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**SECOND SUPPLEMENTAL CONDOMINIUM DECLARATION  
FOR  
CAMELBACK VILLAGE CONDOMINIUM ASSOCIATION**

**KNOW ALL MEN BY THESE PRESENTS:**

**WHEREAS**, Camelback Village Condominium Association, a Colorado Not-For-Profit corporation ("Declarant") is the agent and attorney in fact for the unit owners of the Declarant and with each of such unit owners owning an undivided interest in and to that certain real property (the "Property") located in the County of El Paso, State of Colorado, as more particularly described on Exhibit A which is attached hereto and incorporated herein by reference; and,

**WHEREAS**, on November 15, 1995, Declarant caused to be recorded in the real property records of El Paso County, Colorado, commencing at Book 6765, Page 481 of such records, a certain "Condominium Declaration For Camelback Village Condominium Association" (the "Declaration"); and,

**WHEREAS**, Declarant now desires to supplement and amend the Declaration as more fully set forth below (hereinafter referred to as the "Supplemental Declaration"); and,

**WHEREAS**, in order to amend and supplement the Declaration as more fully set forth in the Supplemental Declaration, Declarant was required under Section XXIII of the Declaration to receive the prior approval of all the unit owners who are subject to the Declaration; and,

**WHEREAS**, Declarant hereby certifies that the supplements and amendments set forth in the Supplemental Declaration have received the unanimous, prior consent of all unit owners who are subject to the Declaration.

**NOW, THEREFORE**, Declarant hereby supplements and amends the Declaration as follows:

**1. Governing Law.**

All applicable definitions as contained in 1963 Colorado Revised Statutes, Chapter 118-15-3, as amended, shall apply to this Revised Declaration.

**2. Amendment to Section III. DIVISION OF PROPERTY INTO CONDOMINIUM UNITS:**

Section III., is hereby amended so that any reference to "Exhibit B" set forth therein shall hereafter refer to the "Exhibit B" which is attached hereto and incorporated herein by reference.

**3. Amendment to Section VII. ASSESSMENT FOR COMMON EXPENSES:**



The last sentence of Section VII.(c) is hereby amended to read as follows: "Each condominium unit owner shall pay all electricity bills applicable to his or her individual unit, except for owners of Units 2959-C and 2959-D whose electrical bills for their units shall be the responsibility of the Association."

4. Amendment to Section XVIII. USE AND OCCUPANCY RESTRICTIONS:

Section XVIII.C. is hereby amended to read as follows: "The Association shall own and maintain the Maintenance Shop and Meeting Room located below Units 2959-C and 2959-D. The Association shall pay for the maintenance and upkeep of said Maintenance Shop and Meeting Room, and these expenses shall be assessed along with the other common expenses. The Association may put the Maintenance Shop and Meeting Room to any use which does not conflict with the Declaration."

5. New Section XXIV.

The Declaration is hereby amended by the substitution of the following as a new Section XXIV., which hereby replaces the existing, vacated Section XXIV, and which shall be captioned and shall read as follows:

"XXIV. CONVERSION OF GENERAL COMMON ELEMENTS

A. The Association is hereby instructed to convert Building 9, previously a General Common Element, into two separate condominium units, a Maintenance Shop and Meeting Room and a Limited Common Element (more fully defined below) and with the separate condominium units being hereafter designated as Unit 2959-C, and Unit 2959-D. The separate condominium units, Maintenance Shop, Meeting Room and the Limited Common Element (as defined below) shall be used, owned, sold and conveyed as follows:

i. The Association shall retain ownership of the Maintenance Shop and Meeting Room as General Common Elements until such time as otherwise authorized by the unanimous vote of the unit owners, as elsewhere provided in this Declaration.

ii. The Association shall retain ownership of Units 2959-C and 2959-D. However, the Association, upon a majority vote of its Board of Directors, is hereby authorized to sell and convey the same to a third party or parties upon such terms and conditions as are approved by the Board of Directors of the Association, to be held, owned, sold and conveyed by such third party or parties in fee simple without restriction except for the terms, conditions and provisions of the Declaration, the Bylaws and the Articles of Incorporation of the Association, and any amendments to the same.

iii. The laundry room located adjacent to the

Maintenance Shop shall be owned by the Association. However, from and after the date hereof, such laundry room is hereby designated as a Limited Common Element which shall be available for use only by the owners of Units 2959-C and 2959-D and by the Association's authorized maintenance personnel. The cost of use of such laundry room, including without limitation, electrical and water charges, and maintenance of the washer and dryer, shall be the responsibility of the Association.

B. The Board of Directors of the Association, acting by majority vote, is hereby appointed as the Attorney-in-Fact and Agent for all unit owners for the following purposes:

i. To take such additional steps and actions, if any, which may be necessary or required to convert Building 9, heretofore a General Common Element, into the condominium units, Maintenance Shop and Meeting Room and the Limited Common Elements described above.

ii. To act as the Attorney-in-Fact and Agent on behalf of all unit owners to convey and execute all documents that may be required to convey Units 2959-C and 2959-D to purchasers of the same, including, without limiting the foregoing, the execution of warranty deeds, bills of sale, contracts for sale, and such other closing and conveyance documents which may be required or necessary for the conveyance of such Units to purchasers of the same; provided, however, that any such purchasers shall be and become subject to the terms and conditions of this Declaration and the Bylaws and Articles of Organization of the Association, and any amendments to the same.

iii. To execute such supplemental condominium maps and declarations as may be necessary to carry out the conversion of Building 9, previously a General Common Element, into separate condominium units, a Maintenance Shop, a Meeting Room and Limited Common Elements, as set forth above.

C. All existing unit owners hereby agree to the reapportionment of their Fractional Interest in the General Common Elements and Limited Common Elements as the same may arise as a result of the conversion of Building 9 into separate condominium units, a Maintenance Shop, a Meeting Room and Limited Common Elements as set forth above."

#### 6. Reaffirmation of Declaration.

Except as amended or supplemented as set forth in this Supplemental Declaration, the Declaration is hereby ratified and affirmed and shall continue in full force and effect.

IN WITNESS WHEREOF, the Declarant has executed the foregoing Supplemental Declaration this 29<sup>th</sup> day of July, 1996.

CAMELBACK VILLAGE CONDOMINIUM ASSOCIATION

By: Velma Kreiger  
 Velma Kreiger, President

By: Steve Leonard  
 Steve Leonard, Vice President

By: Doris Ross  
 Doris Ross, Secretary

By: Steve Simmons  
 Steve Simmons, Treasurer

State of Colorado)  
 ) ss.  
 County of El Paso)

The foregoing was acknowledged before me this 29<sup>th</sup> day of July, 1996, by Velma Kreiger, as President, Steve Leonard, as Vice President, Doris Ross, as Secretary and Steve Simmons, as Treasurer, being all of the members of the Board of Directors of Camelback Village Condominium Association.

Witness my hand and official seal.

Zoe Burns  
 Notary Public

My commission expires: 3/6/97



EXHIBIT "A"

Camelback Village Condominium Association Filing No. 1, Colorado Springs, Colorado, as recorded in the office of the Clerk and Recorder of El Paso County, Colorado, more particularly described as follows:

That portion of the North half of the Southwest quarter of Section 35, Township 13 South, Range 67 West of the 6th P.M., described as follows:

Commencing at the Northeast corner of the Northwest Quarter of the Southwest Quarter of the aforementioned Section 35; thence Southerly along the Easterly line of said Northwest Quarter of the Southwest Quarter a distance of 20.00 feet to the true Point of Beginning of the tract to be described hereby thence angle left parallel to the North line of said North half of the Southwest Quarter of said Section 35 and 20.00 feet Southerly thereof a distance of 46.76 feet; thence angle right 75 degrees 30'00" a distance of 650.00 feet; thence angle right 104 degrees 30'00" a distance of 326.03 feet to intersect the Northerly right-of-way line of Mesa Road, as described in Book 1816 at Page 496 of the records of El Paso County, Colorado; thence angle right 75 degrees 30'00" along said Northeasterly right-of-way line a distance of 650.00 feet to a point that is at right angles to and 20.00 feet Southerly of the aforementioned North line of the North half of said Southwest Quarter of Section 35; thence angle right 104 degrees 30'00" parallel to and 20.00 feet Southerly of said North line, a distance of 279.27 feet to the Point of Beginning and containing 4.71 acres, more or less.

## EXHIBIT "B"

<u>Unit</u>	<u>Building</u>	Appurtenant Undivided Fractional Interest	<u>Unit</u>	<u>Building</u>	Appurtenant Undivided Fractional Interest
2901-A	1	1/63	2927-C	7	1/63
2901-B	1	1/63	2927-D	7	1/63
2905-A	1	1/63	2921-A	8	1/63
2905-B	1	1/63	2921-B	8	1/63
2909-A	1	1/63	2917-A	8	1/63
2909-B	1	1/63	2917-B	8	1/63
2913	1	1/63	2921-C	8	1/63
2901-C	1	1/63	2921-D	8	1/63
2901-D	1	1/63	2959-C	9	1/63
2905-C	1	1/63	2959-D	9	1/63
2905-D	1	1/63			
2979-A	2	1/63			
2979-B	2	1/63			
2983-A	2	1/63			
2983-B	2	1/63			
2979-C	2	1/63			
2979-D	2	1/63			
2983-C	2	1/63			
2983-D	2	1/63			
2973-A	3	1/63			
2973-B	3	1/63			
2969-A	3	1/63			
2969-B	3	1/63			
2973-C	3	1/63			
2973-D	3	1/63			
2963-A	4	1/63			
2963-B	4	1/63			
2963-C	4	1/63			
2963-D	4	1/63			
2953-A	5	1/63			
2953-B	5	1/63			
2949-A	5	1/63			
2949-B	5	1/63			
2949-C	5	1/63			
2949-D	5	1/63			
2945-A	6	1/63			
2945-B	6	1/63			
2941-A	6	1/63			
2941-B	6	1/63			
2937-A	6	1/63			
2937-B	6	1/63			
2935	6	1/63			
2945-C	6	1/63			
2945-D	6	1/63			
2941-C	6	1/63			
2941-D	6	1/63			
2937-C	6	1/63			
2937-D	6	1/63			
2931-A	7	1/63			
2931-B	7	1/63			
2927-A	7	1/63			
2927-B	7	1/63			
2925	7	1/63			

STAMPED HEADLINE AT THE TOP OF THE PAGE, PARTIALLY REVERSED.

Return:  
2; 12 Realty Inc.  
4360 Montebello Dr. STZ 1000  
Cos Co 80918  
Carmelbrook Vill.