



1232930

Kathleen Neel - Summit County Recorder

Upon recording, please return to:

The Retreat on the Blue Condominium Association  
c/o ACCU, Inc.  
2140 S. Holly St.  
Denver, CO 80222

**Indexing Note:** Please index in the grantee's index under "The Retreat on the Blue Condominium Association" and in the grantor's index under "Retreat on the Blue, L.L.C."

**SUPPLEMENT  
TO  
THIRD AMENDMENT TO  
THE CONDOMINIUM DECLARATION  
OF  
THE RETREAT ON THE BLUE CONDOMINIUMS**

THIS SUPPLEMENT TO THIRD AMENDMENT TO THE CONDOMINIUM DECLARATION OF THE RETREAT ON THE BLUE CONDOMINIUMS ("Supplement") is made as of August 20, 2020, by The Retreat on the Blue Condominium Association, a Colorado nonprofit corporation ("Association") and by Retreat on the Blue, L.L.C., a Colorado limited liability company ("Declarant").

**RECITALS**

WHEREAS, The Condominium Declaration of The Retreat on the Blue Condominiums was recorded on March 29, 2002 at Reception No. 679978 in the real property records of the Summit County Clerk and Recorder's office ("Records"), Summit County, Colorado, as amended by (i) that First Amendment to the Condominium Declaration of The Retreat on the Blue Condominiums recorded on March 6, 2003 at Reception No. 712440 in the real property records of Summit County, Colorado; (ii) that First Supplemental to the Condominium Declaration of The Retreat on the Blue Condominiums recorded on May 22, 2003 at Reception No. 718207 ("First Supplemental Declaration"); (iii) that Second Amendment to the Condominium Declaration of The Retreat on the Blue Condominiums recorded on March 24, 2003 at Reception No. 713567 in the real property records of Summit County Colorado; and (iv) that Third Amendment to the Condominium Declaration of The Retreat on the Blue Condominiums recorded on October 10, 2014 at Reception No. 1067558 in the real property records of Summit County Colorado ("Third Amendment"); as amended and supplemented by documents of record, if any;

WHEREAS, The Association and Retreat on the Blue, L.L.C., as Declarant, executed and recorded the Third Amendment in the real property records of Summit County, to reinstate certain Declarant Rights under Section 10.1 of the Declaration, as permitted by Section 38-33.3-210(5), C.R.S. of the Colorado Common Interest Ownership Act, for the purpose of completing the development of the two sites that are designated for "Future Development" (the "Future Development Sites") on the First Supplemental Map of The Retreat on the Blue Condominiums recorded on May 22, 2003 at Reception No. 718209 in the Records ("First Supplemental Map");

WHEREAS, the Third Amendment reinstates with respect to the Future Development Sites the Declarant Rights set forth in Section 10.1 of the Declaration which rights include, without limitation, the right to complete planned improvements and the right to amend the Declaration and/or the Map in connection with the exercise of any Declarant Rights;

WHEREAS, although the locations for "Future Development" within the Condominium Community are depicted on the First Supplemental Map, neither the First Supplemental Map nor the Third Amendment sets forth a written legal description of the Future Development Sites. However, Exhibit B of the First Supplemental Declaration sets forth the legal description of the real property within the Condominium Community that has been improved, and Exhibit A of the First Supplemental Declaration sets forth the legal description of the entire Condominium Community. The legal description of the entire Condominium Community set forth on Exhibit A less the legal description of the improved property set forth on Exhibit B is in fact the remaining undeveloped property within the Condominium Community over which Declarant reserved development rights, including, but not limited to, the portions of the property that are designated as "Future Development" on the First Supplemental Map. The Association and Declarant desire to correct the technical omission of the legal description of the Future Development Sites from the Third Amendment by setting forth herein the legal descriptions of the Future Development Sites so that the reserved Declarant Rights pertaining to the Future Development Sites as reinstated and extended by the Third Amendment may be properly exercised and insured as insurable real property interests and for the purpose of providing legal descriptions that may be relied upon by all persons, including, without limitation, lenders who may finance the construction of Buildings on the Future Development Sites.

WHEREAS, this Supplement is not intended to and does not amend, modify or change any existing provision of the documents that constitute the Declaration or the Map of the Condominium Community. This Supplement is intended solely to set forth legal descriptions of the Future Development Sites that are consistent with the legal description set forth on Exhibits A and B of the First Supplemental Declaration and with the Site Plan of the Future Development Sites as set forth in the Third Amendment and to evidence that the Association and the Declarant both agree that such legal descriptions as set forth herein are sufficient and proper legal descriptions of the Future Development Sites.

NOW THEREFORE, the Association and the Declarant, invoking their respective rights and privileges, and in consideration of the foregoing recitals, hereby supplements the Declaration and the Map of the Condominium Community as follows:

1. Incorporation/Definition. The foregoing recitals are incorporated herein by this reference. Unless otherwise defined herein, all capitalized terms used in this Supplement and not defined in this Supplement shall have the same meaning as set forth in the Declaration.

