

**NOTICE OF ANNEXATION AND  
SUPPLEMENTAL DECLARATION TO  
AMENDED AND RESTATED DECLARATION  
OF COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS  
FOR KISSING CAMELS**

This Notice of Annexation and Supplemental Declaration to Amended and Restated Declaration of Covenants, Conditions, Restrictions and Reservations for Kissing Camels (this "Annexation Notice") is executed as of the date set forth below, by Garden of the Gods Club LLC, a Colorado limited liability company ("GOTGC"), pursuant to that certain Amended and Restated Declaration of Covenants, Conditions, Restrictions and Reservations for Kissing Camels dated for identification purposes only January 31, 2004, and recorded in the office of the El Paso County Clerk and Recorder on February 26, 2004, at Reception No. 204032677 (such declaration, as heretofore amended, is called the "Declaration").

WHEREAS, pursuant to that certain Assignment of Declarant's Rights dated and recorded on February 28, 2007 under Reception No. 207027593, in the office of the Clerk and Recorder of El Paso County, Colorado, Hill Development Corporation, as the Declarant under the Declaration, assigned to GOTGC all of its Declarant's Rights, if any, under the Declaration;

WHEREAS, Section 11.1 of the Declaration states that Declarant reserves the right to add all or any portion of the Expansion Area to the Real Estate and to subject such real property and additional unspecified property to the provisions of the Declaration;

WHEREAS, on June 28, 2011, GOTGC and the Kissing Camels Property Owners Association ("KCPOA") executed that certain Agreement Regarding Signature Point and recorded on August 5, 2011 under Reception No. 211075916 in the office of the Clerk and Recorder of El Paso County, Colorado (the "Signature Point Agreement") which sets forth certain rights and obligations of GOTGC and KCPOA concerning the annexation and development of the Annexed Property (as defined below);

WHEREAS, GOTGC desires to annex a portion of the Expansion Area to the Real Estate and to cause such portion of the Expansion Area to become a part of the Real Estate;

WHEREAS, in order to accomplish such annexation, GOTGC desires to execute and record this Annexation Notice and an amendment to the Plat (as that term is used in the Declaration and in the Colorado Common Interest Ownership Act and which generally refers to a map of the community, as opposed to a subdivision plat that must be approved by a local government in order to permit a lawful subdivision of land); and

WHEREAS, GOTGC intends to record amendments to the following subdivision plats ("Governmental Plats"): Block One, Kissing Camels Subdivision No. 7, as recorded in Plat Book S-2 at Page 27, and Lot 13, Block 7, Kissing Camels Subdivision No. 2, as recorded in Plat Book C-2 at Page 2, El Paso County, Colorado.

NOW, THEREFORE, GOTGC hereby states and declares as follows:

WAYNE W. WILLIAMS El Paso County, CO  
01/12/2012 10:42:50 AM  
Doc \$0.00 Page  
Rec \$26.00 1 of 4



1. **Annexation.** GOTGC hereby annexes to the Real Estate, effective upon recording this Annexation Notice in the office of the Clerk and Recorder of El Paso County, Colorado (the "Effective Date"), the real property described below:

Lots 1-17 and Tract A  
Signature Point at Garden of the Gods Club Filing No. 1

(the "Annexed Property"). The Annexed Property consists of 17 Lots and 1 Tract. GOTGC is the Owner of the Lots and the Tract. Upon the Effective Date, the Annexed Property shall be subject to all of the provisions of the Declaration. The Annexed Property is shown on the plat of Signature Point at Garden of the Gods Club Filing No. 1, approved by the City of Colorado Springs, and recorded in the real estate records of El Paso County, Colorado on November 23, 2011, at Reception No. 211713167 (the "Approved Plat").

2. **Designation of New Units.** Each separately identified lot identified on the Approved Plat is a Unit and is identified by the lot and filing number of such lot shown on the Approved Plat. GOTGC is the Owner of all of the new Units (Lots) identified on the Approved Plat.

