DECELVE MAY 0 3 2001

CERTIFICATION OF DECLARATION OF SONNET SPRINGS, A PLANNED COMMUNITY

This Certification of Declaration of Sonnet Springs is made by Sonnet Springs Development, LLC, a Colorado limited liability company ("Declarant") effective as of April 175, 2001.

Declarant executed and recorded that certain Declaration of Sonnet Springs, a Planned Community (the "Sonnet Springs Declaration"). The Sonnet Springs Declaration was recorded on October 4, 2000, at Reception No. 200119643 of the records of El Paso County, Colorado.

Property owned by the Declarant which, pursuant to the Sonnet Springs Declaration, may be added to the Declaration is described as follows:

All of that property platted as Sonnet Springs at University Park, in the City of Colorado Springs, El Paso County, Colorado, according to the plat thereof recorded December 22, 1999 at Reception No. 99191619, a replat of Sonnet Springs at University Park, a replat of Lot 1, University Bluffs Filing No. 2 (the "Sonnet Springs Property")

Some or all of the remaining Sonnet Springs Property owned by Declarant was conveyed to Estate Multi-Family Homes LLC, a Colorado limited liability company by Warranty Deed recorded August 25, 2000, at Reception No. 200101208, in the real property records of El Paso County, Colorado and to others ("Sonnet Springs Owners").

A Declaration of Covenants, Conditions, Restrictions and Easements for University Park was recorded on January 15, 1998, at Reception No. 98805438 of the real property records of El Paso County, Colorado (the "UP Master Covenants"), and an Annexation Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements for University Park, a planned community, El Paso County, Colorado, was recorded on December 6, 1999, at Reception No. 099183827, in the real property records of El Paso County, Colorado, which annexed the Sonnet Springs Property and subjected it to the provisions of the UP Master Covenants (the "Annexation"). The UP Master Covenants and the Annexation are hereinafter collectively referred to as the "UP Master Declaration."

Pursuant to Section 9.4 of the Sonnet Springs Declaration, Declarant reserved the right to amend the Sonnet Springs Declaration for a period of seven years after the recordation of the Sonnet Springs Declaration.

Declarant, with the consent and acknowledgment of all of the Sonnet Springs Owners, desires to certify that the Property is subject to the terms and conditions of the UP Master Declaration.

J. Patrick Kelly El Paso Cty,CO 201048171 04/18/2001 09:12 Doc \$0.00 Page Rec \$15.00 1 of 3

NOW, THEREFORE, Declarant, with the consent and acknowledgment of the Sonnet Springs Owners, hereby certifies that all of the Property which is subject to the Sonnet Springs Declaration is additionally subject to the UP Master Declaration, as it may be subsequently amended from time to time; including, but not limited to those provisions which specifically provide for annual and special assessments for common area maintenance and improvements, and such other assessments as imposed by the University Park Homeowners Association, and to those provisions providing for lien rights upon the owners of each lot for non-payment of such assessments.

IN WITNESS WHEREOF, Declarant has executed this Certification of Declaration of Sonnet Springs, a Planned Community, dated as of _________, 2001.

"Declarant"

SONNET SPRINGS DEVELOPMENT, LLC, a Colorado limited liability company

By: Worther Al TI

Its: Manager

STATE OF COLORADO) ss.
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this 17th day of Development, LLC, a Colorado limited liability company.

My commission expires: 3.22-03

Witness my hand and official seal.

Notary Public

J. Patrick Kelly El Paso Cty, CO 04/18/2001 09:12 201048171 Doc \$0.00 Page Rec \$15.00 2 of 3

CONSENT AND ACKNOWLEDGMENT

"Sonnet Springs Owners"

ESTATE MULTI-FAMILY HOMES LLC,

a Colorado limited liability company

Its: Manager

[ADDITIONAL SONNET SPRINGS OWNERS SIGNATURES ON FOLLOWING PAGES]

