

COUNTY OF LARIMER

STATE OF COLORADO

THIRD SUPPLEMENT TO
CONDOMINIUM DECLARATION FOR
THE LEWISTON TOWNHOUSE CONDOMINIUMS

This Third Supplement to Condominium Declaration for The Lewiston Townhouse Condominiums is made this 31st day of January, 1981, by Rex S. Miller, Declarant herein and as Declarant by reserved power in Condominium Declaration for The Lewiston Townhouse Condominiums ("Declarant"), and the mortgagee of the condominium units created hereby and which are situate upon real property located in Larimer County, Colorado, more fully described on Exhibit A attached hereto and incorporated herein by reference.

WITNESSETH:

PREAMBLE

1. Declarant has heretofore filed of record on November 13, 1979 in Book 2004 at Page 274 of the Larimer County, Colorado records a Condominium Declaration ("the Declaration") and map of The Lewiston Townhouse Condominiums, which Declaration at Article 28 reserved for Declarant, himself, his successors and assigns, the right to enlarge said condominium project by submitting additional real property and improvements by duly recorded supplemental maps and declarations. Pursuant to said reserved power, Declarant has previously enlarged the condominium project and submitted additional real property and improvements by filing a Condominium Map for such additional improvements on January 24, 1980 in Book 2020 at Page 882 of the Larimer County, Colorado records, together with a First Supplement to the Declaration on April 8, 1980 in Book 2036 at Page 719 of the Larimer County, Colorado records; and a Condominium Map for other additional improvements on April 7, 1980 in Book 2036 at Page 440 of the Larimer County, Colorado records, together with a Second Supplement to the Declaration on May 1, 1980 in Book 2041 at Page 072 of the Larimer County, Colorado records.

2. Declarant has heretofore constructed condominium units on the tract of land described on Exhibit A attached hereto and by this reference made a part hereof. Declarant now desires to establish by this Third Supplement to Condominium Declaration for The Lewiston Townhouse Condominiums ("Third Supplement") and by the Condominium Map filed contemporaneously herewith in the Larimer County, Colorado records,

a plan for the individual ownership of the part of the property consisting of the condominium units and for the co-ownership, as tenants in common, of all of the remainder of the condominium area and improvements thereon, which was heretofore defined in the Declaration and referred to as "General Common Elements". Said plan is hereby declared to be for the benefit of the property and the owners thereof, their heirs, successors, personal representatives, grantees and assigns and is for the purpose of designating the property as condominium property under the provisions of Article 33, Chapter 38 of 1973 Colorado Revised Statutes, as amended.

3. Declarant and mortgagee own or have an equitable interest in the property described on Exhibit A.

NOW, THEREFORE, Declarant hereby declares that the following terms, covenants, conditions, easements, restrictions, reservations, limitations and obligations, all of which are declared and agreed to be for the protection of the value of the property within the condominium area and for the benefit of any person having any right, title or interest therein, shall be deemed to run with the land, shall be a burden and a benefit to Declarant, his successors and assigns, and any person or entity acquiring or owning any interest in the real property and improvements, their grantees and their heirs, devisees, personal representatives, successors and assigns. Declarant and mortgagee hereby submit the real property described on Exhibit A to condominium ownership pursuant to the Condominium Ownership Act of the State of Colorado.

DIVISION OF PROPERTY INTO CONDOMINIUM UNITS

The real property described on Exhibit A, including the improvements constructed thereon, is hereby divided into fee simple estates identified and set forth on the attached Exhibit B, which by this reference is made a part hereof. Each such estate shall consist of the individual separately designated air space unit and the undivided interest in and to the general common elements appurtenant to such unit as set forth on said Exhibit B.

The undivided interest in and to the general common elements appurtenant to each unit subject to this Third Supplement shall not be a part of the general common elements of the condominium units described and created by the Declaration or the First Supplement or Second Supplement thereto. However, the owners of condominium units in the condominium project, including units created by the Declaration, the First Supplement and the Second Supplement, and units created

by this Third Supplement, shall have a non-exclusive right in common with all of the other owners to the use of the sidewalks, pathways, streets and all other similar general common elements not designated as limited common elements.

