

CONDOMINIUM DECLARATIONS

FOR

CRYSTAL CREEK CONDOMINIUMS

(A Condominium)

Book 544
Page 77
Nov 20 1979

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, C. MICHAEL VERPLANK and JAMES E. LOHR, hereafter the "Declarant", are the owners as tenants in common of the following described real property situated in the Town of Crested Butte, County of Gunnison, State of Colorado:

Lots 17, 18, 19, 20, 21 and 22, Block 37, Town of Crested Butte, county and state aforesaid, according to the official plat of said Town recorded September 15, 1964 in the office of the County Clerk and Recorder of Gunnison County, Colorado, said property being hereafter referred to as "the property", and

WHEREAS, Declarant desires to establish a condominium project under the Condominium Ownership Act of the State of Colorado, Article 33, Title 38 of the Colorado Revised Statutes, 1973, as amended; and

WHEREAS, Declarant has executed a joint venture agreement, being the Crystal Creek Joint Venture, for the purpose of constructing a building and other improvements appurtenant thereto on the above described property which shall consist of separately designated Condominium Units; and

WHEREAS, Declarant does hereby establish a plan for the ownership in fee simple of real property estates consisting of the area or space contained in each of the Units in the building improvement, and the co-ownership by the individual and separate Owners thereof, as tenants in common, of all the remaining real property and improvements thereon, hereinafter defined and referred to as the General Common Elements;

NOW, THEREFORE, Declarant does hereby publish and declare that the following terms, covenants, conditions, easements, restrictions, uses, limitations and obligations shall be deemed to run with the land, shall be a burden and a benefit to Declarant, its successors and assigns and any person acquiring or owning an interest in the real property and improvements, their grantees, successors, heirs, executors, administrators, devisees or assigns.

I. DEFINITIONS

A. "Association" - means a Colorado non-profit corporation bearing the name of this condominium project, formed for the purpose of managing, maintaining, repairing and administering the property and all buildings and improvements and common elements on a part of the property; of assessing, collecting and applying common expenses, for enforcing this declaration, for acting as attorney-in-fact or trustee for condominium unit owners as hereafter set forth, and generally for administering the property. Its only members shall be owners of condominium units. A person who, for any reason, ceases to be such owner shall cease to be such member, which membership provisions shall be included in the Association's By-Laws.

B. "Building" - means the twelve-unit building improvement to be constructed on the property.

C. "Common Elements" - means and includes:

- (1) The land on which the building is located;
- (2) The foundations, columns, girders, beams, supports, main walls, roofs and the portions of the basement which are not designated as units;
- (3) Those General Common Elements as set forth on the Condominium Plat and all other parts of the property necessary or convenient to its existence, maintenance and safety, and normally in common use.