

SUPPLEMENTAL DECLARATION
FOR THE ANNEXATION OF PROPERTIES
TO THE BATTLEMENT MESA SERVICE ASSOCIATION

This Supplemental Declaration for the Annexation of Properties to the Battlement Mesa Service Association is made by Battlement Mesa Partners as the Declarant under the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Battlement Mesa the day and year hereinafter set forth.

WITNESSETH:

THAT, WHEREAS, a certain Declaration of Covenants, Conditions and Restrictions for Battlement Mesa was recorded on October 15, 1981, in Book 583, Page 456, Reception No. 320285, in the records of the office of the Clerk and Recorder of Garfield County, Colorado, as amended or supplemented from time to time (collectively, the "Original Declaration"), which authorized formation of the master Battlement Mesa Service Association; and,

WHEREAS, a certain Amended and Restated Declaration of Covenants, Conditions and Restrictions for Battlement Mesa was recorded on August 13, 1991, in Book 811, Page 09, Reception No. 426419, in the records of the office of the Clerk and Recorder of Garfield County, Colorado, as amended or supplemented from time to time (collectively, the "Amended and Restated Declaration") which authorized the complete merger of various community associations within Battlement Mesa under the master Battlement Mesa Service Association, and, by merger, rescinded and replaced the Original Declaration; and,

WHEREAS, under Article II, Section 2.3, of the Amended and Restated Declaration, the Declarant reserved the right to Annex certain additional real property as evidenced by recording of a Supplemental Declaration, which Supplemental Declaration may impose supplemental covenants, conditions and restrictions to the Annexed Property; and,

WHEREAS, the following described property is eligible for annexation into the Battlement Mesa Service Association, to-wit:

Tract1, Lot 1 and Tract 1, Lot 2, Stone Quarry Commons at Battlement Mesa, A/K/A a Resubdivision of Parcels 5-1 and 5-2 Battlement Mesa Planned Unit Development, Garfield County, Colorado, according to the Plat recorded with the County Clerk and Recorder of Garfield County, State of Colorado, on February 8, 2006 at Reception No. 691970.

The annexed property, as described, shall constitute a new Delegate Area (Delegate Area 17), as defined by the Declaration.

NOW, THEREFORE, Battlement Mesa Partners, as the Declarant under the Amended and Restated Declaration, does hereby add and annex to the Battlement Mesa Service Association and subject to the jurisdiction and benefits of the Battlement Mesa Service Association, all of the above-described real property and shall have such Assessment Units as shall be assigned by the Association

EXCEPT to the extent provided herein, all other provisions of the Amended and Restated Declaration, as amended and supplemented, shall remain in full force and effect.

EXECUTED as of this 20th day of February, 2006.

BATTLEMENT MESA PARTNERS
By Community Holdings West, Inc.,
A Colorado Corporation,
Its General Partner

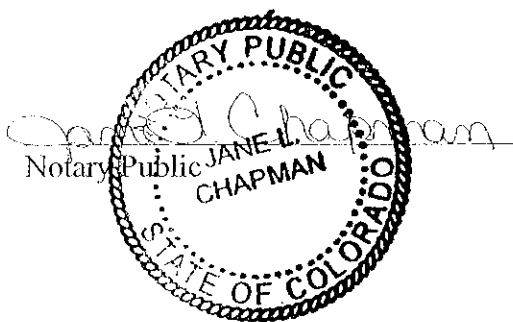
By: [Signature]
Thomas B. Beard Vice President

STATE OF COLORADO)
) ss.
COUNTY OF GARFIELD)

The foregoing instrument was acknowledged before me this 20th day of February, 2006, by Thomas B. Beard as Vice President of Community Holdings West, Inc., a Colorado Corporation, a General Partner of Battlement Mesa Partners.

My commission expires: 10/30/08

Witness my hand and official seal:



Return to:

Battlement Mesa Service Association
P.O. Box 6006
Battlement Mesa, CO 81636



**ANNEXATION AGREEMENT FOR
FIRST EAGLES POINT**

THIS AGREEMENT is made and entered into this 7th day of April, 2005 by and between the Battlement Mesa Service Association ("Association") and Battlement Mesa Land & Development, LLC, a Colorado limited liability company ("BML&D").

