

**SECOND SUPPLEMENTAL DECLARATION TO**  
**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**  
**OF**  
**THE PEAKS AT REDLANDS MESA**

THIS SECOND SUPPLEMENTAL DECLARATION, effective this 14<sup>th</sup> day of March, 2022, is made and entered into by The Peaks, LLC, a Colorado limited liability company (“Successor Declarant”).

**RECITALS**

A. By Declaration of Covenants, Conditions and Restrictions of the Peaks at Redlands Mesa recorded March 10, 2017 at Reception No. 2792723 in the Office of the Clerk and Recorder of Mesa County, Colorado, (the “Declaration”), Declarant created a common interest community known as The Peaks at Redlands Mesa. Capitalized terms herein shall have the same meaning as such terms in the Declaration unless otherwise stated.

B. Under Section 10.1 of the Declaration, Declarant reserved the right to annex to The Peaks at Redlands Mesa all or any part of the “Expansion Property” described in Section 1.11 of the Declaration.

C. The Declarant as defined in the Declaration assigned all of its rights to annex additional property and expand the common interest community originally created to Successor Declarant.

D. Successor Declarant by First Supplemental Declaration to Declaration of Covenants, Conditions and Restrictions of The Peaks at Redlands Mesa, recorded April 25, 2019 at Reception No. 2877458 in the Office of the Clerk and Record of Mesa County, Colorado, annexed to The Peaks at Redlands Mesa a further portion of the Expansion Property, amended the Declaration accordingly, and reallocated the Allocated Interests of all Unit Owners in The Peaks at Redlands Mesa accordingly.

E. Successor Declarant desires by this Second Supplemental Declaration to annex to The Peaks at Redlands Mesa a further portion of the Expansion Property, consisting of sixteen (16) additional Units and certain other lands, and to amend the Declaration accordingly, and to reallocate the Allocated Interests of all Unit Owners in The Peaks at Redlands Mesa accordingly.

**SUPPLEMENTAL DECLARATION**

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

1. The real property described on Exhibit A attached hereto and made a part hereof by this reference is hereby annexed to and made a part of the common interest community known as The Peaks at Redlands Mesa. The property annexed by this Second Supplemental Declaration is hereinafter referred to as the Peaks at Redlands Mesa, Filing No. 3.

2. The definition of "Project" set forth in Section 1.23 of the Declaration is hereby amended by the addition thereto of the Peaks at Redlands Mesa, Filing No. 3, and all of the lands within said Peaks at Redlands Mesa, Filing No. 3 are hereby made expressly subject to the Declaration and all covenants, conditions, restrictions, limitations, assessments, charges, servitudes, liens, reservations, exceptions, easements, privileges, rights and other provisions set forth therein, except as modified below.

3. With respect to the Peaks at Redlands Mesa Filing No 3, Successor Declarant expressly reserves to itself and its successors and assigns all of the rights set forth in Article X of the Declaration, as well as any other rights reserved by or to Declarant in the Declaration.

4. The Allocated Interests of all Unit Owners in The Peaks at Redlands Mesa are hereby reallocated as set forth in Exhibit B attached hereto and made a part hereof by this reference, and Exhibit C (Allocated Interests) to the Declaration is hereby amended, replaced and superseded in its entirety by said attached Exhibit B.

5. Notwithstanding the allocation of interests provided for above and as shown on Exhibit B, the Owner of a Unit annexed by this Second Supplemental Declaration shall not be assessed an Annual Assessment or any other Assessments, until a certificate of occupancy has been issued for a Townhome that is constructed on the Unit, as those terms are defined by the Declaration.

6. The recorded easements and licenses appurtenant to or included in the Peaks at Redlands Mesa Filing No 3 are set forth on Exhibit C attached hereto and made a part hereof by this reference.

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

SUCCESSOR DECLARANT:

The Peaks, LLC

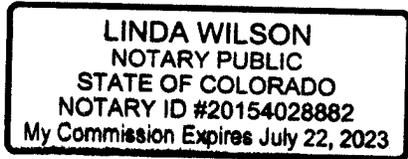
By:   
Kevin P. Young, Manager

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MESA         )

The foregoing Second Supplemental Declaration was acknowledged before me this  
14<sup>th</sup> day of March, 2022, by Kevin P. Young as Manager of The Peaks,  
LLC.

Witness my hand and official seal.  
My commission expires: July 22, 2023

(SEAL)



Linda Wilson  
Notary Public

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY ANNEXED TO  
COMMON INTEREST COMMUNITY BY  
SECOND SUPPLEMENTAL DECLARATION

Lots 25 through 40 according to the plat of Peaks at Redlands Mesa Filing No 3

Mesa County, Colorado.

EXHIBIT B

ALLOCATED INTERESTS  
PEAKS AT REDLANDS MESA

<u>Lots or Units</u>	<u>Common Expense Liability</u>	<u>Vote</u>
<u>Peaks at Redlands Mesa:</u>		
Lots 1-12 inclusive	Each Lot: 1/40	Each Lot: 1 Vote
<u>Peaks at Redlands Mesa, Filing 2:</u>		
Lots 13-24 inclusive	Each Lot: 1/40	Each Lot: 1 Vote
<u>Peaks at Redlands Mesa, Filing 3:</u>		
Lots 25-40 inclusive	Each Lot: 1/40	Each Lot: 1 Vote
<hr/> Total Lots: 40	<hr/> Total Common Expense Liabilities: 40/40	<hr/> Total Votes: 40

EXHIBIT C

RECORDED EASEMENTS AND LICENSES

All easements, rights-of-way, and licenses dedicated, shown or referred to on the plat of Peaks at Redlands Mesa Filing No 3, Mesa County, Colorado.