



FOURTH SUPPLEMENT TO CONDOMINIUM  
DECLARATION AND ANNEXATION AGREEMENT *SAV5080.4*  
FOR SAVANNAH CONDOMINIUM

THIS FOURTH SUPPLEMENT TO CONDOMINIUM DECLARATION AND ANNEXATION AGREEMENT is made this 27 day of MARCH, 2006, by AMBER COMMUNITIES, INC. , a Colorado Corporation, (hereinafter referred to as "Amber").

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, Amber executed and has caused to be recorded a Condominium Declaration for Savannah Condominiums (the "Declaration") on July 27, 2004 under Reception #B4133216, of the records of the Clerk and Recorder of Arapahoe County, Colorado; and

WHEREAS, in Section 34(b) of the Declaration, Amber, for itself, its successors and assigns expressly reserved the right to annex from time to time certain real property to the Condominium Project and to subject such additional property to the terms and provisions of the Declaration; and

WHEREAS, Amber has completed the construction of one additional building and other improvements on the real property situated in the County of Arapahoe, Colorado; which property is described on Exhibit "A", attached hereto and incorporated by reference herein; and

WHEREAS, Amber desires to annex such property to the Declaration pursuant to Section 34(b) thereof;

NOW, THEREFORE, Amber does hereby publish and declare that the following terms, conditions, covenants, easements, restrictions, uses, limitations and obligations shall be deemed to run with the land and shall be a burden and benefit to Amber, its successors and assigns and to any person acquiring or owning an interest in the real property and improvements described on Exhibit "A", their grantees, successors, heirs, executors, administrators, devisees or assigns:

1. Annexation of Property. Pursuant to Section 34(b) of the Declaration, the Property described in Exhibit "A" attached hereto is hereby annexed to the "Project", as defined in Section 4(a)(5) of the Declaration, and is hereby submitted to Condominium Ownership and shall hereafter be held, sold, conveyed, encumbered, leased, rented, occupied and improved subject to the terms and provisions of the Declaration. The Property described in Exhibit "A" shall consist of twelve (12) additional and separate Condominium Units.

RECEIVED IN THIS COUNTY

2. Limited Common Elements. A portion of the common elements described on the **Fourth Supplement** to the Condominium Map for Savannah Condominiums is reserved for the exclusive use of the Owners of the respective Units and such areas are referred to as "limited common elements". Any balcony, patio or deck which is or are accessible from, associated with and adjoin a Unit shall, without further reference thereto, be used in connection with such Unit to the exclusion of the use thereof by the other Owners of the common elements, except by invitation. Similarly, certain air conditioning equipment which may be situated on the exterior walls or roof of a Building and which shall serve only one (1) Unit, shall be a limited common element, appurtenant to such Unit and shall be maintained, repaired and operated solely by the Owner, or Owners of such Unit. Certain parking space(s) are assigned by Amber on **Exhibit "C"** attached hereto and incorporated herein by this reference and are appurtenant to the Unit purchased and are for the exclusive use of the Owner of such Unit. Further, in accordance with **Section 4(a)(4)** of the Declaration, Amber reserves the right to construct and assign carport and garage spaces on the Property described on **Exhibit A**.
3. Supplement to Condominium Map. Pursuant to **Section 4(a)(6)** of the Declaration a **Fourth Supplement** to the Condominium Map depicting the location of each Unit submitted hereby, both horizontally and vertically, together with such other information as is required by the provisions of **Section 6** of the Declaration shall be recorded prior to the first conveyance of any of the Units shown thereon. Such Map shall be termed "**Fourth Supplement to Condominium Map for Amber Condominiums.**" After the **Fourth Supplement to the Condominium Map and the Fourth Supplement to the Condominium Declaration** for Amber Condominiums have been filed for record in the office of the Clerk and Recorder of the County of Adams, Colorado every contract, deed, lease, mortgage, trust deed, will or other instrument may legally describe a Condominium Unit as follows:

Condominium Unit No. \_\_\_\_\_, Building No. \_\_\_\_\_  
Savannah Owners Association, Inc., in accordance with  
The Declaration recorded on July 27, 2004, Reception  
#B4133216 of the County of Arapahoe  
records, together with the exclusive right to use the  
following limited common elements: parking, garage  
or carport space number(s) \_\_\_\_\_ and storage space  
number(s) \_\_\_\_\_.

Each 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 appurtenant limited common elements, appurtenant undivided interest in the common elements and all other appurtenant property and property rights and incorporate all of the rights and burdens incident to the ownership of a

Condominium Unit and all the limitations thereon as described in the Declaration and Supplements thereto, Condominium Map and Supplements to the Condominium Map. Each such description shall be construed to include a non-exclusive easement for ingress and egress to and from an Owner's Unit and use of all the limited common elements appurtenant to said Unit as well as all the general common elements.

