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SUPPLEMENTARY DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS

TWILIGHT PEAKS
MOUNTAIN VILLAGE
DURANGO, COLORADO

DEVELOPED BY TWILIGHT PEAKS, LLC
46773 U.S. HIGHWAY 550, DURANGO, COLORADO

Betty Ford

This Supplementary Declaration of Covenants, Conditions and Restrictions for Twilight Peaks Mountain Village is made on the date hereinafter set forth by Twilight Peaks, LLC, a Colorado limited liability company, hereinafter referred to as "Declarant".

WITNESSETH:

WHEREAS, Declarant previously recorded on December 5th, 1994, under Reception No. 679693 in the records of the La Plata County Clerk and Recorder, State of Colorado, certain protective covenants, conditions, rights, reservations and restrictions, hereinafter referred to as the "Declaration", which established Twilight Peaks Mountain Village, a master planned residential community (the "Village"), and thereby further established certain mutually beneficial rights, restrictions and obligations, as described in said Declaration, upon the Initial Village Property, more particularly described in the Declaration and on the plat map thereof filed for record on December 5, 1994 as Reception No. 679694; and

WHEREAS, the development of the Village was planned to be completed in multiple phases and the Declarant previously reserved the right to record one or more Supplementary Declarations thereby adding other property to, and which will thereafter be included in, the Village and thereby made subject to the Declaration; and

WHEREAS, Declarant is the record owner of certain real property located in the county of La Plata, State of Colorado, hereinafter referred to as "Phase II" of Twilight Peaks Mountain Village, Phase II being 11.317 acres, more or less, and being a portion of the total "Project" described in Exhibit "A" of the initial Declaration and described more particularly on Exhibit "A" of this Supplementary Declaration and attached hereto, made a part hereof and incorporated herein by reference, together with all buildings, improvements and other permanent fixtures of whatever kind now or hereafter located thereon, and all easements, rights, appurtenances and privileges belonging or in any way pertaining thereto (all of which comprise a part of Phase II as herein defined); and

WHEREAS, Declarant deems it desirable to extend the application of the Declaration to Phase II for the purposes as set forth in the Declaration.

NOW, THEREFORE, Declarant, for the purposes set forth above and in the Declaration, hereby declares that, unless otherwise stated herein, Phase II, as described on Exhibit "A" attached hereto, is hereby added to, and shall hereafter be included in, the Village Property pursuant to the provisions of Article II of the Declaration, and such property is and shall be held, transferred, sold, conveyed, devised, leased, rented, encumbered, used, occupied, improved, and otherwise affected in any manner subject to this Supplementary Declaration and the Declaration, except to the extent the Declaration is modified by this Supplementary Declaration, all of which shall run with the land and be binding upon Phase II and upon all parties having or acquiring any right, title or interest in or to Phase II, or any part thereof, and shall inure to the benefit of each Owner thereof, the Association and each Member of the Association.

ARTICLE I - DEFINITIONS

As used in this Supplementary Declaration, unless the context otherwise requires, terms shall have the same meanings as set forth in the Declaration.

ARTICLE II - ADDITIONS TO THE VILLAGE

2.01 Description of Phase II: The real property included in Phase II and added to the Village Property is described on Exhibit "A" attached hereto and includes lots numbered 19 through 28, inclusive, as more particularly depicted on the recorded plat thereof.

2.02 Common Elements & Allocated Interests: All allocated interests, including but not limited to common expenses and votes in the homeowners association, shall be reallocated equally among all the lots in the Village, including those lots included in the Initial Property (numbered 1 through 18, inclusive) and the lots included in Phase II (numbered 19 through 28, inclusive). The allocation of interests, which was previously 1/18th (one-eighteenth), shall now be 1/28th (one-twenty eighth). If any lots are hereafter added to, and thereafter included in, the Village by the recording of an additional Supplementary Declaration in accordance with Section 2.02 of the Declaration, then all allocated interests shall be reallocated equally among all the lots included in the Village after such addition.

The Owners acknowledge that the subdivision roads are private in nature and will not be maintained, repaired, or snow plowed by the County of La Plata or any other public entity. The Twilight Peaks Homeowners Association, Inc., the "Association", shall hereafter, in addition to its other duties and responsibilities, keep Creekside Drive and the appurtenances thereto, in a state of good condition and repair, including snow removal, consistent with the standard of quality of said roadway and appurtenances upon original installation and to ensure such roadway is at all times serviceable for normal and emergency roadway functions.

ARTICLE III - MODIFICATIONS TO DECLARATION

The following portions of Article VIII of the Declaration, titled "Building Restrictions", shall be modified as follows and shall apply to the property within Phase II as set forth herein. Such modifications shall not be applicable to the property previously included in the Village.

The sentence in Section 8.01 of the Declaration, titled "Buildings Allowed", which reads "One (1) custom built single family home, built from the foundation up, of not less than 1,800 (one thousand eight hundred) square feet of floor area, with not less than two (2) nor more than four (4) attached garage spaces" shall be deleted and replaced by the sentence which reads, "One (1) custom built single family home, built from the foundation up, of not

EXHIBIT "A"**DESCRIPTION OF THE REAL PROPERTY INCLUDED IN "PHASE II"
TWILIGHT PEAKS MOUNTAIN VILLAGE
Project No. 96-66A****LEGAL DESCRIPTION:**

A tract of land located in Section 2, Township 38 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, being a portion of that tract of land as described in the Deed recorded in the Office of the La Plata County, Colorado, Clerk and Recorder under Reception Number 653730 and being more particularly described as follows:

Beginning on the north line of the SE1/4NW1/4 of said Section 2 whence the Northwest 1/16 Corner of said Section 2 bears S 88° 47' 32" W, 521.75 feet;
Thence N 88° 47' 32" E, 761.07 feet along the north line of said SE1/4NW1/4 of Section 2 to the westerly right-of-way of a Stock Drive as described in the Deed recorded in the Office of the said Clerk and Recorder in Book 232 at page 252;
Thence South, 117.26 feet along the westerly line of said Stock Drive to the westerly line of Twilight Peaks Mountain Village Subdivision, Phase I, Project No. 93-21 recorded in the Office of the said Clerk and Recorder under Reception Number 679674;
Thence S 27° 16' 32" W, 195.06 feet along the westerly line of said Phase 1, Reception Number 679674 to the centerline of Falcon Ridge Road as shown on said Phase 1, Reception Number 679674;
Thence along the arc of a non-tangent curve to the left with a delta angle of 108° 40' 04" and a radius of 100.00 feet for a distance of 189.66 feet the long chord bears S 58° 36' 02" W, 162.49 feet along the centerline of said Falcon Ridge Road;
Thence S 04° 16' 00" W, 349.97 feet along the centerline of said Falcon Ridge Road;
Thence along the arc of a tangent curve to the right with a delta angle of 27° 18' 00" and a radius of 150.00 feet for a distance of 71.47 feet the long chord bears S 17° 55' 00" W, 70.80 feet along the centerline of said Falcon Ridge Road;
Thence S 31° 34' 00", 181.27 feet along the centerline of said Falcon Ridge Road;
Thence along the arc of a tangent curve to the left with a delta angle of 21° 27' 29" and a radius of 200.00 feet for a distance of 74.90 feet the long chord bears S 20° 50' 16" W, 74.47 feet along the centerline of said Falcon Ridge Road;
Thence West, 248.52 feet;
Thence North, 439.42 feet;
Thence West, 60.00 feet;
Thence North, 329.15 feet;
Thence N 72° 07' 27" W, 57.90 feet;
Thence North, 213.31 feet to the point of beginning.
Contains 11.317 acres more or less.