

BOOK 461 PAGE 623  
FEB 27 9 53 AM '84  
LORETTA BARNER  
PITKIN CTY. RECORDER

257555

FIFTH SUPPLEMENTAL DECLARATION  
TO  
DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS  
FOR WOODRUN FIVE

This Supplemental Condominium Declaration is made effective as of December 20, 1983, by The Snowmass Company, Ltd., a Colorado Limited Partnership.

1. Declaration. "Declaration" shall mean the Declaration of Covenants, Conditions and Restrictions for Woodrun Five, dated December 8, 1980, and recorded December 17, 1980 and rerecorded December 22, 1980, in Book 401 at Page 667 and in Book 401 at Page 912, of the records of the office of the County Clerk and Recorder of Pitkin County, Colorado, as supplemented by the First Supplemental Declaration to Declaration of Covenants, Conditions and Restrictions for Woodrun Five, recorded in Book 434 at Page 143 of said records, on October 15, 1982, and as supplemented by the Second Supplemental Declaration to Declaration of Covenants, Conditions and Restrictions for Woodrun Five, recorded in Book 434 at Page 932 of said records on November 1, 1982, as supplemented by the Third Supplemental Declaration to Declaration of Covenants, Conditions and Restrictions for Woodrun Five, recorded in Book 447 at Page 155 of said records on June 16, 1983, as supplemented by the Fourth Supplemental Declaration to Declaration of Covenants, Conditions and Restrictions for Woodrun Five recorded in Book 452 at Page 901 of said records on October 4, 1983.

2. Declarant. "Declarant" shall mean The Snowmass Company, Ltd., a Colorado limited partnership.

3. Fifth Addition. "Fifth Addition to Woodrun Five" shall mean a portion of Parcel 1, Woodrun Unit Five Subdivision, Pitkin County, Colorado, as described on Exhibit A to this Supplemental Declaration, together with all buildings, structures and improvements of any kind thereon.

4. Declaration. As provided in Article 12 of the Declaration, Declarant hereby declares that the Fifth Addition to Woodrun Five shall become a part of and shall be deemed within the Property, as defined in the Declaration, and shall be deemed subject to all of the provisions contained in the Declaration, as amended from time to time, upon the recording of this instrument in the office of the Clerk and Recorder of Pitkin County, Colorado.

2-27-84

IN WITNESS WHEREOF, Declarant has executed this instrument on February 24, 1984 to be effective as of the day and year first above written.

THE SNOWMASS COMPANY, LTD., a Colorado limited partnership

By James J. Chaffin Jr.  
General Partner

STATE OF Colorado )  
COUNTY OF Pitkin ) ss.

The foregoing instrument was acknowledged before me this 24th day of February, 1984, by James J. Chaffin Jr. as General Partner of The Snowmass Company, Ltd., a Colorado limited partnership.

Witness my hand and official seal.

My commission expires:



Marla K. Vannice  
Notary Public  
My Commission Expires October 6, 1986  
61 Maringula Place, P.O. Box 5241  
Snowmass Village, Co. 81615  
Address

2-27-84

EXHIBIT A.

LEGAL DESCRIPTION

ALL THAT PORTION OF WOODRUN UNIT FIVE SUBDIVISION OF PARCEL 1, A SUBDIVISION RECORDED IN PLAT BOOK 10 AT PAGE 94 OF THE RECORDS OF PITKIN COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID WOODRUN UNIT FIVE SUBDIVISION OF PARCEL 1, THENCE  $000^{\circ}00'00''$ E, 95.69 FEET ALONG THE WEST LINE OF SAID WOODRUN UNIT FIVE SUBDIVISION OF PARCEL 1 TO THE SOUTHWEST CORNER OF THE WOODRUN FIVE TOWNHOUSE CONDOMINIUM MAP (PHASE IIB), RECORDED IN PLAT BOOK 14 AT PAGE 5 OF THE RECORDS OF PITKIN COUNTY, COLORADO;

THENCE  $590^{\circ}00'00''$ E, 146.14 FEET ALONG THE SOUTH LINE OF SAID THE WOODRUN FIVE TOWNHOUSE CONDOMINIUM MAP (PHASE IIB) TO THE NORTHWEST CORNER OF THE WOODRUN FIVE TOWNHOUSE CONDOMINIUM MAP (PHASE IIA), RECORDED IN PLAT BOOK 13 AT PAGE 98 OF THE RECORDS OF PITKIN COUNTY, COLORADO;

