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SUMMIT COUNTY
CLERK AND RECORDER

FEB 11 1 04 PM '81

ARLYS H. WARD

SECOND SUPPLEMENT
TO
CONDOMINIUM DECLARATION
FOR
DILLON VALLEY WEST CONDOMINIUM

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, K. C. ENSOR REALTY COMPANY, a Colorado corporation hereinafter call "Declarant" caused to be recorded a Condominium Declaration for Dillon Valley West Condominium at Reception Number 191732 in the records of the Clerk and Recorder of Summit County, Colorado, and

WHEREAS, the provisions of paragraphs 2 and 28 of the recorded Declaration reserve to Declarant the right to enlarge this condominium project by submitting additional real property and improvements to this condominium complex, such addition(s) to this condominium project to be expressed in and by a duly recorded Supplement to this Declaration and Map, and

WHEREAS, Declarant has commenced the construction of additional buildings and other improvements on the separate adjoining real property, which property is situate in the County of Summit, State of Colorado, and is described on Exhibit "A", annexed hereto and by this reference made a part hereof, and

NOW, THEREFORE, Declarant does hereby submit to this condominium project such additional improvements and real property; provided, however, the individual parcels described herein shall not become part of the condominium until such time as the Map Supplement for each building respectively is filed for record, and

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, its 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.

I. Division of Property Into Condominium Units.

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

(b) Declarant reserves 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 so made prior to the recording of this Supplement to Declaration and the Map, shall be made by a revision to Exhibit "B" and said Map, which revisions shall reflect the reapportioned undivided interests of the affected units. Subsequent to recording of the Supplement to Declaration and Map any such changes shall be made by amendment to this Supplement to Declaration and Map.

2. Limited Common Elements.

Subject to the provisions herein, the Limited Common Elements shall be identified on the Map. Any balcony or patio which is accessible directly from, is associated with and which adjoins an individual Unit shall, without need for further reference thereto, be a Limited Common Element to be used in conjunction with such Unit to the exclusion of others, except by invitation of the Owner(s) of the Unit in question. Any fixtures, outdoor electrical outlet equipment and/or utility lines which serve only one Unit, whether or not located within such Unit, within the Common Elements or within another Unit, are Limited Common Elements to the Unit so served, and shall be maintained and kept in repair by, and at the expense of the Owner of the Unit so served. Some Condominium Units may be provided with outside electrical outlets (controlled from within the Unit in question) located at or near ground level on the exterior of the building wherein the Unit in question is located. Any such exterior outlet and the wiring which serves it shall be a Limited Common Element of the Unit from which it is controlled, limited to use in connection only with such Unit and to be maintained by and at the expense of the owner of such Unit.

3. Condominium Map.

The Map may be filed for record in whole or in parts or sections, from time to time, as stages of construction of the units and other improvements are substantially completed. Each section of the Map shall identify the Units and the building designation(s) within which the units are located. Except as is provided herein, all of the provisions of paragraph 2 of the recorded Declaration which are not contradictory to the specific provisions hereof are incorporated herein by this reference.

4. Description of Condominium Unit.

(a) Every Contract for the sale of a condominium unit written prior to the filing for record of the Map or this Supplement to Declaration 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 the Supplement to Declaration to be 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 Supplement to Declaration and the Declaration filed for record. Every such description shall be construed to include a non-exclusive easement for ingress and egress to an owner's unit together with the right to the exclusive use of the Limited Common Elements appurtenant thereto.

5. Acceptance of Provisions of All Documents.

The conveyance or encumbrance of a condominium unit shall be deemed to include the acceptance of all of the provisions of the Declaration, this Second 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 express provision in the instrument of conveyance or encumbrance.

6. Common Expense and Voting Percentage Factor.

As provided by the provisions of paragraph 28 of the Declaration this supplement is establishing the following new type of unit:

<u>Type of Unit</u>	<u>Ratio</u>
1 Bedroom - 1st Floor	.61

As is provided and required by the provisions of paragraph 28 of the Declaration, a common expense ratio has been assigned to each unit to be submitted to this condominium project in order that common expense of this condominium project be shared equitably and proportionately by all of the owners. Reference is made to that portion of Exhibit "B" hereof which assigns to each condominium unit such Proportional Share Ratio.

As is also provided in paragraph 23 of the Declaration, each owner of a Condominium unit in this project shall be entitled to cast votes at any association meeting equal to the same common expense factor, and the aggregate of all of the percentage interests shall be considered one hundred percent (100%) for voting purposes.

7. General.

(a) Except as is otherwise provided by the provisions of this Supplement, all of the provisions contained in the Declaration are made a part of this Supplement.

(b) If any of the provisions of this Second Supplement to Declaration or any paragraph, sentence, clause, phrase or word, or the application thereof in any circumstance by invalidated, such invalidity shall not affect the validity of the remainder of this instrument, and the application of any such provisions, paragraph, sentence, clause, phrase or word in any other circumstances shall not be affected thereby.

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

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

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

(f) Paragraph titles are for convenience of reference and are intended to limit, enlarge or change the meaning of the contents of the various paragraphs.

IN WITNESS WHEREOF, Declarant has duly executed this Declaration this 19th day of January, 1981.

