

AMENDED DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS

THIS DECLARATION, made on the date hereinafter set forth by The Bluffs, Ltd, a Colorado Limited Partnership, hereinafter referred to as "Declarant".

WITNESSETH:

WHEREAS, Declarant is the owner of certain property in the County of Mesa, State of Colorado, which is more particularly described as follows:

Lots 1 - 23, inclusive, Block 1, and  
Lots 1 - 24, inclusive, Block 2,  
Bluffs West Estates, Filing No. One,  
Mesa County, Colorado.

WHEREAS, on July 17, 1978 in Book 1157 at Page 638 Declarant recorded a Declaration of Covenants, Conditions and Restrictions regarding the above-described property.

WHEREAS, Declarant desires to amend the Declaration of Covenants, Conditions and Restrictions.

NOW, THEREFORE, Declarant hereby amends the Declaration of Covenants, Conditions and Restrictions and hereby declares that all of the properties described above shall be held, sold and conveyed subject to the easements, restrictions, covenants and conditions of the Declaration of Covenants, Conditions and Restrictions as amended herein. Those Covenants are for the purpose of protecting the value and desirability of the above-described real property and they shall run with the real property and be binding upon all parties having any right, title or interest in the described properties or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

Article X is amended by the addition of a new Section 4 to read as follows:

"Section 4. All lots are subject to and bound by Public Service Company tariffs which are now and may in future be filed with the Public Utilities Commission of the State of Colorado relating to street lighting in this subdivision, together with rates, rules and regulations therein provided and subject to all future amendments and changes thereto. The owner or owners shall pay as billed a portion of the cost of public street lighting

in the subdivision according to Public Service Company rates, rules and regulations, including future amendments and changes on file with the Public Utilities Commission of the State of Colorado".

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set its hands and seals this 20th day of July, 1978.

"DECLARANT"

THE BLUFFS, LTD., A COLORADO LIMITED PARTNERSHIP

DESTINATION PROPERTIES, INC., GENERAL PARTNER

BY: David G. Behrhorst  
DAVID G. BEHRHORST, PRESIDENT

MONUMENT LAND DEVELOPMENT COMPANY, INC., GENERAL PARTNER

BY: Dennis L. Granum  
DENNIS L. GRANUM, PRESIDENT

BY: Carolyn L. Behrhorst  
ASSISTANT SECRETARY

ATTEST:  
Joyce L. Robins  
SECRETARY



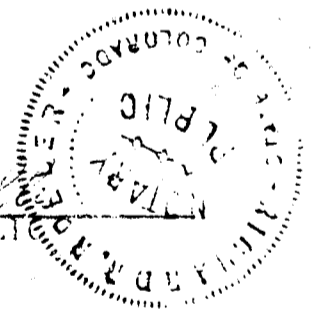
STATE OF COLORADO)  
                                  ) ss.  
COUNTY OF M E S A)

Subscribed and sworn to before me this 24 day of July, 1978, by David G. Behrhorst, president of Destination Properties, Inc., and Dennis L. Granum, president of Monument Land Development Company, Inc.

My commission expires: Feb. 10, 1982

Witness my hand and official seal.

Richard A. Roberts  
NOTARY PUBLIC



The Bluffs West, Inc., a Colorado corporation, does hereby state and declare that it is the owner of Lot 1, Block 1 Bluffs West Estates, Filing No. One, Mesa County, Colorado, and such property is hereby made subject to the Bluffs West Estates Amended Covenants, Conditions and Restrictions all as stated above.

THE BLUFFS WEST, INC.

ATTEST:  
BY: Robert Engelke SECRETARY  
BY: Joe Willingham PRESIDENT

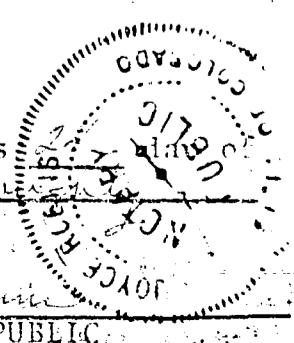


STATE OF COLORADO)  
                                  ) ss.  
COUNTY OF M E S A)

Subscribed and sworn to before me this July, 1978 by Robert Engelke & Joe Willingham

Witness my hand and official seal.

Joyce L. Robins  
NOTARY PUBLIC



My Comm exp 5/23/79