

Indexing notes:

Index in:

- Grantee's index under "Solitude Colorado" (the current and soon to be former name of the Community); under "THE KEEP" (the new name of the Community); "The Keep Homeowners Association, Inc.", formerly known as "Solitude Colorado Homeowners Association, Inc." (the name of the Association governing the Community)
- Grantor's index under "The Keep, LLC" (the name of the person executing and approving this document) also index in the Grantor's index under the name of any other person executing this document

Termination of the Solitude Colorado Declaration And Termination Agreement

This Termination of the Solitude Colorado Declaration and Termination Agreement ("Termination") is made by The Keep, LLC ("Declarant") and the persons consenting to this Termination, attached, as contemporaneously and/or subsequently approved and as those approvals may be separately recorded.

This Termination is effective upon recording in the real property records for Douglas County, State of Colorado.

RECITALS

- A. Declarant and the parties approving this Termination are the owners of all of that certain real estate in Douglas County, State of Colorado as described in Exhibit A and platted as Solitude Colorado Rural Site Plan.
- B. The Owners of Parcels 5 and 7 of Solitude Colorado Rural Site plan have agreed to and approved this Termination as may be evidenced by a separate or attached document, to be recorded with this Termination and/or as may be evidenced by a separate or attached document to a new declaration for a planned community known as THE KEEP.
- C. Cherokee Koelbel, LLC, as an initial declarant, created a planned community on a part of the real estate described in Exhibit A under the name of "Solitude Colorado" as set forth in the Declaration of Covenants, Conditions and Restrictions for Solitude Colorado recorded January 13, 2005 at Reception No. 2005004589, Douglas County records and any recorded amendments or supplements ("Solitude Colorado Declaration").
- D. Cherokee Koelbel, LLC assigned its rights under the Solitude Colorado Declaration to The Keep, LLC by document recorded December 31, 2009 at Reception No. 2009101484 of the real property records for Douglas County, State of Colorado.
- E. Section 12.2 of the Solitude Colorado Declaration provides Owners with a repeal or termination right with approval from Owners with at least 67% of the votes in the Association. Approval from The Keep LLC, as successor declarant, is also required under section 12.4 of the Solitude Colorado Declaration.
- F. Termination of the Solitude Colorado Declaration is also allowed for under section 218 of the Colorado Common Interest Ownership Act.

G. Declarant and all of the Owners approving this Termination desire to terminate the Solitude Colorado Declaration as allowed for under the Solitude Colorado Declaration and also under section 218 of the Colorado Common Interest Ownership Act.

Termination of Solitude Colorado Declaration and the Community.

- The Solitude Colorado Declaration and the Community created by the Solitude Colorado Declaration are terminated.
- The termination of the Solitude Colorado Declaration and the Community created by the Solitude Colorado Declaration are effective upon the recording of this Termination.
- The Real Estate subject to the Solitude Colorado Declaration is no longer subject to any of the terms and conditions of the Solitude Colorado Declaration.
- The parties approving this Declaration authorize the Declarant to do all things required or allowed under section 218 of the Colorado Common Interest Ownership Act to implement and effectuate termination of the Community and the Solitude Colorado Declaration.

Declarant:

The Keep, LLC, a Colorado limited liability company
By: Koelbel and Company, a Colorado corporation, its manager

By: [Signature]
Authorized Agent of Koelbel and Company

STATE OF COLORADO)
) ss.
COUNTY OF Denver)

The foregoing was acknowledged before me on this 29 day of August, 2018, by KEITH L NEARE as Authorized Agent of Koelbel and Company, manager of The Keep, LLC, a Colorado limited liability company. Witness my hand and official seal.

[Signature]
Notary Public

My Commission Expires: 9/25/2018

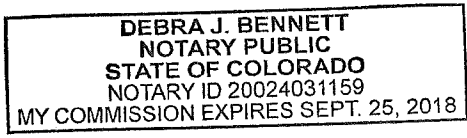


Exhibit A

Parcels 1 through 64, inclusive,
Tracts A, C, D, E, F, G, H, I, J, K, L, M, N, O, and P,
Solitude Colorado Rural Site plan,
Douglas County, Colorado.

Additional Consents

THE UNDERSIGNED, has/have reviewed, approved and consent to the foregoing Termination.

Cherokee Koelbel, LLC, a Colorado limited liability company
By: Koelbel and Company, a Colorado corporation, its manager

By: 
Authorized Agent of Koelbel and Company

STATE OF COLORADO)
CITY AND COUNTY OF Denver) ss.

The foregoing instrument was acknowledged before me this 29 day of August, 2018, by THOMAS E WHITE, as authorized agent of Koelbel and Company, Manager of Koelbel, LLC. Witness my hand and official seal. My commission expires: 9/25/2018.

