



**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS, AND EASEMENTS FOR
VENTANA
(A Common Interest Community)**

This First Amendment to the Declaration of Covenants, Conditions, Restrictions, and Easements for Ventana (a Common Interest Community) is made by Ventana Development, LLC, a Colorado limited liability company ("Declarant"), and is effective as of the date recorded with the Clerk and Recorder of Weld County, Colorado.

Recitals

A. The Declaration of Covenants, Conditions, Restrictions, and Easements for Ventana (a Common Interest Community) (the "Declaration") was recorded with the Clerk and Recorder of Weld County, Colorado on December 5, 2000 at Reception No. 2811212.

B. Declarant wishes to add a new Section 3.5.4 to the Declaration, to restrict the sale or encumbrance of Water Stock owned by the Association, and to amend Section 4.2 of the Declaration, which addresses Declarant-installed improvements.

C. Under Section 19.2 of the Declaration, the Declaration may be amended upon the written consent of Owners holding 67% or more of the votes in the Association. The undersigned Declarant currently holds 100% of the votes in the Association and is thus entitled to amend the Declaration.

First Amendment

1. Declarant amends the Declaration to include the following new Section 3.5.4:

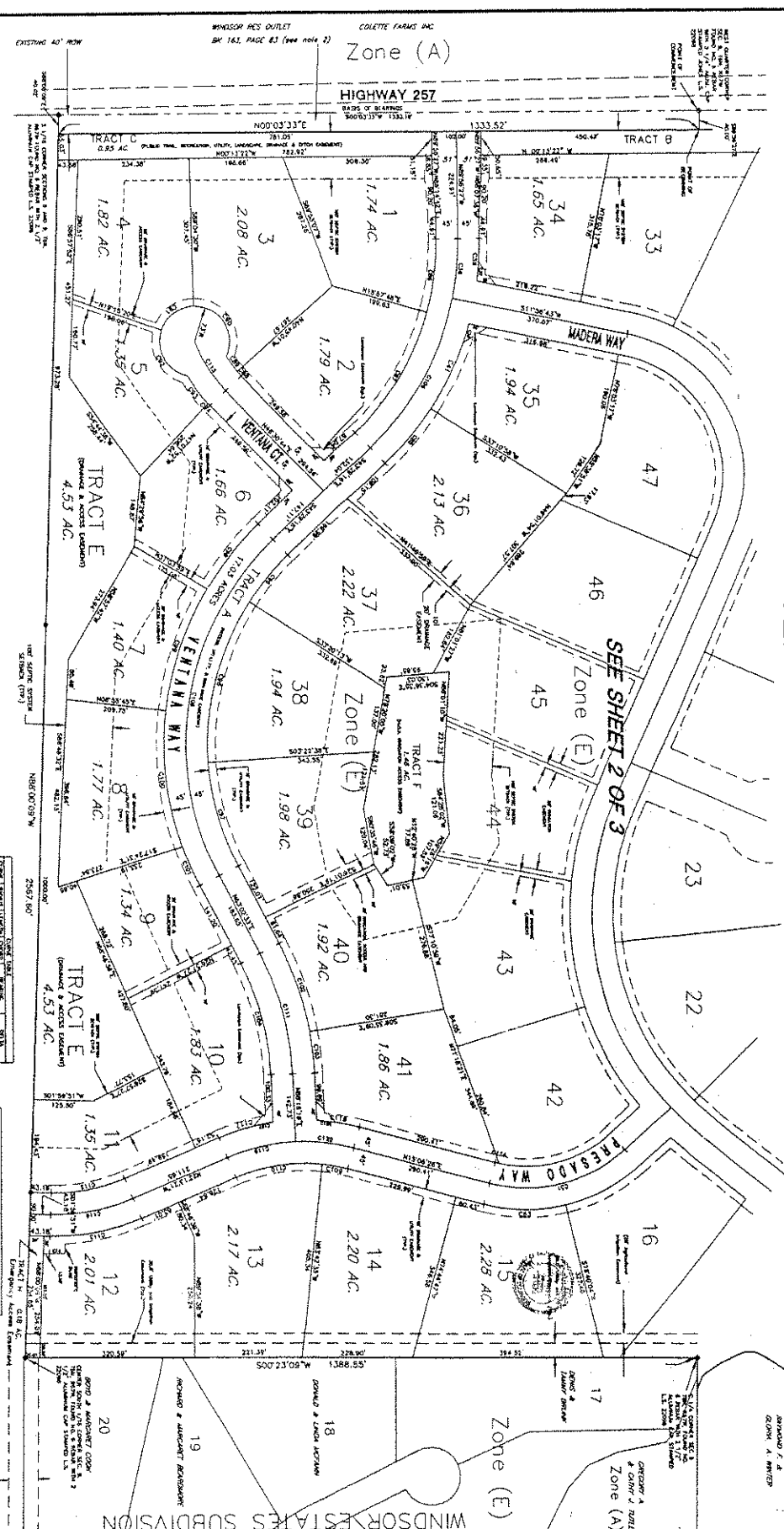
3.5.4 Restriction on Sale or Encumbrance of Water Stock. The Association shall not sell, transfer, convey or encumber all or any of the Water Stock without the prior written consent of the Town.