RECITALS

(A) Association is the Association named and referred to in that certain Amended and Restated Declaration of Covenants, Conditions and Restrictions for Battlement Mesa, recorded on August 13, 1991, at Reception No. 426419, of the records of the Clerk and Recorder of Garfield County, Colorado and any and all recorded amendments and supplements thereto (collectively, the "Declaration").

(B) The Declaration allows for enlargement and expansion of the Service Association Area by annexation of additional property and amendment of the Declaration provided approval of Delegates representing two third (2/3) of the voting power of the Members of the Association is obtained at a duly constituted meeting of the Association.

(C) The property to be annexed is more particularly described in the attached Exhibit A.

(D) The undersigned, being the President and Secretary of the Association, hereby certify that the approval of Delegates representing two thirds (2/3) of the voting power of the Members of the Association has been obtained at a duly called and constituted meeting of the Association.

The undersigned hereby declares as follows:

1. Annexation of Property. Pursuant to this agreement, the property described in Exhibit A, attached hereto and incorporated herein by this reference, is hereby annexed to the Battlement Mesa Service Association in the following manner: on the date of transfer of title of any residential lot in First Eagles Point from BML&D to any other party that lot shall be deemed to be annexed into the Battlement Mesa Service Association and shall be subject to the terms and provisions of the Declaration. Upon transfer of title of Common Elements in First Eagles Point from BML&D to First Eagles Point Homeowners Association those Common Elements are deemed annexed into the Battlement Mesa Service Association.

2. Initial Units. The property described in Exhibit A to this document, shall be composed of 56 residential lots and open space/common areas A,B,C and D.



3 **Supplemental Map.** Pursuant to the Declaration a Supplemental Map for Battlement Mesa covering the property which is described in Exhibit A attached hereto has been prepared and recorded in the records of the Office of the Clerk and Recorder of Garfield County, Colorado on September 22, 2004, Reception #660191.

4. **Creation of Delegate Area.** The annexed property, as described in Exhibit A, shall be known as First Eagles Point and shall constitute a new Delegate Area (Delegate Area #16), as defined by the Declaration, and shall be subject to all the rights and duties set forth in the Declaration.

5. **Amendment of the Declaration.** The Declaration is hereby amended by addition of the following language to Exhibit A, as amended, of the Declaration under the subsection "Residential Area":

First Eagles Point - Delegate Area #16

6. **Definitions.** Unless otherwise defined herein, initially capitalized terms or terms defined in the Declaration shall have the same meaning herein.

Dated this seventh day of April, 2005.

**BATLEMENT MESA SERVICE
ASSOCIATION**
a Colorado nonprofit corporation

Charles D. Hall, President

ATTEST:

Suzanne M. Lancaster, Secretary

672847 04/25/2005 02:12P B1681 P610 M ALSDORF
3 of 3 R 16.00 D 0.00 GARFIELD COUNTY CO

EXHIBIT A

LEGAL DESCRIPTION
FIRST EAGLES POINT, BATTLEMENT MESA, P.U.D.

A parcel of land situate in a parcel of land described in Book 811 at Page 924 of the records of the Garfield County Clerk and Recorder, also being in the northwest quarter of Section 17 and the northeast quarter of Section 18, Township 7 South, Range 95 West of the 6th Principal Meridian, County of Garfield, State of Colorado being more particularly described as follows:

Beginning at a point on the westerly right-of-way line of Spencer Parkway as described in said Book 811 at Page 924 of the records of the Garfield County Clerk and Recorder whence the north quarter corner of said Section 17 bears N86°17'13"E a distance of 1573.37 feet with bearings contained herein being relative to a bearing of S88°43'36"E between the northeast corner of said Section 18 and the north quarter corner of Section 17; thence along said westerly right-of-way line of Spencer Parkway 283.44 feet along the arc of a 650.00 feet radius curve to the left, having a central angle of 24°59'06" and subtending a chord bearing S09°12'17"W a distance of 281.20 feet; thence S03°17'16"E a distance of 524.78 feet; thence 50.22 feet along the arc of a 250.00 feet radius curve to the right, having a central angle of 11°30'33" and subtending a chord bearing S02°28'00"W a distance of 50.13 feet; thence S54°41'14"W a distance of 37.22 feet; thence S09°06'26"W a distance of 14.77 feet; thence departing said westerly right-of-way line N54°07'28"W a distance of 314.15 feet; thence N55°41'19"W a distance of 265.45 feet; thence N78°39'50"W a distance of 296.32 feet; thence N81°45'01"W a distance of 297.02 feet; thence N81°57'04"W a distance of 145.63 feet; thence N75°45'00"W a distance of 370.19 feet; thence N22°01'45"W a distance of 154.99 feet; thence N06°18'36"W a distance of 114.85 feet; thence N54°39'55"E a distance of 55.12 feet; thence N59°01'19"E a distance of 77.71 feet; thence N72°50'04"E a distance of 193.51 feet from whence the northeast corner of said Section 18 bears N69°41'10"E a distance of 332.44 feet; thence S77°45'09"E a distance of 177.92 feet; thence S73°14'55"E a distance of 425.47 feet; thence N54°40'52"E a distance of 470.22 feet; thence S84°56'46"E a distance of 248.40 feet; thence S65°52'14"E a distance of 148.32 feet; thence S26°51'31"E a distance of 83.17 feet to the POINT OF BEGINNING, containing 20.888 acres more or less.