DEBRA J. BENNETT
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20024031159
MY COMMISSION EXPIRES SEPT. 25, 2018


Notary Public


The Keep Wetlands, LLC, a Colorado Limited Liability Company
By: Koelbel and Company, a Colorado corporation, its manager

By: 
Authorized Agent of Koelbel and Company

STATE OF COLORADO)
CITY AND COUNTY OF Denver) ss.

The foregoing instrument was acknowledged before me this 29 day of August, 2018, by THOMAS E WHITE, as authorized agent of Koelbel and Company, Manager of Koelbel, LLC. Witness my hand and official seal. My commission expires: 9/25/2018

DEBRA J. BENNETT
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20024031159
MY COMMISSION EXPIRES SEPT. 25, 2018


Notary Public

Approval of New Documents for THE KEEP and Proxy

The undersigned is/are the owners ("Owner") of the following:

Parcel 5 OF RECORD, Solitude Colorado Rural Site Plan, Douglas County, Colorado

Owner's Parcel is subject to the recorded declaration of covenants, conditions and restrictions for Solitude Colorado as recorded with the Douglas County Clerk and Recorder on January 13, 2005 at Reception No. 2005004589 and any recorded amendments or supplements ("Solitude Colorado Declaration").

Owner has reviewed and approved:

- A new Declaration for the Keep ("Declaration") – to which this Approval of New Documents for THE KEEP and Proxy may be attached
- A Termination Declaration for the Solitude Colorado Declaration and a Termination Agreement – to which this Approval of New Documents for THE KEEP and Proxy may be attached
- New bylaws of THE KEEP Homeowners Association, Inc.

Owner acknowledges and understands:

- That their Parcel will be bound by the Declaration, once that Declaration is approved by other owners and recorded
- Once the Termination Declaration for the Solitude Colorado Declaration and a Termination Agreement is approved by other owners and recorded the Solitude Colorado Declaration is gone and terminated
- That the new bylaws of THE KEEP Homeowners Association, Inc. will be effective once approved by other owners

The Owner represents themselves/itself to be an Owner and member in good standing of the Association and appoints our/its proxy to: _____ [insert Proxyholder's Name - please print] or to the President of the Association (Keith Neale - if the above is left blank), to vote on all matters that may be voted upon by the undersigned at the 2018 Annual Meeting, with all the powers that I/we would possess if present in person.

THE KEEP, LLC

Owned by: KRESEL AND COMPANY

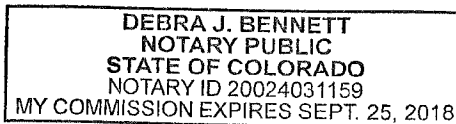
Owner

STATE OF COLORADO)
COUNTY OF Denver)

Subscribed and sworn to before me by KEITH NEALE OF KRESEL AND COMPANY, MGR. OF THE KEEP, LLC, on this 20th day of AUGUST, 2018. Witness my hand and seal. My commission expires: 9/25/2018

Debra J. Bennett

Notary Public



STATE OF COLORADO)
COUNTY OF _____)

Subscribed and sworn to before me by _____, on this _____ day of _____, 2018. Witness my hand and seal. My commission expires: _____

Notary Public

Approval of New Documents for THE KEEP and Proxy

The undersigned is/are the owners ("Owner") of the following:

Parcel 5, Solitude Colorado Rural Site Plan, Douglas County, Colorado

Owner's Parcel is subject to the recorded declaration of covenants, conditions and restrictions for Solitude Colorado as recorded with the Douglas County Clerk and Recorder on January 13, 2005 at Reception No. 2005004589 and any recorded amendments or supplements ("Solitude Colorado Declaration").

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Owner acknowledges and understands:

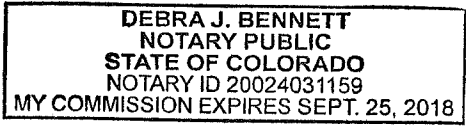
- That their Parcel will be bound by the Declaration, once that Declaration is approved by other owners and recorded
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The Owner represents themselves/itself to be an Owner and member in good standing of the Association and appoints our/its proxy to: _____ [insert Proxyholder's Name - please print] or to the President of the Association (Keith Neale - if the above is left blank), to vote on all matters that may be voted upon by the undersigned at the 2018 Annual Meeting, with all the powers that I/we would possess if present in person.

~~KIRKANA, LLC A COLORADO LIMITED LIABILITY COMPANY~~
~~Sasha Galbraith~~
Owner BY SASHA GALBRAITH, MANAGER Owner

STATE OF COLORADO)
COUNTY OF Denver)
Subscribed and sworn to before me by Sasha Galbraith, on this 29th day of August, 2018. Witness my hand and seal. My commission expires: 9/25/2018

Debra J. Bennett
Notary Public
STATE OF COLORADO)
COUNTY OF _____)



Subscribed and sworn to before me by _____, on this _____ day of _____, 2018. Witness my hand and seal. My commission expires: _____

Notary Public