

**LANDSCAPE EASEMENT AND MAINTENANCE
CONFIRMATION AGREEMENT**

This LANDSCAPE EASEMENT AND MAINTENANCE CONFIRMATION AGREEMENT, dated as of MARCH 13, 2007³, is executed by and between UP Phase 1, LLC, a Colorado limited liability company ("Owner") and University Park Homeowners Association, a Colorado non profit corporation ("UP HOA").

Background

A. Owner is the owner of that certain real property known as Lots 1 through 51, inclusive, Hidden Canyon Patio Homes at University Park Filing No. 1, as reflected on the plat thereof recorded on August 28, 2002, at Reception No. 202144408 of the real property records of El Paso County, Colorado (the "Plat").

B. The Plat provides for landscape easements of various widths within those portions of Lots 1 through 4, inclusive, Lots 33-45, inclusive, and Lot 51, Hidden Canyon Patio Homes at University Park Filing No. 1, which are adjacent to Rockhurst Boulevard, Collegiate Drive and Seton Hall Road (the "Landscape Easement").

C. Owner and UP HOA desire to confirm the location of the Landscape Easement, ratify UP HOA's commitment to maintain the Landscape Easement and provide a map specifying the location of the Landscape Easement.

Agreement

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Owner and UP HOA hereby agree as follows:

1. Location of Landscape Easement. The Landscape Easement provided for in the Plat is hereby confirmed to be located within those portions of Lots 1 through 4, inclusive, Lots 33 through 45, inclusive, and Lot 51, Hidden Canyon Patio Homes at University Park Filing No. 1, which are located adjacent to Rockhurst Boulevard, Collegiate Drive and Seton Hall Road, and as described on the map attached hereto and incorporated herein by this reference.

2. Maintenance. UP HOA hereby confirms its obligation to maintain the Landscape Easement.

Executed as of the date first above written.

"OWNER":

UP Phase 1, LLC,
a Colorado limited liability company

ATTEST:

By: Elite Properties of America, Inc.,
a Colorado corporation, as Manager

By: _____
Its: _____

By: _____
Its: _____
[Handwritten Signature]
U.P. HOA

“UP HOA”:

ATTEST:

University Park Homeowner's Association

By: _____
Its: _____

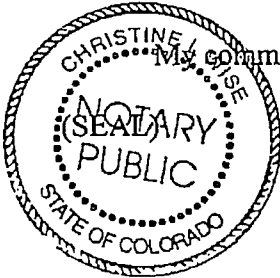
By: _____
Its: _____
[Handwritten Signature]
U.P. HOA

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

This document was acknowledged before me on March 13, 2007, by
Joseph Laidolt as Vice President
and _____ as _____ of Elite
Properties of America, Inc., a Colorado corporation, as Manager of UP Phase 1, LLC, a
Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 12-02-2005



Christine L. Wise
Notary Public

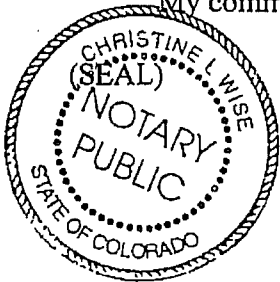
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STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

This document was acknowledged before me on March 13, 200~~2~~³, by
Joseph Loidolt, as _____
and _____ as
Vice President of University Park Homeowner's Association.

Witness my hand and official seal.

My commission expires: 12-02-2005.



Christine L. Wise
Notary Public

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Douglas Reinelt

From: Amy Grier
Sent: Monday, December 09, 2002 11:39 AM
To: Douglas Reinelt
Cc: Sandy Dorman
Subject: Driver's License & Waiver

Hi Doug:

The following field guys need to see Sandy Dorman to give her a copy of their driver's license and sign the waiver:

Brendon Murden
Greg Harris
Emily Firoved

Thanks!!

