

AMENDMENT
TO
DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
DELMONICO TOWNHOMES

25.00

The undersigned, being one hundred percent (100%) of the owners of the real property described in the Declaration of Covenants, Conditions and Restrictions for Delmonico Townhomes recorded in Book 3991 at Page 834 of the records of the Clerk and Recorder of El Paso County, Colorado, and the successor in interest of the Declarant pursuant to Article II, Section 2.7, pursuant to the authority granted in Article XX, Section 20.2, hereby amend said Declaration of Covenants, Conditions and Restrictions for Delmonico Townhomes as follows:

ARTICLE I. RECITALS

1. Article I, RECITALS, is hereby deleted in its entirety and the following substituted therefore:

PWB Investments, a General Partnership, (the "Declarant") as the owner of certain real property subject to this Declaration, located in El Paso County, Colorado, and more particularly described on Exhibit "A", attached hereto and incorporated herein by this reference (the "Properties"), which Properties consist of twenty two (22) individual Lots to be improved and sold, and related Common Areas and Common Area Improvements as set forth on Subdivision Plat filed or to be filed, hereby makes the following grants, submissions, and declarations:

Declarant desires to provide for the preservation and enhancement of property values, amenities and opportunities in Delmonico Townhomes, contributing to the personal and general health, safety and welfare of residents and for the maintenance of the Common Area and Improvements and to this end desires to subject the Properties, together with such additions as may hereafter be made thereto, to the covenants, conditions, restrictions, easements, charges and liens hereinafter set forth, each and all of which is and are for the benefit of said Properties and each Owner thereof.

90038376-1

2. ARTICLE II Section 2.18 is deleted in its entirety and the following substituted therefore:

Section 2.18, PROPERTIES. Properties shall mean and refer to that certain real property described on Exhibit A and such additions thereto as may hereafter be brought within the jurisdiction of the Association.

3. The following Article III, Section 3.1.E is added:

ARTICLE III, Section 3.1.E, GARAGE EASEMENT. Declarant reserves the right to grant exclusive easements upon the common areas for garages, electricity therein and driveway thereto which will be assigned to particular owners for exclusive use; such reservation and assignment shall be made in a form as may be approved by the Declarant.

4. ARTICLE XVII, ENLARGEMENT OF PROJECT (ANNEXATION) is hereby amended as follows:

The first sentence of Section 17.1, Special Rights Reserved to Declarant; Enlargement of Project is hereby deleted and the following substituted therefore:

Section 17.1, Special Rights Reserved to Declarant; Enlargement of Project. The Declarant shall have the absolute right, but not the obligation, the same is hereby specifically reserved unto Declarant to be exercised prior to March 1, 1995, to annex to the land and Improvements described in this Declaration and to the Subdivision Plat herein referred to, and thereby to submit to each and every provision of this Declaration the land described on Exhibit "C", attached hereto and incorporated herein by this reference, or any portions thereof as further referenced hereunder, together with the Improvements to be constructed thereon as further referenced herein.

5. The date of March 1, 1990 as set forth in the Declaration of Covenants, Conditions and Restrictions for Delmonico Townhomes, wherever and often as said date may

appear therein, is hereby amended to read March 1, 1995 and shall be as effective as if originally stated therein.

Dated this 31st day of August, 1990.

Robert A. Elliott
Robert A. Elliott

Patricia A. Elliott
Patricia A. Elliott

Jennifer A. Elliott
Jennifer A. Elliott

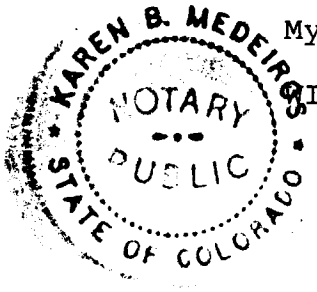
Robert T. Hunt
Robert T. Hunt

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

The above and foregoing Amendment to Declaration of Covenants, Conditions, and Restrictions for Delmonico Townhomes was subscribed and sworn to before me this 31st day of August, 1990, by Robert A. Elliott, Patricia A. Elliott, Jennifer A. Elliott and Robert T. Hunt.

My commission expires: 2-4-91

WITNESS my hand and official seal.



Karen B. Medeiros
Notary Public

EXHIBIT A

Lots 1 through 14, Delmonico Subdivision Filing No. 1,
Phase 4, 5, and

Lots 1 through 8, Delmonico Subdivision Filing No. 1,
Phase 8, 9.

All according to the recorded Plat thereof, El Paso
County, Colorado.

EXHIBIT C

That part of Lot 2 not Platted into Delmonico Subdivision Filing No. 1 Phase 4, 5, and Phase 8, 9 all in Delmonico Subdivsion Filing No. 1. being in Colorado Springs, County of El Paso, State of Colorado.

Warranty Deed

35

KNOW ALL MEN BY THESE PRESENTS, That FNB INVESTMENTS, a Colorado General Partnership
of the County of El Paso and State of Colorado for the
consideration of ONE AND NO/100
(1.00) dollars in hand paid hereby sell and convey to
DELMONICO TOMNHOMES ASSOCIATION, INC.
whose legal address is (including road or street address if applicable)
c/o PALCO CONSTRUCTION, 7125 W. Jefferson, #130, Lakewood, CO 80235
the following Real Property situated in the County of El Paso and State of Colorado, to wit:

Tracts A, B and C, in Delmonico Subdivision Filing No. 1,
Phase 4, 5, in the City of Colorado Springs, El Paso County, Colorado.

DE
-0-

STATE DOCUMENTS

JUL 19 1985

FEE \$ 110.00

with all its appurtenances and warrant (a) the title to the same, subject to taxes for the year 1985 and subsequent years, covenants, easements, reservations, restrictions, and rights of way of record, if any.



Signed and delivered this 12th day of July 1985.

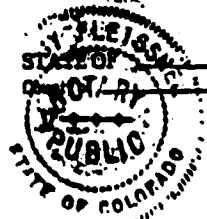
FNB INVESTMENTS, a Colorado General Partnership

BY: ANTHONY R. PASQUINELLI, General Partner

STATE OF _____ } ss The foregoing instrument was acknowledged before me
County of _____ }
this _____ day of _____ 19____
by _____

Witness my hand and official seal.
My commission expires _____

NOTARY PUBLIC



COLORADO } ss The foregoing instrument was acknowledged before me
El Paso }
this 12th day of July 1985

by Anthony R. Pasquinelli as General Partner of Delmonico

FNB Investments, a Colorado General Partnership

Witness my hand and official seal.
My commission expires August 30, 1988

Kay Fleissner
NOTARY PUBLIC

* IF JOINT TENANCY IS NOT DENIED,
STRIKE PHRASE BETWEEN ASTERISKS.



01730876

88 AUG -2 PH 2:31

ARDIS W. SCHMITT
EL PASO COUNTY
CLERK & RECORDER

BOOK 5538 PAGE 640

CABLE TELEVISION INSTALLATION AGREEMENT

(Please type or print. ALL BLANKS MUST BE COMPLETED.)

3-

Agreement dated July 14, 1988, between Colorado Springs Cablevision, Inc., ("CABLEVISION"), AND DELMONICO TOWNHOMES ASSOCIATION, INC. ("OWNER"). In consideration of the mutual promises and conditions hereinafter set forth, the parties agree as follows:

1. **PREMISES.** OWNER owns an apartment, trailer park, townhouse, or condominium complex known as DELMONICO TOWNHOMES ASSOCIATION, INC., whose address is 6004-6030 Colony Circle & 201-237 Fairgrove, described as Townhome Association consisting of 22 units, including any additional units added in the future (the "PREMISES").