K. C. ENSOR REALTY COMPANY

By: [Signature]
K. C. Ensor, Jr., President

ATTEST:

[Signature]
Edna R. Ensor, Secretary



STATE OF COLORADO]
CITY AND] ss.
COUNTY OF DENVER]

The above and foregoing instrument was acknowledged before me this 19th day of January 1981, by K. C. Ensor, Jr. as President, and Edna R. Ensor as Secretary of K. C. Ensor Realty Company, a Colorado Corporation.

Witness my hand and official seal

My commission expires: February 15, 1981

[Signature]
Notary Public



EXHIBIT A
ATTACHED TO AND PART OF
A SECOND SUPPLEMENT OF THE
CONDOMINIUM DECLARATION FOR
DILLON VALLEY WEST

A Condominium Complex in Summit County, Colorado

LEGAL DESCRIPTION - PARCEL D.

A parcel of land being a part of Lot 20, Block 1 of the recorded plat of a Resubdivision of a part of Dillon Valley, lying in Sections 5, 6, 7 and 8, Township 5 South, Range 77 West of the Sixth Principal Meridian, County of Summit, State of Colorado, being more particularly described as follows:

Commencing at the North most corner of Lot 21, Block 1 of said Resubdivision of a part of Dillon Valley; thence S31°17'22"E and along the Easterly line of said Lot 21, Block 1 and along the Westerly Right-of-way of Scenary Hill Trail, 300.00 feet; thence S58°42'38"W and along the Southerly line of said Lot 21, Block 1 and along the Northerly Right-of-way of Straight Creek Drive, 726.00 feet to the South most point of Lot 21, Block 1; thence continuing S58°42'38"W and along the Southerly line of said Lot 20, Block 1 and along the Northerly Right-of-way of Straight Creek Drive, 144.42 feet to the Point of Beginning; thence N31°17'22"W, 55.00 feet; thence N44°57'27"W, 252.14 feet to a point on the Northerly line of said Lot 20, Block 1; thence S58°42'38"W and along said Northerly line and along the Southerly Right-of-way of Interstate Highway No. 70, 136.00 feet; thence S44°42'34"E, 308.42 feet to a point on the Southerly line of said Lot 20, Block 1; thence N56°42'38"E and along said last mentioned Southerly line and along the Northerly Right-of-way of Straight Creek Drive, 124.00 feet to the Point of Beginning, containing 40,638.5 square feet or 0.933 acres, more or less.

LEGAL DESCRIPTION - PARCEL F.

A parcel of land being a part of Lot 21, Block 1 of the recorded plat of a Resubdivision of a part of Dillon Valley, lying in Sections 5, 6, 7 and 8, Township 5 South, Range 77 West of the Sixth Principal Meridian, County of Summit, State of Colorado, being more particularly described as follows:

Commencing at the North most corner of said Lot 21, Block 1; thence S31°17'22"E and along the Easterly line of said Lot 21, Block 1 and along the Westerly Right-of-way of Scenary Hill Trail, 300.00 feet; thence S58°42'38"W and along the Southerly line of said Lot 21, Block 1 and along the Northerly Right-of-way of Straight Creek Drive, 551.00 feet to the Point of Beginning; thence N42°57'58"W, 305.34 feet to a point on the Northerly line of said Lot 21, Block 1; thence S58°42'38"W and along said Northerly line and along the Southerly Right-of-way of Interstate Highway No. 70, 99.00 feet; thence S32°03'12"E, 300.03 feet to a point on the Southerly line of said Lot 21, Block 1; thence N58°42'38"E and along said Southerly line and along the Northerly Right-of-way of Straight Creek Drive, 157.00 feet to the Point of Beginning, containing 38,400 square feet or 0.882 acres, more or less.

EXHIBIT C
 ATTACHED TO AND PART OF A SECOND SUPPLEMENT OF THE
 CONDOMINIUM DECLARATION
 FOR DILLON VALLEY WEST

A Condominium Complex in Summit County, Colorado

The following percentage interests in and to the General Common Elements of Dillon Valley West are appurtenant to, part of and inseparable from the Condominium Units designated below:

<u>Condominium Unit</u>	<u>Proportionate Share Ratio</u>	<u>Percentage Interest</u>	<u>Condominium Unit</u>	<u>Proportionate Share Ratio</u>	<u>Percentage Interest</u>
D-101	.77	1.180	F-101	.77	1.180
D-201	.77	1.180	F-201	.77	1.180
D-301	.77	1.180	F-301	.77	1.180
D-102	.77	1.180	F-102	.77	1.180
D-202	.77	1.180	F-202	.77	1.180
D-302	.77	1.180	F-302	.77	1.180
D-103	1.00	1.540	F-103	1.00	1.540
D-203	1.00	1.540	F-203	1.00	1.540
D-303	1.00	1.540	F-303	1.00	1.540
D-104	1.00	1.540	F-104	1.00	1.540
D-204	1.00	1.540	F-204	1.00	1.540
D-304	1.00	1.540	F-304	1.00	1.540
D-105	.51	.938	F-105	.51	.938
D-205	.57	.883	F-205	.57	.883
D-305	.61	.938	F-305	.61	.938
D-106	.61	.938	F-106	.61	.938
D-206	.57	.883	F-206	.57	.883
D-306	.61	.938	F-306	.51	.938
					43.680