SUPPLEMENTAL DECLARATION FOR THE ANNEXATION OF PROPERTIES TO THE BATTLEMENT MESA SERVICE ASSOCIATION

This Supplemental Declaration for the Annexation of Properties to the Battlement Mesa Service Association is made by Battlement Mesa Partners as the Declarant under the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Battlement Mesa the day and year hereinafter set forth.

WITNESSETH:

THAT, WHEREAS, a certain Declaration of Covenants, Conditions and Restrictions for Battlement Mesa was recorded on October 15, 1981, in Book 583 at Page 456 as Reception No. 320285, in the records of the office of the Clerk and Recorder of Garfield County, Colorado, as amended or supplemented from time to time (collectively, the "Original Declaration"), which authorized formation of the master Battlement Mesa Service Association (the "Service Association"); and

WHEREAS, a certain Amended And Restated Declaration Of Covenants, Conditions And Restrictions for Battlement Mesa was recorded on August 13, 1991, in Book 811 at Page 09 as Reception No. 426419, in the records of the office of the Clerk and Recorder of Garfield County, Colorado, as amended or supplemented from time to time (collectively, the "Amended and Restated Declaration"), which authorized the complete merger of various community associations within Battlement Mesa under the master Service Association, and, by merger, rescinded and replaced the Original Declaration; and,

WHEREAS, under Article II, Section 2.3, of the Amended and Restated Declaration, the Declarant reserved the right to annex to the Service Association certain additional real property as evidenced by recording a Supplemental Declaration, which Supplemental Declaration may impose supplemental covenants, conditions and restrictions on the annexed property; and

WHEREAS, the following described properties are eligible for annexation into the Service Association, to-wit:

Parcel 1: Blocks 1 and 2 and Common Area Tracts A, B, C and
 D, The Fairways Villas Subdivision, according to the
 plat thereof recorded in Garfield County, State of
 Colorado



44590 04/27/1999 11:41A B1126 P606 M ALSDORF
of 3 R 16.00 D 0.00 GARFIELD COUNTY CO

Parcel 2: Blocks 1, 2, 3 and 4, Town Center Filing No. 5
Subdivision, according to the plat thereof recorded in
Garfield County, State of Colorado.

NOW, THEREFORE, Battlement Mesa Partners, as the Declarant under the Amended and
Restated Declaration, does hereby add and annex to the Service Association and subject to the
jurisdiction and benefits of the Service Association, all of the above-described real property and shall
have such Assessment Units as shall be assigned by the Service Association.

EXCEPT to the extent provided herein, all other provisions of the Amended and Restated
Declaration, as amended and supplemented, shall remain in full force and effect.

EXECUTED as of this 19th day of April, 1999.

BATTLEMENT MESA PARTNERS
By Community Holdings West, Inc.,
a Colorado corporation,
Its General Partner

By Thomas B. Beard
Thomas B. Beard, Vice President

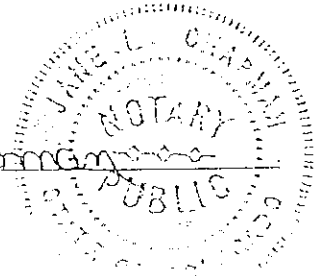
STATE OF COLORADO)
) ss.
COUNTY OF GARFIELD)

The foregoing instrument was acknowledged before me this 19th day of April, 1999,
by Thomas B. Beard as Vice President of Community Holdings West, Inc., a Colorado corporation,
a General Partner of Battlement Mesa Partners.

