



FOURTH SUPPLEMENTAL

D E C L A R A T I O N

OF

COVENANTS, CONDITIONS AND RESTRICTIONS

FOR

PINE CREEK VILLAGE 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)**

12th THIS FOURTH SUPPLEMENTAL DECLARATION is made this day of October, 1999 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, 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, and 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, records of El Paso County, Colorado. The Declaration and all subsequent Amendments and Supplemental Declarations are collectively referred to as the "Declaration."

Pursuant to Section 7.1 of 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 and a land survey plat in order

to adjust the boundary lines of certain Units within the Properties. The portions of the Properties affected by these replats and boundary adjustments are described on Exhibit A attached hereto ("Pine Creek No. 3A", "Pine Creek No. 3B", "Pine Creek No. 5A" and "Lots 1 and 2 in Pine Creek No. 8", respectively). The real property within Pine Creek No. 3A, Pine Creek No. 3B, Pine Creek No. 5A and Lots 1 and 2 in Pine Creek No. 8 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 Fourth Supplemental Declaration is to redesignate the Units and Common Areas within the Properties in Pine Creek No. 3A, Pine Creek No. 3B, Pine Creek No. 5A and Lots 1 and 2 in Pine Creek No. 8, and to identify those boundary line adjustments. Accordingly, Declarant hereby amends the Declaration and the Plat (as defined in paragraph 2 below) as follows:

1. 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>
Lots 5 and 6, Pine Creek Subdivision Filing No. 3	Lots 1 and 2 and Tract A, Pine Creek Subdivision Filing No. 3A	Lot line adjustment
Lots 16 and 19, Pine Creek Subdivision Filing No. 3	Lots 1 and 2, Pine Creek Subdivision Filing No. 3B	Lot line adjustment
Lot 11 and Tract A, Pine Creek Subdivision Filing No. 5	Lot 11 and Tract A, Pine Creek Subdivision Filing No. 5A	Lot line adjustment
Lots 15, 16, 17 and 18 Pine Creek Subdivision Filing No. 5	Lots 15, 16, 17 and 18 Pine Creek Subdivision Filing No. 5A	Lot line adjustment
Lots 1 and 2, Pine Creek Subdivision Filing No. 8	Lots 1 and 2, Pine Creek Subdivision Filing No. 8, as shown on the Land Survey Plat recorded April 30, 1999 under Reception NO. 99900160, records of El Paso County, CO	Lot line adjustment

Each of the platted lots identified as Lots 1 and 2 in Pine Creek Subdivision Filing No. 3A, Lots 1 and 2 in Pine Creek Subdivision Filing No. 3B, Lots 3, 4, 11, 15, 16, 17 and 18 in Pine Creek Subdivision Filing No. 5A and Lots 1 and 2 in Pine Creek Subdivision Filing No. 8 on the Fourth Supplemental Plat is redefined as a "Unit" for all purposes of the Declaration. Tract A in Pine Creek Subdivision Filing No. 3A and Tract A in Pine Creek Subdivision Filing No. 5A, all as shown on the Fourth Supplemental Plat, are redefined as "Common Areas" for all purposes of the Declaration.


2. Fourth Supplemental Plat. Declarant hereby adopts and implements the Fourth Supplemental Plat for Pine Creek Village at Briargate (Pine Creek No. 3A, Pine Creek No. 3B, Pine Creek No. 5A and Lots 1 and 2 in Pine Creek No. 8) attached hereto as Exhibit B (referred to herein as the "Fourth 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 Fourth Supplemental Plat shows Pine Creek No. 3A, Pine Creek No. 3B, Pine Creek No. 5A and Lots 1 and 2 in Pine Creek No. 8 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 1.

3. Definitions. Any capitalized phrase, term or word used in this Fourth Supplemental Declaration or in the Fourth Supplemental Plat that is not otherwise expressly defined in this Fourth Supplemental Declaration or the Fourth 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 Fourth Supplemental Declaration this 12th day of October, 1999.

DECLARANT:

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

By 
Scott E. Smith, Manager

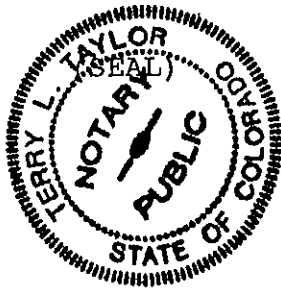
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STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me
this 12th day of October, 1999 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: October 19, 2000.



Terry L. Taylor
Notary Public

Exhibit A

Lots 1 and 2 in Pine Creek Subdivision Filing No. 3A,
Lots 1 and 2 in Pine Creek Subdivision Filing No. 3B,
Lots 3, 4, 11, 15, 16, 17 and 18 and Tract A in Pine
Creek Subdivision Filing No. 5A and Lots 1 and 2 in
Pine Creek Subdivision Filing No. 8, in the City of
Colorado Springs, County of El Paso and State of
Colorado.

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