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Boulder County Clerk, CO AA

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THIS DOCUMENT WAS DRAFTED BY,  
AND AFTER RECORDING, RETURN TO:  
Markel Homes Construction Company  
5723 Arapahoe Avenue #2B  
Boulder, CO 80303  
(303) 449-8689

**SUPPLEMENTAL DECLARATION  
TO  
CONDOMINIUM DECLARATION  
OF  
NORTH END TOWNHOME CONDOMINIUMS  
(BLOCK 8, BUILDING 3, UNITS A AND B)**

THIS SUPPLEMENTAL DECLARATION TO CONDOMINIUM DECLARATION OF NORTH END TOWNHOME CONDOMINIUMS (Block 8, Building 3, Units A and B) ("Supplemental Declaration") is made on the date hereinafter set forth by Markel Homes Construction Company, a Colorado corporation ("Declarant").

**WITNESSETH:**

6-1

WHEREAS, the Declarant recorded the CONDOMINIUM DECLARATION OF NORTH END TOWNHOME CONDOMINIUMS on July 18, 2008 at Reception No. 2943953 ("Declaration") and the CONDOMINIUM MAP OF NORTH END TOWNHOME CONDOMINIUMS on July 18, 2008, at Reception No. 2943952 ("Map") both recorded with the Office of the Clerk and Recorder of Boulder County, Colorado, submitting certain land described therein together with all improvements, appurtenances and facilities thereon to condominium ownership ("Condominium Community"); and

WHEREAS, the Declarant reserved the right in ARTICLE TWELVE of the Declaration to annex certain additional property without the consent of the Owners, Members of the Association or First Mortgagees, and upon such annexation such real property shall be subject to all the terms and conditions of the said Declaration. Such annexation shall be accomplished by the sole act of MARKEL HOMES CONSTRUCTION COMPANY in filing for record in the said County Clerk and Recorder's Office, a SUPPLEMENTAL DECLARATION TO CONDOMINIUM DECLARATION OF NORTH END TOWNHOME CONDOMINIUMS (Supplemental Declaration) and a SUPPLEMENTAL CONDOMINIUM MAP OF NORTH END TOWNHOME CONDOMINIUMS ("Supplemental Map"); and

WHEREAS, the Declarant has improved the real property described on the attached Exhibit A (the "Property"), and desires to subject and place upon this Property the covenants, conditions, restrictions and other charges as set forth in the Declaration.

**NOW THEREFORE IT IS AGREED AS FOLLOWS:**

Declarant, upon recording the Supplemental Map and the Supplemental Declaration in the Boulder County Clerk and Recorder's Office, hereby submits the Property to condominium ownership under the Colorado Common Interest Ownership Act, C.R.S. § 38-33.3-101, et seq., as amended, and hereby imposes upon all of the Property the covenants, conditions, restrictions and other provisions set forth in the Declaration, as supplemented.

The Declarant hereby declares that the Property shall hereinafter be held, sold, conveyed, encumbered, leased, rented, occupied and improved, subject to the following paragraphs:

1. The formulas which are used to determine an Owner's Percentage Ownership Interest in the Common Elements, Common Expense Assessment Liability and the Votes in the Association are set forth in Paragraph 1.3 of the Declaration. Based on such formulas, the revised Owner's Percentage Ownership Interest in the Common Elements, Common Expense Assessment Liability and the Votes in the Association reflecting the within expansion of the Condominium Community are as set forth in the attached Exhibit B, and Exhibit C to the Declaration is hereby modified accordingly. 6.2

2. The definitions used in the Declaration shall be expanded automatically to encompass and refer to the Condominium Community as expanded. All conveyances of Condominium Units shall be effective to transfer rights in the Condominium Community as expanded by use of the form of description set forth in Paragraph 2.5 of the Declaration.

3. The recordation in the Boulder County Clerk and Recorder's Office of the Supplemental Declaration and the Supplemental Map incident to the expansion operates automatically to grant, transfer and convey to the Owners of Condominium Units who existed before this expansion a Percentage Ownership Interest in the Common Elements as they exist after such expansion and as set forth on the attached Exhibit B.

Such recordation also operates automatically to grant, transfer and convey to any Mortgagee (as defined in the Declaration) of a Condominium Unit, that existed before this expansion, a security interest in its secured Owners' Percentage Ownership Interest in the Common Elements as they exist after such expansion.

4. The new Condominium Units are subject to all of the terms and conditions of the Declaration as supplemented and such Condominium Units are subject to the condominium regime with all the incidents pertaining thereto as specified therein and herein.

5. The Owners of each Condominium Unit now or hereafter included in the Condominium Community shall have a perpetual easement and right-of-way for access to and from such Condominium Unit over, upon and across the Common Elements to and from the public streets within and adjacent to the Condominium Community.

