

AMENDED SUPPLEMENTAL DECLARATION  
OF COVENANTS, CONDITIONS AND  
RESTRICTIONS  
FOR TALISMAN POINTE TOWNHOMES,  
PHASE II  
ARCHULETA COUNTY, COLORADO

WHEREAS, a Declaration of Covenants, Conditions and Restrictions for Talisman Pointe Townhomes, Phase I, Archuleta County, Colorado, has previously been recorded with the Archuleta County Clerk and Recorder's Office on December 23, 1997 as Reception Number 97010039, and an Amendment to Declaration of Covenants, Conditions and Restrictions for Talisman Pointe Townhomes, Phase I has been recorded with the Archuleta County Clerk and Recorder's Office on January 9, 1998 as Reception Number 98000284 and a Second Amendment to Declaration of Covenants, Conditions and Restrictions for Talisman Pointe Townhomes, Phase I has been recorded with the Archuleta County Clerk and Recorder's Office on August 31, 1999 as Reception Number 99008785 (collectively "Declaration") and such Declaration provided for a total of three phases for the Talisman Pointe Townhomes; and

WHEREAS, Michael C. Branch, Milton W. Deason and Curt Johnson, General Partners of the Talisman Partnership "Declarants", wish to add Phase II and have Phase II be part of and subject to the Declaration; and

WHEREAS, the Plat for Talisman Pointe Townhomes, Phase II was recorded on August 31, 1999 as Reception Number 99008784, and the Supplemental Declaration of Covenants, Conditions and Restrictions for Talisman Pointe Townhomes, Phase II was recorded on August 31, 1999 as Reception Number 99008786, however, as a result of a clerical error, the Plat has been amended and a new Plat has been recorded, along with this Amended Supplemental Declaration;

NOW THEREFORE,

1. The lands which are owned by the Declarants and which comprise Phase II of the Talisman Pointe Townhomes are described in the attached Exhibit "A".
2. The land described in Exhibit "A" attached hereto and incorporated herein by this reference and as further described in the Plat recorded on September 3, 1999 as Reception No. 99008893 ("Property") is hereby subjected to the provisions of the Declaration and this Amended Supplemental Declaration. The Declaration and this Amended Supplemental Declaration shall constitute covenants running with the land which shall be binding upon, and run to the benefit of the Declarants and all future Owners of the Property.

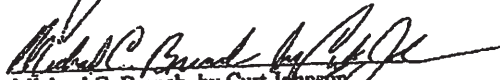
Michael Branch  
Bx 1333  
PS


3. This Phase of the Talisman Pointe Townhomes shall be known as Talisman Pointe Townhomes, Phase II. This Phase II shall consist of 6 Units, together with certain Limited Common Area and Common Area or Common Elements as shown on the Plat and as further described in the Declaration. The percentage of ownership of the undivided interest in the Common Elements for Phase II shall be 1/12th and such interests shall determine the percentage of Common Expenses as set forth in Section 2.11 and Article 9 of the Declaration.

DATED this 3rd day of September, 1999.

**TALISMAN PARTNERSHIP**

  
Curt Johnson, General Partner, Declarant

  
Michael C. Branch, by Curt Johnson,  
as Attorney-in-Fact for Michael C. Branch,  
General Partner, Declarant

  
Milton W. Deason, by Curt Johnson, as  
Attorney-in-Fact for Milton W. Deason,  
General Partner, Declarant

APPROVED:

\_\_\_\_\_  
Burns National Bank,  
by \_\_\_\_\_  
as its \_\_\_\_\_

STATE OF COLORADO )  
 )ss.  
COUNTY OF ARCHULETA)

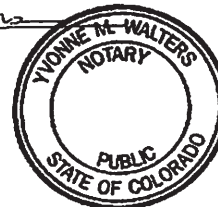
SUBSCRIBED AND SWORN to before me this 3rd day of September, 1999, by Curt Johnson, General Partner of Talisman Partnership and by Curt Johnson as Attorney-in-Fact for Michael C. Branch, General Partner, Talisman Partnership, and Curt Johnson as Attorney-in-Fact for Milton W. Deason, General Partner for Talisman Partnership.

Witness my hand and official seal.

My Commission Expires:

1-23-2002

*Yvonne M. Walters*  
NOTARY PUBLIC



STATE OF COLORADO )  
 )ss.  
COUNTY OF \_\_\_\_\_)

Subscribed and sworn to before me this \_\_\_\_\_ day of September, 1999, by Mary Fitzsimmons, as Vice President of Burns National Bank.

Witness my hand and official seal.

My Commission Expires:

\_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC



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4 of 5 R 25.00 D 0.00 N 0.00 ARCHULETA COUNTY

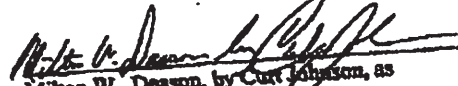
3. This Phase of the Talisman Pointe Townhomes shall be known as Talisman Pointe Townhomes, Phase II. This Phase II shall consist of 6 Units, together with certain Limited Common Area and Common Area or Common Elements as shown on the Plat and as further described in the Declaration. The percentage of ownership of the undivided interest in the Common Elements for Phase II shall be 1/12th and such interests shall determine the percentage of Common Expenses as set forth in Section 2.11 and Article 9 of the Declaration.

DATED this 3<sup>rd</sup> day of September, 1999.

TALISMAN PARTNERSHIP

  
Curt Johnson, General Partner, Declarant

  
Michael C. Branch, by Curt Johnson,  
as Attorney-in-Fact for Michael C. Branch,  
General Partner, Declarant

  
Milton W. Deason, by Curt Johnson, as  
Attorney-in-Fact for Milton W. Deason,  
General Partner, Declarant

APPROVED:

RECORDER'S NOTE

Some words are hard to read  
and may not reproduce well.  
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Burns National Bank,

by   
as its VP



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STATE OF COLORADO )  
 )ss.  
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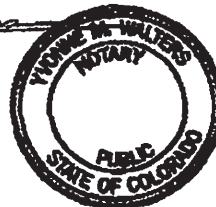
SUBSCRIBED AND SWORN to before me this 3rd day of September, 1999, by Curt Johnson, General Partner of Talisman Partnership and by Curt Johnson as Attorney-in-Fact for Michael C. Branch, General Partner, Talisman Partnership, and Curt Johnson as Attorney-in-Fact for Milton W. Deason, General Partner for Talisman Partnership.

Witness my hand and official seal.

My Commission Expires:

1-23-2002

Yvonne M. Walters  
NOTARY PUBLIC



STATE OF COLORADO )  
 )ss.  
COUNTY OF SAPATA )

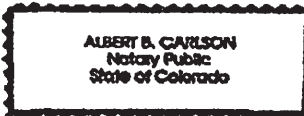
Subscribed and sworn to before me this 3rd day of September, 1999, by Mary Fitzsimmons, as Vice President of Burns National Bank.

Witness my hand and official seal.

My Commission Expires:

6-27-00

Albert B. Carlson  
NOTARY PUBLIC



RECORDER'S NOTE:  
Some words are hard to read  
and may not reproduce well.  
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