

FIRST SUPPLEMENTAL CONDOMINIUM DECLARATION

BOOK 2762 PAGE 560

AND ANNEXATION AGREEMENT

FOR THE APPLETREE CONDOMINIUMS

THIS FIRST SUPPLEMENTAL CONDOMINIUM DECLARATION AND ANNEXATION AGREEMENT is made this 3rd day of April, 1978 by ALPERT CORPORATION, a Colorado corporation (hereinafter referred to as the "Declarant").

WITNESSETH

WHEREAS, on December 27, 1977 the Declarant executed that certain Condominium Declaration for the Appletree Condominiums (hereinafter referred to as the "Declaration"), which Declaration was recorded on December 30, 1977 in Book 2704 at Page 686 of the records in the office of the Clerk and Recorder of Arapahoe County, Colorado; and

WHEREAS, Section 20.1 of the Declaration provides as follows:

"20.1 Annexations by the Declarant. Subject only to the prior written approval of the Veterans Administration as set forth in Section 19.1.3 hereof, the Declarant shall have and hereby specifically reserves the right until December 31, 1981 to annex from time to time any portion or portions of the following-described additional property to the Property and to subject such additional property to the terms and provisions of this Declaration: Southeast one-quarter of Section 22, Township 5 South, Range 67 West of the Sixth Principal Meridian, Arapahoe County, Colorado."

WHEREAS, the Declarant is the owner of the property described in Exhibit A attached hereto and incorporated herein in full by this reference and the Declarant desires to annex such property to the Declaration pursuant to Section 20.1 thereof;

NOW, THEREFORE, the Declarant hereby declares as follows:

1. Annexation of Property. Pursuant to Section 20.1 of the Declaration, the property described in Exhibit A attached hereto 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.

2. Supplemental Condominium Map. Pursuant to Section

20.2 of the Declaration, the Declarant has prepared and filed, or will prepare and file, in the records in the office of the Clerk and Recorder of Arapahoe County, Colorado a First Supplement to the Condominium Map for the Appletree Condominiums covering the property described in Exhibit A attached hereto. Upon the filing of such First Supplement to the Condominium Map for the Appletree Condominiums, the property described in Exhibit A attached hereto shall consist of 36 additional separate Condominium Units as identified in Exhibit B attached hereto.

3. Modification of Undivided Interests. Upon the filing in the records in the office of the Clerk and Recorder of Arapahoe County, Colorado of this First Supplemental Condominium Declaration and Annexation Agreement and of the First Supplement to the Condominium Map for the Appletree Condominiums, the undivided interest in the Common Elements appurtenant to each Condominium Unit shall be modified in accordance with Section 20.3 of the Declaration.

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

ALPERT CORPORATION,
a Colorado corporation

By Harvey B. Alpert
Harvey B. Alpert, President

STATE OF COLORADO)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 3rd day of April, 1978 by Harvey B. Alpert as President and Theodore J. Alpert as Secretary of ALPERT CORPORATION, a Colorado corporation.

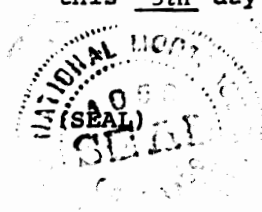
Witness my hand and official seal.

Ray Sterling
Notary Public

My commission expires:
My Commission Expires Jan. 27, 1982

COLORADO NATIONAL MORTGAGE COMPANY hereby approves, ratifies and consents to the attached First Supplemental Condominium Declaration and Annexation Agreement for the Appletree Condominiums.

IN WITNESS WHEREOF, the said Colorado National Mortgage Company has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be hereunto affixed, attested by its Assistant Secretary, this 5th day of April, 1978



COLORADO NATIONAL MORTGAGE COMPANY

By: *Thomas J. Coughlin*
Title: President

ATTEST:

John E. Wilburn
Title: Asst. Secretary

STATE OF COLORADO)
CITY AND COUNTY OF DENVER) ss.

The foregoing instrument was acknowledged before me this 5th day of April, 1978, by Thomas J. Coughlin as President and John E. Wilburn as Asst. Secretary of COLORADO NATIONAL MORTGAGE COMPANY.

Witness my hand and official seal.



Robert M. Mason
Notary Public

My commission expires: Feb. 19, 1980

VETERANS ADMINISTRATION hereby approves, ratifies and consents to the attached First Supplemental Condominium Declaration and Annexation Agreement for the Appletree Condominiums.

IN WITNESS WHEREOF, the said Veterans Administration has caused its name to be hereunto subscribed by its _____ Loan Guaranty Officer this 19th day of April, 1978.

VETERANS ADMINISTRATION

By: _____

Title: _____ Loan Guaranty Officer

STATE OF COLORADO)
COUNTY OF JEFFERSON)

ss.

The foregoing instrument was acknowledged before me this 19th day of April, 1978, by Rex L. Johnson as _____ Loan Guaranty Officer of the Veterans Administration.

Witness my hand and official seal.



L. L. Meier
Notary Public

My commission expires:

Jan. 24, 1982

EXHIBIT ATOFIRST SUPPLEMENTAL CONDOMINIUM DECLARATIONAND ANNEXATION AGREEMENT FOR THE APPLETREE CONDOMINIUMS

A tract of land in the Southeast one-quarter of Section 22, Township 5 South, Range 67 West of the Sixth Principal Meridian, Arapahoe County, Colorado being a portion of Lot 1, Block 1, Cherry Creek Farm, Filing No. Three and described as follows:

Beginning at a point on the East right-of-way line of South Dayton St., which is also the Southwest corner of Cherry Creek Farm, Filing No. One, which is a plat of record in the said SE $\frac{1}{4}$ of Section 22; thence S 00° 00' 14" W and along said right-of-way line a distance of 305.56 feet; thence N 77° 30' 14" E a distance of 143.16 feet; thence S 12° 29' 46" E a distance of 52.50 feet; thence N 77° 30' 14" E a distance of 65.00 feet; thence N 00° 00' 14" E a distance of 311.76 feet; thence N 89° 59' 46" W a distance of 214.59 feet to the true point of beginning.

EXHIBIT B

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TO

FIRST SUPPLEMENTAL CONDOMINIUM DECLARATION
AND ANNEXATION AGREEMENT FOR THE APPLETREE CONDOMINIUMS

Condominium
Unit No.

Condominium
Building

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