

**NOTICE OF POTENTIAL LIEN
IN FAVOR OF PINE CREEK VILLAGE ASSOCIATION, INC.**

WHEREAS, on November 12, 1998, a certain "Declaration of Covenants, Conditions and Restrictions for Pine Creek Village at Briargate" ("Declaration") was recorded in the records of the El Paso County Clerk and Recorder at Reception No. 098165891, subjecting the property described therein ("Properties") to provisions of said Declaration; and

WHEREAS, the Declaration is binding on all parties having any right, title, or interest in any portion of the Properties; and

WHEREAS, the Pine Creek Village Association, Inc. ("Association") is established by the provisions of the Declaration as a nonprofit corporation to fulfill obligations as set forth therein; and

WHEREAS, the Declaration provides for adoption of "Community Guidelines" which are a part of the Governing Documents and bind the Properties; and

WHEREAS, Community Guidelines have been adopted and provide that, unless the builder of a residence on a Unit within the Properties has completed landscaping prior to transfer of the Unit to its first non-builder homeowner, a landscape deposit based upon the value of the Unit must be paid to the Association at the time of closing.

NOW, THEREFORE, as a result of certain Units within the Properties being transferred to first time homeowners without a landscape deposit being paid to the Association, the Association hereby gives notice to the initial homeowner purchaser of Units within the Properties and to their lenders as follows:

PLEASE TAKE NOTICE that the Pine Creek Village Association, Inc. claims a lien for a landscaping deposit, unless paid at the time of closing or unless landscaping is complete prior to closing, against any Unit, which is transferred to the initial homeowner, within the Properties identified in the Declaration, recorded at Reception No. 098165891, of the El Paso County Records. Said lien shall be effective as of the filing of this notice and shall be superior to any other lien, including first mortgages or deeds of trust.

Executed this _____ day of February, 2002.