## INTERPRETATION OF THE COVENANTS

## OF THE WINDJAMMER HOMEOWNERS ASSOCIATION

Pursuant to Section 703 of the Declarations of Conditions, Covenant, Restrictions and Easements for Windjammer ("Covenants"), recorded in the office of the Clerk and Recorder of El Paso County, Colorado, on July 2, 1982, in Book 3582 at Page 495, the Approving Authority has determined that the following interpretation applies to 603b and 603c of the Covenants.

It is not the intent of subsection 603c to restrict the Association's raising of the annual assessment ("dues") only to the CPI of a single preceding year. The intent was that the \$120 maximum set forth for 1982 was to be the basis for cumulative CPI indexing of the annual assessment maximum.

In the fourth quarter of 1993 an increase of \$24 per quarter was implemented in concurrence with the addition of unified trash collection service. More than two-thirds of the then current homeowners voted to amend the declaration to implement this additional service concurrently implying consent to the increase of \$96 per year to pay for the service. The maximum of the additional trash assessment is the cost of the trash contract per home plus \$24 per year.

The total assessment maximum is the addition of the annual assessment maximum and the trash assessment maximum. This has been the ongoing understanding of the board of directors since 1993 and is formalized in this interpretation.

THE WINDJAMMER HOMEOWNERS ASSOCIATION APPROVING AUTHORITY

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Signed

LYNNE CANNON

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Approving Authority of the WINDJAMMER HOMEOWNERS ASSOCIATION

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## **CERTIFICATE**

STATE OF COLORADO	)	
	)	SS
COUNTY OF EL PASO	)	

Subscribed and sworn before me this 12 day of March, 2013 by LYNNE CANNON, Chairman of the Approving Authority of the Windjammer Homeowners Association.

And ELDA RIDENOUR, being first duly sworn, declares this to the undersigned authority that she is the Secretary of THE WINDJAMMER HOMEOWNERS ASSOCIATION. That Lynne Cannon is the Approving Authority of the Windjammer Homeowners Association and has been duly appointed to that position pursuant to Section 501 of the Covenants of the Association and is currently serving in that position.

DATED in Colorado Springs, Colorado this 12 day of March, 2013.

ELDA RIDENOUR, Secretary

WINDJAMMER HOMEOWNERS ASSOCIATION

SUBSCRIBED AND SWORN before me this <u>12</u> day of March, 2013, by ELDA RIDENOUR, Secretary of THE WINDJAMMER HOMEOWNERS ASSOCIATION.

Witness my hand and official seal.

**Notary Public** 

HARMONY R. CROFOOT

NOTARY PUBLIC
STATE OF COLORADO

My Commission Expires 05/11/2016

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El Paso County, CO