6. The Certificate of Completion required by C.R.S. § 38-33.3-201(2) is set forth on the Map.

NOW THEREFORE, the Declarant hereby annexes the following described property:

Block 8, North End  
Units A and B, Building 3  
North End Townhome Condominiums  
According to the Condominium Map of North End Townhome Condominiums  
Recorded on Nov. 25, 2008 as Reception No. \_\_\_\_\_  
And as defined by the Condominium Declaration of North End Townhome  
Condominiums recorded July 18, 2008 at Reception No. 2943953,  
All recorded in the office of the Clerk and Recorder of  
Boulder County, Colorado

IN WITNESS WHEREOF, the Declarant has executed this Supplemental Declaration  
this 25<sup>th</sup> day of NOVEMBER 2008.

DECLARANT:  
MARKEL HOMES CONSTRUCTION COMPANY,  
A Colorado corporation

By [Signature]  
Michael Markel, President

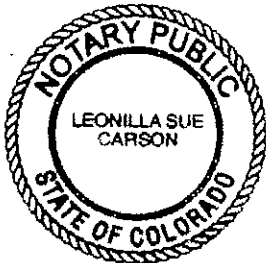
6.3

STATE OF COLORADO                    )  
  )SS.  
COUNTY OF BOULDER                 )

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of NOVEMBER  
2008, by Michael Markel as President of Markel Homes Construction Company, a Colorado  
corporation.

My commission expires: JUNE 11, 2009  
WITNESS my hand and official seal.

[Signature]  
Notary Public



**EXHIBIT A  
TO  
SUPPLEMENTAL DECLARATION TO CONDOMINIUM DECLARATION OF  
NORTH END TOWNHOME CONDOMINIUMS  
(BLOCK 8, BUILDING 3, UNITS A AND B)**

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**LEGAL DESCRIPTION OF THE REAL PROPERTY  
SUBMITTED TO CONDOMINIUM DECLARATION  
OF  
NORTH END TOWNHOME CONDOMINIUMS**

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**UNITS A AND B  
BUILDING 3  
BLOCK 8  
NORTH END TOWNHOME CONDOMINIUMS**

6-4

**EXHIBIT B  
TO  
SUPPLEMENTAL DECLARATION TO CONDOMINIUM DECLARATION OF  
NORTH END TOWNHOME CONDOMINIUMS  
(BLOCK 8, BUILDING 3, UNITS A AND B)**

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**TABLE OF INTERESTS**

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Subject to the provisions of ARTICLE TWELVE hereof, each Unit is hereby vested with an undivided Percentage Ownership Interest in the Common Elements and is subject to a Common Expense Assessment Liability as set forth below. Exhibit C to the Declaration is modified accordingly.

6-5

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BLDG. NO./ UNIT NO.	SQUARE FOOTAGE	OWNERSHIP INTEREST	COMMON EXPENSE ASSESSMENT LIABILITY
Building 1			
Unit A	2589	8.93%	8.93%
Unit B	2583	8.91%	8.91%
Building 2			
Unit A	2586	8.92%	8.92%
Unit B	2583	8.91%	8.91%
Building 4			
Unit A	2250	7.76%	7.76%
Unit B	2252	7.77%	7.77%
Unit C	2256	7.78%	7.78%
Unit D	2255	7.78%	7.78%
Unit E	2249	7.76%	7.76%
Unit F	2213	7.63%	7.63%
Building 3			
Unit A	2590	8.93%	8.93%
Unit B	2587	8.92%	8.92%

The Percentage Interest in the Common Elements and Common Expense Assessment Liability has been determined by the Declarant in accordance with Paragraph 1.4 hereof.

Whenever any additional property or Units are brought into the Community, in accordance with ARTICLE TWELVE hereof, the Common Expense Assessment Liability and the Percentage Ownership Interest in the Common Elements of each Owner after such addition will change and shall be reallocated by the Declarant in accordance with Paragraph 1.3 hereof after such addition.

The Supplemental Declaration recorded at the time of expansion shall set forth the new Common Expense Assessment Liability and Percentage Ownership Interests in the Common Elements of the existing Units and the newly added Units. The Percentage Ownership Interest and Common Expense Assessment Liability shown for each Unit is subject to change in accordance with ARTICLE TWELVE hereof.

The Association shall have one class of voting membership. Owners shall be entitled to one vote for each Unit owned in the Community; provided, however, in any election of Directors, each Owner shall have the number of votes equal to the number of Directors to be elected, one vote to be cast for each Director.

b-6



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(303) 449-8689

**SUPPLEMENTAL DECLARATION  
TO  
THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
OF  
NORTH END RESIDENTIAL PLANNED COMMUNITY  
(North End Townhome Condominiums,  
Building 3, Units A and B)**

THIS SUPPLEMENTAL DECLARATION TO THE COVENANTS, CONDITIONS,  
AND RESTRICTIONS OF NORTH END RESIDENTIAL PLANNED COMMUNITY  
("Supplemental Declaration") is made this 25th day of NOVEMBER, 2008, by Ridgeline  
Development Corporation, a Colorado corporation ("Declarant").