J. Patrick Kelly El Paso Cty, CO 201048171 09:12

04/18/2001 Doc

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3 of \$15.00 Rec

J. Patrick Kelly El Paso Cty, CO 201053239 04/26/2001 03:41 201053239 Doc \$0.00 Page Rec \$10.00 1 of 2

RATIFICATION OF COVENANTS SONNET SPRINGS AT UNIVERSITY PARK FILING NO. 2

Whereas Sonnet Springs, LLC, a Colorado Limited Liability Company, using the name Fairfax Development Corp., has heretofore created the plat for SONNET SPRINGS AT UNIVERSITY PARK, which was recorded in the records of the El Paso County Clerk and Recorder on December 22, 1999 at Reception No. 9919619; and

10.00

Whereas Sonnet Springs, LLC, a Colorado Limited Liability Company, again using the name Fairfax Development Corp., did thereafter create the plat for SONNET SPRINGS AT UNIVERSITY PARK FILING NO. 2, which was recorded in the records of the El Paso County Clerk and Recorder on October 10, 2000 at Reception No. 200122762; and

Whereas Sonnet Springs, LLC has also recorded on October 4, 2000 at Reception No. 200119643 a "Declaration of Sonnet Springs, A Planned Community" which is intended to burden the entire Sonnet Springs project site, although specific annexations of the platted lots to said Declaration have not yet been recorded, and

Whereas Sonnet Springs, LLC had, prior to the recording of either the plat for FILING NO. 2 or the Declaration, conveyed Lots 15, 16, 17, 18, 19, 20, and 21 in SONNET SPRINGS AT UNIVERSITY PARK to Estate Multi-Family Homes, LLC, a Colorado Limited Liability Company, by a Warranty Deed recorded August 25, 2000 at Reception No. 200101208 of said El Paso County records; and

Whereas Estate Multi-Family Homes, LLC has agreed that said Lots 15, 16, 17, 18, 19, 20, 21, as well as Lots 22, 23, 24, and 25 in which it has an interest, all of which have been replatted in FILING NO.2, should be bound and encumbered by the aforementioned Declaration, as amended and supplemented, even though it was not of record prior to the time Estate Multi-Family Homes, LLC acquired its interest in said lots.



Description: El Paso, CO Document-Year. DocID 2001.53239 Page 1 of 2 Only

J. Patrick Kelly El Paso Cty, CO 201053239 04/26/2001 03:41 \$0.00 \$10.00 2 of

Now, therefore, the undersigned Estate Multi-Family Homes, LLC, does hereby ratify, approve, and adopt the aforementioned Declaration, and as hereafter amended and does agree that all of the lots mentioned above shall be subject to said Declaration and its amendments in all respects.

Dated this 23r day of April, 2001.

Estate Multi-Family Homes, LLC. a Colorado Limited Liability Company

State of Colorado)		
)ss		
County of El Paso)		
The foregoing instrument was acknowledged before me this day of April, 2001 by None of Estate Multi-Family Homes, LLC., a Colorado Limited Liability Company		
My Commission Expires	LISA KENYON NOTARY PUBLIC STATE OF COLORADO	
-	My Commission Expires Scot. 25 2001	
Witness my hand and official se	· · · · · · · · · · · · · · · · · · ·	
	Notary Rublic	

Description: El Paso,CO Document-Year.DocID 2001.53239 Page 2 of 2 Only

J. Patrick Kelly El Paso Cty, © 201053240 04/26/2001 03:41 \$0.00 Doc \$10.00



RATIFICATION OF COVENANTS SONNET SPRINGS AT UNIVERSITY PARK FILING NO. 2

. 7.

Whereas Sonnet Springs, LLC, a Colorado Limited Liability Company, using the name Fairfax Development Corp., has heretofore created the plat for SONNET SPRINGS AT UNIVERSITY PARK, which was recorded in the records of the El Paso County Clerk and Recorder on December 22, 1999 at Reception No. 9919619; and

10.00

Whereas Sonnet Springs, LLC, a Colorado Limited Liability Company, again using the name Fairfax Development Corp., did thereafter create the plat for SONNET SPRINGS AT UNIVERSITY PARK FILING NO. 2, which was recorded in the records of the El Paso County Clerk and Recorder on October 10, 2000 at Reception No. 200122762; and

Whereas Sonnet Springs, LLC has also recorded on October 4, 2000 at Reception No. 200119643 a "Declaration of Sonnet Springs, A Planned Community" which is intended to burden the entire Sonnet Springs project site, although specific annexations of the platted lots to said Declaration have not yet been recorded, and