2. **CABLE SYSTEM.** CABLEVISION operates a cable television system in the city of Colorado Springs and El Paso County pursuant to a legal franchise, (the "FRANCHISE"). CABLEVISION will design, install, upgrade and maintain service to the PREMISES. The EQUIPMENT shall at all times remain the property of CABLEVISION, no party, firm, company, or corporation, including the OWNER shall in any way attach to or use in part or in full, in any manner, any reception device, wiring, or any other communication equipment owned by CABLEVISION. Service and maintenance of the EQUIPMENT will be provided by CABLEVISION in accordance with the provisions of the FRANCHISE. Arrangements for hooking up, serving and billing individual residents of the PREMISES will be made directly between CABLEVISION and such residents at standard rates as approved in the FRANCHISE.

3. **EASEMENTS: ACCESS.** OWNER hereby grants to CABLEVISION an unrestricted easement in gross covering routing necessary for installation of the EQUIPMENT hereunder. In connection with the initial wiring, OWNER, or a designated representative will accompany CABLEVISION employees in to any unoccupied residential unit. After initial wiring, OWNER shall provide reasonable access to the PREMISES so that CABLEVISION may install EQUIPMENT, market cable services, or maintain or remove the EQUIPMENT at such time as CABLEVISION shall determine.

4. **DAMAGE TO PREMISES OR EQUIPMENT.** Any damages to the PREMISES caused by CABLEVISION, its agents or employees, will be repaired by CABLEVISION. Any damages to the EQUIPMENT caused by OWNER, its agents, or employees will be repaired promptly by OWNER. CABLEVISION shall hold harmless and indemnify OWNER from and against any and all damage or claims for damage asserted by reasons of CABLEVISION'S construction and maintenance of the cable system, except loss or damage arising from any negligent act or omission of OWNER, its agents, or employees.

5. **TERM; TERMINATION; SUCCESSOR.** This Agreement shall continue for the duration of the FRANCHISE, and any extensions thereof unless CABLEVISION shall earlier determine that it is technically or economically impractical to continue to provide service hereunder. If OWNER sells, transfers, or encumbers the PREMISES, such sale or encumbrance will be made subject to continuation of this Agreement, and in connection therewith, this Agreement may be recorded in the real property records of El Paso County, Colorado.

6. **REMOVAL OF EQUIPMENT.** CABLEVISION shall have the right to remove all of its EQUIPMENT from the PREMISES, or at its option to deactivate all such EQUIPMENT in any manner it sees fit. OWNER shall grant CABLEVISION reasonable access for removal. Such removal shall be done so as to not damage or deface the OWNER'S PREMISES.

7. **MISCELLANEOUS PROVISIONS.** CABLEVISION shall not be liable for any failure to perform hereunder arising from causes beyond its control. This writing contains the entire Agreement between the OWNER and CABLEVISION and may not be amended except by an agreement in writing signed by the parties. This agreement shall be governed by the laws of the State of Colorado.

[Signature]
Signature of Cablevision Rep.
[Print Name]
Please print name of above signature
[Title]
Title/Position

DELMONICO TOWNHOMES ASSOCIATION, INC.
Signature of Owner's Rep.
BY: [Signature]
Please print name of above signature
MANAGING AGENT
Title/Position
JULY 14, 1988

DELMONICO SUB

PART OF THE NW 1/4 OF SEC
CITY OF COLORADO SPRINGS, CO

SH

KNOW ALL MEN BY THESE PRESENTS: That PWB Investments, a Colorado General Partnership of Park West Construction Company, Bruno A. Pasquelli as President and Anthony R. Pasquelli as Secretary and Dwayne Black and Associates, Inc., and Columbia Capital Corporation, being the parties in interest to the following described tract of land to wit:

A part of the NW 1/4, of Section 18, T.13 S., R. 66 W., of the 6th P.M., City of Colorado Springs, County of El Paso, State of Colorado being more particularly described as follows:

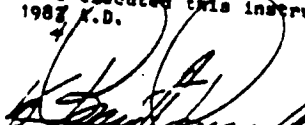
Commencing at the Northeast corner of Parcel "X" (Delmonico Drive right-of-way) as on record in the Office of the Clerk and Recordors, in said El Paso County as recorded in Book 3049, at Page 158; thence S 08°50'24" W, along the Easterly right-of-way line of said Delmonico Drive, a distance of 126.77 feet to a point of curve; thence continuing along said Easterly right-of-way line, along said curve to the left, having a central angle of 44°31'06", a radius of 360.00 feet, an arc distance of 279.72 feet to a point of tangent; thence S 35°40'42" E, continuing along said Easterly right-of-way line, along said tangent, a distance of 180.67 feet to the POINT OF BEGINNING; thence N 85°38'48" E, departing said Easterly line, a distance of 597.42 feet; thence S 44°44'55" E, a distance of 665.00 feet; thence S 53°56'06" W, a distance of 615.18 feet to a point on said Easterly right-of-way line at Delmonico Drive; thence N 35°40'42" W, along said Easterly right-of-way line, a distance of 971.43 feet to the POINT OF BEGINNING, containing 10.33 acres more or less.

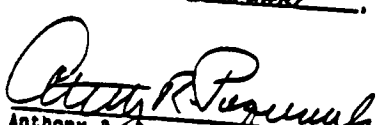
DEDICATION

The above party in interest has caused said tract to be platted into lots, block, and easements as shown on the plat. The undersigned do hereby grant unto the City of Colorado Springs those easements shown on the plat and further restrict the use of all easements to the City of Colorado Springs and/or its assign. Provided, however, that the sole right and authority to release or quit claim all or any such easements shall remain exclusively vested in the City of Colorado Springs. All streets are hereby dedicated to the City of Colorado Springs for public use. This tract of land as herein platted shall be known as DELMONICO SUBDIVISION FILING NO. 1, in the City of Colorado Springs, El Paso County, Colorado.

IN WITNESS WHEREOF:

The aforementioned, PWB Investments, a Colorado General Partnership of Park West Construction Company, Bruno A. Pasquelli as President and Anthony R. Pasquelli as Secretary, have executed this instrument this 12th day of JANUARY, 1987 A.D.

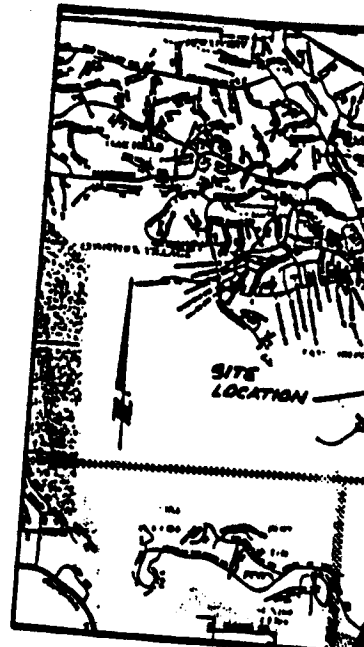

Bruno A. Pasquelli, President


Anthony R. Pasquelli, Secretary

of P.W.B. Investments, a Colorado General Partnership.

STATE OF COLORADO
COUNTY OF EL PASO

The Commission Expires:




VICINITY
SCALE: 1"=200'

IN WITNESS WHEREOF:

Holder of Deed of Trust


The aforementioned, Columbia Capital Corporation, Assistant Vice President, have executed this day of January, 1987.


James C. Staples,
Assistant Vice President

of Columbia Capital Corporation.

STATE OF Colo
COUNTY OF El Paso SS

The foregoing instrument was acknowledged before me this day of January, 1987 A.D. by James C. Staples, Vice President, of Columbia Capital Corporation.

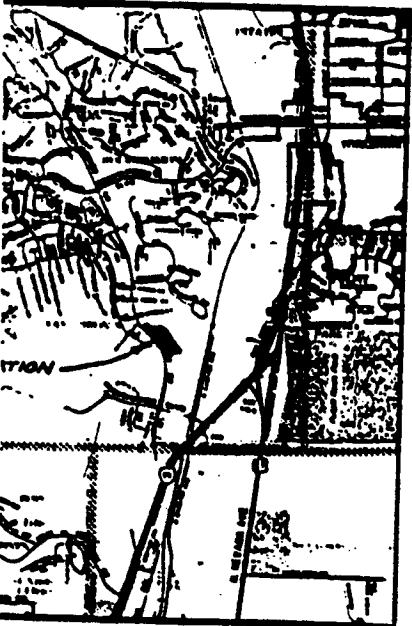
Witness my Hand and Seal: 

My Commission Expires: 11-17-85

Notary Public S.P.S. Lehman
Address:

SECTION 18, T13S, R.66W. OF THE 6th P.M.
S, COUNTY OF EL PASO, STATE OF COLORADO.

SHEET 1 OF 2



CINITY MAP
SCALE: 1"=200'

KNOW ALL MEN BY THESE PRESENTS: That the City Council of Colorado Springs, Colorado, authorized the platting of the above described tract of land as set forth in this plat at a meeting of said City Council held on the 15th day of February, 1984, A.D., and at the same time authorized the undersigned to acknowledge the same which is done accordingly on behalf of the City of Colorado Springs, this 21st day of February, 1984, A.D.

Attest: [Signature] City Clerk
[Signature] Mayor

The accompanying plat of "DELMONICO SUBDIVISION FILING NO. 1" in the City of Colorado Springs, El Paso County, Colorado is hereby approved for filing.

[Signature] Planning Director
2-15-84 Date
[Signature] Director of Public Works
2/17/84 Date

NOTICE IS HEREBY GIVEN:

That the area included in the plat described herein is subject to the Code of the City of Colorado Springs, Colorado, as amended.

No building permits shall be issued for building sites within this plat until all required fees have been paid and all required public improvements and utilities have been installed as specified by the City of Colorado Springs, or alternatively, until acceptable assurances, including but not limited to letters of credit, cash, construction bonds, or combinations thereof, guaranteeing the payment of the fees and the completion of all required public improvements and utilities have been placed on file with the City of Colorado Springs. All streets, alleys, and easements shown on this plat for access purposes are excepted from this provision:

EASEMENTS:

Unless shown greater in width, both sides of all rear lot lines are hereby platted with a seven (7) foot easement for drainage purposes and public utilities only with the sole responsibility for maintenance being vested with the adjacent property owners.

CONSTRUCTION AND MAINTENANCE EASEMENT:

If any portion of any original exterior wall of a residence is situated within three feet of any adjoining lot line, a valid easement shall and does exist, three feet in width along the adjoining lot and adjacent to the said lot line, which easement may be used for the purpose of construction, reconstruction, and maintenance of said exterior wall of a residence that is situated within three feet from the nearest point of said easement.

STATE OF COLORADO
COUNTY OF EL PASO

I hereby certify that this instrument was filed for record in my office at 1:30 o'clock P.M., this 23rd day of February, 1984 A.D. and is duly recorded in Plat Book 123 at Page 44 of the records of El Paso County, Colorado.

Reception No. 1093017 Recorder: Ardie W. Schmitt

Capital Corporation, James C. Staples, as
executed this instrument this 10th
day of February, 1984, A.D.

known and acknowledged before me this 10th
day of February, 1984, A.D. by James C. Staples, as Assistant
Capital Corporation.

[Signature]

7-85

Capital Corporation
Colorado Springs, CO 80907



VICINITY MAP
SCALE: 1"=1000'

... 35°40'42" W, along the Easterly right-of-way line of said Delmonico Drive, a distance of 126.11 feet to a point of curve; thence continuing along said Easterly right-of-way line, along said curve to the left, having a central angle of 44°11'06", a radius of 360.00 feet, an arc distance of 279.52 feet to a point of tangent; thence S 75°40'42" E, continuing along said Easterly right-of-way line, a distance of 189.67 feet to the POINT OF BEGINNING; thence N 85°18'44" E, departing said Easterly line, a distance of 597.42 feet; thence S 44°44'55" E, a distance of 665.00 feet; thence S 51°56'06" W, a distance of 615.18 feet to a point on said Easterly right-of-way line at Delmonico Drive; thence N 35°40'42" W, along said Easterly right-of-way line, a distance of 971.43 feet to the POINT OF BEGINNING, containing 10.33 acres more or less.

DEDICATION

The above party in interest has caused said tract to be platted into lots, block, and easements as shown on the plat. The undersigned do hereby grant unto the City of Colorado Springs those easements shown on the plat and further restrict the use of all easements to the City of Colorado Springs and/or its assign. Provided, however, that the sole right and authority to release or quit claim all or any such easements shall remain exclusively vested in the City of Colorado Springs. All streets are hereby dedicated to the City of Colorado Springs for public use. This tract of land as herein platted shall be known as DELMONICO SUBDIVISION FILING NO. 1, in the City of Colorado Springs, El Paso County, Colorado.

IN WITNESS WHEREOF:

Noticer of Deed of Trust

The aforementioned, Columbia Capital Corporation Assistant Vice President, have executed this day of January, 1984

James C. Staples
James C. Staples,
Assistant Vice President

of Columbia Capital Corporation.

STATE OF Colo
COUNTY OF El Paso SS

The foregoing instrument was acknowledged by day of January, 1984 A.D. by James C. Staples, Vice President, of Columbia Capital Corporation

Witness my Hand and Seal: Dec 31 1984

My Commission Expires: 11-17-85

Notary Public 5835 Delmonico Dr
Address: Colorado Springs

IN WITNESS WHEREOF:

The aforementioned, P.M.B. Investments, a Colorado General Partnership of Park West Construction Company, Bruce A. Pasquinelli, as President and Anthony R. Pasquinelli as Secretary, have executed this instrument this 12th day of JANUARY, 1984 A.D.

Bruce A. Pasquinelli Anthony R. Pasquinelli
Bruce A. Pasquinelli, President Anthony R. Pasquinelli, Secretary

of P.M.B. Investments, a Colorado General Partnership.

STATE OF COLORADO
COUNTY OF El Paso SS

The foregoing instrument was acknowledged before me this 12th day of JANUARY, 1984 A.D. by Bruce A. Pasquinelli, as President, and Anthony R. Pasquinelli, as Secretary of P.M.B. Investments, a Colorado General Partnership.

Witness my Hand and Seal:

My Commission Expires: 7-12-84

Notary Public Linda A. Lane
Address: 6050 Shrine Park Blvd #200
Colo. Spg., CO 80907

IN WITNESS WHEREOF:

The aforementioned, Dwayne Blank and Associates, Inc., Dwayne Blank, as President, have executed this instrument this 12th day of January, 1984 A.D.

Dwayne Blank
Dwayne Blank,
President

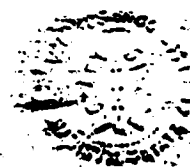
STATE OF Colo
COUNTY OF El Paso SS

The foregoing instrument was acknowledged before me this 12th day of January, 1984 A.D. by Dwayne Blank as President of Dwayne Blank and Associates, Inc.

Witness my Hand and Seal: Dwayne Blank
My Commission Expires: January 19, 1984

Notary Public Address: 7789 Shrine Park Blvd #219
Colorado Springs, Colorado

SCHOOL FEES None
PARK FEES None
DRAINAGE FEES None
BRIDGE FEES None



According to Colorado law you MUST examine any defect in this survey within six years after the date of recording. In no event, any action based on this survey shall be commenced more than ten years from the date hereon.

DL
B-D 2/11/84

VICINITY MAP
SCALE 1"=200'

The accompanying plat of "DELMONICO SUBDIVISION FILING NO 1" in the City of Colorado Springs, El Paso County, Colorado is hereby approved for filing.

K. H. Hestley
Planning Director

2-15-84

F. H. Miller
Director of Public Works 2/17/84
(Date)

NOTICE IS HEREBY GIVEN:

That the area included in the plat described herein is subject to the Code of the City of Colorado Springs, Colorado, as amended.

