

1-4 (3)

SECOND SUPPLEMENT TO  
NOTICE OF LEVY  
OF  
REAL ESTATE TRANSFER ASSESSMENT

This Second Supplement to Notice of Levy of Real Estate Transfer Assessment (the "First Supplement to Notice of Levy") is made as of September 15, 2000, by Riverfront Park Association, a Colorado nonprofit corporation (the "Association").

WITNESSETH:

WHEREAS, the Association has heretofore caused to be recorded a Notice of Levy of Real Estate Transfer Assessment on June 23, 2000 at Reception No. 2000088396 (as amended and supplemented from time to time, the "Notice of Levy") in the real property records of the City and County of Denver, Colorado (all capitalized terms herein shall have the meaning as defined in the Notice of Levy, unless otherwise defined herein); and

WHEREAS, in Section 7 of the Notice of Levy, the Association expressly acknowledged that the submission of any of the Expansion Property to the Declaration by Supplemental Declaration in accordance with the terms of the Declaration shall have the automatic effect of submitting such Expansion Property to the terms and conditions of the Notice of Levy, while also providing that the Association may record a Supplement to the Notice of Levy in order to evidence that any such Expansion Property is subject to the Notice of Levy upon the submittal of the Expansion Property to the Declaration; and

WHEREAS, a portion of the Expansion Property as described in Exhibit A attached hereto and incorporated herein by reference (hereinafter referred to as the "Second Supplemental Property") has been submitted to the Declaration pursuant to that certain Second Supplement to Declaration for Riverfront Park recorded in the real property records of the City and County of Denver, Colorado contemporaneously herewith; and

WHEREAS, the Association wishes to evidence that the Second Supplemental Property is subject to the provisions of the Notice of Levy.

NOW, THEREFORE, the Association hereby records this Second Supplement to Notice of Levy to evidence that both the Property and the Second Supplemental Property are subject to the provisions of the Notice of Levy. The definitions used in the Notice of Levy are hereby expanded and shall hereafter and in the Notice of Levy be deemed to encompass and refer to the Property as defined in the Notice of Levy and the Second Supplemental Property as defined herein. For example, reference to the "Property" shall mean both the Property and the Second Supplemental Property, and reference to the "Notice of Levy" shall mean the Notice of Levy as supplemented by this Second Supplement to Notice of Levy.

RETURN TO CYRIL STOUAN  
SHERMAN & HOWARD  
633 17TH STREET, #3000  
DENVER, CO 80202

IN WITNESS WHEREOF, the Association has executed this Second Supplement to Notice of Levy as of the date first above written.

RIVERFRONT PARK ASSOCIATION, a  
Colorado nonprofit corporation

By: J. M. Hill  
Name: James M. Hill  
Title: Vice President

STATE OF COLORADO )  
 ) ss.  
CITY AND COUNTY OF DENVER )

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of September, 2000, by James M. Hill, as Vice President of Riverfront Park Association, a Colorado nonprofit corporation.

WITNESS my hand and official seal.

My commission expires: \_\_\_\_\_

[SEAL]

My Commission Expires 03/02/2004

Karen R. Hill  
NOTARY PUBLIC



EW: Denver\supplement2-notice of Levy.doc

EXHIBIT A

LEGAL DESCRIPTION OF EXPANSION PROPERTY

Lot 3, Block 2, Lot 1, Block 3 and Lot 1, Block 4, as depicted on the plat of The Commons Subdivision - Filing No. 1 recorded on June 16, 2000, at Reception No. 2000085197, in the Office of the Clerk and Recorder of the City and County of Denver, Colorado.

and

A PARCEL OF LAND BEING A PART OF BLOCK 1, EAST DENVER, RECORDED IN BOOK 1 AT PAGE 1, IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, AND WITHIN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS:

CONSIDERING THE 20 FOOT RANGE LINE ON THE SOUTHWESTERLY SIDE OF 15TH STREET BETWEEN VACATED BASSETT STREET AND THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 33, BEARING NORTH 45°25'28" WEST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT A POINT BEING THE INTERSECTION OF THE 20 FOOT RANGE LINE FOR VACATED BASSETT STREET AND 15TH STREET, THENCE NORTH 04°40'30" WEST A DISTANCE OF 370.25 FEET TO THE POINT OF BEGINNING;

THENCE AROUND THE PERIMETER OF BASSETT CIRCLE THE FOLLOWING TWELVE (12) COURSES:

1. THENCE SOUTH 25°43'12" EAST A DISTANCE OF 97.44 FEET TO A POINT OF TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 42.00 FEET;
2. THENCE ALONG SAID CURVE A DISTANCE OF 14.54 FEET, THROUGH A CENTRAL ANGLE OF 19°50'28", THE CHORD OF WHICH BEARS SOUTH 35°38'26" EAST, A DISTANCE OF 14.47 FEET;
3. THENCE SOUTH 45°33'40" EAST A DISTANCE OF 70.91 FEET TO A POINT OF TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 27.00 FEET;
4. THENCE ALONG SAID CURVE A DISTANCE OF 42.34 FEET, THROUGH A CENTRAL ANGLE OF 89°51'24", THE CHORD OF WHICH BEARS NORTH 89°30'38" EAST, A DISTANCE OF 38.14 FEET;
5. THENCE NORTH 44°34'56" EAST A DISTANCE OF 77.09 FEET TO A POINT;
6. THENCE SOUTH 45°28'34" EAST A DISTANCE OF 48.00 FEET ALONG SAID 16TH STREET;

7. THENCE SOUTH  $44^{\circ}34'56''$  WEST A DISTANCE OF 77.14 FEET TO A POINT OF TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 75.00 FEET;
8. THENCE ALONG SAID CURVE A DISTANCE OF 117.62 FEET, THROUGH A CENTRAL ANGLE OF  $89^{\circ}51'24''$ , THE CHORD OF WHICH BEARS SOUTH  $89^{\circ}30'38''$  WEST, A DISTANCE OF 105.93 FEET;
9. THENCE NORTH  $45^{\circ}33'40''$  WEST A DISTANCE OF 70.91 FEET TO A POINT OF TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 90.00 FEET;
10. THENCE ALONG SAID CURVE A DISTANCE OF 31.17 FEET, THROUGH A CENTRAL ANGLE OF  $19^{\circ}50'28''$ , THE CHORD OF WHICH BEARS NORTH  $35^{\circ}38'26''$  WEST, A DISTANCE OF 31.01 FEET;
11. THENCE NORTH  $25^{\circ}43'12''$  WEST A DISTANCE OF 97.44 FEET TO A POINT ON SAID LITTLE RAVEN STREET;
12. THENCE NORTH  $64^{\circ}16'48''$  EAST A DISTANCE OF 48.00 FEET ALONG SAID LITTLE RAVEN STREET TO THE POINT OF BEGINNING;

AND EXCEPTING THEREFROM SUBTRACT A-1, THE COMMONS SUBDIVISION - FILING NO. 1, RECORDED AT RECEPTION NO. 2000085197 IN THE REAL PROPERTY RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO.