660 Southpointe Court #210 Colorado Springs, CO 80906

CONTRACT AND ASSIGNMENT OF RIGHT TO ENFORCE COVENANTS

This Assignment, dated and effective as of this ZirtEFILED Document 2007 (the "Assignment"), is made by and between Richmond American Filing Date: Apr 3 2009 11:37PM MDT Delaware Corporation, (the "Assignor") and Woodmen Hills Mrimp Total 24520328 ict, a quasi-municipal corporation and political subdivision of the State of Colorevic (Clerk Donne Maes

RECITALS

- A. The Assignor is a Declarant of certain declarations, covenants, conditions, restrictions, limitations, reservations, exceptions equitable servitudes and other provisions, encumbering real property within the Woodmen Hills Metropolitan District, and recorded with the El Paso County Clerk and Recorder (the "Covenants"). See Exhibit A.
- B. Declarant is a "governing body of the applicable master association or similar body" for purposes of C.R.S. § 32-1-1001 et seq.
- C. According to the Covenants, and in compliance with C.R.S. § 32-1-1004(8)(a)(1), the Assignor and its successors and assigns have the power to enforce the Covenants and the power to contract and assign that power to enforce the Covenants.

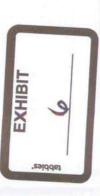
NOW THEREFORE, for and in consideration of the promises and the covenants and agreements set forth in this Assignment, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Assignor and Assignee, Assignor and Assignee agree as follows:

- Assignor sells, transfers, conveys and assigns, and Assignee does hereby accept and assume, the Assignor's right and power to enforce the Covenants.
- 2. The Assignor agrees to sell, transfer, convey and assign, and Assignee does hereby accept and assume, all existing files and documents regarding the enforcement of the Covenants by the Assignor or management companies that Assignor has previously engaged for the purpose of enforcing the Covenants.
- This Assignment shall be binding upon, and shall inure to the benefit of, Assignor, Richmond American Homes, and its respective successors and assigns.
- 4. This Assignment shall be binding upon, and shall inure to the benefit of, Assignee, Woodmen Hills Metropolitan District, and its respective successors and assigns.
- 5. This Assignment may be executed in any number of counterparts and by different parties to this Assignment in separate counterparts, each of which when so executed shall be deemed to be an original and all of which taken together shall constitute but one and the same Assignment. Delivery of an executed counterpart of a signature page to this Assignment via

ROBERT C. "BOB" BALINK 11/13/2007 01:34:39 PM

Doc \$0.00 Page Rec \$21.00 1 of 4 El Paso County, CO





telephone facsimile transmission shall be effective as delivery of a manually executed counterpart of this Assignment.

- 6. This Assignment shall be deemed to be a contract made under the laws of the State of Colorado, and for all purposes shall be governed by, and construed in all respects (including matters of construction, validity and performance) in accordance with the laws of the State of Colorado, without regard to the conflicts of law rules of such state.
- Nothing in this Assignment shall be deemed to waive or limit the protections afforded the Assignee under the Colorado governmental Immunity Act, C.R.S. §24-10-101, et seq.

IN WITNESS WHEREOF, Assignor and Assignee have caused this Assignment to be duly executed as of the date first above written.

ASSIGNOR:

RICHMOND AMERICAN HOMES OF COLORADO, INC.

Ву:	Alle		
	Name: _	DAVID VIGER	
	Title:	DIV PHUSIDENT	

Samue Komz Nogary Public

STATE OF COLORADO)	
) ss	
COUNTY OF EL PASO)	

The foregoing instrument was acknowledged before me this 31 day of August, 2007, by DAV ID of Richmond American Homes of Colorado, Inc.

Witness my hand and official seal.

My commission expires: DJobs 23, 2010

PUBLIC 8

ASSIGNEE:

	WOODMEN HILLS
	METROPOLITAN DISTRICT
	len De M Ral
	By: Jennigh In False
	Name: Desirte Bontain
	Title: !holi fier!
STATE OF COLORADO) ss	
COUNTY OF EL PASO)	
	18 dolla-
The foregoing instrument was acknowledg	ged before me this Oday of August, 2007, by of Woodmen Hills Metropolitan
District.	or woodnen This wedopontan
Witness my hand and official seal.	
My commission expires: 11/24	107.
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Personal P	Lat Wall
THE M. SUSE	Notary Public
W NOTARL TO	
9:	

EXHIBIT A

Those certain declarations, covenants, conditions, restrictions, limitations, reservations, exceptions equitable servitudes and other provisions, encumbering real property within the Woodmen Hills Metropolitan District, and recorded with the El Paso County Clerk and Recorder at Reception Numbers:

. 2001135161

Those certain covenants listed above cover the following lots – all of which are situated in El Paso County, Colorado:

Woodmen Hills Filing No 9, Lots: 819-845, inclusive; Lots: 865-874, inclusive; Lots: 976-984, inclusive

Woodmen Hills Filing No 9B, Lots: 1-4, inclusive