No building permits shall be issued for building sites within this plat until all required fees have been paid and all required public improvements and utilities have been installed as specified by the City of Colorado Springs, or alternatively, until acceptable assurances, including but not limited to letters of credit, cash, construction bonds, or combinations thereof, guaranteeing the payment of the fees and the completion of all required public improvements and utilities have been placed on file with the City of Colorado Springs. All streets, alleys, and easements shown on this plat for access purposes are exempted from this provision:

EASEMENTS:

Unless shown greater in width, both sides of all rear lot lines are hereby platted with a seven (7) foot easement for drainage purposes and public utilities only with the sole responsibility for maintenance being vested with the adjacent property owners.

CONSTRUCTION AND MAINTENANCE EASEMENT:

If any portion of any original exterior wall of a residence is situated within three feet of any adjoining lot line, a valid easement shall and does exist, three feet in width along the adjoining lot and adjacent to the said lot line, which easement may be used for the purpose of construction, reconstruction, and maintenance of said exterior wall of a residence that is situated within three feet from the nearest point of said easement.

STATE OF COLORADO

33

COUNTY OF EL PASO

I hereby certify that this instrument was filed for record in my office at 1:20 o'clock P.M., this 2nd day of February, 1984 A.D. and is duly recorded in Plat Book 17-85 at Page 34 of the records of El Paso County, Colorado.

Reception No. 1092017

Recorder: *Ordie W. Schmitt*

Fee: 4.20

By:

Richard Richardson
Deputy

CERTIFICATION: The undersigned Registered Land Surveyor in the State of Colorado hereby certifies that the accompanying plat was surveyed and drawn under his supervision and accurately shows the described tract of land, and subdivision thereof, and that the requirements of Title 32, Colorado Revised Statutes, 1973, as amended, have been met to the best of his professional knowledge, belief and opinion.

Paul D. Nelson, Jr.
Paul D. Nelson, Jr., Registered Land Surveyor #1330



Capital Corporation, James C. Staples, as executed this instrument this 10th day of February, 1984 A.D.

acknowledged before me this 10th day of February, 1984 A.D. by James C. Staples, as Assistant to James C. Staples, as Assistant to Capital Corporation.

17-85

James C. Staples
James C. Staples
Colorado Springs, CO 80907

Dwayne Black
Dwayne Black as President, have executed this instrument this 10th day of February, 1984 A.D.

Witness me this 10th day of February, 1984 A.D. at Colorado Springs, Colorado

D. Cunningham
D. Cunningham
1915 1917
1812-235
1812-235

You MUST commence any legal action based upon this survey within six years after you first discover such defect in this survey or within six years from the date of the certification shown on this plat.

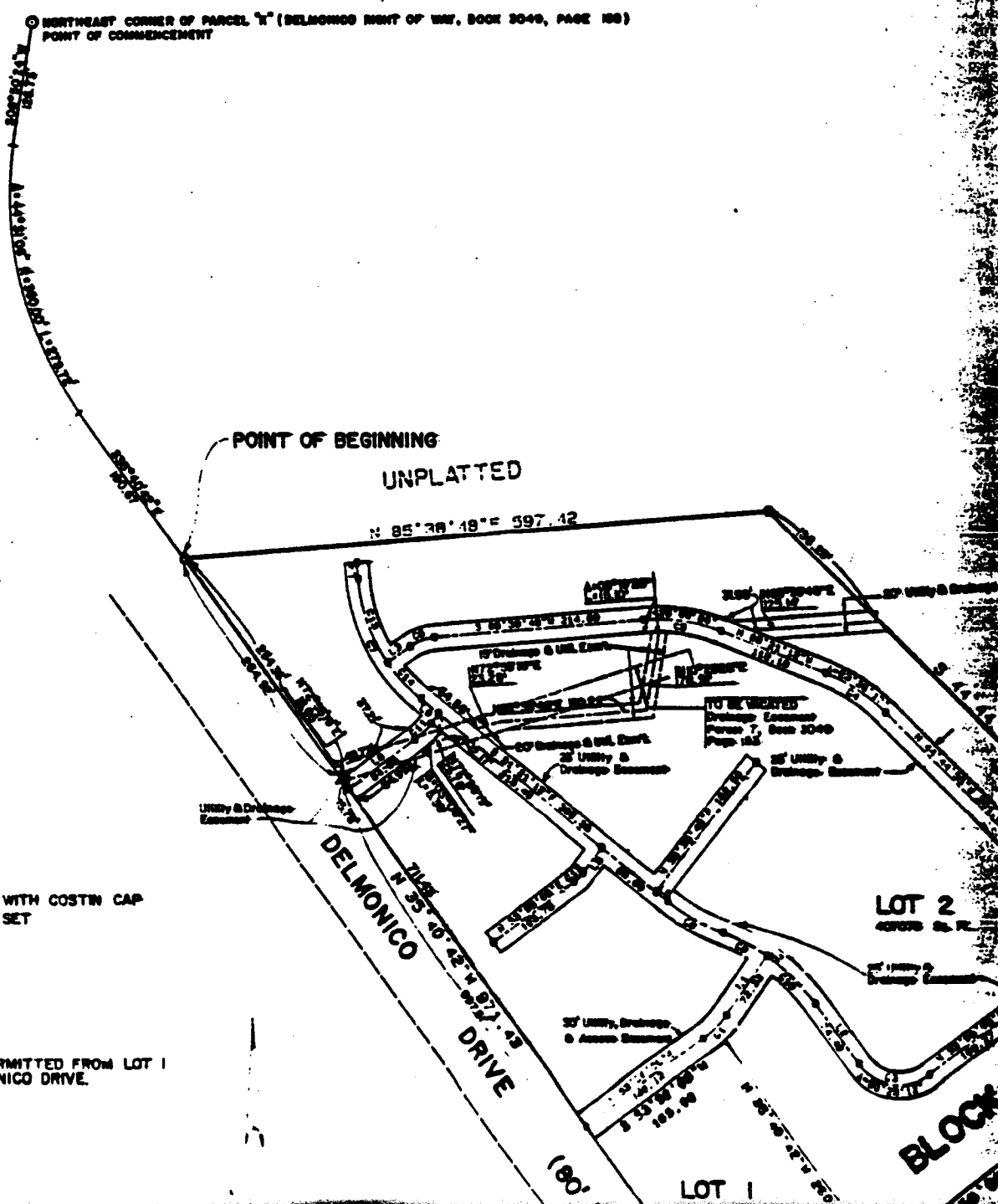
Quality Engineering
2770 NORTH WASHINGTON AVE. COLORADO SPRINGS, CO 80907
TELEPHONE: 438-7400 FAX: 438-7400

JOB NO. _____ DRAWN 2/15/84 CHECKED _____

DELMONICO SUBDIVISION

PART OF THE NW 1/4 OF SECTION 10 CITY OF COLORADO SPRINGS, COLORADO

SHEET 1



LEGEND:

○ DENOTES PIN WITH COSTIN CAP
L.S. NO. 11330 SET

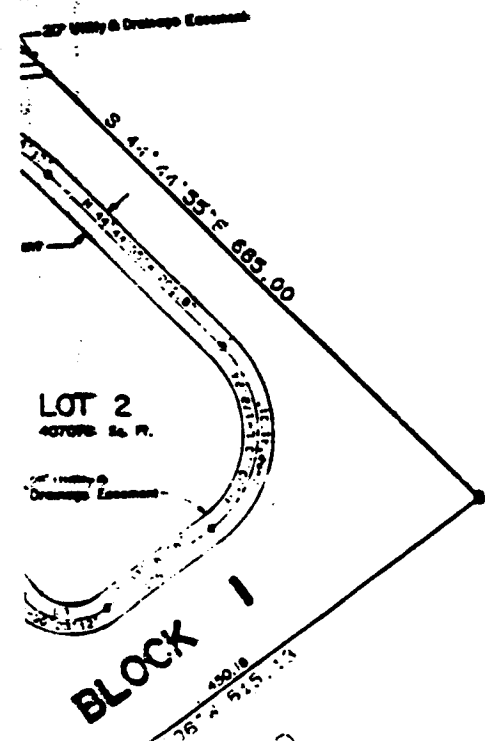
NOTE:
NO ACCESS PERMITTED FROM LOT 1
ON TO DELMONICO DRIVE.

