

Recorded at 10:53 o'clock A SEP 28 1983
Reception 2329343 MARJORIE PAGE, Recorder

BOOK 3979 PAGE 388

Phase II

FIRST SUPPLEMENTAL CONDOMINIUM DECLARATION AND
ANNEXATION AGREEMENT FOR THE
WINDSONG CONDOMINIUMS

THIS SUPPLEMENTAL CONDOMINIUM DECLARATION AND ANNEXATION AGREEMENT is made and entered into this 27th day of September, 19 83, by 304 Corporation, a Colorado Corporation (hereinafter referred to as the "Declarant").

W I T N E S S E T H

WHEREAS, Declarant executed that certain Declaration of Covenants, Conditions and Restrictions of The Windsong Condominiums (hereinafter referred to as the "Declaration"), which Declaration was recorded on July 12, 1983, at Book 3912, Page 441, Reception No. 2299601 of the records in the office of the Clerk and Recorder of Arapahoe County, Colorado; and

WHEREAS, Paragraph 33.1 of the Declaration provides as follows:

"33.1 Annexations by Declarant. Subject only to the prior approval of the Veterans Administration to determine that the annexation is in accord with the general plan heretofore approved by the Veterans Administration and to insure that future improvements will be consistent in terms of quality of construction, Declarant shall have and hereby specifically reserves the right until December 31, 1988, to annex from time to time any portion or portions of the property described in Exhibit 3 attached (to the Declaration) to the Property and to subject such additional property to the terms and provisions of this Declaration."

and

WHEREAS, Exhibit 3 of the Declaration provides the legal description of property which Declarant may annex to The Windsong Condominiums, said property being more fully described in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, Declarant is the owner of the real property described in Exhibit "A"; and

WHEREAS, Declarant desires to annex a portion of such property to The Windsong Condominiums pursuant to Paragraph 33.1 of the Declaration;

NOW, THEREFORE, Declarant hereby declares as follows:

1. Annexation of Property. Pursuant to Paragraph 33.1 of the Declaration, a portion of the property described in Exhibit "A" is hereby annexed to the "Property", as defined in the Declaration, and shall hereafter be held, sold, conveyed, encumbered, leased, rented, occupied and improved subject to the terms and provisions of the Declaration; said property being more fully described in Exhibit "B" attached hereto and incorporated herein by this reference.

2. Supplemental Condominium Map. Pursuant to Paragraph 33.2 of the Declaration, Declarant has prepared and recorded, or will prepare and record, in the records in the office of the Clerk and Recorder of Arapahoe County, Colorado, a Supplemental Condominium Map for The Windsong Condominiums covering the real property which is described in Exhibit "B" attached hereto. Upon the recording of such Supplemental Condominium Map for The Windsong Condominiums and the annexation of the property above referenced, the "Property" shall consist of sixty (60) additional separate Condominium Units as identified in Exhibit "C" attached hereto and incorporated herein by reference.

3. Undivided Interests. Upon the recording in the records in the office of the Clerk and Recorder of Arapahoe County, Colorado, of this Supplemental Condominium Declaration and Annexation Agreement and of the above-referenced Supplemental Condominium Map, the undivided interest in the Common Elements appurtenant to each Condominium Unit in prior phases of The Windsong Condominiums shall be automatically modified in accordance with Paragraph 33.3 of the Declaration as set forth in Exhibit "D" attached hereto and incorporated herein by reference. Further, the additional Condominium Units made subject to the Declaration by this Supplemental Condominium Declaration and Annexation Agreement shall have an initial undivided interest in the General Common Elements as set forth in Exhibit "D".

IN WITNESS WHEREOF, Declarant has hereunto set its hand and seal as of the day and year first above written.

304 Corporation,
a Colorado corporation

By Kal Zeff
Kal Zeff, Authorized Agent
And as President for 304 Corporation,
a Colorado Corporation



STATE OF COLORADO)
COUNTY OF DENVER) ss.

The foregoing instrument was acknowledged before me this 27th day of September, 1983, by Zal Zeff, as authorized agent of 304 Corporation. and as President.

WITNESS my hand and official seal.

My commission expires:

My commission expires Aug. 22, 1987.

My address is:

950 S. Cherry St.

Suite 1100

DENVER - COLORADO 80222

[Signature]
Notary Public



WINDSONG CONDOMINIUMS

BOOK 3979 PAGE 391

MORTGAGEE APPROVAL

INTRAWEST MORTGAGE COMPANY hereby approves, ratifies and consents to the attached Supplemental Condominium Declaration and Annexation Agreement for The Windsong Condominiums.

IN WITNESS WHEREOF, the said Company has caused its corporate name to be hereunto subscribed by its VICE PRESIDENT, and its corporate seal to be hereunto affixed, and attested by its ASSISTANT SECRETARY this 15th day of September, 1983.

INTRAWEST MORTGAGE COMPANY

By: Sidney L. Papero
Title: VICE PRESIDENT



Catherine McGrath
Title: Assistant Secretary

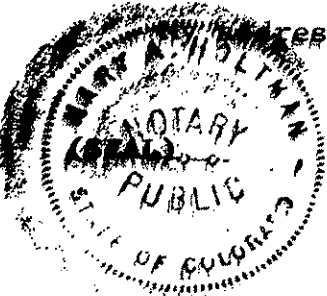
STATE OF COLORADO
COUNTY OF Cherokee } ss.