THENCE  $500^{\circ}00'00''$ N, 89.23 FEET ALONG THE WEST LINE OF SAID THE WOODRUN FIVE TOWNHOUSE CONDOMINIUM MAP (PHASE IIA) TO THE SOUTHWEST CORNER THEREOF AND THE SOUTHERLY LINE OF SAID WOODRUN UNIT FIVE SUBDIVISION OF PARCEL 1;

THENCE  $S87^{\circ}28'20''$ N, 146.28 FEET ALONG THE SOUTHERLY LINE OF SAID WOODRUN UNIT FIVE SUBDIVISION OF PARCEL 1 TO THE POINT OF BEGINNING.

ALSO

ALL THAT PORTION OF SAID WOODRUN UNIT FIVE SUBDIVISION OF PARCEL 1 DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID WOODRUN UNIT FIVE SUBDIVISION OF PARCEL 1, THENCE  $000^{\circ}00'00''$ E, 207.17 FEET ALONG THE WEST LINE OF SAID WOODRUN UNIT FIVE SUBDIVISION OF PARCEL 1 TO THE NORTHWEST CORNER THEREOF; THENCE  $590^{\circ}00'00''$ E, 62.00 FEET ALONG THE NORTHERLY LINE OF SAID WOODRUN UNIT FIVE SUBDIVISION OF PARCEL 1; THENCE  $N47^{\circ}16'20''$ E, 90.88 FEET ALONG THE NORTHERLY LINE OF SAID WOODRUN UNIT FIVE SUBDIVISION OF PARCEL 1 AND ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST TO A NORTHEAST CORNER OF SAID THE WOODRUN FIVE TOWNHOUSE CONDOMINIUM MAP (PHASE IIB) AND THE TRUE POINT OF BEGINNING, SAID ARC HAVING A RADIUS OF 142.00 FEET, A DELTA ANGLE OF  $26^{\circ}12'40''$  AND BEING SUBTENDED BY A CHORD THAT BEARS  $S55^{\circ}50'00''$ E, 64.40 FEET;

THENCE  $S21^{\circ}03'38''$ N, 55.78 FEET ALONG AN EASTERLY LINE OF SAID THE WOODRUN FIVE TOWNHOUSE CONDOMINIUM MAP (PHASE IIB);

THENCE  $S00^{\circ}00'00''$ N, 64.93 FEET ALONG AN EASTERLY LINE OF SAID THE WOODRUN FIVE TOWNHOUSE CONDOMINIUM MAP (PHASE IIB);

THENCE  $S90^{\circ}00'00''$ E, 97.70 FEET ALONG A NORTHERLY LINE OF SAID THE WOODRUN FIVE TOWNHOUSE CONDOMINIUM MAP (PHASE IIB) TO A POINT OF CURVE TO THE LEFT;

THENCE NORTHEASTERLY, 87.34 FEET ALONG A NORTHERLY LINE OF SAID THE WOODRUN FIVE TOWNHOUSE CONDOMINIUM MAP (PHASE IIB) AND ALONG THE ARC OF SAID CURVE TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 90.00 FEET, A DELTA ANGLE OF  $55^{\circ}36'00''$  AND BEING SUBTENDED BY A CHORD THAT BEARS  $N62^{\circ}12'00''$ E, 83.95 FEET;

THENCE  $N34^{\circ}24'00''$ E, 12.79 FEET ALONG A NORTHERLY LINE OF SAID THE WOODRUN FIVE TOWNHOUSE CONDOMINIUM MAP (PHASE IIB) TO A NORTHEAST CORNER THEREOF AND THE NORTHEASTERLY LINE OF SAID WOODRUN UNIT FIVE SUBDIVISION OF PARCEL 1;

THENCE NORTHWESTERLY, 56.74 FEET ALONG THE NORTHEASTERLY LINE OF SAID WOODRUN UNIT FIVE SUBDIVISION OF PARCEL 1 AND ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 296.68 FEET, A DELTA ANGLE OF  $11^{\circ}20'24''$  AND BEING SUBTENDED BY A CHORD THAT BEARS  $N63^{\circ}16'08''$ N, 56.65 FEET;

THENCE  $N68^{\circ}56'22''$ N, 116.32 FEET ALONG THE NORTHEASTERLY LINE OF SAID WOODRUN UNIT FIVE SUBDIVISION OF PARCEL 1 TO THE TRUE POINT OF BEGINNING.

