



**SUPPLEMENTAL DECLARATION  
TO MASTER DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS  
FOR TOWN CENTER SUBDIVISION**

THIS SUPPLEMENTAL DECLARATION FOR TOWN CENTER SUBDIVISION (“Supplemental Declaration”) is made and entered into by CARSAM REALTY TEN, LTD., a Texas limited partnership (“Declarant”), this 21<sup>st</sup> day of January, 2005.

**RECITALS**

A. Declarant is the owner of that certain real property located in the Town of Carbondale, Colorado, more particularly described on the attached Exhibit A (the “Property”).

B. By Master Declaration of Covenants, Conditions and Restrictions for Town Center Subdivision recorded in the office of the Clerk and Recorder of Garfield County, Colorado under Reception No. 623533, in Book 1450 at Page 31 (the “Master Declaration”), Declarant created a Common Interest Community known as Town Center. The Master Declaration (as it may be duly amended or supplemented from time to time) is incorporated in this Supplemental Declaration by reference.

C. Pursuant to Section 10.7 of the Master Declaration, Declarant reserved the right to annex to Town Center all or any part of the “Annexable Property” described on Exhibit C to the Master Declaration. The property described on Exhibit A hereto constitutes all of said Annexable Property.

D. Declarant desires by this Supplemental Declaration to annex to Town Center the said Annexable Property, now consisting of 16 additional lots, and to amend the Master Declaration accordingly, and to reallocate the allocated interests of all lot owners in Town Center accordingly.

**SUPPLEMENTAL DECLARATION**

NOW, THEREFORE, for the purposes set forth in the Master Declaration, Declarant, for itself and its successors and assigns hereby declares as follows:

1. The real property described on Exhibit A is hereby annexed to and made a part of the Common Interest Community known as Town Center. The property annexed by this Supplemental Declaration is hereinafter referred to as Town Center, Filing No. 2.

2. Exhibit A to the Master Declaration is hereby amended by the addition of Town Center, Filing No. 2, to the “Legal Description of the Common Interest Community” and all of the land within Town Center, Filing No. 2 is hereby made expressly subject to the Master Declaration

**Lawrence R. Green  
P.O. Drawer 790  
Glenwood Springs, CO 81602**

135  
2011  
(4)



**SUPPLEMENTAL DECLARATION  
TO MASTER DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS  
FOR TOWN CENTER SUBDIVISION**

THIS SUPPLEMENTAL DECLARATION FOR TOWN CENTER SUBDIVISION (“Supplemental Declaration”) is made and entered into by CARSAM REALTY TEN, LTD., a Texas limited partnership (“Declarant”), this 21<sup>st</sup> day of January, 2005.

**RECITALS**

A. Declarant is the owner of that certain real property located in the Town of Carbondale, Colorado, more particularly described on the attached Exhibit A (the “Property”).

B. By Master Declaration of Covenants, Conditions and Restrictions for Town Center Subdivision recorded in the office of the Clerk and Recorder of Garfield County, Colorado under Reception No. 623533, in Book 1450 at Page 31 (the “Master Declaration”), Declarant created a Common Interest Community known as Town Center. The Master Declaration (as it may be duly amended or supplemented from time to time) is incorporated in this Supplemental Declaration by reference.

C. Pursuant to Section 10.7 of the Master Declaration, Declarant reserved the right to annex to Town Center all or any part of the “Annexable Property” described on Exhibit C to the Master Declaration. The property described on Exhibit A hereto constitutes all of said Annexable Property.

D. Declarant desires by this Supplemental Declaration to annex to Town Center the said Annexable Property, now consisting of 16 additional lots, and to amend the Master Declaration accordingly, and to reallocate the allocated interests of all lot owners in Town Center accordingly.

**SUPPLEMENTAL DECLARATION**

NOW, THEREFORE, for the purposes set forth in the Master Declaration, Declarant, for itself and its successors and assigns hereby declares as follows:

1. The real property described on Exhibit A is hereby annexed to and made a part of the Common Interest Community known as Town Center. The property annexed by this Supplemental Declaration is hereinafter referred to as Town Center, Filing No. 2.