Amy Grier
Administrative Manager
Classic Consulting
Engineers and Surveyors, LLC
(719) 785-0790
agrier@classicconsulting.net

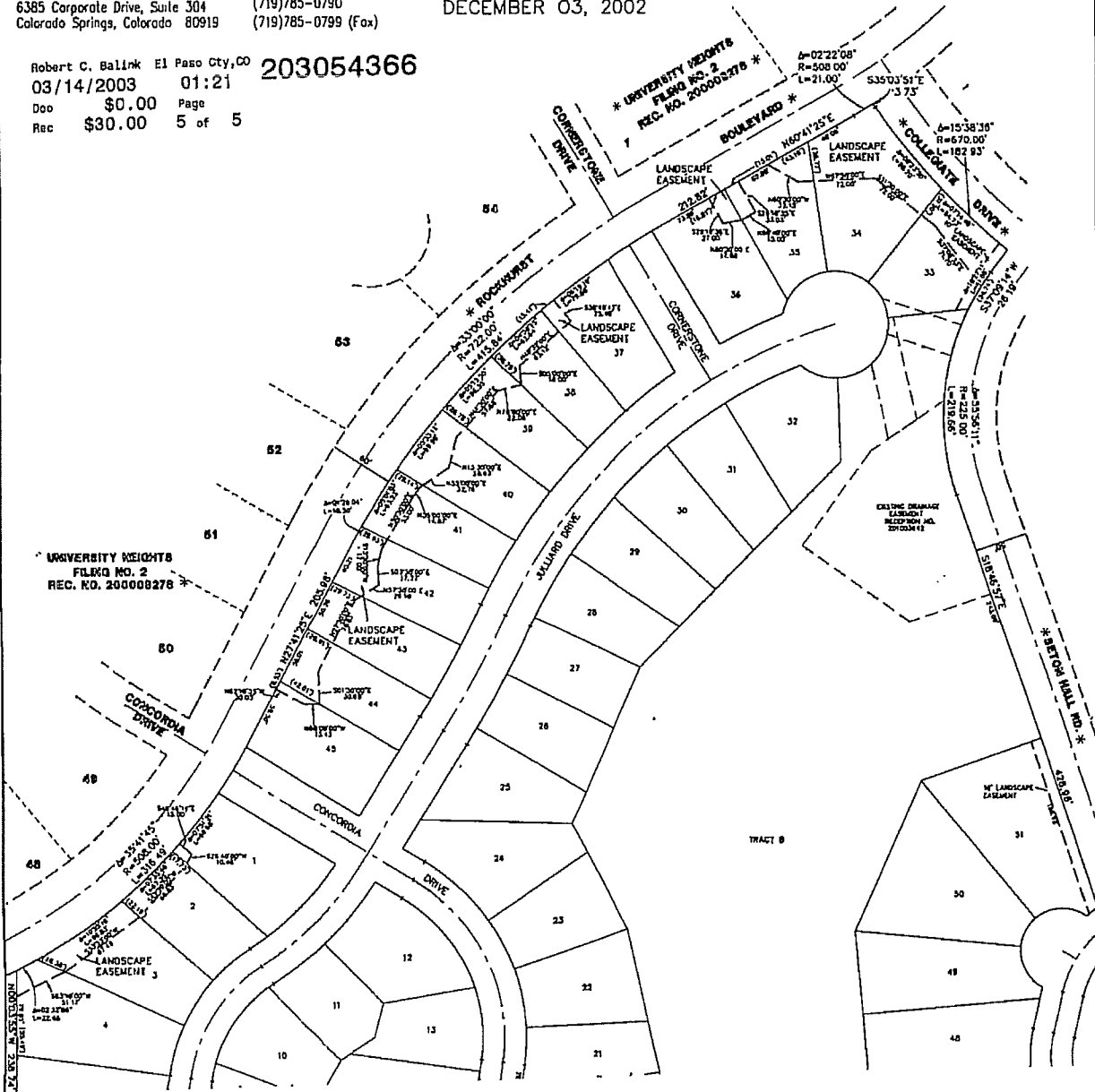
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LANDSCAPE CONFIRMATION MAP
 HIDDEN CANYON PATIO HOMES AT
 UNIVERSITY PARK FILING NO. 1
 JOB NO. 1022.00
 SHEET 1 OF 1
 DECEMBER 03, 2002

6385 Corporate Drive, Suite 304 (719)785-0790
 Colorado Springs, Colorado 80919 (719)785-0799 (Fax)

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SCALE: 1" = 100'

CCES, LLC DOES NOT EXPRESS NOR IMPLY ANY WARRANTY WITH THE ABOVE WRITTEN LEGAL DESCRIPTION AND EXHIBIT. THE LEGAL DESCRIPTION WAS WRITTEN FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT DEPICT A MONUMENTED LAND SURVEY. CLARIFICATION.DWG