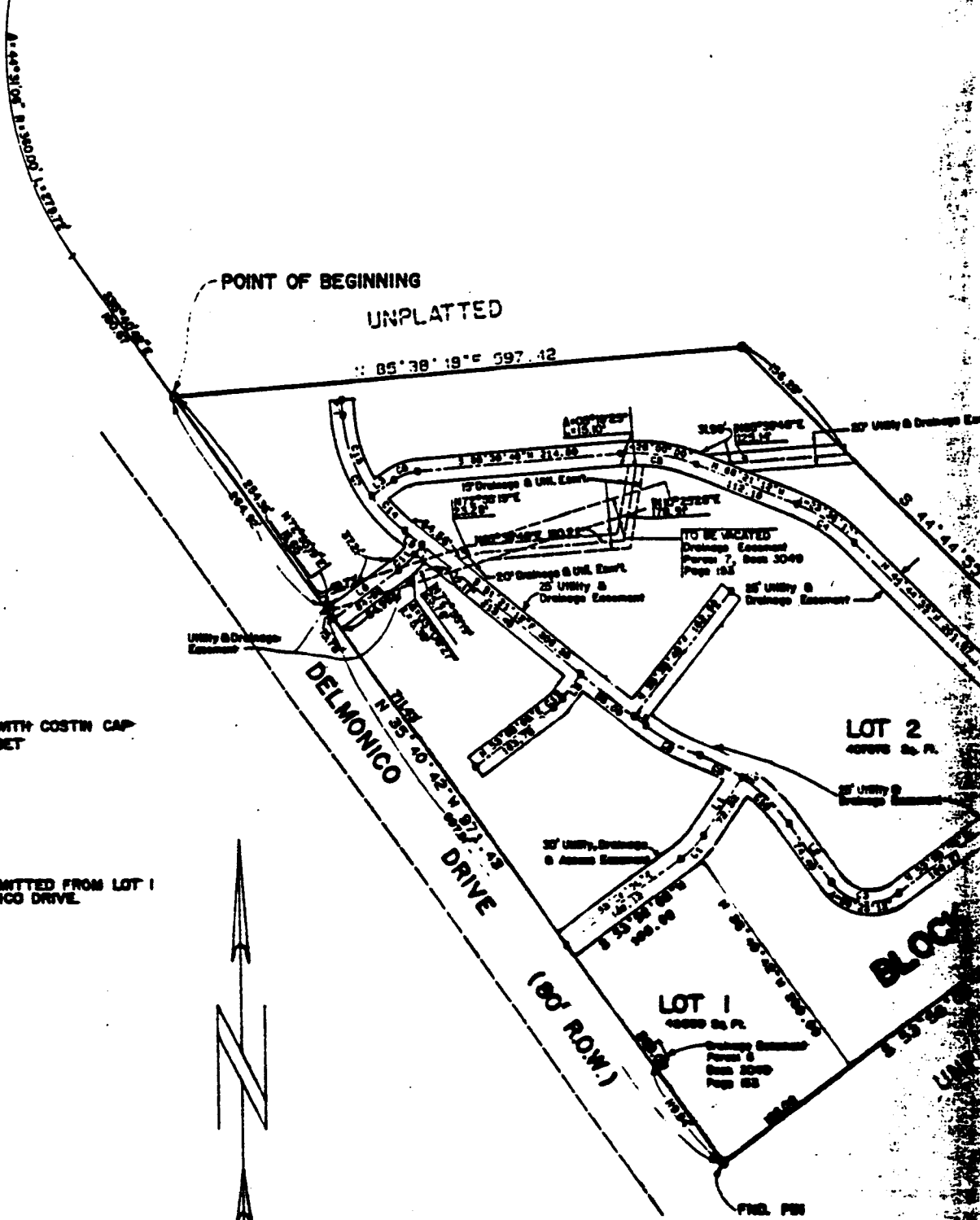
SECTION 18, T13S, R.66W. OF THE 6th P.M.
 GS, COUNTY OF EL PASO, STATE OF COLORADO.

SHEET 2 OF 2

LINE	BEARING	DISTANCE
1	N 34°46'07"E	72.22
2	S 25°40'42"E	74.40
3	S 55°23'48"W	28.54
4	S 04°21'12"E	18.33
5	S 51°21'12"E	15.00
6	N 54°18'18"E	84.28
7	N 38°38'48"E	12.50
8	N 38°38'48"E	31.31
9	S 51°21'12"E	22.85

CURVE	DELTA	RADIUS	ARC	TANGENT
1	19°08'58"	100.00	33.45	18.88
2	33°52'08"	200.00	118.23	60.88
3	90°23'12"	50.00	78.88	50.34
4	23°38'17"	175.00	72.10	38.57
5	28°00'00"	175.00	79.41	40.40
6	30°15'00"	50.00	28.40	13.51
7	47°00'00"	188.43	138.88	73.87
8	18°11'38"	200.00	63.51	32.62
9	14°18'58"	200.00	48.87	25.12
10	18°33'11"	200.00	68.25	34.48
11	15°40'30"	85.98	23.42	11.78
12	15°17'18"	50.00	13.34	8.71
13	30°15'00"	188.43	88.45	45.78
14	18°45'00"	188.43	48.53	24.84





POINT OF BEGINNING

UNPLATTED

$\angle 85^{\circ}38'19''$ 997.42

LEGEND:

- DENOTES PIN WITH COSTIN CAP L.S. NO. 11330 SET

NOTE:
NO ACCESS PERMITTED FROM LOT 1 ON TO DELMONICO DRIVE.

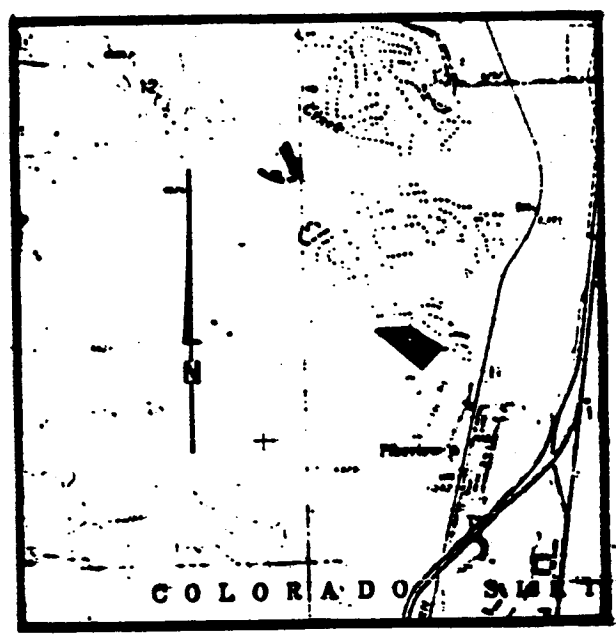
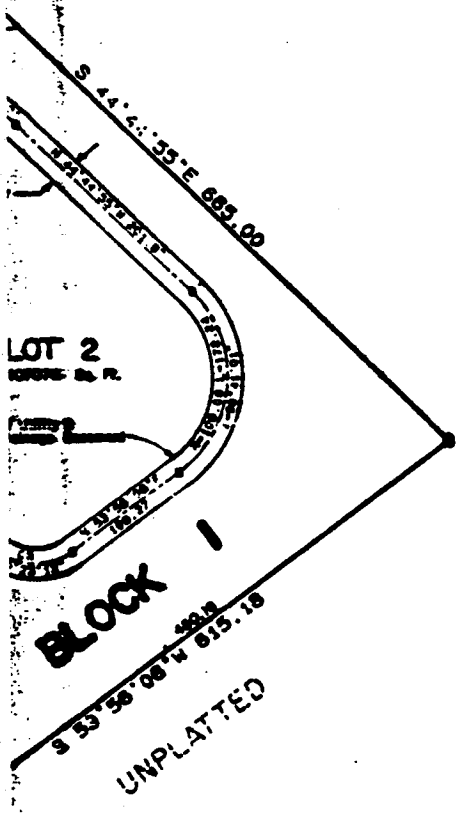