**WITNESSETH:**

2-1

WHEREAS, Declarant, on June 20, 2008 recorded in the Boulder County Clerk and  
Recorder's Office, Boulder, Colorado, THE DECLARATION OF COVENANTS,  
CONDITIONS, AND RESTRICTIONS OF NORTH END RESIDENTIAL PLANNED  
COMMUNITY as Reception No. 2938096 and on July 18, 2008 recorded the FIRST  
AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND  
RESTRICTIONS OF NORTH END RESIDENTIAL PLANNED COMMUNITY as Reception  
No. 2943951 (collectively the 'Declaration');

WHEREAS, the Declaration creates certain protective covenants, conditions, and  
restrictions as set forth therein;

WHEREAS, the Declarant reserved the right in ARTICLE TWELVE of the Declaration  
to annex certain additional property without the consent of the Owners, Members of the  
Association, or First Mortgagees, and upon annexation the real property shall be subject to all the  
terms and conditions of the Declaration. The annexation shall be accomplished by the filing for  
record by the Declarant in the Boulder Clerk and Recorder's Office, a Supplemental Declaration;  
and;

WHEREAS, the Declarant has further improved the real property described below (the  
"Property"), and desires to annex the Property into the Planned Community and to subject the  
Property to the covenants, conditions, restrictions, and other charges as set forth in the  
Declaration.

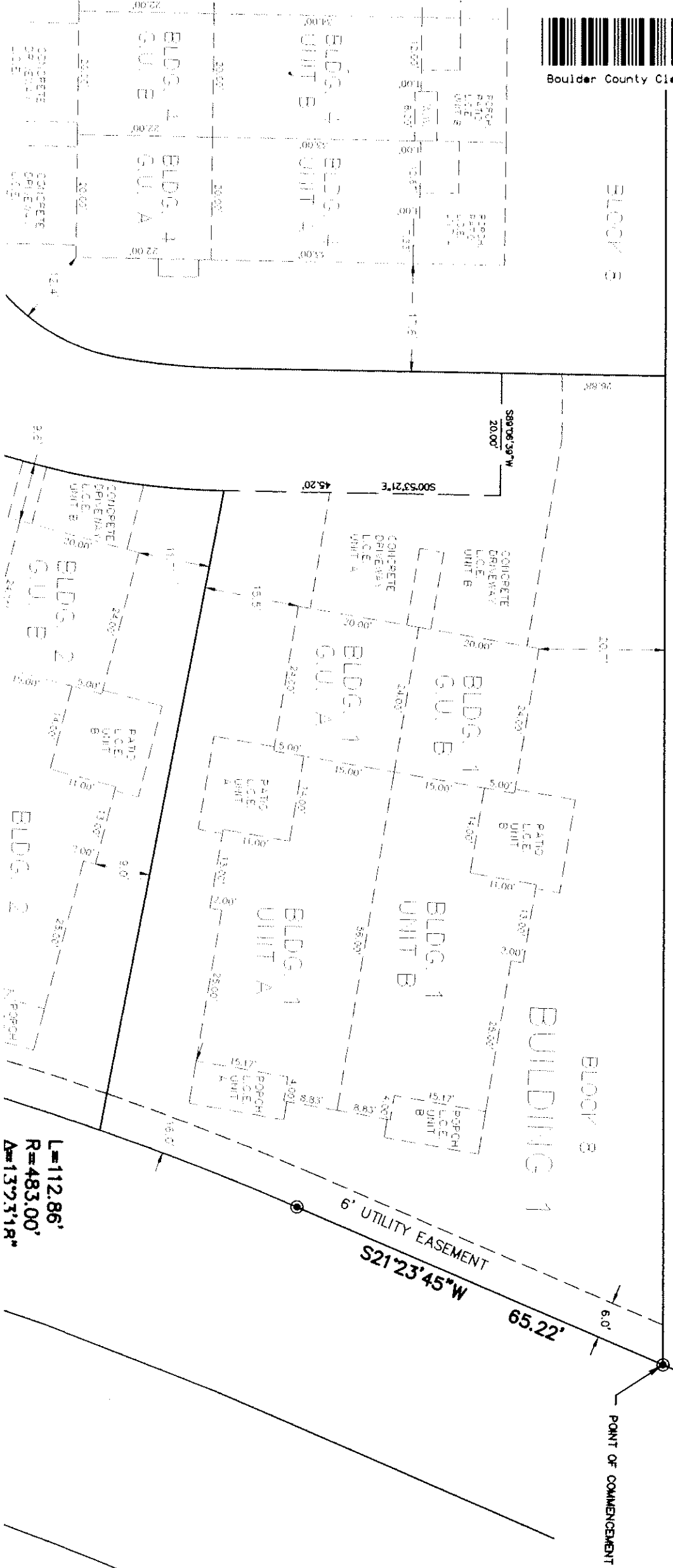






# THIRD SUPPLEMENTAL CONDOMINIUM MAP NORTH END TOWNHOME CONDOMINIUMS BUILDING 3

A PORTION OF BLOCK 8, NORTH END  
A SUBDIVISION LOCATED IN THE SW 1/4 OF SECTION 4, T1S, R69W OF THE 6TH P  
CITY OF LOUISVILLE, BOULDER COUNTY, COLORADO



### PROPE

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DESCRIBED  
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A=13°23'18"