CONDOMINIUM MAP

The map for this Third Supplement will be filed contemporaneously with the filing of this Third Supplement to Condominium Declaration for The Lewiston Townhouse Condominiums in the Larimer County, Colorado records.

ASSOCIATION - ASSESSMENTS

The owners of each condominium unit created by this Third Supplement shall be required to be members of The Lewiston Townhouse Condominium Association heretofore created, to pay assessments for the benefit of all units within the project and to be governed by such association.

APPLICABILITY OF ARTICLE 24 OF THE DECLARATION

The provisions of Article 24 of the Declaration shall apply to the property described on Exhibit A separate and apart from its application to the real property and condominium units created thereupon by the Declaration and the First Supplement and Second Supplement thereto.

REAFFIRMATION OF DECLARATION

Except as provided herein, all terms, covenants, conditions, easements, restrictions, reservations, limitations and obligations contained in the Condominium Declaration for The Lewiston Townhouse Condominiums are hereby republished and reaffirmed as applicable to the real property described on Exhibit A.

IN WITNESS WHEREOF, Declarant has duly executed this Third Supplement to Condominium Declaration for The Lewiston Townhouse Condominiums this 9th day of February, 1981.


Rex S. Miller

STATE OF COLORADO)
) ss.
COUNTY OF LARIMER)

The foregoing instrument was acknowledged before me
this 9th day of February, 1981, by Rex S. Miller.

Witness my hand and official seal.

My commission expires 10/4/82.

John Horton
Notary Public



SIGNATURE PAGE FOR THIRD SUPPLEMENT TO CONDOMINIUM
DECLARATION FOR THE LEWISTON TOWNHOUSE CONDOMINIUMS.



COLUMBIA SAVINGS AND LOAN
ASSOCIATION

By *Jerry G. Percy*
Jerry G. Percy, Vice President

STATE OF COLORADO)
 ARAPAHOE) SS.
COUNTY OF ~~LARIMER~~)

The foregoing instrument was acknowledged before me
this 11th day of February, 1981, by Jerry G. Percy
as Vice President of Columbia
Savings and Loan Association.

Witness my hand and official seal.

My commission expires May 12, 1982.

Ann Wesch
Notary Public



EXHIBIT A TO
THIRD SUPPLEMENT TO CONDOMINIUM DECLARATION
FOR THE LEWISTON TOWNHOUSE CONDOMINIUMS

A portion of Lot 7, Block 10, of the Town of Estes Park, according to the recorded Plat thereof, County of Larimer, State of Colorado, being more particularly described as follows:

Commencing at the NW corner of the NE 1/4 of the NW 1/4 of Section 25, Township 5 North, Range 73 West of the 6th P.M., said corner also being the NW corner of Lot 7, Block 10 of the Town of Estes Park, and considering the North line of said NE 1/4 to bear South 89°32' East with all bearings herein relative thereto; thence South 89°32' East 259.96 feet; thence along the chord of a non-tangent curve, having a radius of 28.76'; South 33°23'14" East 32.05 feet; thence South 00°28'53" West 184.38 feet to the true point of beginning; thence North 89°32' West 104.32 feet; thence South 64°58'53" West 44.63 feet; thence South 25°01'07" East 61.47 feet; thence South 45°01'07" East 59.35 feet; thence North 70°28'53" East 80.66 feet; thence North 00°28'53" East 88.73 feet to the true point of beginning.

EXHIBIT B TO
THIRD SUPPLEMENT TO CONDOMINIUM DECLARATION
FOR THE LEWISTON TOWNHOUSE CONDOMINIUMS

<u>Unit</u>	<u>Undivided Percentage Interest in General Common Elements Appurtenant to Such Unit</u>
Building E, Unit 1	1/6
Building E, Unit 2	1/6
Building E, Unit 3	1/6
Building E, Unit 4	1/6
Building E, Unit 5	1/6
Building E, Unit 6	1/6