2. Exhibit A to the Master Declaration is hereby amended by the addition of Town Center, Filing No. 2, to the “Legal Description of the Common Interest Community” and all of the land within Town Center, Filing No. 2 is hereby made expressly subject to the Master Declaration

**Lawrence R. Green  
P.O. Drawer 790  
Glenwood Springs, CO 81602**

135  
2011  
(4)



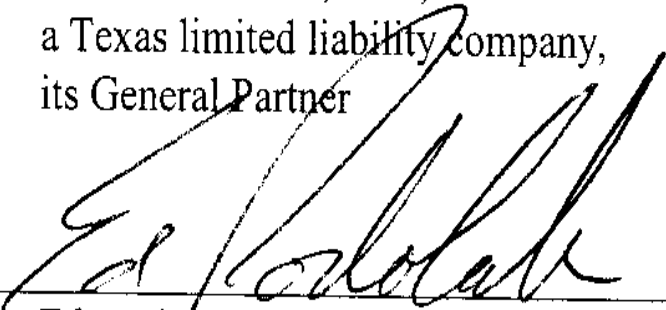
and all covenants, conditions, restrictions, limitations, assessments, charges, servitudes, liens, reservations, exceptions, easements, privileges, rights and other provisions set forth therein.

3. With respect to Town Center, Filing No. 2, Declarant expressly reserves to itself and its successors and assigns all of the rights set forth in Article 10 of the Master Declaration, as well as any other rights reserved by or to Declarant in the Master Declaration.

4. The allocated interests of all lot owners in Town Center are hereby reallocated as set forth in Exhibit B attached hereto and made a part hereof by this reference.


IN WITNESS WHEREOF, Declarant has executed this Supplemental Declaration the day and year first written above.

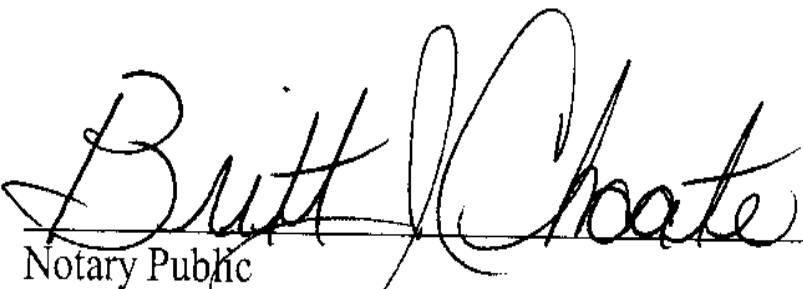
CARSAM REALTY TEN, LTD.,  
a Texas limited partnership  
By: CSR Carbondale, LLC,  
a Texas limited liability company,  
its General Partner

By:   
Edward J. Podolak, Co-Chairman

STATE OF COLORADO )  
 ) ss.  
COUNTY OF GARFIELD

The above and foregoing document was acknowledged before me this 21<sup>st</sup> day of January, 2005, by Edward J. Podolak, as Co-Chairman of CSR Carbondale, LLC, a Texas limited liability company, General Partner of CARSAM REALTY TEN, LTD., a Texas limited partnership.

Witness my hand and official seal:  
  
BRITT J. CHOATE  
STATE OF COLORADO

  
Notary Public

My commission expires: 818 Colorado Avenue  
My address is: Glenwood Springs, CO 81601  
**My Commission Expires June 13, 2005**



668235 02/04/2005 04:09P B1660 P925 M ALSDORF  
3 of 4 R 21.00 D 0.00 GARFIELD COUNTY CO

**EXHIBIT A**

**Legal Description of Property Annexed to Town Center  
by within Supplemental Declaration**

Lots 1 through 16, inclusive, Town Center Subdivision, Filing No. 2, according to the Final Plat thereof recorded February 7, 2005 in the office of the Clerk and Recorder of Garfield County, Colorado as Reception No. 668233.



**EXHIBIT B**

**TOWN CENTER SUBDIVISION, FILING NO. 1**  
 Allocated Interests

Lot Number	Square Footage	Allocated Interest	Percent Vote
17	8,125	9.4%	9.4%
18	9,629	11.2%	11.2%
19	10,905	12.8%	12.8%
20	3,383	3.9%	3.9%
21	3,055	3.6%	3.6%
22	3,062	3.6%	3.6%

**TOWN CENTER SUBDIVISION, FILING NO. 2**  
 Allocated Interests

Lot Number	Square Footage	Allocated Interest	Percent Vote
1	5,172	6.0%	6.0%
2	5,000	5.8%	5.8%
3	2,500	2.9%	2.9%
4	2,500	2.9%	2.9%
5	2,500	2.9%	2.9%
6	2,500	2.9%	2.9%
7	2,500	2.9%	2.9%
8	2,500	2.9%	2.9%
9	4,725	5.5%	5.5%
10	4,500	5.2%	5.2%
11	2,250	2.6%	2.6%
12	2,250	2.6%	2.6%
13	2,250	2.6%	2.6%
14	2,250	2.6%	2.6%
15	2,250	2.6%	2.6%
16	2,250	2.6%	2.6%

<b>TOTALS:</b>	<b>86,056</b>	<b>100%</b>	<b>100%</b>
----------------	---------------	-------------	-------------