

Thressa A. Sholdt El Paso Cty, CO  
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202164893



**NOTARIZED PETITIONER POSITION FOR THE COVENANT AMENDMENT**

The property owners in Pinecliff, Filing Number 2 (List attached) do hereby approve of and affix the signatures of each and/or joint owners to amend the Pinecliff Filing 2 covenants. Each homeowner who agrees with the change has furnished this petition with name, address and signature. A sufficient number of owners (7) are attached to this notarized letter by the key authority in the filing. That key authority, having achieved a proper majority, has filed this petition with the County Clerk and Recorder of El Paso County and will also furnish all documentation to the Architectural Control Committee for implementation.

*I certify that the attached signatures were obtained by me from homeowners in Filing 2, Pinecliff for the purpose of amendment of protective covenants, Section 137 E.*

Key Authority for Filing 2, Pinecliff

PAUL C. WHITE

Name

835 GOLDEN HILLS RD. COLORADO SPRINGS CO 80919

Address

Dalca White

Signature



My Commission Expires 8/30/2003

My Commission expires 08/30/03

State of Colorado )  
County of El Paso )

Witness my hand and official seal

The foregoing instrument was acknowledged before me this  
27 day of SEPTEMBER, 2002

Belinda Medrano  
Notary Public

# Pinecliff Homeowners Association

## PETITION TO AMEND ROOFING MATERIALS

Section 137, Subsection e of the Conditions, Covenants, Restrictions, Easements and Charges affecting the real property known as Pinecliff, Filing 2

Section 137E of the protective covenants for Pinecliff filing 2 state that "all roof areas shall be of wood shakes, wood shingles, tile, copper or such other material as may be approved by Declarant" (described as David R. Sellon and Co., as the original owner of the residential area of Colorado Springs now known as Pinecliff No. 2, now assigned to the Architectural Control Committee of the Pinecliff Homeowners Association). The covenants for filing 2 provide for amendments by an instrument signed and acknowledged by at least 7 of the 13 property owners in the filing.

The following statement shall be added: *Asphalt/fibreglas dimensional shingles which meet or exceed a weight requirement of 350 pounds per square (100 square feet) and feature an earthtone color appearance may be used.*

**DISCUSSION OF THIS ISSUE:** The Pinecliff Homeowners Association Board and the Architectural Control Committee enforce the protective covenants as originally written considering any official amendments. Asphalt roofing was and is prohibited from most filings in Pinecliff and Sunbird Cliffs by the developer to ensure the look of higher-end home developments meeting standards and values which set them apart from other parts of the city. This goal has been achieved over the past 20 years. In the mid 1990s the city mandated hillside regulations which require fire resistant roofing materials. Wood shake shingles, untreated with fire retardant, do not meet the new criteria. (Retardant treatment must be repeated to be effective plus insurance costs are higher.) This forces most homeowners to consider replacement of wood roofs with alternative materials.

Homeowners may wish to install the new asphalt/fibreglas dimensional composition roofing. In general, asphalt roofing meets the fire standards and can be more impact resistant than some other wood shake alternatives.

The Architectural Control Committee is recommending over ten replacement roofing systems which provide the attractive look of wood shakes, meet the fire rating and do not contain asphalt.

Each Pinecliff filing can determine by a majority (as defined in the filing) through petition if the asphalt restriction is to be removed, or if the covenants remain as current, absent of petition, and only alternative, upgraded products continue to used.

### NOTARIZED PETITIONER POSITION FOR THE COVENANT AMENDMENT

Accordingly, the following property owner in Pinecliff does hereby approve of and affix the signatures of each and/or joint owners to amend the Pinecliff Filing 2 covenant. Each homeowner who agrees with the change must furnish this petition with name, address and signature. A sufficient number of forms will be notarized by the key authority in the filing. That key authority, having achieved a proper majority, shall then file this petition with the County Clerk and Recorder of El Paso County and also furnish all documentation to the Architectural Control Committee for implementation.

Agree with Change  Do not Agree with Change

x BRALEY P BARTTEN  
Printed Name (s)

x [Signature]  
Signature (s)

5117-OVERBROOK PL  
Address (Lot Number if unimproved)

x 9/21/02 Date Signed

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