4. Modification of Undivided Interests. Upon the recording in the records in the office of the Clerk and Recorder of County of Arapahoe, State of Colorado, of this Fourth Supplement to the Condominium Declaration and Annexation Agreement and of the Fourth Supplement Condominium Map for the Savannah Condominiums, the undivided interest in the common elements appurtenant to each Condominium Unit in Savannah Condominiums shall be modified in accordance with Section 4(a)(5) of the Declaration. The undivided interest in and to the common elements to each Unit submitted to the Project under the Declaration, and this Fourth Supplement is modified as set forth on Exhibit "D" attached hereto and incorporated herein by this reference. The storage spaces which are limited common elements appurtenant to each Unit are also limited common elements.
5. Easements. Each Owner shall have the non-exclusive right, and easement together with all other Owners of Units at Savannah Condominiums to use all the general common elements, open spaces, recreational facilities, grass and landscaping areas and all other areas in the Project which are not herein specifically designated to the use of less than all the Owners. This easement shall be irrevocable and shall be for the purposes of ingress and egress, recreational and social use and shall apply to all of the Property hereinbefore, hereby and hereinafter committed to this Condominium Project.
6. Reservation. Amber reserves the right to annex further property to this Condominium Project as provided in Section 4(a)(5) of the Condominium Declaration for Savannah Condominiums.
7. Assessments for Common Expenses. The common expense assessments for each Unit within the entire Project shall be determined as provided in Section 20(a) of the Condominium Declaration for Savannah Condominiums. The square footage of each Condominium Unit submitted to the Project hereby is set forth on Exhibit "B".
8. General. (a) The provisions contained in this Fourth Supplement and Annexation Agreement to the Condominium Declaration for Savannah Condominiums shall be in addition and supplemental to the provisions contained in the recorded Condominium Declaration for Savannah Condominiums. All provisions of the Condominium Declaration for Savannah Condominiums, and any amendments and supplements thereto, except those specifically modified

herein, shall be applicable to the real property described on Exhibit "A" and incorporated by reference in this Fourth Supplement.

(b) If any of the provisions of this instrument 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.

(c) The provisions of this instrument shall be in addition and supplemental 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 number shall include the plural, the plural the singular, and the use of any gender shall include all genders.

IN WITNESS WHEREOF, Amber has duly executed this Fourth Supplement to the Declaration for Savannah Owners Association, Inc. this 27 day of MARCH, A.D., ~~2004~~ 2005

AMBER COMMUNITIES, INC.  
A Colorado Corporation

By Deborah M. Hill  
Vice President

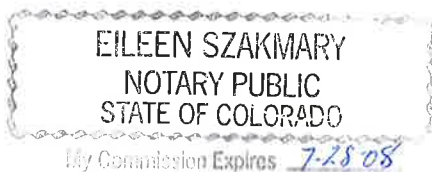
STATE OF COLORADO

COUNTY OF ARAPAHOE

The above and foregoing instrument was acknowledged before me, a Notary Public, this 27 day of MARCH, <sup>2005</sup> ~~2004~~ by Deborah M. Hill, Vice President and \_\_\_\_\_, as \_\_\_\_\_ of AMBER COMMUNITIES, INC., a Colorado Corporation.

Witness my hand and official seal.

My commission expires: 7-28-08



Eileen Szakmary  
Notary Public

EXHIBIT A  
SAVANNAH CONDOMINIUMS  
FOURTH SUPPLEMENT LEGAL DESCRIPTION

A PORTION OF LOT 1, BLOCK 1, SOUTHCREEK SUBDIVISION FILING NO. 6 AS RECORDED AT RECEPTION NO. B3208724 IN THE LAND RECORDS OF ARAPAHOE COUNTY, COLORADO, LOCATED IN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 5 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 32,  
WHENCE THE NORTH QUARTER CORNER THEREOF BEARS N89°40'00"E;

THENCE S52°59'52"E, A DISTANCE OF 1878.33 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 1, BLOCK 1 TO A POINT OF CURVATURE, SAID POINT BEING THE POINT OF BEGINNING;

THENCE 203.56 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 480.00 FEET AND A CENTRAL ANGLE OF 24°17'53" TO A POINT;

THENCE DEPARTING SAID SOUTHERLY LINE OF LOT 1, BLOCK 1 AND RUNNING THROUGH SAID LOT 1, BLOCK 1 THE FOLLOWING (7) SEVEN COURSES:

1. N17°17'25"W, A DISTANCE OF 176.80 FEET TO A POINT;
2. S72°42'35"W A DISTANCE OF 5.64 FEET TO A POINT;
3. N17°17'25"W, A DISTANCE OF 36.63 FEET TO A POINT;
4. N72°42'35"E, A DISTANCE OF 77.78 FEET TO A POINT;
5. S86°06'10"E, A DISTANCE OF 47.47 FEET TO A POINT;
6. S46°14'26"E, A DISTANCE OF 130.66 FEET TO A POINT;
7. S41°39'26"E, A DISTANCE OF 43.28 FEET TO THE POINT OF BEGINNING.

CONTAINING 31,835 SQUARE FEET OR 0.73 ACRES OF LAND, MORE OR LESS





EXHIBIT D  
SAVANNAH CONDOMINIUMS  
FOURTH SUPPLEMENT PERCENTAGE INTEREST IN COMMON  
ELEMENTS  
BUILDING 4

ADDRESS	% INTEREST
15700 E. Jamison Dr.	
UNIT #101	1/84
UNIT #102	1/84
UNIT #103	1/84
UNIT #104	1/84
UNIT #201	1/84
UNIT #202	1/84
UNIT #203	1/84
UNIT #204	1/84
UNIT #301	1/84
UNIT #302	1/84
UNIT#303	1/84
UNIT#304	1/84