

AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF AGREEMENT  
ESTABLISHING BUILDING RESTRICTIONS IN "BOW-MAR"  
IN ARAPAHOE AND JEFFERSON COUNTIES, STATE OF COLORADO

This Amendment to the Amended and Restated Declaration of Agreement Establishing Building Restrictions in "Bow-Mar" in Arapahoe and Jefferson Counties, State of Colorado ("Amended and Restated Declaration") is executed as of the 29 day of AUGUST, 2011 by the undersigned Owners of Lots within the Property described in the Original Declaration (the "Property").

RECITALS

A. A Declaration of Agreement Establishing Building Restrictions in "Bow-Mar" in Arapahoe and Jefferson Counties, State of Colorado, dated January 9, 1947, was recorded on January 13, 1947, in the records of the Clerk and Recorder of Arapahoe County in Book 567 at Page 198 as Reception No. 368119 and in the records of the Clerk and Recorder of Jefferson County in Book 556 at Page 249 as Reception No. 406485 (the "Original Declaration"). The Original Declaration established certain building and other rights and restrictions with respect to the Property for the benefit of the then current owners and their grantees in order to establish and maintain the Property as a residential subdivision.

B. The Property was previously surveyed and subdivided into plots, blocks, streets, boulevards, drives, and public ways in compliance with and pursuant to the then current resolutions of the Boards of County Commissioners of Arapahoe and Jefferson Counties. A plat of the Property, dated December 23, 1946, was recorded on January 13, 1947, in the records of the Clerk and Recorder of Arapahoe county in Plat Book 7 at Page 1 as Reception No. 368118 and in the records of the Clerk and Recorder of Jefferson county in Plat book 7 at Page 24 at reception No. 406484 (the "Plat").

C. The Original Declaration was amended and restated by the Amended and Restated Declaration of Agreement Establishing Building Restrictions in "Bow-Mar" in Arapahoe and Jefferson Counties, State of Colorado, recorded at Reception No. 91039629 in records of the Clerk and Recorder of Jefferson County and at Book 6153 at Page 56 of the records of the Clerk and Recorder of Arapahoe County (the "Amended and Restated Declaration").

D. The majority of the current Owners desire to amend the Amended and Restated Declaration pursuant to Section 6 of the Amended and Restated Declaration to remove the prohibition against keeping and raising chickens on the Property presently contained in Section 3(i) of the Amended and Restated Declaration.

DECLARATION

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned, for themselves, their successors and assigns, their grantees, and for all present and future owners and interest holders of the Property, do hereby amend the Amended and Restated Declaration as follows:

1. Amendment. Section 3(i) of the Amended and Restated Declaration is amended and restated in its entirety as follows:

*“(i) No cow, horse or other livestock shall be raised or housed except for chickens. Chickens may be raised and housed on the Property provided that roosters are not permitted to be raised or housed on the Property.”*

2. Effect of Amendment. This Amendment to the Amended and Restated Declaration shall continue in full force and effect until released, changed or amended as provided herein.

3. Counterparts. This Amendment to the Amended and Restated Declaration may be executed and acknowledged in multiple counterparts, each of which shall be deemed an original and all of which taken together shall constitute one and the same instrument.

4. Recording. This Amendment to the Amended and Restated Declaration shall be recorded in the records of the Clerk and Recorders of Arapahoe and Jefferson Counties, Colorado.

IN WITNESS WHEREOF, the undersigned have executed and acknowledged this Amendment to the Amended and Restated Declaration of Agreement Establish Building Restrictions in “Bow-Mar” in Arapahoe and Jefferson Counties, State of Colorado on the dates set forth below.