

SUPPLEMENTAL DECLARATION NO. 26
FOR
ANNEXATION OF
PROPERTY
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
NORTH RANGE METROPOLITAN DISTRICT NO. 3 WITHIN REUNION
(Lot 1, Block 1; Lots 1-7, Block 2; and Lots 1-8, Block 3;
Reunion Ridge Filing No. 1, Amendment No. 1)

This Supplemental Declaration is made this 1 day of April, 2021, by Clayton Properties Group II, Inc., a Colorado corporation (*Declarant*).

PREAMBLE

A. Declarant is the Owner of the Property to be Annexed described in Exhibit A attached hereto and incorporated by reference herein.

B. The Property to be Annexed described in this Supplemental Declaration is a portion of certain real property described as the Annexable Area in the Declaration of Covenants, Conditions, and Restrictions for North Range Metropolitan District No. 3 Area within Reunion recorded on December 10, 2020, at Reception No. 2020000130062 in the records of the office of the Clerk and Recorder of Adams County, Colorado (*District Declaration*) which Declarant intends be subdivided and improved as a portion of the community to be known as Reunion in accordance with the District Declaration.

C. Section 3.2 of the District Declaration authorizes the phased annexation of real property to the Annexed Area under the District Declaration from time to time and provides that a Privately Owned Site shall be annexed to the Annexed Area under the District Declaration and be subject to the District Declaration upon the Recordation of a Supplemental Declaration for such Privately Owned Site.

D. In furtherance of the District Declaration and the PUD Zone Document as hereinafter defined, Declarant desires that the Property to be Annexed be improved, owned and conveyed in accordance with the terms of the District Declaration and to provide for the annexation of the Property to be Annexed to the District Declaration.

NOW, THEREFORE, IN ACCORDANCE WITH THE FOREGOING, DECLARANT HEREBY DECLARES AS FOLLOWS:

**ARTICLE I
DEFINITIONS**

Section 1.1 **General.** Unless as the context otherwise requires and unless otherwise expressly provided herein, the capitalized terms in this Supplemental Declaration shall have the

same meaning as any similarly capitalized term defined in the District Declaration. The following words and phrases when used in this Supplemental Declaration shall have the meaning hereinafter specified.

Section 1.2 **Property to be Annexed.** *Property to be Annexed* shall mean the real property described in Exhibit A attached hereto and incorporated by reference herein. Such Property to Be Annexed has been included within the district boundaries of the North Range District. The Property to be Annexed includes all rights and easements, if any, appurtenant to the real property described in Exhibit A attached hereto.

Section 1.3 **PUD Zone Document.** *PUD Zone Document* shall mean the Reunion PUD Zone Document (PUD #3615), Amendment #1 of the Buffalo Hills Ranch PUD Zone Document, recorded December 17, 2002 under Reception No. C1068494 of the Adams County Records, as the same heretofore may have been, and hereafter may be, amended from time to time.

ARTICLE II ANNEXATION TO ANNEXED AREA

Section 2.1 **Annexed Property.** Upon Recordation of this Supplemental Declaration, the Property to be Annexed shall thereafter be known as “*Annexed Property*” and be part of the Annexed Area and subject to the terms of the District Declaration. From and after the date of such Recordation, the Annexed Property shall be owned, held, transferred, conveyed, sold, leased, rented, hypothecated, encumbered, used, occupied, maintained, altered and improved subject to the Restrictions and other provisions set forth in the District Declaration for the duration thereof.

Section 2.2 **General Plan.** This Supplemental Declaration is hereby established as a part of, pursuant to and in furtherance of a common and general plan in accordance with the District Declaration and the PUD Zone Document for the improvement and ownership of the Annexed Property and for the purpose of enhancing and protecting the value, desirability and attractiveness of the Annexed Property.

Section 2.3 **Equitable Servitudes.** The Restrictions set forth in the District Declaration are hereby imposed as equitable servitudes upon the Annexed Property, including without limitation, upon each Privately Owned Site, Local Common Area and any other parcel of property within the Annexed Property, as a servient tenement, for the benefit of each and every other Privately Owned Site, Local Common Area or other parcel of property within the Annexed Area, as the dominant tenements.

Section 2.4 **Restrictions Appurtenant.** The Restrictions set forth in the District Declaration shall run with, inure to the benefit of, and be binding upon, (a) all of the Annexed Property; (b) each Privately Owned Site located within the Annexed Property; and (c) any Local Common Area located within the Annexed Property. The Restrictions set forth in the District Declaration which are imposed upon the Annexed Property by this Supplemental Declaration shall inure to the benefit of: (i) the Annexed Property, (ii) Declarant and its successors and

assigns, (iii) the Enforcing District and its successors and assigns, (iv) each Owner of a Privately Owned Site or of Local Common Area within the Annexed Area, and each such Privately Owned Site and Local Common Area, and (v) all persons having or hereafter acquiring any right, title or interest in all or any portion of the Annexed Property and their heirs, personal representatives, successors, and assigns.

Section 2.5 **Land Classification.** Each Lot within the Annexed Property is hereby designated, pursuant to Article III of the District Declaration, to be a Privately Owned Site, each of which also constitute both a Residential Site and a Single Family Residential Site as defined in the District Declaration.

Section 2.6 **No Neighborhood Association.** As of the date of this Supplemental Declaration, it is not anticipated that there shall be a Neighborhood Association for the Annexed Property.

Section 2.7 **Inclusion with Boundaries of Enforcing District.** The Annexed Property has been included within the district boundaries of the Enforcing District.

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EXHIBIT A
TO
SUPPLEMENTAL DECLARATION NO. 26
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FOR
NORTH RANGE METROPOLITAN DISTRICT NO. 3 AREA
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(Lot 1, Block 1; Lots 1-7, Block 2; and Lots 1-8, Block 3;
Reunion Ridge Filing No. 1, Amendment No. 1)

(Legal Description of Property to be Annexed)

Lot 1, Block 1,
Lots 1 through 7, inclusive, Block 2,
Lots 1 through 8, inclusive, Block 3,
REUNION RIDGE FILING NO. 1, AMENDMENT NO. 1,
according to the plat thereof recorded December 4, 2020,
at Reception No. 2020000126790,
City of Commerce City, County of Adams, State of Colorado.