

**FIRST SUPPLEMENT TO THE  
DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS OF  
THE PRESERVE SUBDIVISION**

This First Supplement to the Declaration of Covenants, Conditions and Restrictions of The Preserve Subdivision (the "First Supplement to Declaration") is made as of the 2<sup>ND</sup> day of JUNE, 1998, by PRSV Company, LLC (the "Declarant").

A. Declarant has heretofore caused to be recorded in Book 2373 at Page 947, Mesa County, Colorado Records, a Declaration of Covenants, Conditions and Restrictions of The Preserve Subdivision (the "Declaration") and at Book 2424 at Page 242, Mesa County, Colorado Records, the First Amendment to the Declaration (the "First Amendment to Declaration").

B. In Article VII, Section 6 of the Declaration, Declarant expressly reserved for itself and any Successor Declarant (all capitalized terms used herein shall have the meanings as defined in the Declaration, unless otherwise defined or modified herein) the right to expand the Property by annexing and submitting additional Lots and Common Area by one or more duly recorded supplements to the Declaration.

C. Declarant wishes to submit to the Property the following described property:

See Exhibit "A" attached hereto and by this reference incorporated herein.

AKA: The Preserve Subdivision, Filing No. Two

D. Declarant wishes to reserve the right for itself and any Successor Declarant to further expand the Property in the future and pursuant to Article VII, Section 6 amend the Declaration.

Declarant hereby declares that both the Property and the Supplemental Property shall be held, sold and conveyed subject to the Declaration, which is for the purpose of protecting the value and desirability of the Property and the Supplemental Property and which shall run with the land and be binding on all parties and heirs, successors and assigns of parties having any right, title or interest in all or any part of the Property of the Supplemental Property.

1. Article V, Section 9, Pets, fifth sentence is amended to read: "Horses may be kept on Lots 4 and 5 and Lots 7, 8, and 9, Filing Two, outside of the Conservation Zone and shall not exceed four horses total per Lot." The terms and provisions contained in this First Supplement to Declaration shall be in addition and supplemental to the terms and provisions contained in the Declaration. All terms and provisions of the Declaration, including all definitions, except those terms and provisions specifically modified herein, shall be applicable to the First Supplement to Declaration and to the Supplemental Property. The definitions used in the Declaration are hereby expanded and shall hereafter be deemed to encompass and refer to the Property as defined in the Declaration and the Supplemental Property as defined herein. For example, reference to the "Property" shall mean both the Property and the Supplemental Property, reference to the "Owner" shall mean the record owner of fee simple title both to any Vacant Lot or Dwelling Unit as defined in the Declaration and to the Lots constituting the Supplemental Property, reference to



That real property situated in the South Half of Section 15 and the North Half of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the Northeast corner of the Southwest Quarter of the Northeast Quarter SW1/4 NE1/4) of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, whence the Center North Sixteenth (CN1/16) corner bears North 89 degrees 12 minutes 39 seconds West, a distance of 1323.44 feet, for a basis of bearings, with all bearings contained herein relative thereto; thence South 89 degrees 12 minutes 39 seconds East, a distance of 90.20 feet; thence North 00 degrees 38 minutes 57 seconds East, a distance of 810.57 feet; thence North 89 degrees 12 minutes 04 seconds West, a distance of 220.36 feet to the POINT OF BEGINNING, being a point on the North line of The Preserve, Filing No. One, as recorded in Plat Book 16, Pages 42 and 43; thence along the said Northerly line of said The Preserve, Filing No. One the following two (2) courses: 1) thence North 89 degrees 12 minutes 04 seconds West, a distance of 450.23 feet; 2) thence North 50 degrees 34 minutes 12 seconds West, a distance of 1340.50 feet; thence North 32 degrees 49 minutes 33 seconds West, a distance of 1070.27 feet to a point on the South right-of-way line of South Broadway (Highway 340); thence along the said South right-of-way line of South Broadway the following seven (7) courses: 1) thence North 89 degrees 46 minutes 48 seconds East, a distance of 317.80 feet; 2) thence South 85 degrees 31 minutes 12 seconds East, a distance of 218.70 feet; 3) thence South 47 degrees 40 minutes 42 seconds East, a distance of 204.90 feet; 4) thence along the arc of a non-tangent curve to the right having a delta angle of 35 degrees 55 minutes 49 seconds, with a radius of 1232.50 feet, an arc length of 772.90 feet, a chord bearing of South 54 degrees 51 minutes 12 seconds East, and a chord length of 760.30 feet; 5) thence South 64 degrees 49 minutes 12 seconds East, a distance of 341.60 feet; 6) thence South 36 degrees 53 minutes 12 seconds East, a distance of 368.23 feet; 7) thence along the arc of a curve to the left having a delta angle of 17 degrees 36 minutes 34 seconds, with a radius of 756.30 feet, an arc length of 232.44 feet, a chord bearing of South 49 degrees 41 minutes 48 seconds East, and a chord length of 231.53 feet, to a point at the Northwest corner of Brock Subdivision, as recorded in Plat Book 14, Page 316; thence along the Westerly line of said Brock Subdivision the following three (3) courses: 1) thence South 19 degrees 09 minutes 09 seconds West, a distance of 160.95 feet; 2) thence South 31 degrees 45 minutes 57 seconds East, a distance of 198.41 feet; 3) thence South 00 degrees 21 minutes 56 seconds West, a distance of 255.20 feet to the POINT OF BEGINNING.

Said parcel containing an area of 35.139 Acres, as described.