

**AMENDMENT TO THE
AMENDED DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR SADDLEBACK RIDGE ESTATES SUBDIVISION
CLEAR CREEK COUNTY, COLORADO**

THIS AMENDMENT ("Amendment") is made on the date hereinafter set forth and is effective upon recording.

RECITALS

A. On February 23, 2001 the Amended Declaration of Covenants, Conditions and Restrictions for Saddleback Ridge Estates Subdivision (the "Declaration") was recorded at Reception No. 204837 of the real property records of Clear Creek County, Colorado.

B. The Declaration sets forth the governance of the common interest community called "Saddleback Ridge Estates," ("Community") pursuant to the Colorado Common Interest Ownership Act ("Act"), as applicable to the Saddleback Mountain Homeowners Association under C.R.S. § 38-33.3-117.

C. The Owners within the Community desire to amend the Declaration in order to limit the purposes for which the Lots may be used, and specifically, to restrict the large-scale growth of marijuana.

D. Under Section 8.2 of the Declaration, the Declaration may be amended by Owners holding not less than sixty-seven percent (67%) of the votes possible to be case under the Declaration.

G. The Association has obtained the vote or written agreement of Owners holding at least sixty-seven percent (67%) of the votes in the Association, to this Amendment to the Amended Declaration of Covenants, Conditions and Restrictions for Saddleback Ridge Estates Subdivision, or in the alternative, the Association has obtained judicial approval of this Amendment pursuant to C.R.S. § 38-33.3-217(7).

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. **Amendment.** Section 3.1 of the Declaration is amended to add the following subsection, labeled as Section 3.1.6:

3.1.6 No Lots in the Subdivision shall be used for purposes related to commercial or large-scale marijuana cultivation or distribution. Any growth of more than six (6) plants per adult member of the household, or twelve (12) plants total regardless of the number of adult members of the household, is presumed to be related to commercial or large-scale marijuana cultivation or distribution and is

prohibited. This provision may be more restrictive than provisions or licenses promulgated by local governments, and controls over such provisions or licenses.

- 2. **Effect.** Except as expressly modified herein, the Declaration shall continue in full force and effect.

IN WITNESS WHEREOF, this Amendment is executed by the undersigned, who certify that of Owners holding at least sixty-seven percent (67%) of the votes in the Association, have voted for or given written consent to this Amendment to the Amended Declaration of Covenants, Conditions and Restrictions for Saddleback Ridge Estates Subdivision, or in the alternative, the Association has obtained judicial approval of this Amendment pursuant to C.R.S. § 38-33.3-217(7).

Saddleback Mountain Homeowners Association

By: _____
President

The undersigned, as Secretary of Saddleback Mountain Homeowners Association, hereby certifies that the Owners holding at least sixty-seven percent (67%) of the votes in the Association, have voted for or given written consent to this Amendment to the Amended Declaration of Covenants, Conditions and Restrictions for Saddleback Ridge Estates Subdivision, or in the alternative, the Association has obtained judicial approval of this Amendment pursuant to C.R.S. § 38-33.3-217(7). The originals of such written consents by Owners, along with the record amendment, are in the records of the Executive Board, and available for inspection.

Saddleback Mountain Homeowners Association

By: _____
Secretary

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this _____ day of _____, 20____, by _____, as President of Saddleback Mountain Homeowners Association, a Colorado nonprofit corporation.

Witness my hand and official seal.
My commission expires: _____.

Notary Public

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this _____ day of _____, 20____, by _____, as Secretary of Saddleback Mountain Homeowners Association, a Colorado nonprofit corporation.

Witness my hand and official seal.
My commission expires: _____

Notary Public