Whereas Sonnet Springs, LLC had, prior to the recording of either the plat for FILING NO. 2 or the Declaration, conveyed Lots 15, 16, 17, 18, 19, 20, and 21 in SONNET SPRINGS AT UNIVERSITY PARK to Estate Multi-Family Homes, LLC, a Colorado Limited Liability Company, by a Warranty Deed recorded August 25, 2000 at Reception No. 200101208 of said El Paso County records; and

Whereas Estate Multi-Family Homes, LLC has executed eleven Deeds of Trust for the use and benefit of Classic Mortgage LLC, d/b/a Classic Capital Group encumbering said Lots 15, 16, 17, 18, 19, 20, 21, as well as Lots 22, 23, 24, and 25 in which it has an interest, all of which have been replatted in FILING NO.2. Said Deeds of Trust were recorded at Reception Nos. 200065124; 200065741; 200065737; 200065745; 200079368; 200079360; 200079364; 200124293; 200124238; 200124235; and 200124277 of said El Paso County records; and

Description: El Paso, CO Document-Year. DocID 2001.53240 Page: 1 of 2 Order: EO55667A02 Comment:



J. Patrick Kelly El Paso Cty, CO 04/26/2001 03:41 201053240 Doo \$0.00 Page Rec \$10.00 2 of 2

Whereas Classic Mortgage LLC, d/b/a Classic Capital Group has agreed that all of the lots encumbered by the aforementioned eleven Deeds of Trust should be bound and burdened by the aforementioned Declaration, as amended and supplemented, even though it was not of record prior to the times Classic Mortgage, LLC d/b/a Classic Capital Group acquired its various security interests in said lots.

Now, therefore, the undersigned Classic Mortgage, LLC d/b/a Classic Capital Group does hereby ratify, approve, and adopt the aforementioned Declaration, and as hereafter amended and does agree that all of the lots mentioned above shall be subject to said Declaration and its amendments in all respects.

Dated this 23rd day of April, 2001.

Classic Mortgage LLC, d/b/a Classic Capital Group

State of Colorado)

(State of Colorado)

(State of Colorado)

(State of Colorado)

The foregoing instrument was acknowledged before me this 23 day of April, 2001 by Linn Provost as Director of Classic Mortgage LLC, d/b/a Classic Capital Group.

My Commission Expires 11/20/2003

Witness my hand and official seal:

Description: El Paso, CO Document-Year. DocID 2001.53240 Page: 2 of 2

Order: EO55667A02 Comment:

Notary Public

J. Patrick Kelly El Paso Cty,CO 04/30/2001 12:41 201054327 Doc \$0.00 Page Rec \$10.00 1 of 2

RATIFICATION OF COVENANTS SONNET SPRINGS AT UNIVERSITY PARK FILING NO. 2

Whereas Sonnet Springs, LLC, a Colorado Limited Liability Company, using the name Fairfax Development Corp., has heretofore created the plat for SONNET SPRINGS AT UNIVERSITY PARK, which was recorded in the records of the El Paso County Clerk and Recorder on December 22, 1999 at Reception No. 9919619; and

Whereas Sonnet Springs, LLC, a Colorado Limited Liability Company, again using the name Fairfax Development Corp., did thereafter create the plat for SONNET SPRINGS AT UNIVERSITY PARK FILING NO. 2, which was recorded in the records of the El Paso County Clerk and Recorder on October 10, 2000 at Reception No. 200122762; and

10.0E

Whereas Sonnet Springs, LLC has also recorded on October 4, 2000 at Reception No. 200119643 a "Declaration of Sonnet Springs, A Planned Community" which is intended to burden the entire Sonnet Springs project site, although specific annexations of the platted lots to said Declaration have not yet been recorded, and

Whereas Sonnet Springs, LLC had, prior to the recording of any of the aforementioned instruments conveyed a security interest in the property affected thereby to Classic Mortgage, LLC, d/b/a Encore Funding by a Deed of Trust recorded December 6, 1999 at Reception No. 99183829 of said El Paso County records; and

Whereas Classic Mortgage, LLC, d/b/a Encore Funding did thereafter assign its interest in said Deed of Trust to Fidelity Bank by an instrument recorded February 14, 2000 at Reception No. 200015325, and re-recorded February 24, 2000 at Reception No. 200018659 of said El Paso County records; and

Whereas Fidelity Bank has agreed that all of the property encumbered by said Deed of Trust, all of which has been replatted as SONNET SPRINGS AT UNIVERSITY PARK FILING NO.2, should be bound and

Description: El Paso,CO Document-Year.DocID 2001.54327 Page: 1 of 2 Order: EO55667A02 Comment:

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J. Patrick Kelly El Paso Cty,CO 201054327 04/30/2001 12:41 201054327 Doc \$0.00 Page Rec \$10.00 2 of 2

encumbered by the aforementioned Declaration, as amended and supplemented, even though it was not of record prior to the time Fidelity Bank acquired its interest in said property.

Now, therefore, the undersigned Fidelity Bank does hereby ratify, approve, and adopt the aforementioned Declaration, and as hereafter amended and does agree that all of the encumbered property shall be subject to said Declaration and its amendments in all respects.

Dated this 27kh day of April, 2001.

Fidelity Bank

Vice Acciden

State of Colorado)
SedQuick)se
County of El Paso)

The foregoing instrument was acknowledged before me this day of April, 200 by Troy Huttow as Uncertainty Fidelity Bank.

My Commission Expires 12-27-01

Witness my hand and official seal:

NETARY PUBLIC - State of Kansas
CLAUDIA D. LANDERS
My Appt. Exp. Dec. 27, 2001

Audia Odardeno Notary Public

Description: El Paso, CO Document-Year. DocID 2001.54327 Page: 2 of 2 Order: EO55667A02 Comment:

Hecetved: 4/23/01 9:57M]

SUPPLEMENTAL DECLARATION

FOR

SONNET SPRINGS

THIS SUPPLEMENTAL DECLARATION is made the date set forth below by Sonnet Springs, LLC, a Colorado limited liability company, with an address of 5482 Tomah Drive, Colorado Springs, CO 80918 ("Declarant").

RECITALS

A. Declarant has executed that certain Declaration of Sonnet Springs ("Declaration"), which Declaration has been recorded in the records in the Office of the Clerk and Recorder of the County of El Paso, State of Colorado.

15.00

- B. Article 7 of the Declaration provides enlargement, expansion and other reserved rights of the Declarant.
- C. Exhibit C of the Declaration provides the legal description of property which Declarant may annex to Sonnet Springs ("Annexable Property").
- D. The undersigned Declarant desires to annex a portion of the Annexable Property to Sonnet Springs pursuant to Article 7 of the Declaration and desires to establish initial Units.

The undersigned hereby declares as follows:

- 1. Annexation of Property. Pursuant to Article 7 of the Declaration, the property described in Exhibit A attached hereto and incorporated herein by this reference, being a portion of the Annexable Property, is annexed to Sonnet Springs and is made a part of the "Real Estate." The property described in Exhibit A shall hereafter be held, sold, conveyed, encumbered, leased, rented, occupied and improved subject to the terms and provisions of the Declaration.
- Number of Units/Allocated Interests. The Declarant hereby establishes initial Units within the Community, which Units are identified in the Plat recorded October 10, 2000, at Reception No. 200122762, which Plat also describes and includes the property described in Exhibit A. Immediately upon the recording of this Supplemental Declaration, the number of initial Units and their allocated interests shall be as set forth in the Declaration, as amended and supplemented of record.
- 3. <u>Definitions</u>. Unless otherwise defined herein, initially capitalized terms defined in the Declaration shall have the same meaning herein.

J. Patrick Kelly El Paso Cty,CO 201053234 04/26/2001 03:41 - Doc \$0.00 Page Rec \$15.00 1 of 3

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Description: El Paso,CO Document-Year.DocID 2001.53234 Page: 1 of 3



IN WITNESS WHEREOF, the undersigned Declarant has hereunto set its hand and seal.

SONNET SPRINGS, LLC, a Colorado limited liability company

STATE OF COLORAL

The foregoing Declaration was acknowledged before me by Wortham Ashcroft, Manager of Sonnet Springs, LLC, a Colorado limited liability company, on this 23 day of

Witness my hand and official seal.