The foregoing was acknowledged before me this 15th day of September, 1983, by SIDNEY L. PAPERD, VICE PRESIDENT and CATHERINE McGRATH, SECRETARY as authorized agents for INTRAWEST MORTGAGE COMPANY

Witness my hand and official seal.

My commission expires:

July 10, 1987
14231 E. 4th Ave, Suite 215
Denver, Co. 80011



Mary A. Halko
Notary Public

WINDSONG CONDOMINIUMS

BOOK 3979 PAGE 392

VA APPROVAL

THE VETERANS ADMINISTRATION hereby approves, ratifies and consents to the attached Supplemental Condominium Declaration and Annexation Agreement for The Windsong Condominiums.

IN WITNESS WHEREOF, the Veterans Administration has caused its name to be hereunto subscribed by its _____, this 2 day of SEPT, 1983.

VETERANS ADMINISTRATION

By Merle C. Shirley
Authorized Agent

State of Colorado)
County of _____) ss.

The foregoing was acknowledged before me this 2 day of SEPT, 1983, by MERLE C. SHIRLEY as authorized agent for the Veterans Administration.

Witness my hand and official seal.

My commission expires:

12-29-85

My address is:

Loan Guaranty Division - 261
VETERANS ADMINISTRATION
REGIONAL OFFICE
DENVER FEDERAL CENTER
DENVER, COLORADO 80225



Carolyn D. Hendricksen
Notary Public

WINDSONG CONDOMINIUMS

BOOK 3979 PAGE 393

EXHIBIT "A"

Legal description of property which Declarant may annex:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 21, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 21;
THENCE S 89° 50'08" E, A DISTANCE OF 50.00 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE ON SOUTH QUEBEC STREET;
THENCE N 00° 00'00" E, A DISTANCE OF 253.73 FEET TO THE TRUE POINT OF BEGINNING:

THENCE N 00° 00'00" E, A DISTANCE OF 569.03 FEET;
THENCE S 89° 47'52" E, A DISTANCE OF 334.84 FEET TO A POINT OF CURVATURE;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 553.04 FEET, A CENTRAL ANGLE OF 18° 19'32", AND AN ARC LENGTH OF 176.89 FEET TO A POINT OF TANGENCY;
THENCE S 71° 28'20" E, A DISTANCE OF 347.17 FEET TO A POINT OF CURVATURE;
THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 446.70 FEET, A CENTRAL ANGLE OF 54° 26'57", AND AN ARC LENGTH OF 424.51 FEET TO A POINT OF TANGENCY;
THENCE N 54° 04'43" E, A DISTANCE OF 12.91 FEET;
THENCE S 35° 42'33" E, A DISTANCE OF 43.30 FEET;
THENCE S 00° 05'45" E, A DISTANCE OF 720.62 FEET;
THENCE N 89° 49'46" W, A DISTANCE OF 618.01 FEET;
THENCE N 00° 10'14" E, A DISTANCE OF 139.00 FEET;
THENCE N 89° 49'46" W, A DISTANCE OF 439.53 FEET;
THENCE N 00° 10'14" E, A DISTANCE OF 130.98 FEET;
THENCE N 89° 49'46" W, A DISTANCE OF 127.02 FEET;
THENCE S 00° 00'00" W, A DISTANCE OF 15.97 FEET;
THENCE N 90° 00'00" W, A DISTANCE OF 94.99 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 19.3695 ACRES, MORE OR LESS.

WINDSONG CONDOMINIUMS

BOOK 3979 PAGE 394

EXHIBIT "B"

Legal Description of Phase II:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 21, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 21;

THENCE S 89° 50' 08" E, A DISTANCE OF 50.00 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE ON SOUTH QUEBEC STREET;

THENCE N 00° 00' 00" E, A DISTANCE OF 436.73 FEET TO THE TRUE POINT OF BEGINNING;

THENCE S 90° 00' 00" E, A DISTANCE OF 143.00 FEET;
THENCE N 00° 00' 00" E, A DISTANCE OF 70.00 FEET;
THENCE S 90° 00' 00" E, A DISTANCE OF 255.00 FEET;
THENCE S 26° 00' 00" E, A DISTANCE OF 75.00 FEET;
THENCE S 69° 04' 29" E, A DISTANCE OF 161.58 FEET;
THENCE S 00° 10' 14" W, A DISTANCE OF 209.35 FEET;
THENCE N 89° 49' 46" W, A DISTANCE OF 359.55 FEET;
THENCE N 00° 10' 14" E, A DISTANCE OF 130.98 FEET;
THENCE N 89° 49' 46" W, A DISTANCE OF 127.02 FEET;
THENCE S 00° 00' 00" W, A DISTANCE OF 15.97 FEET;
THENCE N 90° 00' 00" W, A DISTANCE OF 94.99 FEET;
THENCE N 00° 00' 00" E, A DISTANCE OF 148.00 FEET TO THE TRUE POINT OF BEGINNING.