2-27-84

CONSENT

Mariani Financial Co., a California limited partnership, as owner of the property described on Exhibit A to the Fifth Supplemental Declaration to Declaration of Covenants, Conditions and Restrictions for Woodrun Five, together with all buildings, structures and improvements of any kind thereon consents, effective as of December 20, 1983, to the submission of such property to the Declaration.

MARIANI FINANCIAL CO., a California limited partnership

By David W. Mariani  
David W. Mariani, General Partner

STATE OF California )  
COUNTY OF Santa Clara ) ss.

The foregoing instrument was acknowledged before me this 22nd day of February, 1984, by David W. Mariani, as General Partner of Mariani Financial Co., a California limited partnership.

WITNESS my hand and official seal.

Priscilla E. Kirkpatrick  
Notary Public

Address: 693 E. Remington Drive #4  
Sunnyvale, CA 94087

My commission expires: \_\_\_\_\_

[SEAL]



2-27-84

BOOK 461 PAGE 627  
257.556

FIFTH SUPPLEMENTAL CONDOMINIUM DECLARATION  
TO THE  
CONDOMINIUM DECLARATION  
FOR THE  
WOODRUN FIVE TOWNHOUSE CONDOMINIUMS  
SNOWMASS VILLAGE, COLORADO  
(Phase IIC)

LORETTA BANNER  
PITKIN CTY. RECORDER

FEB 27 9 53 AM '84

This Supplemental Condominium Declaration to the Condominium Declaration for Woodrun Five Townhouse Condominiums (the "Supplement") is made effective as of December 20, 1983, by Woodrun Townhouses, Ltd. a Colorado limited partnership.

1. Definitions.

1.1. Declarant. "Declarant" shall mean Woodrun Townhouses, Ltd., a Colorado limited partnership.

1.2. Condominium Declaration. "Condominium Declaration" shall mean the Condominium Declaration the Woodrun Five Townhouse Condominiums recorded on December 18, 1980 in Book 401 at Page 603 and rerecorded on December 22, 1980 in Book 401 at Page 875 of the office of the Clerk and Recorder of Pitkin County, Colorado.

1.3. Phase IIC Property. "Phase IIC Property" shall mean a portion of Parcel 1, Woodrun Unit Five Subdivision, Pitkin County, Colorado, according to the recorded plats thereof, as described on Exhibit A attached hereto, together with all buildings, structures and improvements of any kind thereon.

1.4. First Additional Property. Subject to the provisions of Section 2.1 of this Supplement, "First Additional Property" shall mean First Additional Property as described on Exhibit A to the First Supplemental Condominium Declaration to the Condominium Declaration for the Woodrun Five Townhouse Condominiums recorded on October 15, 1982, in Book 434 at Page 138 of the office of the Clerk and Recorder of Pitkin County, Colorado together with the Phase IIB Property as described on Exhibit A to the Second Supplemental Condominium Declaration to the Condominium Declaration for the Woodrun Five Townhouse Condominiums recorded on November 14, 1982, in Book 434 at Page 932.

1.5. Terms Previously Defined. All terms defined in the Condominium Declaration shall have the same meaning when used in this Supplement, except to the extent such term is given a different meaning in this Supplement.

2-27-84

2. Declaration.

2.1. Addition of Phase IIC Property. The Phase IIC Property is hereby added to and made a part of the Property, and the Phase IIC Property is also made a part of and is deemed within the First Additional Property. The First Additional Property, as expanded herein, shall be a separate and distinct Lot as defined and described in Sections 1.5 and 1.10 of the Condominium Declaration.

2.2. Additional Units. There shall be 6 Units located on Phase IIC Property. These Units shall be designated 26, 27, 28, 31, 32 and 33 on a Map to be recorded in the office of the Clerk and Recorder of Pitkin County, Colorado. Designated on Exhibit B attached hereto is (a) a schedule of the undivided interests of Owners of all Units on the First Additional Property, as expanded herein, in the Common Elements constituting or in the Lot within which such Units are located, and (b) a schedule of the gross square footage for each of the above-described Units.

2.3. Common Elements. No portion of the real property Common Elements in the Phase IIC Property is Association Property.

2.4. Maintenance of Trees. The Association shall maintain the trees currently located on the Phase IIC Property to the southeast of the location of Units 31, 32 and 33.

3. General. All provisions of the Condominium Declaration not specifically superseded by this Supplement shall apply to the Phase IIC Property.

IN WITNESS WHEREOF, Declarant has executed this Supplement on February, 1984 to be effective as of the day and year first above written.

WOODRUN TOWNHOUSES, LTD., a Colorado limited partnership

By James J. Claff  
General Partner

2-27-84

STATE OF Colorado )  
 )  
COUNTY OF Pitkin ) ss.

The foregoing instrument was acknowledged before me this 24th day of February, 1984, by James G. Chaffin Jr. as General Partner of Woodrun Townhouses, Ltd., a Colorado limited partnership.

Witness my hand and official seal.

My Commission expires:



Marla K. Vannice  
Notary Public  
My Commission Expires October 6, 1986  
41 Maringale Place, P.O. Box 5241  
Snowmass Village, Co. 81616  
Address

2-27-84

EXHIBIT B

<u>Lot</u>	<u>Unit</u>	<u>Percentage Ownership of Common Elements</u>	<u>Unit Square* Footage</u>
Parcel 1	22	7.8622	2,115
Parcel 1	23	7.8622	2,115
Parcel 1	24	7.8622	2,115
Parcel 1	25	7.8622	2,115
Parcel 1	26	7.3194	1,969
Parcel 1	27	7.2748	1,957
Parcel 1	28	7.3417	1,975
Parcel 1	29	9.5907	2,580
Parcel 1	30	9.5907	2,580
Parcel 1	31	9.1595	2,464
Parcel 1	32	9.1149	2,452
Parcel 1	33	9.1595	2,464
		100.00%	26,901

\* Gross square footage.

2-27-84



EXHIBIT A.

LEGAL DESCRIPTION

ALL THAT PORTION OF WOODRUM UNIT FIVE SUBDIVISION OF PARCEL 1, A SUBDIVISION RECORDED IN PLAT BOOK 10 AT PAGE 94 OF THE RECORDS OF PITKIN COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID WOODRUM UNIT FIVE SUBDIVISION OF PARCEL 1, THENCE  $000^{\circ}00'00''$ E, 95.69 FEET ALONG THE WEST LINE OF SAID WOODRUM UNIT FIVE SUBDIVISION OF PARCEL 1 TO THE SOUTHWEST CORNER OF THE WOODRUM FIVE TOWNHOUSE CONDOMINIUM MAP (PHASE IIB), RECORDED IN PLAT BOOK 14 AT PAGE 5 OF THE RECORDS OF PITKIN COUNTY, COLORADO;

THENCE  $590^{\circ}00'00''$ E, 146.14 FEET ALONG THE SOUTH LINE OF SAID THE WOODRUM FIVE TOWNHOUSE CONDOMINIUM MAP (PHASE IIB) TO THE NORTHWEST CORNER OF THE WOODRUM FIVE TOWNHOUSE CONDOMINIUM MAP (PHASE IIA), RECORDED IN PLAT BOOK 13 AT PAGE 98 OF THE RECORDS OF PITKIN COUNTY, COLORADO;

THENCE  $500^{\circ}00'00''$ N, 89.23 FEET ALONG THE WEST LINE OF SAID THE WOODRUM FIVE TOWNHOUSE CONDOMINIUM MAP (PHASE IIA) TO THE SOUTHWEST CORNER THEREOF AND THE SOUTHERLY LINE OF SAID WOODRUM UNIT FIVE SUBDIVISION OF PARCEL 1;

THENCE  $S87^{\circ}28'20''$ N, 146.26 FEET ALONG THE SOUTHERLY LINE OF SAID WOODRUM UNIT FIVE SUBDIVISION OF PARCEL 1 TO THE POINT OF BEGINNING.