My commission expires:

STEPHANIE McCLOY

Notary Public

J. Patrick Kelly El Paso Cty, CO 201053234

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WACLIENT Fairfax cic Sonnet Springe Supplemental Declaration, Phase L. wpd April 20, 2001

Description: El Paso,CO Document-Year.DocID 2001.53234 Page: 2 of 3

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY ANNEXED HEREBY

Lots 15 through 25, inclusive, SONNET SPRINGS AT UNIVERSITY PARK, Filing No. 2, in the City of Colorado Springs, El Paso County, Colorado, according to the plat thereof recorded October 10, 2000, at Reception No. 200122762.

Subject to the terms, conditions, obligations and provisions of the documents and exceptions to title of record, including the following:

- 1. Agreement dated July 12, 1997 and recorded August 22, 1997 at Reception No. 97097798.
- Declaration recorded January 15, 1998 at Reception No. 98005438.
- 3. Instrument recorded December 6, 1999 at Reception No. 99183827.
- 4. Notes on the recorded subdivision plat.
- 5. Other documents of record.

J. Patrick Kelly El Paso Cty, CO 201053234 04/26/2001 03:41

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W:VCLIENT/Fairfax cic/Sonaet Springs/Supplemental Declaration, Phase 1.wpd

SUPPLEMENTAL DECLARATION

FOR

SONNET SPRINGS

THIS SUPPLEMENTAL DECLARATION is made the date set forth below by Sonnet Springs, LLC, a Colorado limited Liability Company, with an address of 6455 N. Union Blvd. Suite 204, Colorado Springs, Co. 80918 ("Declarant").

RECITALS

20.00

- A. Declarant has executed that certain Declaration of Sonnet Springs ("Declaration"), Which Declaration has been recorded in the records in the Office of the Clerk and Recorder of the County of El Paso, State of Colorado.
- B. Article 7 of the Declaration provides enlargement, expansion and other reserved rights of the Declarant.
- C. Exhibit C of the Declaration provides the legal description of property which Declarant may annex to Sonnet Springs ("Annexable Property").
- D. The undersigned Declarant desires to annex a portion of the Annexable Property to Sonnet Springs pursuant to Article 7 of the Declaration and desires to establish initial Units.

The undersigned hereby declares as follows:

- 1. Annexation of Property. Pursuant to Article 7 of the Declaration, the property described in Exhibit A attached hereto and incorporated herein by this reference, being a portion of the Annexable Property is annexed to Sonnet Springs and is made a part of the "Real Estate." The Property described in Exhibit A shall hereafter be held, sold, conveyed, encumbered, leased, rented, occupied and improved subject to the terms and provisions of the Declaration.
- 2. Number of Units/Allocated Interests. The Declarant hereby establishes initial Units Within the Community, which Units are identified in the plat recorded October 10, 2000, at reception No. 200122762, which plat also describes and includes the property described in Exhibit A. Immediately upon the recording of this Supplemental Declaration, the number of initial Units and their allocated interests shall be as set forth in the Declaration, as amended and supplemented of record.
- 3. <u>Definitions.</u> Unless otherwise defined herein, initially capitalized terms defined in the Declaration shall have the same meaning herein.

J. Patrick Kelly El Paso Cty, CO 2026449

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IN WITNESS WHEREOF, the undersigned Declarant has hereunto set its hand and seal.

SONNET SPRINGS, LLC,

A Colorado limited liability company

By: Ronald J. Covington, Manager

STATE OF COLORADO)
COUNTY OF THE)ss.
COUNTY OF COUNTY)

The foregoing Declaration was acknowledged before me by Ronald J. Covington, Manager of Sonnet Springs, LLC, a Colorado limited liability company, on this 1 He day of 100 May 20 2

Witness my hand and official seal.

My commission expires:

Motary Public

J. Patrick Kelly El Paso Cty, © 202026449 02/15/2002 08:35

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EXHIBIT A

LEGAL DESCRIPTION OF PROERTY ANNEXED HEREBY

Lots 1 through 14, inclusive, SONNET SPRINGS AT UNIVERSITY PARK, Filling No. 2, in the City of Colorado Springs, El Paso County, Colorado, according to the plat thereof recorded October 10, 200, at Reception No. 200122762.

