

SUPPLEMENTAL CONDOMINIUM DECLARATION  
OF  
COPPERSTONE CONDOMINIUMS  
(PHASE 3)

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TRACY K. BAKER  
ARAPAHOE COUNTY  
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Copperstone Homes, Inc., a Colorado corporation ("Declarant"), executes this Supplemental Condominium Declaration of Copperstone Condominiums (the "Supplemental Declaration"), this 28<sup>th</sup> day of September, 1999.

RECITALS:

- A. Copperstone Developers, Inc., a Colorado corporation ("Initial Declarant"), executed and caused to be recorded that certain Condominium Declaration of Copperstone Condominiums (the "Declaration") on February 9, 1998, at Reception No. A8017544 of the records (the "Records") of the Office of the Clerk and Recorder of Arapahoe County, Colorado (as amended and supplemented, the "Declaration").
- B. Initial Declarant and Declarant executed and caused to be recorded that certain Assignment and Assumption of Declarant Rights (Copperstone Condominiums) on June 12, 1998 at Reception No. A8089329 of the Records.
- C. Article 14 of the Declaration reserves unto Declarant the right to annex certain land to the Declaration by recordation of one or more supplements to the Declaration.
- D. The purpose of this Supplemental Declaration is to annex certain land into the Declaration and to include certain land within the Condominium Community, as defined in the Declaration.

NOW, THEREFORE, Declarant declares that the Annexable Property described herein is and shall be held, transferred, sold, conveyed and occupied subject to all of the covenants, conditions, restrictions, easements, charges and liens set forth in the Declaration and shall be binding on all persons having or acquiring any right, title or interest in the Annexable Property described herein, their heirs, successors and assigns, and shall inure to the benefit of, be binding upon, and be enforceable by Declarant, its successors in interest, each Owner and his successors in interest, and the Copperstone Condominium Association, Inc., and its successors in interest.

All captioned terms used herein have the same meaning as set forth in the Declaration.

- 1. Legal Description of the Property Being Annexed. The property being annexed to the Declaration and Condominium Community by this Supplemental Declaration is described in Attachment "1" attached hereto and incorporated herein by this reference (the "Annexable Property").
- 2. Annexation. The Annexable Property is being annexed to the Declaration and the Condominium Community pursuant to the provisions of Article 14 of the Declaration.



3. Effect of Annexation. The Annexable Property, the Condominiums and any Common Area therein shall be deemed to be included within the Condominium Community covered by the Declaration and subject to all of the terms, provisions, covenants, conditions, reservations, charges and liens set forth in the Declaration, including without limitation all assessment obligations and all Declarant Rights set forth in the Declaration. The Annexable Property and the Condominiums and any Common Area located therein are also expressly subject to all of the provisions of the Articles of Incorporation and the Bylaws of the Copperstone Condominium Association, Inc., as more particularly described in the Declaration, the Articles of Incorporation and the Bylaws.

4. Common Allocation. The Common Allocation allocable to each Condominium within the Condominium Community, including the Annexable Property, shall be revised and shall be as set forth on Attachment "2" attached hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, the Declarant has executed this Supplemental Declaration the date and year first above written.

DECLARANT:

COPPERSTONE HOMES, INC., a Colorado corporation

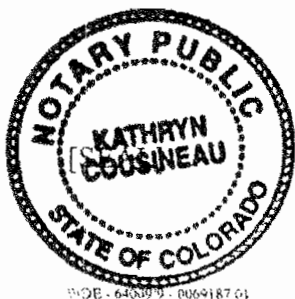
By: J. DelZotto  
Joseph A. DelZotto - President

STATE OF COLORADO    )  
  ) ss.  
COUNTY OF ARAPAHOE )

The above Supplemental Condominium Declaration of Copperstone Condominiums was acknowledged and signed before me this 28<sup>th</sup> day of September, 1999 by Joseph A. DelZotto, as President of Copperstone Homes, Inc., a Colorado corporation.

Witness my hand and official seal.

My Commission expires: 2/24/03



Kathryn Cousineau  
Notary Public

## Attachment "1"

Legal Description of Annexed Property

A portion of Lot 1, Block 1, Bellcourt I Subdivision in the County of Arapahoe, State of Colorado, as recorded in Book 90 at Page 18 under Reception Number 2672321 of the official Arapahoe County, Colorado records.

Basis of bearings: the Northerly line of said Lot 1, Block 1, Bellcourt I Subdivision, monumented as shown hereon and considered to bear S89°48'20"E.

