



**SEVENTH 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. 14  
and**

**Lot 9 in Pine Creek Village Center Filing No. 2)**

<sup>15<sup>th</sup></sup> THIS SEVENTH SUPPLEMENTAL DECLARATION is made this day of January, 2001 by LP47, LLC, a Colorado limited liability company ("Declarant"), and by Pine Creek Village Association, Inc., a Colorado nonprofit corporation ("Owner"), 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 and Lots 1 and 2 in Pine Creek Subdivision Filing No. 8) recorded

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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"), and 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"), records of El Paso County, Colorado. The Declaration and all subsequent Amendments and Supplemental Declarations are collectively referred to as the "Declaration."

Declarant owns that certain real property within Pine Creek Subdivision Filing No. 14 as described on Exhibit A attached hereto ("Pine Creek No. 14"). Owner is the owner of Lot 9 in Pine Creek Village Center Filing No. 2 ("Lot 9, PCVC2") as described on Exhibit A attached hereto. Lot 9, PCVC2 and Pine Creek No. 14 are within the "Additional Property," as defined in the Declaration.

Pursuant to the Declaration, Declarant has the right, power and authority to amend the Declaration as provided herein. The purpose of this Seventh Supplemental Declaration is to extend the Declaration to Lot 9, PCVC2 and Pine Creek No. 14 and make Lot 9, PCVC2 and Pine Creek No. 14 subject to the provisions of the Declaration. Accordingly, Declarant hereby amends the Declaration as follows:

1. Addition of Lot 9, PCVC2 and Pine Creek No. 14. Pursuant to Section 7.1 of the Declaration, Declarant hereby adds all of Lot 9, PCVC2 and Pine Creek No. 14 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 Lot 9, PCVC2 and Pine Creek No. 14, and Lot 9, PCVC2 and Pine Creek No. 14 shall be subject to all of the terms, conditions and provisions of the Declaration.

2. Seventh Supplemental Plat. Declarant hereby adopts and implements the Seventh Supplemental Plat for Pine Creek Village at Briargate (Pine Creek Filing No. 14 and Lot 9 in Pine Creek Village Center Filing No. 2) attached hereto as Exhibit B (referred to herein as the "Seventh 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 Seventh Supplemental Plat shows Lot 9, PCVC2 and Pine Creek No. 14 and modifies the Plat of Pine Creek Village at Briargate, which is part of and is attached to the

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Declaration as Exhibit D (the "Plat") and was recorded with the Declaration.

3. Units and Common Properties. Each of the platted lots identified as Lots 1 through 59, inclusive, in Pine Creek Subdivision Filing No. 14 on the Seventh Supplemental Plat is a "Unit" for all purposes of the Declaration. Tract A and Tract B in Pine Creek Subdivision Filing No. 14 and Lot 9 in Pine Creek Village Center Filing No. 2, all as shown on the Seventh Supplemental Plat, are "Common Areas" for all purposes of the Declaration.

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

IN WITNESS WHEREOF, the undersigned has signed this Seventh Supplemental Declaration this 15th day of January, 2001.

**DECLARANT:**

LP47, LLC, a Colorado limited liability company, doing business as La Plata Investments

By [Signature]  
Scott E. Smith, Manager

**OWNER:**

PINE CREEK VILLAGE ASSOCIATION, INC., a Colorado nonprofit corporation

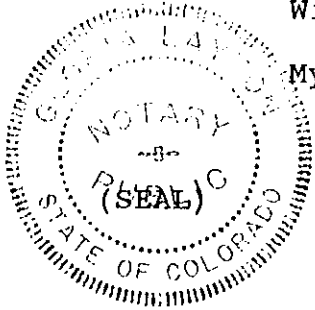
By [Signature]  
John T. Gray, President

STATE OF COLORADO )  
 ) ss.  
COUNTY OF EL PASO )

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of January, 2001 by Scott E. Smith as Manager of LP47, LLC, a Colorado limited liability company, doing business as La Plata Investments.

Witness my hand and official seal.

My commission expires: 9-13-2004



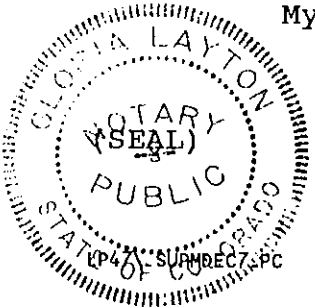
Gloria Layton  
Notary Public

STATE OF COLORADO )  
 ) ss.  
COUNTY OF EL PASO )

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of January, 2001 by John T. Gray as President of Pine Creek Village Association, Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.

My commission expires: 9-13-2004



Gloria Layton  
Notary Public

**Exhibit A**

Lots 1 through 59, inclusive, Tract A and Tract B, all in Pine Creek Subdivision Filing No. 14; and

Lot 9 in Pine Creek Village Center Filing No. 2, all in the City of Colorado Springs, County of El Paso and State of Colorado.

J. Patrick Kelly El Paso Cty., CO 201009467  
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