PREPARED SEPTEMBER, 1983

1	N 34°48'07"E	72.22
2	S 35°40'42"E	74.40
3	S 55°23'48"W	28.54
4	S 04°21'12"E	16.33
5	S 51°21'12"E	15.00
6	N 54°18'18"E	84.28
7	N 38°38'48"E	12.50
8	N 38°38'48"E	31.31
9	S 51°21'12"E	22.85

CURVE	DELTA	RADIUS	ARC	TANGENT
1	18°08'38"	100.00	33.45	18.88
2	33°52'08"	200.00	118.23	60.80
3	90°23'12"	50.00	78.88	50.34
4	23°38'17"	175.00	72.10	38.57
5	28°00'00"	175.00	78.41	40.40
6	30°15'00"	80.00	28.40	13.51
7	47°00'00"	188.43	138.98	73.67
8	18°11'38"	200.00	63.51	32.02
9	14°18'58"	200.00	48.97	23.12
10	19°13'11"	200.00	68.25	34.48
11	15°40'30"	85.58	23.42	11.78
12	15°17'18"	80.00	13.34	6.71
13	30°15'00"	188.43	88.45	45.78
14	18°45'00"	188.43	48.53	24.84

27 Utility & Drainage Easement



VICINITY MAP
SCALE 1" = 500'

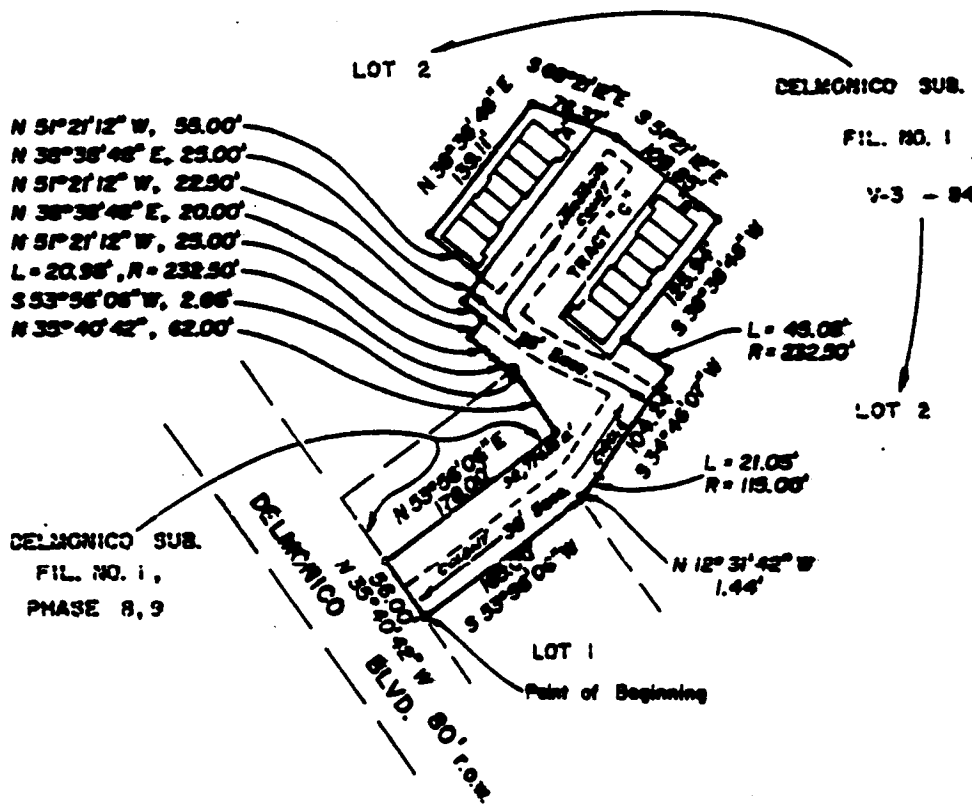
ADD: DRAINAGE EASEMENT 11/4/85 ICR
ADDS ACCESS EASEMENT 11/6/85 ER

Crestle Engineering
 2775 WEST WASHINGTON AVE. DENVER, COLORADO 80202
 TELEPHONE: (303) 755-0000

DELMONICO SUBDIVISION FILING NO. 1, PHASE 4, 5

A REPLAT OF A PORTION OF DELMONICO SUBDIVISION FILING NO. 1, IN THE CITY OF COLORADO SPRINGS, EL PASO COUNTY, CO.

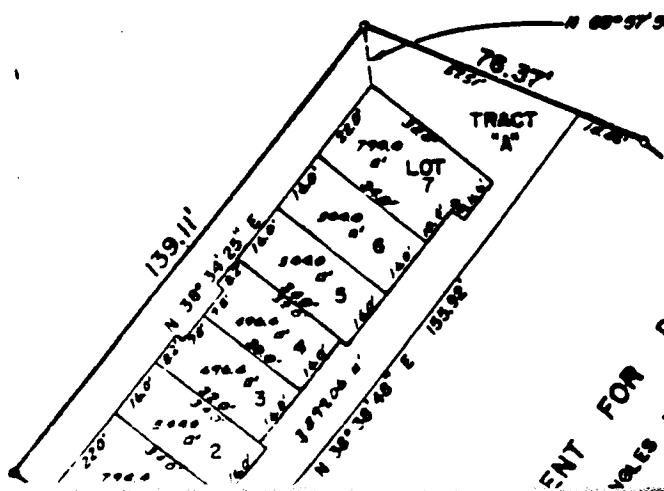
(A PORTION OF NW 1/4 of SEC. 18, T13 S, R 66 W of 6th P.M.)



Sept. 1, 1984

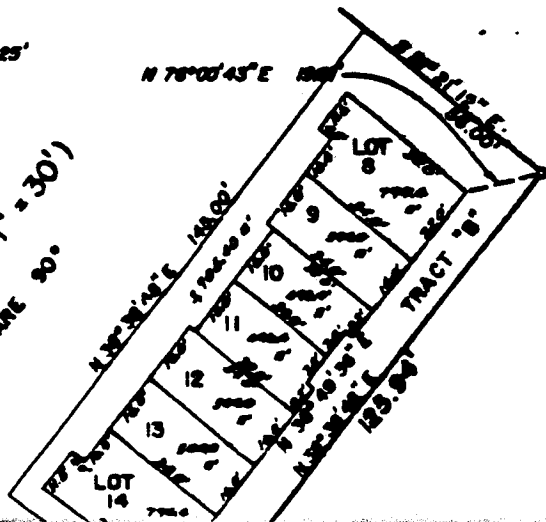


SCALE: 1" = 100'



ENT FOR DETAIL (1" = 30')

VALUES NOT SHOWN ARE 30.'