2. Future Development Sites Legal Descriptions. In order to correct the omission of legal descriptions for the Future Development Sites from the Third Amendment and the First Supplemental Map, the legal descriptions of the Future Development Sites are hereby set forth on Exhibit A attached hereto and incorporated herein by this reference. The Association and Declarant acknowledge and agree that the legal descriptions of the Future Development Sites are sufficient and proper for all purposes in connection with the Declaration and the Map of the Condominium Community. This Supplement and the legal descriptions of the Future

Development Sites set forth on Exhibit A hereby supplement the terms and provisions of the Declaration and the Map of the Condominium Community. Declarant executes this Supplement as an exercise of its rights and authority under Section 10.1 of the Declaration as granted to Declarant by the Third Amendment.

3. Ratification. The Declaration and the Map, as supplemented herein, are ratified and affirmed and shall be and remain in full force and effect.



ATTEST:

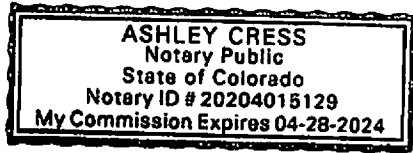
By: Melissa Marsden  
Name: Melissa Marsden  
Title: Secretary - The Retreat on the Blue Condominium Association

STATE OF Colorado )  
COUNTY OF Jefferson ) ss.

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of August 2020, by Melissa Marsden as Secretary of The Retreat on the Blue Condominium Association, a Colorado nonprofit corporation.

Witness my hand and official seal.  
My commission expires: 04/28/2024

Ashley Cress  
Notary Public



RETREAT ON THE BLUE, L.L.C.,  
a Colorado limited liability company

By: \_\_\_\_\_  
Name: STEVEN M COHEN  
Title: Manager

STATE OF COLORADO )  
 ) ss.  
COUNTY OF Arapahoe )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of August 2020, by Steven M. Cohen as Manager of Retreat on the Blue, L.L.C., a Colorado limited liability company.

Witness my hand and official seal  
My commission expires: 01/17/2022

[Signature]  
Notary Public

**DORIAN CHRISTIAN**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
NOTARY ID 20024001777  
MY COMMISSION EXPIRES JANUARY 17, 2022

Exhibit A

Legal Descriptions – Future Development Sites

LEGAL DESCRIPTION  
FUTURE DEVELOPMENT PARCELS  
RETREAT ON THE BLUE

TWO TRACTS OF LAND BEING PORTIONS OF RETREAT ON THE BLUE, ACCORDING TO THE FIRST SUPPLEMENTAL CONDOMINIUM MAP OF THE RETREAT ON THE BLUE, BUILDINGS D, E, AND NORTH GARAGE AS RECORDED MAY 22, 2003 AT RECEPTION NUMBER 718209 IN THE OFFICE OF THE CLERK AND RECORDER, SUMMIT COUNTY, COLORADO, AND LOCATED IN THE TOWN OF SILVERTHORNE AND DESCRIBED AS FOLLOWS:

PARCEL 1

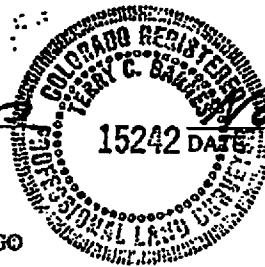
BEGINNING AT THE SOUTHWEST CORNER OF RETREAT ON THE BLUE; THENCE N07°58'06"W ALONG THE WEST BOUNDARY, ALSO BEING THE EAST RIGHT-OF-WAY LINE FOR COLORADO STATE HIGHWAY NO. 9, FOR A DISTANCE OF 124.89 FEET; THENCE N82°02'00"E A DISTANCE OF 102.97 FEET; THENCE S07°58'00"W A DISTANCE OF 94.50 FEET, THENCE S82°02'00"W A DISTANCE OF 6.00 FEET; THENCE S07°58'00"E A DISTANCE OF 30.39 FEET TO A POINT ON THE SOUTH BOUNDARY OF SAID RETREAT ON THE BLUE; THENCE S82°02'00"W ALONG SAID SOUTH BOUNDARY A DISTANCE 96.97 FEET TO THE POINT OF BEGINNING, CONTAINING 12,677 SQUARE FEET OR 0.291 ACRES, MORE OR LESS.

