to this Supplement. Title to and ownership of each condominium unit is expressly subject to the provisions and reservations contained herein and in the Declaration.

7. General.

(a) If any of the provisions of this Supplement or any paragraph, sentence, clause, phrase or word or the application thereof in any circumstances be invalidated, such invalidity shall not affect the validity of the remainder of this Supplement and the application of any such provision, paragraph, sentence, clause, phrase or word in any other circumstances shall not be affected thereby.

(b) "Declarant" as used herein means the named Declarant, its successors and assigns.

(c) The provisions of this Supplement shall be in addition to and supplemental to said Declaration and to the Condominium Ownership Act of the State of Colorado and to all other provisions of law.

(d) That whenever used herein, unless the context shall otherwise provide, the singular shall include the plural, the plural, the singular, and the use of any gender shall include all genders.

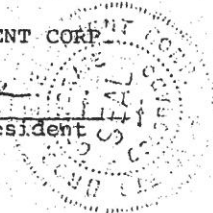
(e) Paragraph titles are for the convenience of reference and are not intended to limit, enlarge or change the meaning of

the contents of the various paragraphs.

IN WITNESS WHEREOF, Declarant has duly executed this Supplement this 12th day of March, 1975.

WATTS BROS. DEVELOPMENT CORP.

By David T. Watts
David T. Watts, President



Attest:

Harry D. Watts
Secretary (Assistant)

STATE OF COLORADO)
COUNTY OF Summit) ss.

The foregoing instrument was acknowledged before me this 12th day of March, 1975, by David T. Watts as President and Harry D. Watts as Secretary of WATTS BROS. DEVELOPMENT CORP.

WITNESS my hand and official seal.

My commission expires: My Commission Expires Oct. 24, 1977

Jeanette Campbell
Notary Public

SURVEYOR'S CERTIFICATE

I, RICHARD A. BACKLID, BEING A REGISTERED LAID SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS CONDIMENTUM MAP FOR PHASE 2 TREEHOUSE CONDOMINIUMS SIGNATING THE SURVEY WITH SURVEY LOCATIONS AND IMPROVEMENTS, UNIT DESIGNATIONS, DIMENSIONS AND ELEVATIONS, ALL OBTAINED AFTER SUBSTANTIAL COMPLETION, ACCURATELY DEPICTS THE LAYOUT, MEASUREMENTS, AND LOCATIONS OF ALL THE IMPROVEMENTS KNOWN AS "PHASE 2 TREEHOUSE CONDOMINIUMS" BEING A PART OF LOTS 7, 10 AND 11, WILDERNESS FILING NO. 2, A SUBDIVISION AS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER, SUBMIT COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 9, ALSO BEING A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF LOOSE POLE CIRCLE, 50 FOOT WIDE ROAD, AS SHOWN ON SAID SUBDIVISION PLAT; THENCE N 79° 19' 37" E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 70.82 FEET; THENCE S 10° 49' 23" E A DISTANCE OF 77.97 FEET; THENCE S 53° 04' 23" E A DISTANCE OF 39.52 FEET; THENCE N 73° 10' 37" E A DISTANCE OF 82.45 FEET; THENCE S 16° 49' 23" E A DISTANCE OF 20.76 FEET; THENCE S 53° 04' 23" E A DISTANCE OF 27.53 FEET; THENCE SOUTH A DISTANCE OF 160.00 FEET; THENCE WEST A DISTANCE OF 133.00 FEET; THENCE NORTH A DISTANCE OF 44.00 FEET; THENCE WEST A DISTANCE OF 164.60 FEET; THENCE NORTH A DISTANCE OF 161.96 FEET; THENCE WEST A DISTANCE OF 13.40 FEET TO A POINT OF CURVATURE; THENCE 237.96 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 18° 42' 24" A RADIUS OF 728.85 FEET AND A CHORD WHICH BEARS N 65° 04' 16" 236.91 FEET DISTANT; THENCE N 74° 25' 20" W A DISTANCE OF 133.78 FEET; THENCE N 11° 38' 50" E A DISTANCE OF 129.00 FEET TO A POINT ON SAID SOUTHERLY RIGHT-OF-WAY LINE OF LOOSE POLE CIRCLE; THENCE S 74° 25' 28" E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 142.00 FEET TO A POINT OF CURVATURE; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE 200.65 FEET ON THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 26° 23' 55" AND A RADIUS OF 609.13 FEET TO THE POINT OF BEGINNING, CONTAINING 118,907 SQUARE FEET OR 2,730 ACRES MORE OR LESS, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

BEGINNING AT THE SAME POINT AS A COURSE WHICH READS AS

MARCH 10, 1975

RICHARD A. BACKLID
COLORADO

FOLLOWS: THENCE WEST A DISTANCE OF 164.60 FEET; BEING THE TENTH COURSE.
THENCE WEST A DISTANCE OF 164.60 FEET; THENCE NORTH A DISTANCE OF 135.00 FEET; THENCE EAST A DISTANCE OF 154.60 FEET; THENCE SOUTH A DISTANCE OF 135.00 FEET TO THE POINT OF BEGINNING, CONTAINING 22,221 SQUARE FEET OR 0.510 ACRES MORE OR LESS.

AREA

MA



EXHIBIT 2

EXHIBIT "B"

<u>Unit</u>	<u>Building</u>	<u>Appurtenant Undivided Interest in General Common Elements</u>
G1	C	1/264
G2	C	1/264
G3	C	1/264
101	C	1/264
102	C	1/264
103	C	1/264
104	C	1/264
105	C	1/264
106	C	1/264
107	C	1/264
108	C	1/264
201	C	1/264
202	C	1/264
203	C	1/264
204	C	1/264
205	C	1/264
206	C	1/264
207	C	1/264
208	C	1/264
301	C	1/264
302	C	1/264
303	C	1/264
304	C	1/264
305	C	1/264
306	C	1/264
307	C	1/264
308	C	1/264