Said Phase II contains 3.223 acres, more or less.

WINDSONG CONDOMINIUMS

BOOK 3979 PAGE 395

EXHIBIT "C"

Condominium Units in Phase II

<u>Condominium Building</u>	<u>Condominium Unit No.</u>
10	1
10	2
10	3
10	4
10	5
10	6
10	7
10	8
11	1
11	2
11	3
11	4
11	5
11	6
11	7
11	8
11	9
11	10
11	11
11	12
12	1
12	2
12	3
12	4
12	5
12	6
12	7
12	8
16	1
16	2
16	3
16	4
16	5
16	6
16	7
16	8

WINDSONG CONDOMINIUMS

BOOK 3979 PAGE 396

Condominium Units in Phase II, cont'd

<u>Condominium Building</u>	<u>Condominium Unit No.</u>
18	1
18	2
18	3
18	4
18	5
18	6
18	7
18	8
18	9
18	10
18	11
18	12
18	13
18	14
19	1
19	2
19	3
19	4
19	5
19	6
19	7
19	8
19	9
19	10

WINDSONG CONDOMINIUMS

BOOK 3979 PAGE 397

EXHIBIT "D"

This Exhibit sets forth the Condominium Units in all Phases subject to the Declaration, including this Supplemental Declaration and Annexation Agreement, together with each Unit's undivided interest in the General Common Elements.

<u>Condominium Building</u>	<u>Condominium Unit No.</u>	<u>Undivided Interest in the General Common Elements Appurtenant To Each Unit *</u>
10	1	.010404
10	2	.009844
10	3	.009994
10	4	.009844
10	5	.009995
10	6	.009844
10	7	.009844
10	8	.010404
11	1	.007895
11	2	.007584
11	3	.007584
11	4	.007584
11	5	.007562
11	6	.007562
11	7	.007562
11	8	.007562
11	9	.007584
11	10	.007584
11	11	.007584
11	12	.007895
12	1	.010404
12	2	.009844
12	3	.009844
12	4	.009995
12	5	.009844
12	6	.009995
12	7	.009844
12	8	.010404

* The undivided interest in the General Common Elements appurtenant to each Unit is subject to modification by Annexations to the Declaration pursuant to Paragraph 33 of the Declaration.

WINDSONG CONDOMINIUMS

BOOK 3979 PAGE 398

<u>Condominium Building</u>	<u>Condominium Unit No.</u>	<u>Undivided Interest in the General Common Elements Appurtenant To Each Unit *</u>
13	1	.010404
13	2	.009844
13	3	.009844
13	4	.009995
13	5	.009844
13	6	.009995
13	7	.009844
13	8	.009995
13	9	.009844
13	10	.010404
14	1	.007895
14	2	.007584
14	3	.007562
14	4	.007562
14	5	.007562
14	6	.007562
14	7	.007584
14	8	.007895
15	1	.010404
15	2	.009844
15	3	.009844
15	4	.009995
15	5	.009844
15	6	.009995
15	7	.009844
15	8	.009995
15	9	.009844
15	10	.010404
16	1	.010404
16	2	.009844
16	3	.009995
16	4	.009844
16	5	.009995
16	6	.009844
16	7	.009844
16	8	.010404

* The undivided interest in the General Common Elements appurtenant to each Unit is subject to modification by Annexations to the Declaration pursuant to Paragraph 33 of the Declaration.

WINDSONG CONDOMINIUMS

BOOK 3979 PAGE 399

<u>Condominium Building</u>	<u>Condominium Unit No.</u>	<u>Undivided Interest in the General Common Elements Appurtenant To Each Unit *</u>
17	1	.010404
17	2	.009844
17	3	.009844
17	4	.009995
17	5	.009844
17	6	.009995
17	7	.009844
17	8	.009995
17	9	.009844
17	10	.010404
18	1	.007895
18	2	.007584
18	3	.007584
18	4	.007584
18	5	.007562
18	6	.007562
18	7	.007562
18	8	.007562
18	9	.007562
18	10	.007562
18	11	.007584
18	12	.007584
18	13	.007584
18	14	.007895
19	1	.010404
19	2	.009844
19	3	.009995
19	4	.009844
19	5	.009995
19	6	.009844
19	7	.009995
19	8	.009844
19	9	.009844
19	10	.010404

* The undivided interest in the General Common Elements appurtenant to each Unit is subject to modification by Annexations to the Declaration pursuant to Paragraph 33 of the Declaration.

WINDSONG CONDOMINIUMS

BOOK 3979 PAGE 400

<u>Condominium Building</u>	<u>Condominium Unit No.</u>	<u>Undivided Interest in the General Common Elements Appurtenant To Each Unit *</u>
20	1	.010404
20	2	.009844
20	3	.009844
20	4	.009995
20	5	.009844
20	6	.009995
20	7	.009844
20	8	.009995
20	9	.009844
20	10	.010404

* The undivided interest in the General Common Elements appurtenant to each Unit is subject to modification by Annexations to the Declaration pursuant to Paragraph 33 of the Declaration.