My commission expires: 11-16-99

Witness my hand and official seal:

James L. Chapman
Notary Public



544590 04/27/1999 11:41A B1126 P607 M ALSDORF
 3 of 3 R 16.00 D 0.00 GARFIELD COUNTY CO

Annexation of Parcel 1 above described ratified, approved and confirmed this 19th day of April, 1999.

WITT AND ASSOCIATES, LLC

By *Richard L. Witt*
 Richard L. Witt, Manager

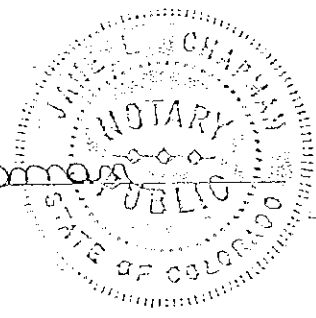
STATE OF COLORADO)
) ss.
 COUNTY OF GARFIELD)

The foregoing instrument was acknowledged before me this 19th day of April, 1999, by Richard L. Witt as Manager of Witt and Associates, LLC.

My commission expires: 11-16-99

Witness my hand and official seal.

James L. Chapman
 Notary Public





502979 12/31/1996 09:52A B1005 P119 703
1 of 3 R 16.00 D 0.00 N 0.00 GARFIELD COUNTY CLER

SUPPLEMENTAL DECLARATION
AND
ANNEXATION TO BATTLEMENT MESA
FOR
GRACE BIBLE CHURCH SUBDIVISION

THIS SUPPLEMENTAL DECLARATION AND ANNEXATION TO BATTLEMENT MESA FOR GRACE BIBLE CHURCH SUBDIVISION is made and entered into by BATTLEMENT MESA PARTNERS, a Colorado general partnership ("Declarant"), on the date and year hereinafter set forth.

WITNESSETH:

THAT, WHEREAS, a certain Declaration of Covenants, Conditions and Restrictions for Battlement Mesa was recorded on October 15, 1981, in Book 583, Page 456, Reception No. 320285, in the records of the office of the Clerk and Recorder of Garfield County, Colorado, as amended or supplemented from time to time (collectively, the "Original Declaration"), which authorized formation of the master Battlement Mesa Service Association; and,

WHEREAS, a certain Amended And Restated Declaration Of Covenants, Conditions And Restrictions For Battlement Mesa was recorded on August 13, 1991, in Book 811, Page 09, Reception No. 426419, in the records of the office of the Clerk and Recorder of Garfield County, Colorado, as amended or supplemented from time to time (collectively, the "Amended and Restated Declaration") which authorized the complete merger of various community associations within Battlement Mesa under the master Battlement Mesa Service Association, and, by merger, rescinded and replaced the Original Declaration; and,

WHEREAS, under Article II, Section 2.3, of the Amended And Restated Declaration, the Declarant reserved the right to Annex certain additional real property as evidenced by recording of a Supplemental Declaration, which Supplemental Declaration may impose supplemental covenants, conditions and restrictions to the Annexed Property; and,

WHEREAS, a portion of the remaining portion Annexable Area has been subdivided as Grace Bible Church Subdivision, which includes the creation of one (1) church site lot, as evidenced by recording of the Final Plat in the records of the office of the Clerk and Recorder of Garfield County, Colorado.

NOW, THEREFORE, Battlement Mesa Partners, as the Declarant under the Amended And Restated Declaration and the owner of that certain real property known as Grace Bible Church Subdivision, does hereby add and annex to the Property covered by the Amended And Restated Declaration of the Battlement Mesa Service Association and subject to the jurisdiction and benefits of the Battlement Mesa Service Association, all of the real property covered by the Final Plat of Grace Bible Church Subdivision, legal description per Exhibit A attached hereto, executed even date herewith and recorded in the real property records of Garfield County, Colorado, containing one (1) platted church site Lot under the definition of Publicly Owned Sites and shall contain zero (0) Assessment Units under the Amended and Restated Declaration.

4600A



502979 12/31/1996 09:52A B1005 P120 703
2 of 3 R 16.00 D 0.00 N 0.00 GARFIELD COUNTY CLER

EXCEPT to the extent provided herein, all other provisions of the Amended And Restated Declaration, as amended and supplemented, shall remain in full force and effect.

