



09/28/2015 09:09 AM
City & County of Denver
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Indexing Note: Please index in the grantee's index under Cedar Lane at Cherry Creek Homeowners Association, Inc., and in the grantor's index under Richmond American Homes of Colorado, Inc.

**SUPPLEMENTAL DECLARATION
TO THE
DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
CEDAR LANE AT CHERRY CREEK
(Lots 5 and 6)**

①

THIS SUPPLEMENTAL DECLARATION to the Declaration of Covenants, Conditions and Restrictions for Cedar Lane at Cherry Creek (this "Supplemental Declaration") is executed this 18th day of September, 2015, by **RICHMOND AMERICAN HOMES OF COLORADO, INC.**, a Delaware corporation ("Declarant").

RECITALS

A. Declarant executed and caused to be recorded that certain **Declaration of Covenants, Conditions and Restrictions for Cedar Lane at Cherry Creek**, recorded in the records of the office of the Clerk and Recorder of the City and County of Denver, State of Colorado (the "Records") on August 13, 2014, at Reception No. 2014097985, as amended by that certain **First Amendment to Declaration of Covenants, Conditions and Restrictions for Cedar Lane at Cherry Creek** dated September 15, 2015, and recorded in the Records on September 16, 2015, at Reception No. 2015130510 (as so amended, the "Declaration"). All capitalized terms used but not defined herein shall have the same meanings ascribed to them in the Declaration.

B. Section 12.2.1 of the Declaration permits the annexation thereto of some or all of the Annexable Property by Declarant until the expiration of the Special Declarant Rights Period, which annexation may be by recording a Supplemental Declaration in the Records.

C. The real property described on **Exhibit A** attached hereto and incorporated herein by this reference as though fully set forth herein (the "Subject Property") is part of the Annexable Property.

D. There are no Common Areas within the Subject Property.

E. Declarant is the owner of the Subject Property.

ANNEXATION

NOW, THEREFORE, pursuant to the Declaration, Declarant hereby takes the following actions:

1. The Subject Property is hereby declared to be part of the Community under and subject to the Declaration, to be effective upon the date of recordation of this Supplemental Declaration in the Records.

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2. The lot and block numbers used in the description of the Subject Property attached hereto as **Exhibit A** shall be the identifying numbers for the Lot(s) in the Community annexed under this Supplemental Declaration.

3. This Supplemental Declaration shall be deemed an amendment to the Declaration for purposes of the Act.

4. The annexation of the Subject Property and the resulting additional Lots in the Community shall affect the Allocated Interests among all Lots, to be calculated as set forth in Section 1.3.3 of the Declaration.

5. The Declaration, as modified by this Supplemental Declaration, shall remain in full force and effect in accordance with its original terms and provisions.

IN WITNESS WHEREOF, Declarant has executed this Supplemental Declaration as of the date and year stated above.

RICHMOND AMERICAN HOMES OF COLORADO, INC.
a Delaware Corporation, Declarant

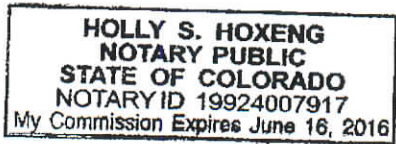
By *Linda M. Purdy*
Linda M. Purdy, Vice President

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

The foregoing instrument was acknowledged before me this 21st day of September, 2015, by Linda M. Purdy, as Vice President of Richmond American Homes of Colorado, Inc., a Delaware corporation.

Witness my hand and official seal.

My commission expires 6/16/16.



Holly S. Hoxeng
Notary Public

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT PROPERTY

Lots 5 and 6,
Riva Cherry Creek Filing No. 1 – Amended,
according to the plat thereof recorded in the Records on April 25, 2011, at Reception No. 2011045058,
City and County of Denver, State of Colorado.