2. Declarant amends Section 4.2 of the Declaration to read in its entirety as follows:

Section 4.2 Installation of Improvements by Declarant. The Declarant shall install Improvements on the Common Area as required by the Development Agreement between Declarant and the Town recorded September 1, 2000 at Reception No. 2791200. Except for delays resulting from weather, acts of God, and any other circumstances beyond Declarant's control, Declarant shall install the Irrigation Improvements and Ventana entry signage by June 1, 2002.

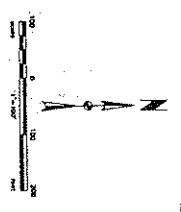
After recording return to: Richard S. Gast, Myatt Brandes & Gast PC, 323 S. College Ave., Suite 1
Fort Collins, CO 80524

FINAL PLAT OF THE VENTANA SUBDIVISION



LEGEND

- Found No. A minor w/ yellow plastic cap LS 22098
- Set No. 4 red w/ yellow plastic cap LS 31169



TRACT	LOT	ACRES	AREA	PERCENT
TRACT A	1	1.74	1.74	1.74
TRACT A	2	1.79	1.79	1.79
TRACT A	3	2.08	2.08	2.08
TRACT A	4	1.82	1.82	1.82
TRACT A	5	1.35	1.35	1.35
TRACT B	33	1.65	1.65	1.65
TRACT B	34	1.65	1.65	1.65
TRACT C	35	1.94	1.94	1.94
TRACT C	36	2.13	2.13	2.13
TRACT C	37	2.22	2.22	2.22
TRACT C	38	1.94	1.94	1.94
TRACT C	39	1.98	1.98	1.98
TRACT C	40	1.92	1.92	1.92
TRACT C	41	1.86	1.86	1.86
TRACT C	42	2.28	2.28	2.28
TRACT C	43	1.86	1.86	1.86
TRACT C	44	1.86	1.86	1.86
TRACT C	45	1.86	1.86	1.86
TRACT C	46	1.86	1.86	1.86
TRACT C	47	1.86	1.86	1.86
TRACT D	48	1.86	1.86	1.86
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TRACT D	100	1.86	1.86	1.86

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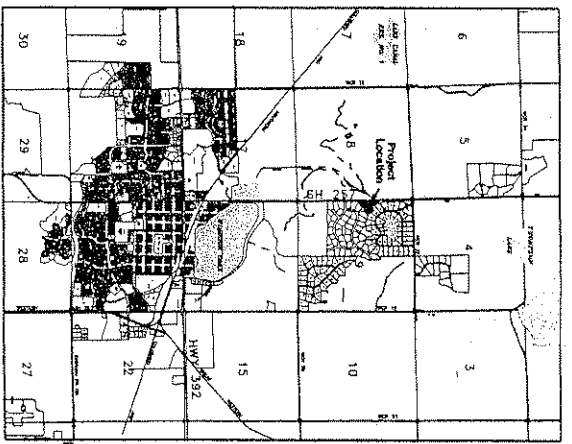
WINDSOR ESTATES SUBDIVISION
 TRACT A
 TRACT B
 TRACT C
 TRACT D
 TRACT E

WINDSOR ESTATES SUBDIVISION
 FINAL PLAT

TSI INC.
 0816-027
 APR 16 2000

SHEET 4 OF 20
 UTILITY PLANS

3 3



DESCRIPTION OF LOT OR TRACT	Size (Ac.)	Percentage (%)
Tract A (former lot 1)	0.24	1.88
Tract B (former lot 2)	0.27	2.12
Tract C	0.23	1.83
TOTAL	0.74	5.83