EXECUTED as of this 30 day of December, 1996.

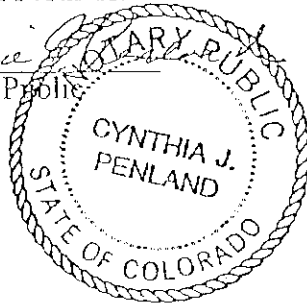
BATTLEMENT MESA PARTNERS,
by Community Holdings West, Inc.,
a Colorado corporation,
its General Partner

By: [Signature]
Thomas Beard, Vice President

State of Colorado)
) SS.
County of Garfield)

The foregoing instrument was acknowledged before me this 30 day of December, 1996, by Thomas Beard as Vice President of Community Holdings West, Inc., a Colorado Corporation, a General Partner for Battlement Mesa Partners.

Witness my hand and official seal. [Signature]
My commission expires 6/17/1997 Notary Public





502979 12/31/1996 09:52A B1005 P121 703
3 of 3 R 16.00 D 0.00 N 0.00 GARFIELD COUNTY CLER

EXHIBIT "A"

A parcel of land located in the NE1/4SW1/4, of Section 8, Township 7 South, Range 95 West of the 6th Principal Meridian, Garfield County, Colorado, and being more particularly described as follows:

Beginning at a point on the easterly right-of-way of Spencer Parkway which is South 87°41'36" West 3165.36 feet from the stone monumenting the E1/4 corner of said Section 8:
Thence leaving said right-of-way South 79°37'28" East 224.18 feet;
thence South 49°20'08" East 359.27 feet;
thence South 00°00'00" East 442.32 feet;
thence North 56°45'01" West 317.60 feet;
thence North 74°24'26" West 223.22 feet;
thence North 50°57'10" West 171.77 feet to a point on the easterly right-of-way of Spencer Parkway;
thence along said right-of-way on the arc of a non-tangent curve reflecting to the right, having a radius of 950.00 feet, a central angle of 23°54'24", and a chord bearing North 17°54'03" East 393.52 feet, to the POINT OF BEGINNING.

Return to: Battlement Mess Service Assoc
Attn: Mrs Jane Chapman
PO Box 6006
Battlement, CO

RECORDED 1:38 O'CLOCK P.M. REC # 463488
 MAY 20 1994 MILDRED ALSDORF, GARFIELD COUNTY CLERK

SUPPLEMENTAL DECLARATION
 AND
 ANNEXATION TO BATTLEMENT MESA
 FOR
 MESA RIDGE PHASE III SUBDIVISION

THIS SUPPLEMENTAL DECLARATION AND ANNEXATION TO BATTLEMENT MESA FOR MESA RIDGE PHASE III SUBDIVISION is made and entered into by BATTLEMENT MESA PARTNERS, a Colorado general partnership ("Declarant"), on the date and year hereinafter set forth.

WITNESSETH:

THAT, WHEREAS, a certain Declaration of Covenants, Conditions and Restrictions for Battlement Mesa was recorded on October 15, 1981, in Book 583, Page 456, Reception No. 320285, in the records of the office of the Clerk and Recorder of Garfield County, Colorado, as amended or supplemented from time to time (collectively, the "Original Declaration"), which authorized formation of the master Battlement Mesa Service Association; and,

WHEREAS, a certain Amended And Restated Declaration Of Covenants, Conditions And Restrictions For Battlement Mesa was recorded on August 13, 1991, in Book 811, Page 09, Reception No. 426419, in the records of the office of the Clerk and Recorder of Garfield County, Colorado, as amended or supplemented from time to time (collectively, the "Amended and Restated Declaration") which authorized the complete merger of various community associations within Battlement Mesa under the master Battlement Mesa Service Association, and, by merger, rescinded and replaced the Original Declaration; and,

WHEREAS, under Article II, Section 2.3, of the Amended And Restated Declaration, the Declarant reserved the right to Annex certain additional real property as evidenced by recording of a Supplemental Declaration, which Supplemental Declaration may impose supplemental covenants, conditions and restrictions to the Annexed Property; and,

WHEREAS, that remaining portion of Jack's Pocket Village Filing #5, of Delegate Area #3, has been resubdivided as Mesa Ridge Phase III Subdivision, which includes the creation of thirty-eight (38) additional townhome lots, as evidenced by

recording of the Final Plat in the records of the office of the Clerk and Recorder of Garfield County, Colorado.

