

J. C. Callahan

CONDOMINIUM DECLARATION

FOR

OROFINO BY STRAIGHT CREEK CONDOMINIUMS

THIS DECLARATION, made and executed this 26th day of SEPTEMBER, 1972, by HICO INVESTMENT COMPANY, a Delaware corporation, hereinafter called the "Declarant",

WITNESSETH THAT:

WHEREAS, the Declarant is the owner of certain real property situate in the County of Summit, State of Colorado, and described more particularly on Exhibit A attached hereto; and

WHEREAS, the Declarant desires to construct and create upon and with respect to said real property a condominium project under the Condominium Ownership Act of the State of Colorado, said project to include fifteen separate residential buildings, each containing certain numbers of condominium units, and other improvements.

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 the Declarant, its successors and assigns, and any person or entity acquiring or owning an interest in the real property and improvements, their grantees, successors, heirs, executors, administrators, personal representatives, devisees and assigns.

I. DEFINITIONS.

1.1 Real Property. "Real Property" means that certain real property located in the County of Summit, State of Colorado, described on Exhibit A attached hereto.

1.2 Building. "Building" means one of the building improvements to be constructed on the Real Property, as shown on the Condominium Map.

1.3 Project. "Project" means the Real Property and all Buildings and other improvements on the Real Property.

1.4 Condominium Map. "Condominium Map" means the engineering survey of the Project to be prepared and recorded in the Real Property records of Summit County, Colorado, in accordance with the provisions set forth in the following Section II of this Declaration.

1.5 Unit. "Unit" means an individual air space unit, consisting of enclosed rooms occupying part of a Building and bounded by the interior surfaces of the walls, floors, ceilings, windows, doors and built-in fireplaces thereof, as shown and numbered on the Condominium Map, together with all fixtures and improvements therein contained. Notwithstanding the fact that they may be within the boundaries of such air space, the following are not part of a Unit insofar as they are necessary for the support or full use and enjoyment of another Unit: bearing walls, floors, ceilings and roofs (except the interior surfaces thereof); foundations, shafts, reservoirs, tanks, pumps and other surfaces