OWNER
Business Development, LLC
P.O. Box 172448
Denver, Colorado 80217
Phone: (303) 738-8173
Fax: (303) 738-8033

OWNER'S REPRESENTATIVE
P.O. Box 172448
Denver, Colorado 80217
Phone: (303) 738-8173
Fax: (303) 738-8033

OWNER'S ATTORNEY
P.O. Box 172448
Denver, Colorado 80217
Phone: (303) 738-8173
Fax: (303) 738-8033

**VENTANA SUBDIVISION, SECOND FILING,
BEING A REPLAT OF LOTS 30, 31, 48, AND TRACT D,
VENTANA SUBDIVISION**

A parcel of land located in the Northwest Quarter of Section 9, T8N, Range 67 West,
of the Sixth Principal Meridian, Town of Windsor, County of Weld, State of Colorado

LEGAL DESCRIPTION

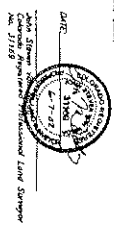
Lot 30, 31, 48, and Tract D of Windsor Subdivision according to the first named instrument containing 6.83 acres, more or less and subject to all rights-in-interest, easements, and restrictions now in use or on record.

BASE OF RECORDS STATEMENT

Containing the most up-to-date description of the subject quarter of said Section 9 in the Town of Windsor, County of Weld, State of Colorado, with all other bearings and distances thereon.

SUBJECT'S STATEMENT

I, the undersigned, being a duly qualified and sworn Professional Land Surveyor, do hereby state that the above description represents the contents of a survey made by me or under my direct supervision to and according to my knowledge, skill, and belief, and that the same is correct and true.



David R. Thompson
Professional Land Surveyor
No. 11188

NOTARIAL CERTIFICATE

I, the undersigned, being a duly qualified and sworn Notary Public, do hereby certify that the above description represents the contents of a survey made by me or under my direct supervision to and according to my knowledge, skill, and belief, and that the same is correct and true.



David R. Thompson
Notary Public
No. 11188

OWNER'S APPROVAL AND DECLARATION

I, the undersigned, being a duly qualified and sworn Professional Land Surveyor, do hereby state that the above description represents the contents of a survey made by me or under my direct supervision to and according to my knowledge, skill, and belief, and that the same is correct and true.

David R. Thompson
Professional Land Surveyor
No. 11188

David R. Thompson
Notary Public
No. 11188

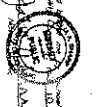
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David R. Thompson
Professional Land Surveyor
No. 11188

NOTARIAL CERTIFICATE

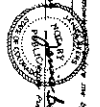
I, the undersigned, being a duly qualified and sworn Notary Public, do hereby certify that the above description represents the contents of a survey made by me or under my direct supervision to and according to my knowledge, skill, and belief, and that the same is correct and true.



David R. Thompson
Notary Public
No. 11188

NOTARIAL CERTIFICATE

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David R. Thompson
Notary Public
No. 11188

OWNER'S APPROVAL AND DECLARATION

I, the undersigned, being a duly qualified and sworn Professional Land Surveyor, do hereby state that the above description represents the contents of a survey made by me or under my direct supervision to and according to my knowledge, skill, and belief, and that the same is correct and true.

David R. Thompson
Professional Land Surveyor
No. 11188

**VENTANA SUBDIVISION, SECOND FILING,
BEING A REPLAT OF LOTS 30, 31, 48, AND TRACT D,
VENTANA SUBDIVISION**

FINAL PLAT

USI

2 1

Lots 19 through 29 in the Ventana Subdivision, Windsor Colorado, are adjacent to and downhill from the Challengren Lateral. This earthen ditch is subject to periodic irrigation water delivery flows throughout the irrigation season. As with any earthen ditch, seepage can occur which may cause saturated conditions at the ground surface on the downhill side of the ditch, and occasionally will create surface water flows.

It is recommended that the improvements constructed on said lots be built such that storm runoff will drain away from the structures in all directions. The perimeter grading should allow for a minimum of 12" of fall away from the structure within the first ten (10) feet. Additional sloping is always beneficial. This recommendation, if followed, will provide for any ditch seepage surface water, or flow from the potential overtopping or breaching of the ditch bank to flow between structures, and into Ventana's improved drainage conveyance system without negative impact on the structures. All window wells or other openings to lower levels of structures should likewise be protected by adequate positive drainage away from the structure.