NOW, THEREFORE, Battlement Mesa Partners, as the Declarant under the Amended And Restated Declaration and the owner of that certain real property known as Mesa Ridge Phase III Subdivision, does hereby add and annex to the Property covered by the Amended And Restated Declaration of the Battlement Mesa Service Association as part of Delegate Area #3 and subject to the jurisdiction and benefits of the Battlement Mesa Service Association, and the jurisdiction and benefits of the subassociation Mesa Ridge Townhome Association, all of the real property covered by the Final Plat of Mesa Ridge Phase III Subdivision, legal description per Exhibit A hereto, executed even date herewith and recorded in the real property records of Garfield County, Colorado, containing thirty-eight (38) platted townhome lots under the definition of Residential Sites and classified as thirty-eight (38) Assessment Units under the Amended and Restated Declaration.

EXCEPT to the extent provided herein, all other provisions of the Amended And Restated Declaration, as amended and supplemented, shall remain in full force and effect.

EXECUTED as of this 16TH day of MAY, 1994.

BATLEMENT MESA PARTNERS,
by Community Holdings West, Inc.,
a Colorado corporation,
its General Partner

By: William Wilde
Vice President

State of Colorado)
) SS.
County of Garfield)

The foregoing instrument was acknowledged before me this 16th day of MAY, 1994, by WILLIAM WILDE as Vice President of Community Holdings West, Inc., a Colorado Corporation, a General Partner for Battlement Mesa Partners.

Witness my hand and official seal. Sandra L. Trager My
commission expires 7-10-95. Notary Public

Exhibit "A"

Legal Description
Mesa Ridge Phase III Subdivision

A tract of land situate in Jack's Pocket Village Filing 5, a part of the Battlement Mesa P.U.D., Section 17, Township 7 South, Range 95 West of the 6th Principal Meridian being more particularly described as follows:

Beginning at the intersection of the easterly boundary line of Mesa Ridge Townhomes Filing No. 1, County of Garfield, State of Colorado and the right-of-way line of Sipprelle Drive; thence along said right-of-way line the following two courses: 1) 242.66 feet along the arc of curve to the right, having a radius of 339.48 feet, a central angle of 40-57-18, and subtending a chord bearing S 19-27-41 E 237.53 feet; thence 2) S 01-00-57 W 940.00 feet; thence N 88-46-00 W 307.31 feet; thence N 36-09-13 W 330.59 feet; thence N 50-13-42 E 167.02 feet; thence N 00-00-00 E 119.26 feet; thence N 16-30-00 E 195.15 feet; thence N 22-00-00 E 55.63 feet; thence N 24-30-00 W 94.77 feet; thence 38.56 feet along the arc of a curve to the left, having a radius of 93.57 feet, a central angle of 23-36-49, and subtending a chord bearing N 36-18-23 W 38.29 feet; thence N 41-53-19 E 56.00 feet; thence 61.64 feet along the arc of a curve to the right, having a radius of 149.57 feet, a central angle of 23-36-46, and subtending a chord bearing S 36-18-23 E 61.21 feet; thence S 24-30-00 E 34.06 feet; thence N 42-38-56 E 138.89 feet; thence N 39-51-55 E 125.93 feet; thence N 13-07-47 E 152.16 feet to the point of beginning, said parcel contain 8.36 acres more or less.

RECORDED AT 2 28
REC * 446154O'CLOCK P.M. APR 9 1993
MILDRED ALSDORF, COUNTY CLERK

SUPPLEMENTAL DECLARATION
AND
ANNEXATION TO BATTLEMENT MESA
FOR
MESA RIDGE PHASE II SUBDIVISION

THIS SUPPLEMENTAL DECLARATION AND ANNEXATION TO BATTLEMENT MESA FOR MESA RIDGE PHASE II SUBDIVISION is made and entered into by BATTLEMENT MESA PARTNERS, a Colorado general partnership ("Declarant"), on the date and year hereinafter set forth.