KNOW ALL MEN BY THESE PRESENTS :

That PWB Investments, a Colorado General Partnership of Anthony R. Pasquinelli and Duayne Black and Associates, Inc., being the parties in interest to the following described tract of land to wit:

A portion of Lot 2 in Block 1 of "Delmonico Subdivision Filing No. 1", in the City of Colorado Springs, a subdivision plat recorded in Plat Book V-3 at Page 84 of the records of El Paso County, Colorado, being more particularly described as follows: Beginning at a point on the Northeastly right of way line of Delmonico Drive, said point being common to both Lots 1 and 2, in Block 1 in said "Delmonico Subdivision Filing No. 1"; thence along the Southeastly line of said Lot 2 in Block 1 in "Delmonico Subdivision Filing No. 1", North 35°40'42" West a distance of 36.00 feet to the east Southerly corner of "Delmonico Subdivision Filing No. 1, Phase 4, 5", as recorded in Plat Book _____ at Page _____ of the records of El Paso County, Colorado; thence along the boundary of said subdivision for the following three courses; (1) North 33°56'06" East a distance of 178.00 feet; (2) thence North 35°40'42" West a distance of 62.00 feet; (3) thence South 53°56'06" West a distance of 2.66 feet; thence angle right along a curve to the right with a radius of 232.50 feet a distance of 20.98 feet and whose chord bears North 33°56'17" West a distance of 20.97 feet; thence North 51°21'12" West a distance of 25.00 feet, thence North 38°38'48" East a distance of 20.00 feet; thence North 51°21'12" West a distance of 22.50 feet; thence North 38°38'48" East a distance of 25.00 feet; thence North 51°21'12" West a distance of 55.00 feet; thence North 38°38'48" East a distance of 139.11 feet; thence South 68°21'12" East a distance of 76.37 feet; thence South 51°21'12" East a distance of 108.83 feet; thence South 38°38'48" West a distance of 125.94 feet; thence angle left along a curve to the right with a radius of 232.50 feet a distance of 45.00 feet and whose chord bears South 37°05'28" East a distance of 45.01 feet; thence South 34°46'07" West a distance of 104.24 feet; thence on a curve to the right with a radius of 115.00 feet a distance of 21.05 feet; thence South 12°31'42" East a distance of 1.44 feet to the east Northerly corner of Lot 1 in Block 1 in "Delmonico Subdivision Filing No. 1"; thence South 53°56'06" West a distance of 143.00 feet to the point of beginning, containing 1.125 Acres more or less.

DEDICATION :

The above parties in interest have caused said tract of land to be replatted into lots tracts and easements as shown on the plat. The undersigned does hereby grant unto the City of Colorado Springs these easements shown on the plat and further restrict the use of all easements to the City of Colorado Springs and/or Assigns, provided, however, that the sole right and authority to release or quit claim all or any such easements shall remain exclusively vested in the City of Colorado Springs. This tract of land as herein replatted shall be known as "Delmonico Subdivision Filing No. 1, Phase 4, 5", in the City of Colorado Springs, El Paso County, Colorado.

This Replat voids all prior plats and subdivisions for the area described by this replat.

IN WITNESS WHEREOF :

The aforementioned, PWB Investments, a Colorado General Partnership of Anthony R. Pasquinelli and Duayne Black and Associates, Inc. have caused this instrument this 30th day of January, 1986 A.D.

Anthony R. Pasquinelli
Anthony R. Pasquinelli

Duayne Black
Duayne Black, President of Duayne Black and Associates, Inc.

STATE OF Colorado SS
COUNTY OF El Paso

The foregoing instrument was acknowledged before me this 30th day of January, 1986 A. D. by Anthony R. Pasquinelli, of PWB Investments, a Colorado General Partnership.

Witness My Hand and Seal: Notary Public Richard Olaf address 17737 Oakley Spring, Colorado

My Commission Expires: May 20, 1985

STATE OF COLORADO SS
COUNTY OF EL PASO

The foregoing instrument was acknowledged before me this 30th day of January, 1986 A. D. by Duayne Black as President of Duayne Black and Associates, Inc., of PWB Investments, a Colorado General Partnership.

Witness My Hand and Seal: Notary Public Henry D. Cummings address 3700 Santa Fe, Colorado Springs, Colorado

My Commission Expires: Nov 13, 1987

CERTIFICATION :

The undersigned Registered Land Surveyor in the State of Colorado hereby certifies that the accompanying replat was surveyed and drawn under his supervision and accurately shows the described tract of land and replatting thereof, and the requirements of Title 38, C. R. S. 1975 as amended, have been met to the best of his knowledge and belief.

Alan E. Strub
Alan E. Strub State of Colorado L. S. 96435

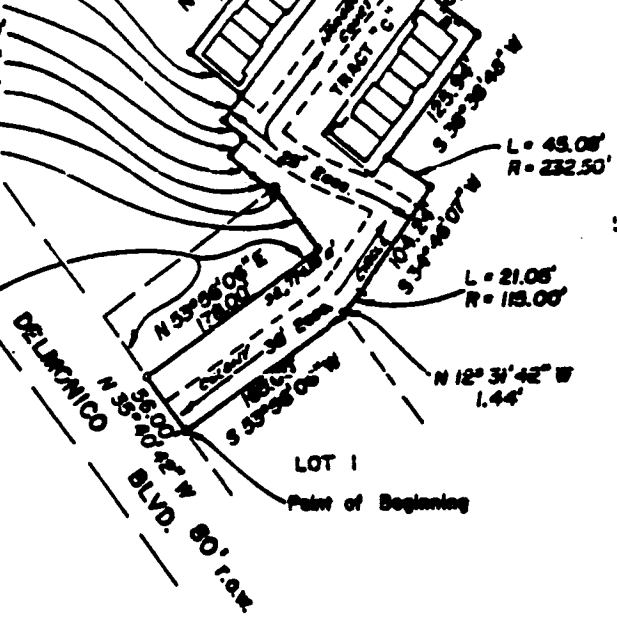
NOTICE IS HEREBY GIVEN :

That the area included in the replat described herein is subject to the code of the City of Colorado Springs 1980, as amended.

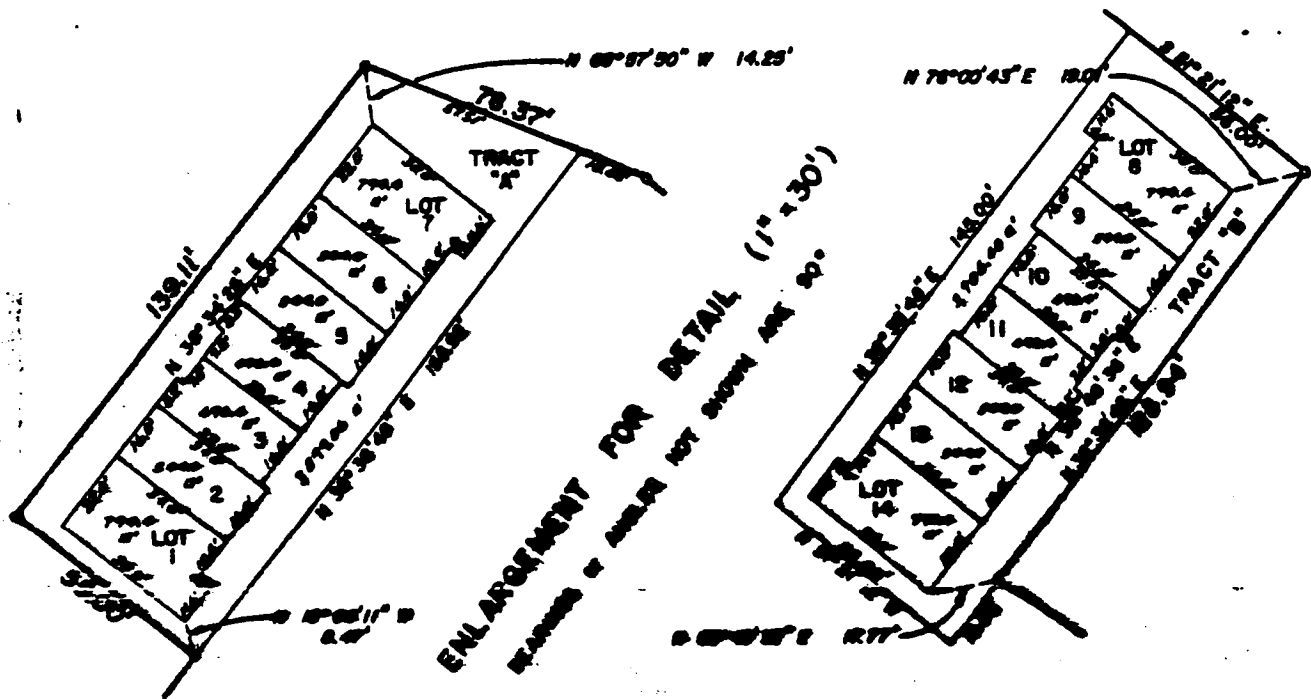
No building permits shall be issued for building sites within this replat until all required fees have been paid and all required public improvements and utilities have been installed as specified by the City of Colorado Springs, or alternatively, until acceptable assurances, including but not limited to letters of credit, cash, construction bonds, or combinations thereof, guaranteeing the payment of the fees and the completion of all required public improvements and utilities have been placed on file with the City of Colorado Springs. All streets, alleys and easements shown on this replat for access purposes are excepted from this provision.

