



FOURTEENTH SUPPLEMENTAL
D E C L A R A T I O N
OF
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR

PINE CREEK VILLAGE AT BRIARGATE

(Pine Creek Subdivision Filing No. 16A,
Pine Creek Subdivision Filing No. 26A
and
Pine Creek Subdivision Filing No. 29A)

THIS FOURTEENTH SUPPLEMENTAL DECLARATION is made this 8th day of August, 2002 by LP47, LLC, a Colorado limited liability company ("Declarant"), and amends and modifies the Declaration of Covenants, Conditions and Restrictions for Pine Creek Village at Briargate recorded November 12, 1998 under Reception No. 098165891, records of El Paso County, Colorado (the "Declaration"). The Declaration was amended by a First Supplemental Declaration of Covenants, Conditions, Restrictions and Easements for Pine Creek Village at Briargate (Pine Creek Subdivision Filing No. 5, 6 and 8) recorded January 19, 1999 under Reception No. 099008412 (the "First Supplement"), by a First Amendment to Declaration of Covenants, Conditions and Restrictions for Pine Creek Village at Briargate recorded February 24, 1999 under Reception No. 099028649 (the "First Amendment"), by a Second Supplemental Declaration of Covenants, Conditions, Restrictions and Easements for Pine Creek Village at Briargate (Pine Creek Subdivision Filing Nos. 11, 12 and 13) recorded April 19, 1999 under Reception No. 099059798 (the "Second Supplement"), by a Second Amendment to Declaration of Covenants, Conditions and Restrictions for Pine Creek Village at Briargate recorded July 22, 1999 under Reception No. 099117452 (the "Second Amendment"), by a Third Supplemental Declaration of Covenants, Conditions, Restrictions and Easements for Pine Creek Village at Briargate (Pine Creek Subdivision Filing No. 25) recorded July 23, 1999 under Reception No. 099117970 (the "Third Supplement"), by a Third Amendment to Declaration of Covenants, Conditions and Restrictions for Pine Creek Village at Briargate recorded September 21, 1999 under Reception No. 099148556 (the "Third Amendment"), by a Fourth Supplemental Declaration of Covenants, Conditions and Restrictions for Pine Creek at Briargate (Pine Creek Subdivision Filing No. 3A, Pine Creek Subdivision Filing No. 3B, Pine Creek Subdivision Filing No. 5A

08/14/2002 02:13

202134779

Doc \$0.00 Page

Rec \$80.00 2 of 46

and Lots 1 and 2 in Pine Creek Subdivision Filing No. 8) recorded October 15, 1999 under Reception No. 099160935 (the "Fourth Supplement"), by a Fifth Supplemental Declaration of Covenants, Conditions, Restrictions and Easements for Pine Creek Village at Briargate (Pine Creek Subdivision Filing No. 15) recorded March 14, 2000 under Reception No. 200026219 (the "Fifth Supplement"), by a Sixth Supplemental Declaration of Covenants, Conditions, Restrictions and Easements for Pine Creek Village at Briargate (Pine Creek Subdivision Filing No. 9) recorded July 13, 2000 under Reception No. 200081388 (the "Sixth Supplement"), by a Seventh Supplemental Declaration of Covenants, Conditions, Restrictions and Easements for Pine Creek Village at Briargate (Pine Creek Subdivision Filing No. 14) recorded January 26, 2001 under Reception No. 201009467 (the "Seventh Supplement"), by an Eighth Supplemental Declaration of Covenants, Conditions, Restrictions and Easements for Pine Creek Village at Briargate (Pine Creek Subdivision Filing No. 26) recorded April 30, 2001 under Reception No. 201054608 and rerecorded on May 16, 2001 under Reception No. 201064303 (the "Eighth Supplement"), by a Ninth Supplemental Declaration of Covenants, Conditions, Restrictions and Easements for Pine Creek Village at Briargate (Pine Creek Subdivision Filing No. 28) recorded September 19, 2001 under Reception No. 201136557 (the "Ninth Supplement"), by a Tenth Supplemental Declaration of Covenants, Conditions, Restrictions and Easements for Pine Creek Village at Briargate (A Replat of a Portion of Pine Creek Subdivision Filing Nos. 9, 14 and 26) recorded May 16, 2002 under Reception No. 202080262 (the "Tenth Supplement"), by an Eleventh Supplemental Declaration of Covenants, Conditions, Restrictions and Easements for Pine Creek Village at Briargate (Pine Creek Subdivision Filing No. 24, Pine Creek Subdivision Filing No. 32 and Pine Creek Subdivision Filing No. 33) recorded June 4, 2002 under Reception No. 202090231 (the "Eleventh Supplement"), by a Twelfth Supplemental Declaration of Covenants, Conditions, Restrictions and Easements for Pine Creek Village at Briargate (Pine Creek Subdivision Filing No. 29) recorded July 23, 2002 under Reception No. 202119163 (the "Twelfth Supplement"), and by a Thirteenth Supplemental Declaration of Covenants, Conditions, Restrictions and Easements for Pine Creek Village at Briargate (Pine Creek Subdivision Filing No. 16 and Pine Creek Subdivision Filing No. 17) recorded August 1, 2002 under Reception No. 202125600, all in the real property records of El Paso County, Colorado. The Declaration and all subsequent Amendments and Supplemental Declarations are collectively referred to as the "Declaration."