ALSO

ALL THAT PORTION OF SAID WOODRUM UNIT FIVE SUBDIVISION OF PARCEL 1 DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID WOODRUM UNIT FIVE SUBDIVISION OF PARCEL 1, THENCE  $000^{\circ}00'00''$ E, 207.17 FEET ALONG THE WEST LINE OF SAID WOODRUM UNIT FIVE SUBDIVISION OF PARCEL 1 TO THE NORTHWEST CORNER THEREOF; THENCE  $S90^{\circ}00'00''$ E, 62.00 FEET ALONG THE NORTHERLY LINE OF SAID WOODRUM UNIT FIVE SUBDIVISION OF PARCEL 1; THENCE  $N47^{\circ}16'20''$ E, 90.88 FEET ALONG THE NORTHERLY LINE OF SAID WOODRUM UNIT FIVE SUBDIVISION OF PARCEL 1; THENCE SOUTHEASTERLY, 64.96 FEET ALONG THE NORTHEASTERLY LINE OF SAID WOODRUM UNIT FIVE SUBDIVISION OF PARCEL 1 AND ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST TO A NORTHEAST CORNER OF SAID THE WOODRUM FIVE TOWNHOUSE CONDOMINIUM MAP (PHASE IIB) AND THE TRUE POINT OF BEGINNING, SAID ARC HAVING A RADIUS OF 142.00 FEET, A DELTA ANGLE OF  $26^{\circ}12'40''$  AND BEING SUBTENDED BY A CHORD THAT BEARS  $S55^{\circ}50'00''$ E, 64.40 FEET;

THENCE  $S21^{\circ}03'38''$ N, 55.78 FEET ALONG AN EASTERLY LINE OF SAID THE WOODRUM FIVE TOWNHOUSE CONDOMINIUM MAP (PHASE IIB);

THENCE  $500^{\circ}00'00''$ N, 64.93 FEET ALONG AN EASTERLY LINE OF SAID THE WOODRUM FIVE TOWNHOUSE CONDOMINIUM MAP (PHASE IIB);

THENCE  $S90^{\circ}00'00''$ E, 97.70 FEET ALONG A NORTHERLY LINE OF SAID THE WOODRUM FIVE TOWNHOUSE CONDOMINIUM MAP (PHASE IIB) TO A POINT OF CURVE TO THE LEFT;

THENCE NORTHEASTERLY, 87.34 FEET ALONG A NORTHERLY LINE OF SAID THE WOODRUM FIVE TOWNHOUSE CONDOMINIUM MAP (PHASE IIB) AND ALONG THE ARC OF SAID CURVE TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 90.00 FEET, A DELTA ANGLE OF  $55^{\circ}36'00''$  AND BEING SUBTENDED BY A CHORD THAT BEARS  $N52^{\circ}12'00''$ E, 83.95 FEET;

THENCE  $N34^{\circ}24'00''$ E, 12.79 FEET ALONG A NORTHERLY LINE OF SAID THE WOODRUM FIVE TOWNHOUSE CONDOMINIUM MAP (PHASE IIB) TO A NORTHEAST CORNER THEREOF AND THE NORTHEASTERLY LINE OF SAID WOODRUM UNIT FIVE SUBDIVISION OF PARCEL 1;

THENCE NORTHEASTERLY, 56.74 FEET ALONG THE NORTHEASTERLY LINE OF SAID WOODRUM UNIT FIVE SUBDIVISION OF PARCEL 1 AND ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 286.68 FEET, A DELTA ANGLE OF  $11^{\circ}20'24''$  AND BEING SUBTENDED BY A CHORD THAT BEARS  $N63^{\circ}16'00''$ N, 56.65 FEET;

THENCE  $N68^{\circ}56'22''$ N, 116.32 FEET ALONG THE NORTHEASTERLY LINE OF SAID WOODRUM UNIT FIVE SUBDIVISION OF PARCEL 1 TO THE TRUE POINT OF BEGINNING.

2-27-84

CONSENT

Mariani Financial Co., a California limited partnership, as fee title owner of the Phase IIC Property, hereby consents, effective as of December 20, 1983, to the submission of the Phase IIC Property to the Condominium Declaration.

MARIANI FINANCIAL CO., a California limited partnership

By David W. Mariani  
David W. Mariani, General Partner

STATE OF California )  
 ) ss.  
COUNTY OF Santa Clara )

This instrument is acknowledged before me this 24th day of February, 1984, by David W. Mariani as General Partner of Mariani Financial Co., a California limited partnership.

WITNESS my hand and official seal.

Priscilla E. Kirkpatrick  
Notary Public

Address: 693 E. Regency Drive #11  
Sunnyvale, CA 94087

My commission expires: \_\_\_\_\_

[SEAL]



2-27-84