Beginning at the Northeasterly corner of said Lot 1, Block 1, Bellcourt I Subdivision; thence S00°01'22"E along the easterly line of said Lot 1, Block 1, a distance of 220.69 feet;

Thence continuing S00°01'22"E along said Easterly line of Lot 1, Block 1, a distance of 221.74 feet;

Thence N89°48'00"W along the Southerly line of said Lot 1, Block 1, a distance of 147.58 feet;

Thence N45°34'49"W a distance of 110.09 feet to a point on the Southwesterly extension of that course in the Southerly line of "Copperstone Condominiums Phase 2" shown as having a bearing and distance of S44°25'11"W 197.44 feet;

Thence along said Southwesterly extension and said Southerly line of "Copperstone Condominiums Phase 2" the following two (2) courses:

1. N44°25'11"E a distance of 201.85 feet;
2. N90°00'00"E a distance of 84.84 feet to the point of beginning.

Containing an area of 36,857 square feet or 0.846 acre.

## Attachment "2"

Revised Common Allocations

	<u>Condominium</u>	<u>Measured</u>	<u>Common</u>
	<u>Unit</u>	<u>Unit (sq. ft.)</u>	<u>Allocation</u>
<u>Phase 1/Bldg. A Units</u> (9510 E. Florida Ave.)	1051	902.00	1.31%
	1052	902.00	1.31%
	1053	761.33	1.11%
	1054	761.33	1.11%
	1055	761.33	1.11%
	1056	761.33	1.11%
	1057	902.00	1.31%
	1058	902.00	1.31%
	2051	902.00	1.31%
	2052	902.00	1.31%
	2053	761.33	1.11%
	2054	761.33	1.11%
	2055	761.33	1.11%
	2056	761.33	1.11%
	2057	902.00	1.31%
	2058	902.00	1.31%
	3051	860.00	1.25%
	3052	860.00	1.25%
3053	860.00	1.25%	
3054	860.00	1.25%	
3055	860.00	1.25%	
3056	860.00	1.25%	
3057	860.00	1.25%	
3058	860.00	1.25%	
<u>Phase 1/Bldg. A Units:</u>		<u>20,186.64</u>	<u>29.36%</u>
<u>Phase 2/Bldg. B Units</u> (9530 E. Florida Ave.)	1001	937.80	1.37%
	1002	937.80	1.37%
	1005	1,230.70	1.79%
	1006	1,230.70	1.79%
	1007	1,230.70	1.79%
	1008	1,230.70	1.79%
	1011	937.80	1.37%
	1012	937.80	1.37%
	2001	1,396.50	2.04%
	2002	1,396.50	2.04%
2003	1,151.10	1.68%	

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	<u>Condominium</u>	<u>Measured</u>		<u>Common</u>
	<u>Unit</u>	<u>Unit (sq. ft.)</u>		<u>Allocation</u>
	2004	1,151.10		1.68%
	2005	1,151.10		1.68%
	2006	1,151.10		1.68%
	2007	1,151.10		1.68%
	2008	1,151.10		1.68%
	2009	1,151.10		1.68%
	2010	1,151.10		1.68%
	2011	1,396.50		2.04%
	2012	<u>1,396.50</u>		<u>2.04%</u>
Phase 2/Bldg. B Units:		23,468.80		34.24%
<u>Phase 2 Garages</u>	G-1	205.00 x.25=	51.25	0.07%
	G-2	201.00 x.25=	50.25	0.07%
	G-3	201.00 x.25=	50.25	0.07%
	G-4	201.00 x.25=	50.25	0.07%
	G-5	285.40 x.25=	71.35	0.10%
	G-6	234.60 x.25=	58.65	0.09%
	G-7	230.00 x.25=	57.50	0.08%
	G-8	234.60 x.25=	58.65	0.09%
	G-13	205.00 x.25=	51.25	0.07%
	G-14	201.00 x.25=	50.25	0.07%
	G-15	201.00 x.25=	50.25	0.07%
	G-16	201.00 x.25=	50.25	0.07%
	G-17	201.00 x.25=	50.25	0.07%
	G-18	201.00 x.25=	50.25	0.07%
	G-19	201.00 x.25=	50.25	0.07%
	G-20	201.00 x.25=	50.25	0.07%
	G-21	201.00 x.25=	50.25	0.07%
	G-22	201.00 x.25=	50.25	0.07%
	G-23	201.00 x.25=	50.25	0.07%
	G-24	201.00 x.25=	50.25	0.07%
	G-25	201.00 x.25=	50.25	0.07%
	G-26	201.00 x.25=	50.25	0.07%
	G-27	205.00 x.25=	51.25	0.07%
	G-28	<u>205.00 x.25=</u>	<u>51.25</u>	<u>0.07%</u>
Phase 2 Garages:		5,020.60 x.25=	1,255.15	1.76%
Phase 2 Units & Garages (.25):		24,723.95		36.00%