Specific swales are not jurisdictionally required for potential periodic ditch seepage or overtopping. The above stated protection of structures via positive drainage will provide protection from surface runoff from the ditch as well as storm runoff. As with any structure, groundwater should be investigated and mitigated appropriately if needed.



3104096 09/08/2003 02:40P Weld County, CO
1 of 2 R 11.00 D 0.00 Steve Moreno Clerk & Recorder

096

**SECOND AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS, AND EASEMENTS FOR
VENTANA
(A Common Interest Community)**

This Second Amendment to the Declaration of Covenants, Conditions, Restrictions, and Easements for Ventana (a Common Interest Community), dated as of May 1, 2003, is made by Ventana Development, LLC, a Colorado limited liability company ("Declarant").

Recitals

A. The Declaration of Covenants, Conditions, Restrictions, and Easements for Ventana (a Common Interest Community) was recorded with the Clerk and Recorder of Weld County, Colorado on December 5, 2000 at Reception No. 2811212. The First Amendment to Declaration of Covenants, Conditions, Restrictions, and Easements for Ventana (a Common Interest Community) was recorded with the Clerk and Recorder of Weld County, Colorado on November 30, 2001 at Reception No. 2904509. The original Declaration, as amended by the First Amendment, is referred to as the "Declaration."

B. The Roads within Ventana are described as Tract A on the Plat. At the time the Declaration was recorded, Tract A was owned by the Ventana Property Owners' Association, a Colorado non-profit corporation (the "Association"). As such, the roads were part of the Ventana Common Area for which the Association had maintenance and repair responsibility.

C. Following the necessary approval by the Association Members and First Mortgagees, the Roads have recently been dedicated to the Town of Windsor, Colorado (the "Town"). As a result, the Town has assumed the obligations for maintaining and repairing the Roads.

D. With the dedication of the Roads to the Town, it is necessary to amend the Declaration to specify that the Roads are no longer part of the Common Area and, that the Association is no longer responsible for maintenance and repair of the Roads.

E. Under 19.2 of the Declaration, the Declaration may be amended upon the written consent of Owners holding 67% or more of the votes in the Association. The undersigned Declarant currently holds at least 67% of the votes in the Association and is thus entitled to amend the Declaration.

Second Amendment

1. The definition of Common Area in Section 2.8 is amended to delete Tract A (the Roads).

After recording return to: Richard S. Gast, Myatt Brandes & Gast PC, 323 S. College Ave., Suite 1
Fort Collins, CO 80524



2. The definition of Common Expense in Section 2.9 is amended to delete any expenses relating to operation, maintenance, repair and replacement of the Roads.

3. Section 4.3 is amended so that the Association shall have no responsibility for maintenance (including snow removal) of the Roads within Tract A.


4. The Declaration is amended to include the following new Section 20.8:

Section 20.8 Roads. The Roads have been dedicated to the Town of Windsor, Colorado (the "Town"). As a result, the Roads are no longer part of the Association Common Area, and the Town (not the Association) is responsible for maintenance, repair and replacement of the Roads. The provisions of this Section 20.8 shall control over any inconsistent provisions in the Declaration, as amended.

5. Unless otherwise defined, capitalized words and phrases in this Second Amendment are as defined in the Declaration.

6. The undersigned Declarant, as the Owner holding at least 67% of the votes in the Association, consents to the foregoing Second Amendment as evidenced by its signature below.

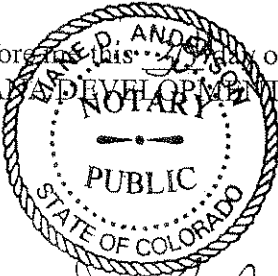
VENTANA DEVELOPMENT, LLC,
a Colorado limited liability company

By 
Michael F. Sollenberger, Member
"Declarant"

STATE OF COLORADO)
) ss.
COUNTY OF LARIMER)

The foregoing instrument was acknowledged before me this 29th day of May, 2003, by Michael F. Sollenberger, as Member of VENTANA DEVELOPMENT, LLC, a Colorado limited liability company.

WITNESS my hand and official seal.
My commission expires: 10-7-06




Notary Public