PARCEL 2

COMMENCING AT THE SOUTHWEST CORNER OF RETREAT ON THE BLUE; THENCE N07°58'00"W ALONG THE WEST BOUNDARY, ALSO BEING THE EAST RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY NO. 9, FOR A DISTANCE OF 149.89 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST BOUNDARY AND RIGHT-OF-WAY LINE N07°58'00"W FOR A DISTANCE OF 141.45 FEET; THENCE N82°02'00"E A DISTANCE OF 46.21 FEET; THENCE S57°37'08"E A DISTANCE OF 74.48 FEET; THENCE S07°58'00"E A DISTANCE OF 93.23 FEET; THENCE S82°02'00"W A DISTANCE OF 102.97 FEET TO THE POINT OF BEGINNING, CONTAINING 13,197 SQUARE FEET OR 0.303 ACRES, MORE OR LESS

PREPARED BY:

  
TERRY C. BARNES, P.L.S.  
COLORADO LICENSE NO. 15242



PREPARED FOR: TOM SILENGO  
PROJECT NO. 16233-411

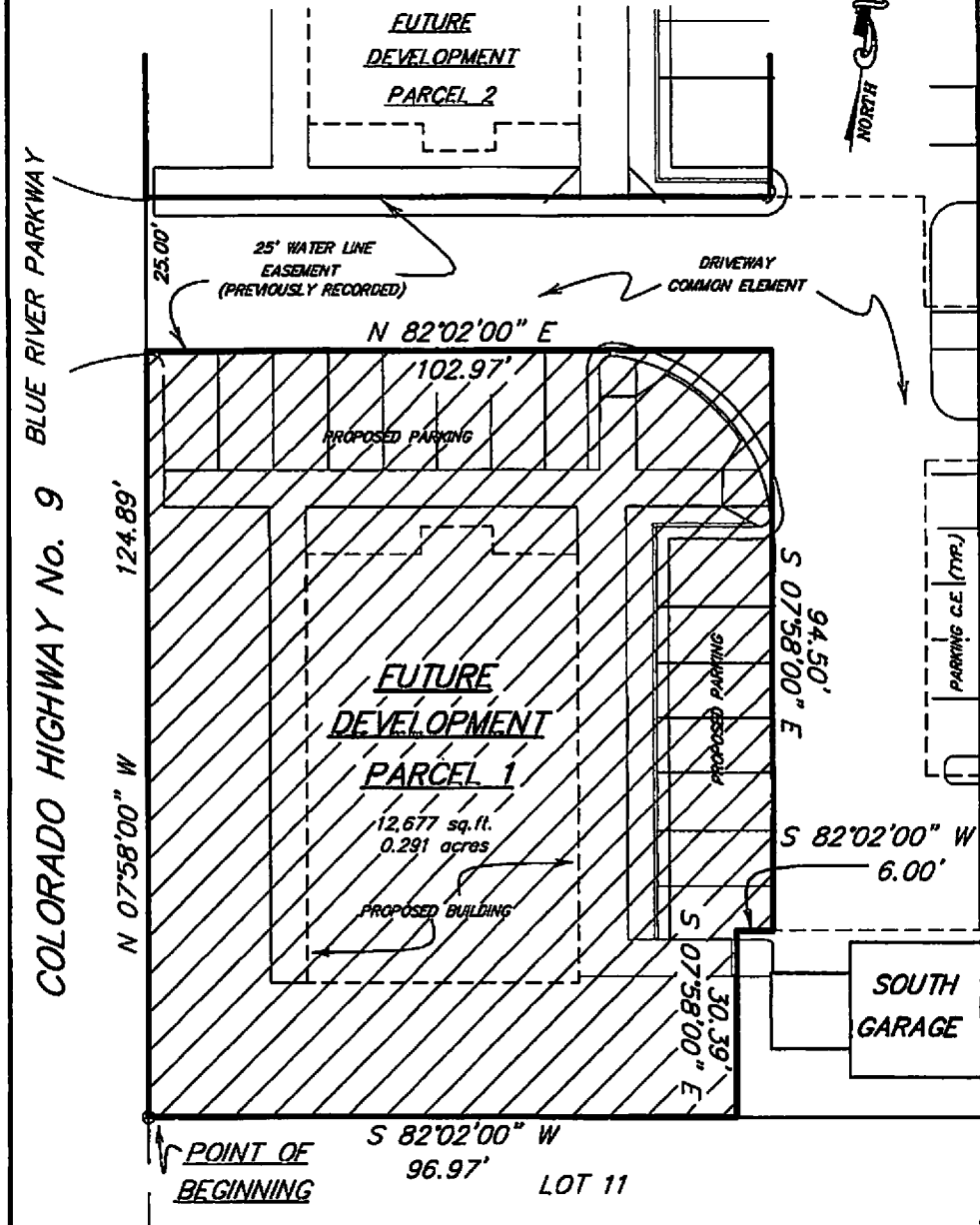
6200/11/152

P.O. BOX 589  
Silverthorne, CO 80498

RANGE  
WEST, INC.  
Engineers & Surveyors

Phone 970-468-6281  
FAX 970-668-3765

A LEGAL DESCRIPTION EXHIBIT MAP OF  
FUTURE DEVELOPMENT PARCEL 1  
RETREAT ON THE BLUE CONDOMINIUMS  
 TOWN OF SILVERTHORNE, SUMMIT COUNTY, COLORADO



SCALE: 1" = 20'

PROJECT NO. 16233 DWG: LEG-18FK DRAWN BY: TCB DATE: 11/08/2011

P O BOX 589  
 SILVERTHORNE, CO 80498



PHONE 970-468-6281  
 DENVER DIRECT 303-623-0426



