

FIRST AMENDMENT TO

MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF
ERIE COMMONS

This First Amendment to Master Declaration of Covenants, Conditions and Restrictions of Erie Commons is made effective this 29th day of April, 2009.

RECITALS

1. Community Development Group of Erie, Inc., as "Declarant" and as owner of certain real property, executed that certain Master Declaration of Covenants, Conditions, and Restrictions of Erie Commons, recorded on March 3, 2005, Reception No. 3265467 in the office of the Clerk and Recorder for the County of Weld (the "Declaration").
2. The Declaration imposed upon the real property described in the Declaration and all property thereafter annexed certain terms, provisions, covenants, conditions, restrictions, easements, uses, limitations and obligations which run with and are binding upon said real property.
3. The "Owners" and the "Association", as defined in the Declaration, desire to amend the Declaration by virtue of this First Amendment to Master Declaration of Covenants, Conditions and Restrictions of Erie Commons.
4. At least sixty-seven percent (67%) of the Owners have given their written approval of this First Amendment to Master Declaration of Covenants, Conditions and Restrictions of Erie Commons. Evidence of such approval is maintained in the records of the Association.

NOW THEREFORE, the Declaration is amended as follows:

2. **Article IX, Section 7 (b)** is hereby deleted and restated as follows:
 - (b) No drying yards, service yards, wood piles or storage areas shall be located on any Lot so as to be visible from a street or from the ground level of any other Lot, except to the extent otherwise provided in rules or regulations adopted by the Association.
3. **Article IX, Section 7 (c)** is hereby deleted and restated as follows:
 - (c) "Energy Efficiency Measure" devices as described in the State of Colorado House Bill 08-1270 must be reviewed by the Design Review Committee and are subject to the guidelines, rules or regulations promulgated by the Association. Such devices and their location on the Lot must conform to the Town's requirements and receive DRC approval.
4. **Article IX, Section 7 (f)** is hereby deleted and restated as follows:
 - (f) "Renewable Energy Generation" devices as described in the State of Colorado House Bill 08-1270 must be reviewed by the Design Review Committee and are subject to the guidelines, rules or regulations promulgated by the Association. Such devices and their location on the Lot must conform to the Town's requirements and receive DRC approval.

THE UNDERSIGNED, being the President and Secretary of Erie Commons Master Association, Inc., hereby certify that the Association has obtained written approval of this First Amendment to the Master Declaration of Covenants, Conditions and Restrictions of Erie Commons from at least sixty-seven percent (67%) of the Owners of Erie Commons, as evidenced by written instruments filed with the records of the Association.

ERIE COMMONS MASTER ASSOCIATION, INC.
A Colorado non-profit corporation

By: Jon Lee, President

ATTEST:

Lewis Holtsclaw
Lewis Holtsclaw, Secretary

STATE OF COLORADO

COUNTY OF BOULDER

The foregoing instrument was acknowledged before me this 29 day of April, 2009 by Jon Lee as President and Lewis Holtsclaw as Secretary of Erie Commons Master Association, Inc., a Colorado non-profit corporation.

Witness my hand and official seal.

My commission expires: 11-22-2010

Mary Jane Davies
Notary Public

MARY JANE DAVIES
NOTARY PUBLIC
STATE OF COLORADO