	<u>Condominium</u>	<u>Measured</u>	<u>Common</u>
	<u>Unit</u>	<u>Unit (sq. ft.)</u>	<u>Allocation</u>
<u>Phase 3/Bldg. C Units</u>	1013	937.80	1.37%
(9550 E. Florida Ave.)	1014	937.80	1.37%
	1017	1,230.70	1.79%
	1018	1,230.70	1.79%
	1019	1,230.70	1.79%
	1020	1,230.70	1.79%
	1023	937.80	1.37%
	1024	937.80	1.37%
	2013	1,396.50	2.04%
	2014	1,396.50	2.04%
	2015	1,151.10	1.68%
	2016	1,151.10	1.68%
	2017	1,151.10	1.68%
	2018	1,151.10	1.68%
	2019	1,151.10	1.68%
	2020	1,151.10	1.68%
	2021	1,151.10	1.68%
	2022	1,151.10	1.68%
	2023	1,396.50	2.04%
	2024	1,396.50	2.04%
Phase 3/Bldg. C Units:		<u>23,468.80</u>	<u>34.24%</u>
<u>Phase 3 Garages</u>	G-9	234.60 x.25=	58.65 0.09%
	G-10	230.00 x.25=	57.50 0.08%
	G-11	230.00 x.25=	57.50 0.08%
	G-12	234.60 x.25=	58.65 0.09%
Phase 3 Garages:		<u>929.20 x.25=</u>	<u>232.30 0.34%</u>
Phase 3 Units & Garages (.25):		23,701.10	34.58%
<b>Total All Units/Garages:</b>		<b>68,611.69</b>	<b>100.00%</b>

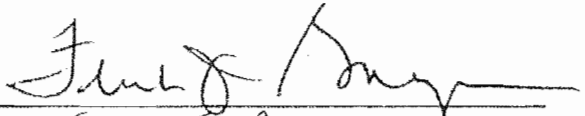
CONSENT OF MORTGAGEE

The undersigned, as mortgagee of the Annexable Property, hereby consents to the ~~foregoing~~ Supplemental Condominium Declaration of Copperstone Condominiums (Phase 3) ~~recorded \_\_\_\_\_ 1999 at Reception No. \_\_\_\_\_~~ respecting the annexation of the Annexable Property described therein to the Condominium Declaration of Copperstone Condominiums recorded February 9, 1998 at Reception No. A8017544 (as amended, the "Declaration"), and agrees that the lien of its following described deeds of trust on the Annexable Property shall be subordinate and junior to the terms and provisions thereof: (1) Deed of Trust, Assignment, Security Agreement and Financing Statement recorded in the records June 12, 1998 at Reception No. A8089330, as amended; (2) Deed of Trust, Assignment, Security Agreement and Financing Statement recorded in the records December 14, 1998 at Reception No. A8203323.

Recording references are to the real estate records of the Clerk and Recorder of Arapahoe County, Colorado. Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Declaration.

EXECUTED as of the 30<sup>th</sup> day of SEPTEMBER, 1999.

OHIO SAVINGS BANK, a Federal Savings Bank

By:   
Name: FRANK J. BOLOGNIA  
Title: SENIOR VICE PRESIDENT

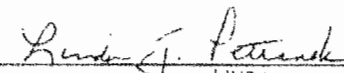
STATE OF OHIO )  
 ) ss.  
COUNTY OF CUYAHOGA )

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of SEPTEMBER, 1999 by FRANK J. BOLOGNIA, as SENIOR VICE PRESIDENT of Ohio Savings Bank, a Federal Savings Bank.

Witness my hand and official seal.

My Commission expires: \_\_\_\_\_



  
Notary Public  
LINDA J. PETRANK, Notary Public  
State of Ohio, Recorded in Lake County  
My Commission Expires June 18, 2004

CONSENT OF MORTGAGEE

The undersigned, as mortgagee of the Annexable Property, hereby consents to the [foregoing] Supplemental Condominium Declaration of Copperstone Condominiums (Phase 3) [recorded \_\_\_\_\_ 1999 at Reception No. \_\_\_\_\_] respecting the annexation of the Annexable Property described therein to the Condominium Declaration of Copperstone Condominiums recorded February 9, 1998 at Reception No. A8017544 (as amended, the "Declaration") and agrees that the lien of its following described deed of trust on the Annexable Property shall be subordinate and junior to the terms and provisions thereof: (1) Deed of Trust, Security Agreement and Fixture Filing recorded in the records December 14, 1998 at Reception No. A8203328.

Recording references are to the real estate records of the Clerk and Recorder of Arapahoe County, Colorado. Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Declaration.

EXECUTED as of the 30<sup>th</sup> day of September, 1999.

WRI OPPORTUNITY LOANS I LLC, a  
Washington limited liability company

By: Weyerhaeuser Realty Investors, Inc., a  
Washington corporation, its Manager

By: William R. Patterson  
William R. Patterson - Vice President

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF ARAPAHOE    )

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of September, 1999 by William R. Patterson, as Vice President of Weyerhaeuser Realty Investors, Inc., a Washington corporation, as manager of WRI Opportunity Loans I, LLC, a Washington limited liability company.

Witness my hand and official seal.

My Commission expires: 01-05-2000

Grinda G. Haupt  
Notary Public

[SEAL]

