

SECOND SUPPLEMENTAL DECLARATION

FOR

THE OVERLOOK TOWNHOMES

RECITALS

1. Declarant (all capitalized terms used herein shall have the meanings as defined in the Declaration of Covenants, Conditions and Restrictions of the Overlook Townhomes as it may be amended from time to time and any Supplemental Declaration, unless otherwise defined or modified herein) recorded on November 10, 1998 at Reception Number 675628 of the real property records in the Office of the Clerk and Recorder of the County of Eagle, State of Colorado the Declaration and Declarant filed and recorded on November 10, 1998, at Reception Number 675627 of the real property records in the Office of the Clerk and Recorder of the County of Eagle, State of Colorado, the Final Plat the Overlook Townhomes Phase I, a Parcel of Land located in Tract 43, Section 5, T.5 S., R.84W., of the 6th P.M., Town of Eagle, State of Colorado, ("Final Plat Phase I")

2. In Section 4.3 Paragraph (a) of the Declaration, Declarant expressly reserved for himself the right to subject all or any part of the Expansion Property to the provisions of the Declaration and expand the Property to include up to twelve additional Townhouse Units and to expand the Common Area.

3. On April 15, 1999, Declarant recorded at Reception Number 692741 of the Real Property Records of the County of Eagle, State of Colorado, the First Supplemental Declaration and the Final Plat Phase II.

4. By this Second Supplemental Declaration for the Overlook Townhomes ("Second Supplemental Declaration") the Declarant desires to Submit to the Property and the provisions of the Declaration, Townhouse Units E1, E2, E3, F1, F2, F3, and the Common Area as set forth on the Final Plat the Overlook Townhomes Phase III A Resubdivision of Expansion Property, The Overlook Townhomes Phase II, Town of Eagle, Eagle County, Colorado, to be recorded on the real property records in the Office of the Clerk and Recorder of the County of Eagle, State of Colorado contemporaneously herewith ("Final Plat Phase III").



708877 09/16/1999 03:39P 133 Sara Fisher
1 of 3 R 15.00 D 0.00 N 0.00 Eagle CO

DECLARATION

1. Townhouse Units E1, E2, E3, F1, F2, F3, and the Common Area as set forth on the Final Plat Phase II are hereby annexed to the Property and made subject to the Provisions of the Declaration. The Property shall hereby consist of and be divided into Townhouse Units A1, A2, A3, B1, B2 B3, C1, C2, C3, D1, D2, D3, E1, E2, E3, F1, F2, F3 and the Common Area as set forth on Final Plat Phase I and Final Plat Phase II, and Final Plat Phase III.

2. In accordance with the allocation formula set forth in the Declaration, upon the recording of this Supplement to the Declaration, the Owner's Proportionate Share and Assessment Percentage for each Townhouse Unit shall be as follows:

<u>Townhouse Unit</u>	<u>Owner's Proportionate Share and Assessment Percentage*</u>
A1	5.56%
A2	5.56%
A3	5.56%
B1	5.56%
B2	5.56%
B3	5.56%
C1	5.56%
C2	5.56%
C3	5.56%
D1	5.56%
D2	5.55%
D3	5.55%
E1	5.55%
E2	5.55%
E3	5.55%
F1	5.55%
F2	5.55%
<u>F3</u>	<u>5.55%</u>
Total	100%

*Minor variations are due to the rounding of percentages in order to equal one hundred percent pursuant to Article 38-33.3-207 of the Act, and for all purposes hereunder shall be deemed to be equal.