3. **Reallocation of Allocated Interests.** Upon the Effective Date, the Allocated Interests of all Units within the Real Estate, including, without limitation, the Lots (Units) identified on the Approved Plat, are reallocated in accordance with the formula set forth in Section 12.1 of the Declaration.

4. **Common Elements.** Tract A identified on the Approved Plat is a Local Common Area for the primary use and benefit of the Owners of the Annexed Property.

5. **Development Rights.** Subject to the rights and obligations set forth in the Signature Point Agreement, all Development Rights and Special Declarant Rights set forth in the Declaration shall apply to the Lots (Units) identified on the Approved Plat. Without limiting the generality of the foregoing, GOTGC reserves the right to create one or more common interest communities within the Annexed Property, which may be governed by one or more Subassociations but which shall remain subject to the Declaration.

6. **Amendment to Plats.** The Approved Plat shall be deemed an amendment to the Plat (i.e., the community map). Such Approved Plat shows the real property described in paragraph 1 above and made subject to the Declaration by this Annexation Notice. Notwithstanding references in this Annexation Notice to the Approved Plat, amendments to the Plat, for purposes of the Declaration, do not require the consent or approval of the City of Colorado Springs, the County of El Paso, or any other governmental authority; amendments to Governmental Plats may require the consent or approval of the governmental authority having jurisdiction, to the extent required by ordinances, resolutions, rules and regulations adopted or promulgated by such governmental authority.

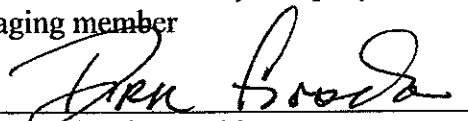
7. **Defined Terms.** Capitalized terms which are defined in the Declaration shall have the same meanings in this Annexation Notice unless otherwise defined in this Annexation Notice.

8. **Affirmation of Declaration.** Upon the Effective Date, all provisions of the Declaration, as supplemented and amended by this Annexation Notice, shall apply to the Annexed Property.

IN WITNESS WHEREOF, GOTGC has duly executed this Annexation Notice this 21st day of December, 2011.

GARDEN OF THE GODS CLUB LLC,  
a Colorado limited liability company

By: SUNRISE GGC MANAGEMENT LLC,  
a Colorado limited liability company,  
as managing member

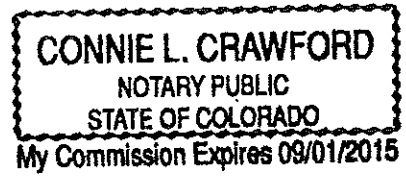
By:   
Dirk Gosda, President

STATE OF COLORADO )  
 ) ss.  
COUNTY OF El Paso )

The foregoing instrument was acknowledged before me this 21st day of December 2011, by Dirk Gosda as President of Sunrise GGC Management LLC, a Colorado limited liability, as managing member of Garden of the Gods Club LLC, a Colorado limited liability company, on behalf of such limited liability company.

Witness my hand and official seal. My commission expires: 9/01/2015

Notary Public Connie L. Crawford



Approved in accordance with the Signature Point Agreement:

KISSING CAMELS PROPERTY OWNERS ASSOCIATION, INC,  
a Colorado nonprofit corporation

By: C. A. Jordan  
C. A. Jordan, President

RATIFICATION:

Hill Development Corporation, a Delaware Corporation, being the lien holder, has ratified this instrument this day 28th of December, 2011

HILL DEVELOPMENT CORPORATION

By: Ty Miller  
Its: authorized representative

STATE OF TEXAS )  
 ) ss.  
COUNTY OF DALLAS )

The foregoing instrument was acknowledged before me this 28th day of December 2011, by Ty Miller as Authorized Representative of Hill Development Corporation, a Delaware corporation, on behalf of such corporation.

Witness my hand and official seal. My commission expires: 2-17-2014

Notary Public Angela A. Kelly