Subject to the terms, conditions, obligations and provisions of the documents and exceptions to title Of record, including the following:

- 1. Agreement dated July 12, 1997 and recorded August 22, 1997 at Reception No.97097798.
- 2. Declaration recorded January 15, 1998 at Reception No.98005438
- 3. Instrument recorded December 6, 1999 at Reception No.99183827.
- 4. Notes on the recorded subdivision plat.
- 5. Other documents of record.

J. Patrick Kelly El Paso Cty, CO 202026449 02/15/2002 08:35 Doc \$0.00 Page Rec \$20.00 3 of 4

RATIFICATION OF SUPPLEMENTAL DECLARATION

FOR

SONNET SPRINGS

Estate Multi-Ramily Homes, L.L.C.

The undersigned Estate Multi-Family Homes, LLC, a Colorado Limited Liability Company, being the actual record owner of all the lots included within Exhibit A, attached to this instrument, do hereby ratify, affirm and approve the annexation of said lots to the Declaration of Sonnet Springs, a Planned Community recorded October 4, 2000 at Reception No. 200119643 of the records of the El Paso County Clerk and Recorder.

a Colorado Limited Liability Company
- Sal Hard
by Ronald J. Covington, Manager
STATE OF COLORADO)
COUNTY OF EL PASO) \
The foregoing instrument was acknowledged before me this //// day of February,
2002 by Ronald J. Covington as Manager of Estate Multi-Family Homes, LLC, a Colorado Limited Liability Company.
Colorado Ellinted Elabinty Company.
Witness my hand and Official Seal:
My Commission expires 18 7000. Notary Public ?
(Particular of the Control of the Co
ASHLEY L. BUSH NOTARY PUBLIC
TATE OF COLORADO
My Commission Expires 05-08-2002

02/15/2002

\$0.00 \$20.00

J. Patrick Kelly El Paso Cty, © 202026449

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12/06/1999 04:06 099183827
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Rec \$25.00 1 of 5

ANNEXATION AMENDMENT TO DECLARATION OF

COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR

UNIVERSITY PARK a planned community

EL PASO COUNTY, COLORADO

(Sonnet Springs at University Park)



This Annexation Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for University Park is made as of Nov 29, 1999 by Pulpit Rock Investments, LLC, a Colorado limited liability company ("Declarant"), with the consent of Jeffrey B Smith ("Smith"), as the owner of the Annexed Property (as defined herein).

WHEREAS, a Declaration of Covenants, Conditions, Restrictions and Easements for University Park was recorded on January 15, 1998 at Reception No. 98005438 of the real property records of El Paso County, Colorado, and subsequently amended (collectively, the "Declaration");

WHEREAS, pursuant to Section 8.8 of the Declaration, the Declarant has the right to annex additional property within the property which is subject to the Declaration without the consent of the individual homeowners;

WHEREAS, the real property described as Sonnet Springs at University Park, as reflected on the plat thereof recorded on See Exhibit A) at Reception No. ______ of the real property records of El Paso County, Colorado (hereinafter called the "Annexed Property") is a portion of the real property described on Exhibit "B" of the Declaration as the Expansion Property;

WHEREAS, Declarant, as Declarant under the Declaration, with the consent of Smith, as the owner of the Annexed Property, desires to submit the Annexed Property to the terms and conditions of the Declaration;

NOW THEREFORE, Declarant, as the Declarant under the Declaration, with the consent of Smith, as the owner of the Annexed Property; hereby declares that the Annexed Property shall be held, sold, used, improved, occupied, owned, resided upon, hypothecated and conveyed subject to the easements, restrictions, covenants, provisions and conditions of the Declaration, as the same may hereafter be amended, all of which are for the purpose of enhancing and protecting the desirability and attractiveness of the Annexed Property and the Community Area (as such term is defined in the Declaration) and all of which shall run with the land and be binding upon all parties having any right, title or interest in the Annexed Property or any part thereof, their heirs, successor and assigns, and which shall inure to the benefit of each such Owner thereof.