Declarant is the owner of that certain real property within Pine Creek Subdivision Filing No. 26A described as Tract B ("Tract B"), in the City of Colorado Springs, County of El Paso and State of Colorado. Tract B is within the "Additional Property," as defined in the Declaration.

Declarant has the right, power and authority to amend the Declaration as provided herein. Certain portions of the Properties have been replatted and amended by replats in order to adjust the boundary lines of certain Units within the Properties. The portions of the Properties affected by these replats are described on Exhibit A attached hereto ("Pine Creek No. 16A", "Pine Creek No. 26A" and "Pine Creek No. 29A", respectively). The real property within Pine Creek No. 16A, Pine Creek No. 26A and Pine Creek No. 29A were previously added to the Declaration by Supplemental Declarations as provided above, and are currently subject to the provisions of the Declaration. The purpose of this Fourteenth Supplemental Declaration is to extend the Declaration to Tract B in Pine Creek Subdivision Filing No. 26A and make Tract B in Pine Creek Subdivision Filing No. 26A subject to the provisions of the Declaration, and to redesignate the Units and Common Areas within the Properties in Pine Creek No. 16A, Pine Creek No. 26A and Pine Creek No. 29A and to identify those boundary line adjustments. Accordingly, Declarant hereby amends the Declaration and the Plat (as defined in paragraph 3 below) as follows:

1. Addition of Tract B. Pursuant to Section 7.1 of the Declaration, Declarant hereby adds all of Tract B in Pine Creek No. 26A to the "Properties," as defined and described in the Declaration. All of the terms, conditions and provisions of the Declaration shall apply to and be binding upon Tract B, and Tract B shall be subject to all of the terms, conditions and provisions of the Declaration.

2. Units and Common Areas. The Units and Common Areas identified in the Declaration that are hereby redesignated are as follows:

<u>Units and Common Areas Previously Designated As :</u>	<u>Units and Common Areas Being Redesignated As:</u>	<u>Reason For Redesignation</u>
Lot 1 and Tract C, Pine Creek Sub-division No. 16	Lot 1 and Tract A, Pine Creek Sub-division No. 16A	Lot line adjustment
Lots 35, 36 and 37, Pine Creek Sub-division No. 26	Lots 1, 2 and 3 and Tract A, Pine Creek Subdivision No. 26A	Lot line adjustment

<u>Units and Common Areas Previously Designated As :</u>	<u>Units and Common Areas Being Redesignated As:</u>	<u>Reason For Redesignation</u>
Lot 86 and Tract M, Pine Creek Sub-division No. 29	Lot 1 and Tract A, Pine Creek Sub-division No. 29A	Lot line adjustment

3. Fourteenth Supplemental Plat. Declarant hereby adopts and implements the Fourteenth Supplemental Plat for Pine Creek Village at Briargate (Pine Creek Subdivision Filing No. 16A, Pine Creek Subdivision Filing No. 26A and Pine Creek Subdivision Filing No. 29A) attached hereto as Exhibit B (referred to herein as the "Fourteenth Supplemental Plat") pursuant to its rights, power and authority set forth in the Declaration and in accordance with the Colorado Common Interest Ownership Act. The Fourteenth Supplemental Plat shows Pine Creek No. 16A, Pine Creek No. 26A and Pine Creek No. 29A and modifies the Plat of Pine Creek Village at Briargate, which is part of and is attached to the Declaration as Exhibit D (the "Plat") and was recorded with the Declaration, to show the redesignated Units as set forth above in paragraph 2.

4. Units and Common Properties. Each of the platted lots identified as Lot 1 in Pine Creek Subdivision Filing No. 16A, Lots 1, 2 and 3 in Pine Creek Subdivision Filing No. 26A and Lot 1 in Pine Creek Subdivision Filing No. 29A on the Fourteenth Supplemental Plat is a "Unit" for all purposes of the Declaration. Tract A in Pine Creek Subdivision Filing No. 16A, Tracts A and B in Pine Creek Subdivision Filing No. 26A and Tract A in Pine Creek Subdivision Filing No. 29A, as shown on the Fourteenth Supplemental Plat, are "Common Area" for all purposes of the Declaration.

5. Definitions. Any capitalized phrase, term or word used in this Fourteenth Supplemental Declaration or in the Fourteenth Supplemental Plat that is not otherwise expressly defined in this Fourteenth Supplemental Declaration or the Fourteenth Supplemental Plat shall have the meaning set forth in Article 1 of the Declaration, unless the context requires otherwise.

Exhibit A

Lot 1 and Tract A all in Pine Creek Subdivision Filing No. 16A, Lots 1, 2 and 3 and Tracts A and B all in Pine Creek Subdivision Filing No. 26A and Lot 1 and Tract A all in Pine Creek Subdivision Filing No. 29A, in the City of Colorado Springs, County of El Paso and State of Colorado.

J. Patrick Kelly El Paso Cty, CO

08/14/2002 02:13

Doc \$0.00 Page

Rec \$80.00 6 of 46

202134779