

**FIRST AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
SERENITY AT WOLF CREEK RANCH**

This First Amendment (the "First Amendment") to the Declaration of Covenants, Conditions and Restrictions for Serenity at Wolf Creek Ranch (the "Declaration") is made and executed on this 13th day of April, 2023 by 2773, LLC, a Colorado limited liability company ("Declarant").

RECITALS

A. The Declaration dated November 10, 2022 was recorded on November 16, 2022 at Reception No. 623700 in the records of the Elbert County, Colorado Clerk and Recorder's Office. Capitalized terms used herein throughout have the meanings given to them in the Declaration.

B. Pursuant to Article VII of the Declaration, Declarant desires to amend the Declaration to clarify or revise errors in the originally recorded Declaration which are solely technical in nature.

NOW THEREFORE, Declarant hereby declares and publishes as follows:

1. Section 2.2(A) of the Declaration is hereby replaced in its entirety by the following:

No Parcels may be subdivided except Parcels 1, 2, 35, 36, 37, 53, 54, 55, 56, and 77. Each of Parcels 1, 2, 35, 36, 37, 53, 54, 55, 56, and 77. These parcels may be subdivided into no smaller than 10-acre parcels as allowed by Elbert County.

2. The following Section 3.14 is added in its entirety:

Drilling. Owners may not engage in nor allow any mineral lessee who has leased all or a portion of Owner's minerals, or their assigns, affiliates, contractors or other interest owners in said lease, to enter upon or engage in drilling or development activity for the production of oil and/or gas and related hydrocarbons ("Oil and Gas Activity") on any surface area or at any surface location within the Community. The Oil and Gas Activity prohibited under this covenant includes the construction of surface well pads and related facilities and is subject to applicable Colorado law.

3. In Section 4.1 of the Declaration, the words "exclusive of" are deleted in their entirety and the word "including" is substituted therefore.

4. In Section 4.4 of the Declaration, the following two sentences are added "County setback requirements may differ. Any variance obtained from the County must, at a minimum, meet these setback requirements."

5. General. In the event of any conflict or inconsistency between the provisions of the Declaration and this First Amendment, the provisions of this First Amendment shall control. All capitalized terms used in this First Amendment, but not defined herein, are defined in the Declaration. A reference to the Declaration in any document or instrument shall be deemed to include this First Amendment without any further or specific reference thereto.

IN WITNESS WHEREOF, Declarant has executed this First Amendment the day and year first above written.

2773, LLC, a Colorado
limited liability company



By: Douglas M. Perry

Its: MANAGING MEMBER

STATE OF COLORADO)

COUNTY OF Arapahoe)

Subscribed to and sworn to before me this 13th day of April, 2023 by Douglas M. Perry, as Member of 2773, LLC, a Colorado limited liability company.

Witness my hand and official seal.



My commission expires 10-29-24

