



AMENDMENT NO. 1
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
BY
COBBLE CREEK GOLF COMMUNITY, L.L.C.

WHEREAS, the Declaration of Cobble Creek Golf Community, L.L.C., "the Declaration" was recorded on March 31, 1999 in Book 997 at Page 657; and

WHEREAS, the Declarant wishes to amend the Declaration to comply with the requirements of the Colorado Common Interest Ownership Act, "the Act", pursuant to the authority contained in Article 11, Section 11.5 ii of the Declaration; and

WHEREAS, the Act provides at C.R.S. § 38-33.3-303 5 a 1 that Declarant control over the makeup of the Executive Board is based on the number of "units that may be created" in the subdivision and Article 4, Section 4.5 of the Declaration provides that such Declarant control applies to the fullest extent permitted under the Act; and

WHEREAS, Article 3, Section 3.3 of the Declaration provides that 625 units may be created in the subdivision; and

WHEREAS, the Declaration is unclear as to the determination of the duration of Declarant control and will be clarified by this Amendment;

NOW, THEREFORE, the Declaration is amended as follows:

- a. Article 2, Section 2.25 "Parcel" is amended to read in its entirety: "Parcel" means any platted division of land or any units that may be created in the subdivision. A total of 625 units will be platted or may be created in the subdivision. In the appropriate context, "Parcel" is synonymous with "Lot". Article 3, Sections 3.4 and 3.5 do not constitute definitions of parcels, units or lots but are descriptive in nature.
- b. Article 4, Section 4.5 is amended to include the following additional sentence: Declarant owned lots include units that may be created in the subdivision.