G 'COMMONCLIENTILICFICL'ELITE\UNIVERSICOVENANTANNEXATIISONNET2.ANN

Page 1



J. Patrick Kelly El Paso Cty,CO 099183827 12/06/1999 04:06 Doc \$0.00 Rec \$25.00 2 of

Based upon the rights reserved to Declarant in Section 5.4 of the Declaration, Declarant hereby allocates to each Dwelling Unit to be constructed within the Annexed Property, a vote equal to one half of one vote assigned to each Lot used for single family detached residential. Similarly, the assessments provided in Section 9.6 of the Declaration shall be based upon the above-described allocation of votes to each Dwelling Unit contained within the Annexed Property.

Declarant, as the Declarant under the Declaration, with the consent of Smith as the owner of the Annexed Property, hereby further declares that, except as expressly provided above, the definitions, easements, restrictions, covenants, provisions and conditions of the Declaration, as the same has been amended, shall apply equally and alike to all Owners of Lots (as such terms are defined in the Declaration), whether located in the Annexed Property or the real property originally submitted by the Declaration. For example, "Community Area," as that term is defined in Section 2.7 of the Declaration, shall hereafter include the Annexed Property annexed into the Declaration pursuant to the terms of this Annexation Amendment, as well as the Community Area originally encumbered by the Declaration. It is hereby acknowledged that any area within the Annexed Property which is identified by the owners of the Annexed Property and not by the Declarant, as common area solely for use by the owners of the Annexed Property, shall not constitute Association Property as defined in Section 2.5 of the Declaration.

This Annexation Amendment shall be effective upon the execution and recording hereof and the terms and conditions hereof shall be binding upon any subsequent Owner of the Annexed Property.

IN WITNESS WHEREOF, the undersigned has executed this Annexation Amendment as of the date and year first above written.

> Pulpit Rock Investments, LLC, a Colorado limited liability company

By: Elite Properties of America, Inc., a Colorado corporation, as manager

ATTEST

By:

(ts:

By: ¿

Its:

CONSENT

Jeffrey B. Smith

3 COMMONCLIENTFLICFICLIELITE/UNIVERSINGOVENANT/ANNE/CATI/SONNET3.ANN

Page 2

STATE OF <u>Colorade</u>) SS. COUNTY OF <u>El Riso</u>)	
The foregoing instrument was acknown 1999, by Deuglas M. Stimple. Properties of America, Inc., a Colorado co LLC, a Colorado limited liability company.	wledged before me this 293 day of November, as <u>E.V. P.</u> as <u>of Elite</u> orporation, as Manager of Pulpit Rock Investments,
Witness my hand and official seal.	
COUNTY OF E1 Paso	Cruzine & Wisi Notary Public
The foregoing instrument was acknown 1999, by Jeffrey B. Smith . Witness my hand and official seal.	wledged before me this 29th day of November,
My Commission Expires: My Commissi	on Expires
(SEAT) HRISTING NOTARY TO COLORNO	<u>Christine B. Wise</u> Notary Public

CONSENT OF DEPARTMENT OF VETERANS AFFAIRS

The Department of Veterans Affairs hereby consents to the foregoing Annexation Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for University Park annexing Sonnet Springs at University Park, El Paso County, Colorado. IN WITNESS WHEREOF, the undersigned has executed this document on this _____ day DEPARTMENT OF VETERANS AFFAIRS By: Its: STATE OF COLORADO) ss. COUNTY OF _____ The foregoing instrument was acknowledged before me this _____ day of _____, 1999, by _____ of the Department of Veterans Affairs. Witness my hand and official seal. My commission expires: (SEAL) Notary Public J. Patrick Kelly El Paso Cty, CO 099183827 12/06/1999 04:06 Doc \$0.00 Page 4 of \$25.00 Rec

EXHIBIT A

Said SONNET SPRINGS AT UNIVERSITY PARK is currently described as follows:

Lot 1, in UNIVERSITY BLUFFS FILING NO. 2, in the City of Colorado Springs, El Paso County, Colorado, according to the plat thereof recorded October 31, 199. at Reception No. 97128447.

> J. Patrick Kelly El Paso Cty, CO 099183827 04:06 12/06/1999 \$0.00 Page Doc 5 of \$25.00

Description: El Paso, CO Document-Year. DocID 1999.183827 Selection from page 5 Order: COVENANTS FOR SONNET SPRING Comment:

Rec