



**SUPPLEMENTAL DECLARATION TO THE MASTER DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR VALLEY VIEW VILLAGE SUBDIVISION IN BATTLEMENT MESA, PUD**

THIS SUPPLEMENTAL DECLARATION TO THE MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR VALLEY VIEW VILLAGE SUBDIVISION IN BATTLEMENT MESA, PUD ("Supplemental Declaration") is made and entered into this 4 day of OCTOBER, 2004, by DARTER, LLC ("Declarant").

RECITALS

WHEREAS, Declarant has previously caused to be recorded in Book 1546 at Page 979 of the Garfield County, Colorado, real estate records the Master Declaration of Covenants, Conditions, and Restrictions for Valley View Village Subdivision in Battlement Mesa, Planned Unit Development, ("Master Declaration) concerning the real property (the "Property") more particularly described on the plat recorded December 16, 2003, Reception No. 643044 in the office of the Clerk and Recorder of Garfield County, Colorado ("Final Plat"); and

WHEREAS, Section 1.1 of the Master Declaration provides that future phases of the Property to be developed within Tracts F, G, H or Lot 47 as shown on the Final Plat shall be subject to the Master Declaration; and

WHEREAS, Valley View Village Subdivision Phase B ("Phase B") is a resubdivision of Tract H on the Property according to the plat recorded on 10-22, 2004 as Reception No. 662272 in the office of the Clerk and Recorder of Garfield County, Colorado ("Phase B Plat"); and

WHEREAS, in making this Supplemental Declaration, Declarant reserves all of its rights specified in the Master Declaration and does not waive or release any of those rights by making this Supplemental Declaration.

NOW, THEREFORE, Declarant hereby declares that Phase B, according to the Phase B Plat, shall be held, sold, and conveyed subject to the Master Declaration, which shall run with the land and be binding upon all persons and their entities (and their heirs, personal representatives, successors, and assigns) now or later having any right, title, or interest in all or any part of Phase B, and the Declarant further declares as follows:

1. General. The terms and conditions of this Supplemental Declaration shall be in addition, and supplemental, to the terms and conditions contained in the Master Declaration. All terms and conditions of the Master Declaration shall be applicable to Phase B. All of the above Recitals are true and are incorporated into the terms of this Supplemental Declaration.

After recording please return to:
Leavenworth & Karp, PC
P. O. Drawer 2030
Glenwood Springs, CO 81602

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