WITNESSETH:

THAT, WHEREAS, a certain Declaration of Covenants, Conditions and Restrictions for Battlement Mesa was recorded on October 15, 1981, in Book 583, Page 456, Reception No. 320285, in the records of the office of the Clerk and Recorder of Garfield County, Colorado, as amended or supplemented from time to time (collectively, the "Original Declaration"), which authorized formation of the master Battlement Mesa Service Association; and,

WHEREAS, a certain Amended And Restated Declaration Of Covenants, Conditions And Restrictions For Battlement Mesa was recorded on August 13, 1991, in Book 811, Page 09, Reception No. 426419, in the records of the office of the Clerk and Recorder of Garfield County, Colorado, as amended or supplemented from time to time (collectively, the "Amended and Restated Declaration") which authorized the complete merger of various community associations within Battlement Mesa under the master Battlement Mesa Service Association, and, by merger, rescinded and replaced the Original Declaration; and,

WHEREAS, under Article II, Section 2.3, of the Amended And Restated Declaration, the Declarant reserved the right to Annex certain additional real property as evidenced by recording of a Supplemental Declaration, which Supplemental Declaration may impose supplemental covenants, conditions and restrictions to the Annexed Property; and,

WHEREAS, that portion of Jack's Pocket Village Filing #5, of Delegate Area #3, has been resubdivided as Mesa Ridge Phase II Subdivision, which includes the creation

of sixteen (16) additional townhome lots, as evidenced by recording of the Final Plat in the records of the office of the Clerk and Recorder of Garfield County, Colorado.

NOW, THEREFORE, Battlement Mesa Partners, as the Declarant under the Amended And Restated Declaration and the owner of that certain real property known as Mesa Ridge Phase II Subdivision, does hereby add and annex to the Property covered by the Amended And Restated Declaration of the Battlement Mesa Service Association as part of Delegate Area #3 and subject to the jurisdiction and benefits of the Battlement Mesa Service Association, all of the real property covered by the Final Plat of Mesa Ridge Phase II Subdivision, legal description per Exhibit A hereto, executed even date herewith and recorded in the real property records of Garfield County, Colorado.

EXCEPT to the extent provided herein, all other provisions of the Amended And Restated Declaration, as amended and supplemented, shall remain in full force and effect.

EXECUTED as of this 9TH day of APRIL, 1993.

BATLEMENT MESA PARTNERS,
by Community Holdings West, Inc.,
a Colorado corporation,
its General Partner

By: William Wilde
Vice President

State of Colorado)
) SS.
County of Garfield)

The foregoing instrument was acknowledged before me this 9th day of April, 1993, by William Wilde as Vice President of Community Holdings West, Inc., a Colorado Corporation, a General Partner for Battlement Mesa Partners.

Witness my hand and official seal.
My commission expires 6/5/93

Mary Lou Sexton
Notary Public



EXHIBIT ALEGAL DESCRIPTION, MESA RIDGE PHASE II SUBDIVISION

*A tract of land situated in Jack's Pocket Village Filing 5
A Part of the Ballement Mesa P.U.D., Section 17, Township 7
South, Range 95 West of the 6th Principal Meridian, Garfield
County, Colorado being more particularly described as
follows:*

*Beginning at a point on the west property line of said Jack's
Pocket Village Filing 5 whence the north 1/4 corner of said
Section 17 bears N 32-23-41 W 1271.67 feet, thence
N 22-00-00 E 108.00 feet; thence
331.89 feet along the arc of a curve to the right having a
radius of 1095.92 feet, a central angle of 17-21-06 and
subtending a chord bearing N 30-40-33 E 330.62 feet; thence
32.17 feet along the arc of a curve to the right having a
radius of 20.00 feet, a central angle of 92-08-55 and
subtending a chord bearing N 85-25-33 E 28.81 feet; thence
S 48-30-00 E 274.55 feet; thence
50.72 feet along the arc of a curve to the right having a
radius of 339.48 feet, a central angle of 8-33-37 and
subtending a chord bearing S 44-13-11 E 50.67 feet; thence
S 13-07-47 W 152.16 feet; thence
S 39-51-55 W 125.93 feet; thence
S 42-38-56 W 138.89 feet; thence
N 24-30-00 W 34.06 feet; thence
113.56 feet along the arc of a curve to the left having a
radius of 149.57 feet, a central angle of 43-30-05 and
subtending a chord bearing N 46-15-02 W 110.85 feet; thence
N 68-00-00 W 189.00 feet to the point of beginning.*

*Said parcel contains 3.48 acres more or less; have by these presents
laid out, platted, and subdivided the same into lots as shown
hereon and designate the same as Mesa Ridge Phase II Subdivision
in the County of Garfield, State of Colorado.*