## FIRST AMENDMENT OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF HERITAGE HEIGHTS SUBDIVISION

This FIRST AMENDMENT OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF HERITAGE HEIGHTS SUBDIVISION (the "Amendment") is made as of June 2015, by HERITAGE ESTATES, LLC, a Colorado limited liability company (the "Declarant").

The Declaration of Covenants, Conditions, Restrictions and Easement's has heretofore been recorded in Book 5730 at Page 902 (the "Declaration").

Pursuant to Section 8.4 of the Declaration, the Declaration and/or the Plat may be amended by Declarant at any time and for any purpose prior to the conveyance of the first Lot to an Owner. Subsequent to the conveyance of the first Lot to an Owner, the Declarant may amend the Declaration or the Plat to, among other reasons, correct any clerical, typographical or technical errors.

The Declaration is hereby amended as follows:

- 1. Article III, Section 3.1(a), is hereby amended to read as follows:
- " (a) Residential Use. All Lots shall be used solely for single-family residential purposes. Only single-family dwellings, a private garage, and other outbuildings directly incidental to single-family residential use shall be erected, altered, placed or permitted to remain on any Lot. Accessory dwelling units are not allowed. The single-family dwelling shall have a minimum of 1,200 square feet of living space exclusive of the garage."
- 2. Article III, Section 3.1(b), is hereby amended to read as follows:
- " (b) New Construction. Only new I.R.C. (International Residential Code) residential buildings shall be permitted within the Property. Further, no temporary or accessary Building or structure of any type whatsoever shall be used at any time for a residence, either temporary or permanent, including trailers, teepees, tents, shacks, garages or sheds. All exteriors shall be painted in neutral earth tones except stone or rock exteriors which shall remain their natural color."

- 3. Article III, Section 3.1(g), is hereby amended to read as follows:
- " (g) Perimeter Fencing. Perimeter fencing shall be limited to fences not exceeding six (6) feet in height and shall not extend beyond the front of the residential Building as approved by the ACC. Front yard perimeter fencing shall be fencing, as approved by the ACC and shall not exceed three (3) feet in height. All fencing shall be vinyl and tan or white in color. Perimeter fencing shall be installed by the owner within one (1) year of lot purchase."
- 4. Article III, Section 3.1(h), is hereby amended to read as follows:
- " (h) Yard Lighting and Landscaping. Yard lighting shall be limited to low level lighting (six (6) feet or lower) on all Lots of the Subdivision, and street lighting will meet the City of Grand Junction lighting standards. Yard landscaping shall be installed by the owner within one (1) year of lot purchase."

Dated as of the date and year first above written.

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was subscribed	d and sw	orn to b	efore 1	ne this	41	\_da	y of Jun	e, 2015,

This First Amendment was subscribed and sworn to before me this 4 day of June, 2015 by Heritage Estates, LLC, , a Colorado limited liability company, by John Davis, Manager.

WITNESS my hand and official seal.

STATE OF COLORADO

COUNTY OF MESA

Notary Public

KIM A. KERK
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20064014738
My Commission Expires April 14, 2018