N 51° 21' 12" W, 22.50'
 N 38° 36' 48" E, 20.00'
 N 51° 21' 12" W, 25.00'
 L = 20.98', R = 232.50'
 S 53° 56' 06" W, 2.66'
 N 35° 40' 42", 62.00'

DELMONICO SUB.
 FIL. NO. 1,
 PHASE 8, 9



Sept. 1, 1984



INDICATION OF OTHER USES:
 That FIB Investments, a Colorado general partnership of Anthony G. Hightshower and Bruce Stark and Associates, Inc. in executing this report, "Delmonico Subdivision Filing No. 1, Phase 8, 9", has designated Tracts A, B & C as common areas. Tract A shall be for sole use by homeowners of Lots 1 through 7. Tract B shall be for sole use by homeowners of Lots 8 through 14. Homeowners shall be "Common Areas & Utility easements" and may be used as easements for ingress and egress for homeowners of any lots in any portion of "Delmonico Subdivision Filing No. 1".

Homeowners of lots 1 through 14 may use for purposes of ingress and egress any portion of the 25 foot utility and drainage easement as shown on the plat of "Delmonico Subdivision Filing No. 1", recorded in Plat Book 9-8 at Page 54 of the 22 State-Survey records.

PREPARED BY:

Stromb Limit Surveying
 P.O. Box 15865
 Colorado Springs, Colorado 80932
 635-4236



IN WITNESS WHEREOF :
The aforementioned, PWS Investments, a Colorado General Partnership of Anthony R. Pasquinelli and Duayne Black and Associates, Inc., have executed this instrument this 30th day of January, 1986 A.D.

Anthony R. Pasquinelli
Anthony R. Pasquinelli

Duayne Black
Duayne Black, President of Duayne Black and Associates, Inc.

STATE OF Illinois 33
COUNTY OF Cook
The foregoing instrument was acknowledged before me this 30th day of January, 1986 A. D. by Anthony R. Pasquinelli, of PWS Investments, a Colorado General Partnership.

Witness My Hand and Seal: Notary Public Richard Olaf address 17737 Oakley, Lansing, Michigan

My Commission Expires: May 20, 1985.

STATE OF COLORADO 33
COUNTY OF EL PASO
The foregoing instrument was acknowledged before me this 30th day of January, 1986 A. D. by Duayne Black as President of Duayne Black and Associates, Inc., of PWS Investments, a Colorado General Partnership.

Witness My Hand and Seal: Notary Public Harold D. Cummings address 3730 Mintum, Colorado Springs, Colorado

My Commission Expires: Jan 13, 1987

CERTIFICATION :
The undersigned Registered Land Surveyor in the State of Colorado hereby certifies that the accompanying replat was surveyed and drawn under his supervision and accurately shows the described tract of land and replatting thereof, and the requirements of Title 38, C. R. S. 1973 as amended, have been met to the best of his knowledge and belief.

Alan E. Storch
Alan E. Storch State of Colorado L. S. 66433

NOTICE IS HEREBY GIVEN :
That the area included in the replat described herein is subject to the code of the City of Colorado Springs, COO, as amended.

No building permits shall be issued for building other within this replat until all required fees have been paid and all required public improvements and utilities have been installed as specified by the City of Colorado Springs, or alternatively, until acceptable assurances, including but not limited to letters of credit, cash, construction bonds, or combinations thereof, guaranteeing the payment of the fees and the completion of all required public improvements and utilities have been placed on file with the City of Colorado Springs. All streets, alleys and easements shown on this replat for access purposes are exempt from this provision.

KNOW ALL MEN BY THESE PRESENTS :
That the City Council of Colorado Springs, Colorado, authorized the replat of the above described tract of land as set forth in the replat at a meeting of said City Council held on this 24th day of February, 1986 A.D. and at the same time authorized the undersigned to acknowledge the same which is done accordingly on behalf of the City of Colorado Springs on this 27th day of March, 1986 A.D.

ATTEST: Debra Parker
City Clerk

BY: [Signature]
Mayor of Colorado Springs

The undersigned hereby approve for filing the accompanying replat of "Subdivision Filing No. 1, Phase 1"

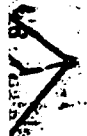
Helmut Planning Director 2-22-86 Date Robert Miller Director of Public Works [Signature] Date

STATE OF COLORADO 33
COUNTY OF EL PASO 33
I hereby certify that this instrument was filed for record in my office on 27th day of March, 1986 A.D. and is duly recorded in Plat Book 19 at Page 139 of the records of El Paso County, Colorado.

RECORDED NO. 61283383 Ardis Schultz, recorder
FILE # 10 60 BY: [Signature] Deputy

REMARKS: Public utility easements are as shown with the site. responsibility for maintenance being vested with adjoining property owners.
Writings Fees: NE ORIGINAL Bridge Fees: 1.00
School Fees: COO 1.00 Park Fees: COO 1.00

184
200
00'



702

ARDIS W. SCHMITT
EL PASO COUNTY
CLERK & RECORDER

EXHIBIT "B"

AGREEMENT AND EASEMENT
"AS BUILT"

3'

For and in consideration of ONE AND NO/100ths DOLLARS (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged by PWB Investments, a Colorado General Partnership, hereby gives and grants to the City of Colorado Springs, a perpetual easement over, under and across the property herein described for the installation of electric service lines, together with necessary fixtures and attachments. This easement shall be for such electric service as actually installed with the right to maintain the same in their installed location. Should the undersigned, his successors and assigns request that the electric lines or any fixtures and attachments be moved, they will only be moved or relocated at the expense of the property owner, who shall provide a like easement for installation at a new location.

This easement covers the following described property situate in the County of El Paso and State of Colorado, to-wit:

Over, under and across a portion of Lots 1 and 2, Block 1, Delmonico Subdivision Filing No. 1 as recorded in Plat Book V-3 at Page 84 of the records of El Paso County, Colorado; a replat of a portion of Delmonico Subdivision Filing No. 1, Phase 4 and 5 as recorded in Plat Book X-3 at Page 183; and a replat of a portion of Delmonico Subdivision Filing No. 1, Phase 8 and 9 as recorded in Plat Book X-3 at Page 164, as installed per print attached as Exhibit A which is made a part of this Agreement and Easement.

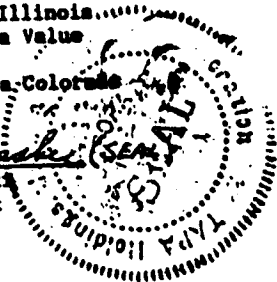
Grantor retains all of its rights to the use and occupation of said real estate not inconsistent with the use by Grantee, its successors or assigns, of the right of way and easement herein granted for the purposes aforesaid.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand and seal, this 22ND day of FEBRUARY, A.D. 1988.

ATTEST:

PWB Investments, a Colorado General Partnership, by: Park West Construction Company, an Illinois General Partnership, d/b/a Value Homes, a General Partner, by: TAPA Holdings, Inc., a Colorado Corporation

By Dennis Sobanski
Dennis Sobanski
Vice President



Joseph Griese
Joseph Griese
Ass't. Secretary
STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

The foregoing instrument was acknowledged before me this 22nd day of February, 1988, by Dennis Sobanski, Vice President and Joseph Griese, Ass't. Secretary

Theodora Gruzlewski
Notary Public

My Commission Expires:

