

Idorado Legacy, LLC, a Colorado limited liability company, as of this the 13th day of February, 2004 (Effective Date), does hereby state and affirm as follows:

1. Definitions. The following defined terms shall be given the following meaning. Any capitalized term shall be given the same meaning described to the term in the Definitions.

"Association" means the Idorado Legacy Homeowners Association, a Colorado nonprofit corporation, its successors and assigns.

"County Approvals" means, collectively, those certain resolutions of the Board of Commissioners for San Miguel County, Colorado, including any modifications, supplements, amendments or amendments and restatements, which authorize the development of the within property, as follows:

i. Resolution #2003-21, recorded in the records of the San Miguel County Clerk and Recorder on July 9, 2003, at Reception No. 358336.

ii. Resolution #2003-30A, recorded in the records of the San Miguel County Clerk and Recorder on September 22, 2003, at Reception No. 359462.

iii. Resolution #2003-30B, recorded in the records of the San Miguel County Clerk and Recorder on September 22, 2003, at Reception No. 359441.

iv. Resolution #2003-30C, recorded in the records of the San Miguel County Clerk and Recorder on September 22, 2003, at Reception No. 359441.

v. Resolution #2003-30D, recorded in the records of the San Miguel County Clerk and Recorder on September 22, 2003, at Reception No. 359441.

vi. Resolution #2004-4, which amends Resolutions #2003-30A to reflect mechanical amendments to the Subdivision Exemption Plat and Cluster Plan approval previously granted by the BCCO, recorded in the records of the San Miguel County Clerk and Recorder on February 10, 2004, at Reception No. 364047.

vii. Resolution #2004-5, which amends Resolution #2003-30B to reflect mechanical amendments to the Subdivision Exemption Plat and Cluster Plan approval previously granted by the BCCO, recorded in the records of the San Miguel County Clerk and Recorder on February 10, 2004, at Reception No. 364046.

viii. Resolution #2004-35, which amends the Plat and the Site Constraints Map, recorded on February 10, 2004, at Reception No. 364038.

"Declaration" shall mean the Declaration of Covenants, Conditions and Restrictions for Idorado Legacy Subdivision, recorded at Reception No. 357146, or may be amended from time to time.

"Development" shall mean the development of the Property, authorized by the County, as stated in and authorized by the County Approvals, as may be amended from time to time. As of the Effective Date, the development consists of (i) thirty-seven (37) lots ("Lots" or "Lots") each of which may be developed for single family homes, with other units as allowed by the San Miguel County Land Use Code ("LUC"); (ii) one parcel for use in connection with homeowners association activities, including office, meeting area and manager housing.

"First Plat Amendment" shall mean the First Amendment to the First Record Plat of Idorado Legacy Subdivision.

"First Amendment to Site Constraints Map" shall mean this First Amendment to the Site Constraints Map of the Idorado Legacy Subdivision.

"Official Records" shall mean the Office of the Clerk and Recorder of San Miguel County, Colorado.

"Plat" shall mean the First Record Plat of Idorado Legacy Subdivision, recorded February 10, 2004 in Plat Book 1 at Page 1236, Reception No. 364046.

Site Constraints Map shall mean the Site Constraints Map for the Idorado Legacy Subdivision recorded February 10, 2004 in Plat Book 1 of Page 1247-1249, Reception No. 364035.

"Subdivision" shall mean the Idorado Legacy Subdivision, as established by the Plat and Declaration.

2. This First Amendment to Site Constraints Map does hereby modify and amend the Site Constraints Map only to the extent as stated and depicted herein. All other terms, conditions, assessments, prohibitions, covenants and restrictions as established in the County Approvals, Site Constraints Map, Plat, First Plat Amendment and/or by the Declaration which are not specifically amended or modified by this First Amendment to Site Constraints Map shall continue in full force and shall remain in full force and effect. See the plat, First Plat Amendment, County Approvals and Declaration for other restrictions and conditions.

3. The modifications, amendments and additions to the First Amendment to Site Constraints Map resulting from this First Amendment to Site Constraints Map generally consist of each of the following:

- A. Lot Line Adjustments as more particularly described and depicted in the First Plat Amendment.
- B. DWS Field Adjustments. Revised to show adjusted locations on some Lots.
- C. Well locations. Revised to show adjusted locations on some Lots.
- D. Drainage easements. Previously established locations were adjusted to reflect revised engineering to address field conditions.
- E. Utility easements. Adjusted to reflect either as-built or utility company requirements.

Accepted, Approved and Agreed to by the undersigned:

IdORADO LEGACY, LLC,  
a Colorado limited liability company

By: [Signature]  
William R. Hagyard, President

STATE OF COLORADO  
COUNTY OF San Miguel

Adopted, submitted and sworn to before me this 13th day of February, 2004 by William R. Hagyard, President of Idorado Legacy Company.

Witness my hand and official seal.  
[Signature] My commission expires 10/16/2006.  
Notary Public

ASSOCIATION CONSENT:  
Idorado Legacy Homeowners Association,  
a Colorado nonprofit corporation

By: [Signature]  
J. Christopher Chaffin, President

STATE OF COLORADO  
COUNTY OF San Miguel

Adopted, submitted and sworn to before me this 13th day of February, 2004 by J. Christopher Chaffin, President, President of Idorado Legacy Homeowners Association.

Witness my hand and official seal.  
[Signature] My commission expires 10/16/2006.  
Notary Public

STATE OF COLORADO  
COUNTY OF San Miguel

Adopted, submitted and sworn to before me this 13th day of February, 2004 by J. Christopher Chaffin, President, President of Idorado Legacy Homeowners Association.

Witness my hand and official seal.  
[Signature] My commission expires 10/16/2006.  
Notary Public

GENERAL NOTES

1. Wetland delineation was marked on the ground by SMOA, Inc. Environmental Consultants on July 17-21, 2000. These locations were accepted by Foley Associates, Inc.

2. 100-year flood limits determined in drainage plan prepared by Buckhorn Geotech, Inc. on July 27, 2000, easement prepared by Foley Associates, Inc. on January 30, 2001 and Second Addendum prepared by Foley Associates, Inc. on February 12, 2001.

3. Easement research and legal description from Security Title Guaranty Company Order No. J048232401 dated June 5, 2001 at 8:00 A.M., Order No. J048232401 dated May 24, 2001 at 8:00 A.M., Order No. J048232401 dated June 5, 2001 at 8:00 A.M., Order No. J048232401 dated May 24, 2001 at 8:00 A.M., and Order No. J048915401 dated May 24, 2001 at 8:00 A.M. as updated.

4. BASE OF BEARINGS. The base of bearings for the legal description is magnetic north based on World Geodetic System of 1984 (WGS84) and measured by Realtime Kinematic Global Positioning System with a Base Station set at NAD83 monument "Troy" a 3/4" brass cap set in a Boulder, with an approximate latitude of North 37°28'00" and Longitude of West 107°48'00". The origin of the local coordinate grid for this survey is at NAD83 monument "Troy". The bearing from NAD83 monument "Troy" to Corner 8 of the Northeast Placer, Idorado Legacy No. 2167, Upper San Miguel Mining District, being a 3 1/4" brass cap set in rock LS 24554, is measured as S55°37'37".

5. NOTICE: According to Colorado law you must commence any legal action based upon defect in this survey within three years after you first discover such defect, in no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

6. Benchmark: from monument "Troy" elevation 8507.85 being a brass disk 3" diameter set underground in the top of a partially exposed boulder between the "Idorado cemetery fence and East Colorado Avenue. Further horizontal location information may be found at www.ngs.gov.

Legend

- ORIGINAL WELL POINT LOCATION (NOT TO SCALE)
- PROPOSED WELL LOCATION (NOT TO SCALE)
- LOT BOUNDARY
- DECK-WALKWAY AREA (EATING AND PARKING)
- NEARS-FLOW AREA
- ROADWAY AREA
- RETAINED AREA
- ROADWAY FENCE
- RETAINED BUFFER
- BUILDING ENVELOPE
- PROPOSED ONE/ONE/ONE AREA

SETBACKS FOR OWS COMPONENTS

- Springs/wells 100 feet
- Private water supply line 25 feet
- Building 25 feet
- Drainage 25 feet
- Public Ditch 10 feet
- Culverts 25 feet
- Drainage swales 25 feet

COUNTY COMMISSIONERS' APPROVAL

The First Amendment to First Amendment to Site Constraints Map and its contents has been approved by and accepted for filing by the San Miguel County Board of Commissioners.

[Signature]  
Date this 13th day of February, 2004.

SURVEYORS CERTIFICATE

I, J. David Foley of Foley Associates, Inc., being a Colorado Licensed Surveyor, do hereby certify that this map of the FIRST AMENDMENT TO SITE CONSTRAINTS MAP was made by me and under my direct responsibility, supervision and checking.

[Signature]  
J. David Foley  
F.L.S. No. 24684  
STATE OF COLORADO  
JAN 13 2004

RECORDERS CERTIFICATE

This Plat was filed for record in the office of the San Miguel County Clerk and Recorder on this 13th day of February, 2004, at 11:56 AM.

Recorded on 1/13/04  
Time 11:56 AM  
[Signature]  
San Miguel County Clerk

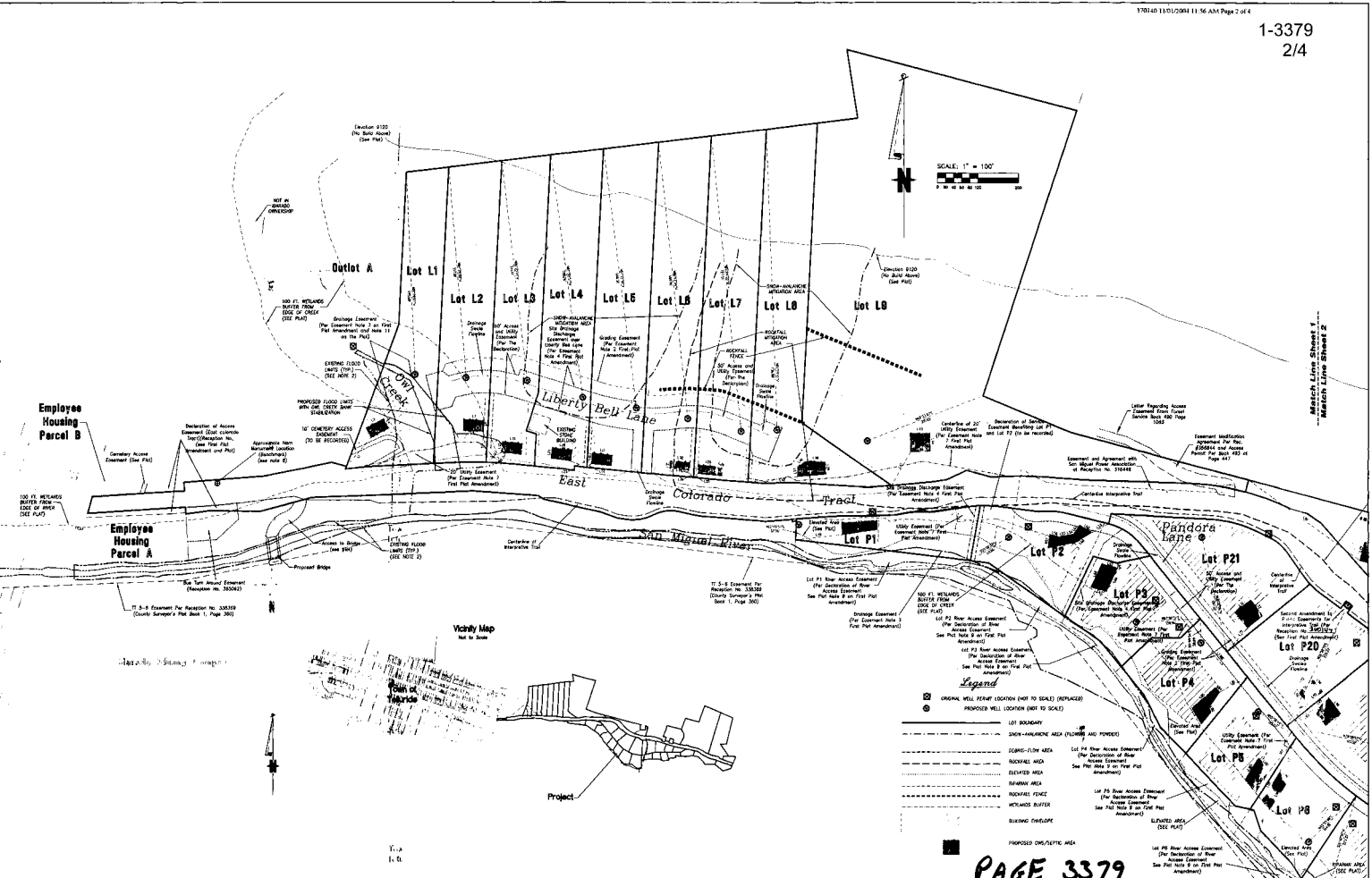
[Signature]  
San Miguel County Clerk

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FIRST AMENDMENT TO SITE CONSTRAINTS MAP FOR THE IDORADO SUBDIVISION  
Located Within The Seattle Placer MS 14751, The St. James Placer MS 1035, The Cold Run Placer MS 554,  
The Roy® Creek Placer Townsite, The Fraction Placer Townsite, The Fraction Placer MS 1829 and the P and A Placer MS 2046,  
Sections 5 and 6, T.42N., R.6W., and Section 31, T.43N., R.6W., N.M.P.M., San Miguel County, Colorado

Project No. of	File No.	604902	Map No.	0721-728-0150	0721-728-0070 File
Issued on	1/13/04		1/13/04	1/13/04	1/13/04
Drawn by	J. David Foley		J. David Foley	J. David Foley	J. David Foley
Checked by	J. David Foley		J. David Foley	J. David Foley	J. David Foley
Date	01-13-04		01-13-04	01-13-04	01-13-04

Foley  
100 W. PACHECO, SUITE 15-1  
LELLERUE, COLORADO 81435  
Phone: 970-226-0150  
Fax: 970-228-0070  
Sheet # 4 of 4 Project # 3303



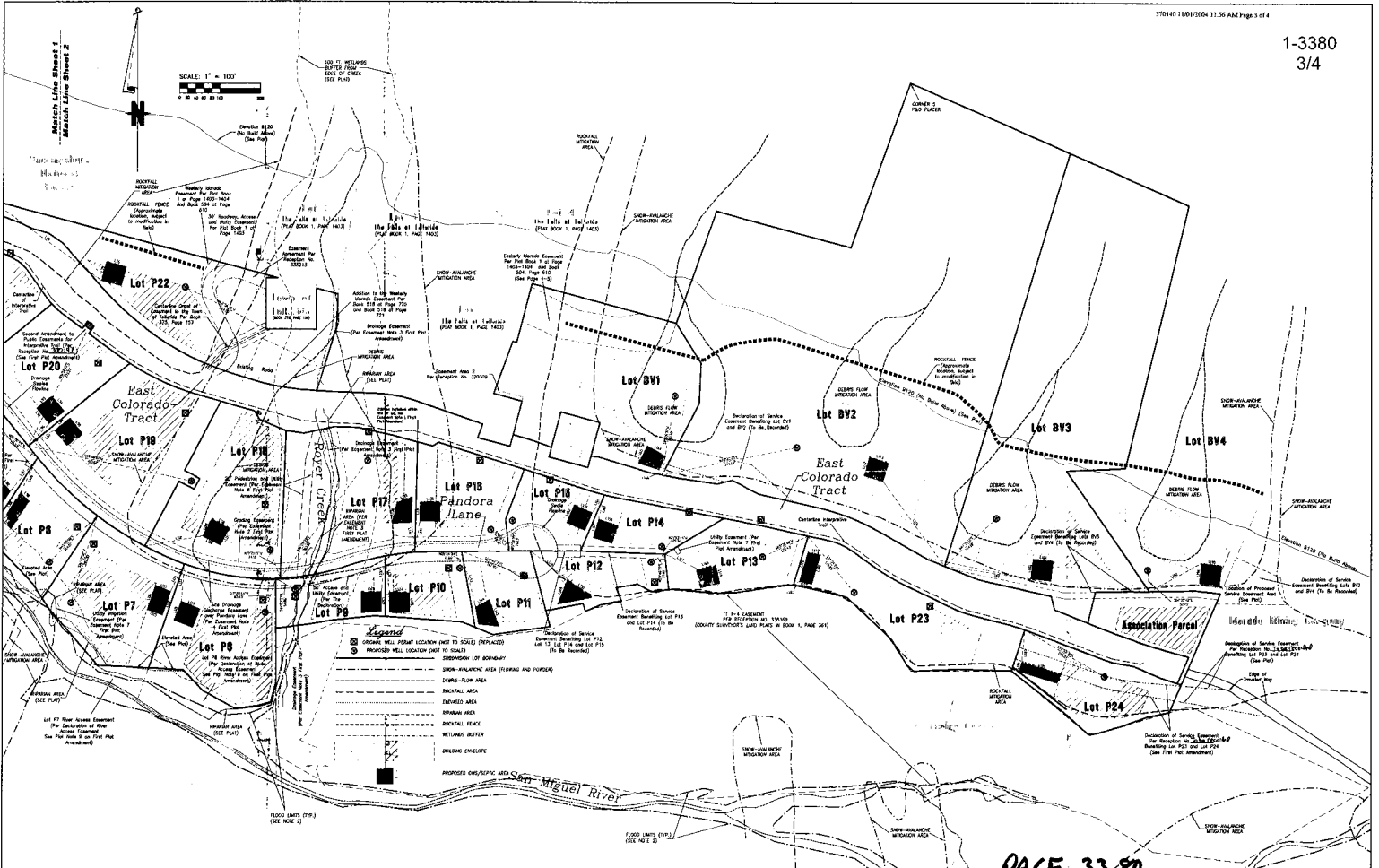
**FIRST AMENDMENT TO SITE CONSTRAINTS MAP FOR THE DANARDO SUBDIVISION**

Located Within The Seattle Placer MS 4751, The St. James Placer MS 1055, The Cold Run Placer MS 554, The Royer Creek Placer Township, The Fraction Placer Township, The Frasier Placer MS 1929 and the P and O Placer MS 2346, Sections 5 and 6, T.42N., R.6W., and Section 31, T.33N., R.6W., N.M.P.M., San Miguel County, Colorado

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Project No. 3379	Client: DANARDO SUBDIVISION	1970-7285-61153	1970-7285-61153
Station: 33	Scale: 1" = 100'	1153 BOX 1285	1153 BOX 1285
Revision:		125 W. PACIFIC, SUITE 6-F	125 W. PACIFIC, SUITE 6-F
Checked by:		FELLMERE, COLORADO 81435	FELLMERE, COLORADO 81435
Date: 08-18-04	Drawn by: 08-18-04	Project No. 3379	Project No. 3379





**FIRST AMENDMENT TO SITE CONSTRAINTS MAP FOR THE DARADO SUBDIVISION**  
 Located Within The Seattle Placer MS 14751, The St. James Placer MS 1035, The Gold Run Placer MS 554,  
 The Royer Creek Placer Townsite, The Fraction Placer Townsite, The Fraction Placer MS 1929 and the P and O Placer MS 2346,  
 Sections 5 and 6, T.42N, R.8W, and Section 31, T.43N, R.8W, N.M.P.M., San Miguel County, Colorado

PAGE 3380

Project No. of	1-3380	DATE	08-10-04
Revision	1	DATE	08-10-04
Author	FOLEY ASSOCIATES, INC.	DATE	08-10-04
Checker	FOLEY ASSOCIATES, INC.	DATE	08-10-04
Scale	AS SHOWN	DATE	08-10-04

**FOLEY ASSOCIATES, INC.**  
 970-728-6123 970-728-6050 Fax  
 P.O. BOX 1085  
 125 W. PACIFIC, SUITE 8-1  
 TELLURIDE, COLORADO 81415  
 Sheet # 1 of 1 Project # 6393

LINE	LENGTH	BEARING
L1	50.81	S42°51'07"E
L2	30.00	S27°38'24"E
L3	50.00	S84°42'39"E
L4	50.00	N72°49'00"W
L5	50.00	N69°21'36"E
L6	30.55	N00°01'45"W
L7	51.42	S67°01'56"E
L8	50.00	S07°00'00"W
L9	49.51	N87°36'07"W
L10	44.88	S72°39'27"E
L11	75.09	S04°30'11"W
L12	50.00	N02°24'24"E
L13	50.00	N84°50'00"W
L14	50.00	S02°14'38"W
L15	50.00	S14°20'00"W
L16	50.00	N05°48'24"E
L17	50.00	S26°32'06"E
L18	50.00	S04°48'52"E
L19	50.00	N84°10'00"W
L20	50.00	N82°28'30"W
L21	50.00	N07°01'06"E
L22	14.00	N48°40'00"E
L23	42.53	S68°44'25"E
L24	50.00	N07°01'06"E
L25	50.00	N03°00'00"E
L26	60.01	N84°58'34"W
L27	22.54	N03°00'00"E
L28	48.82	S88°44'34"E
L29	23.31	S08°30'27"E
L30	60.72	S02°14'38"E
L31	50.00	N4°50'44"E
L32	50.00	N03°01'06"E
L33	50.00	S04°50'44"W
L34	50.00	N03°01'06"E
L35	13.62	N48°24'42"E
L36	15.11	S43°28'29"E
L37	27.31	N00°03'30"E
L38	46.26	N80°46'04"E
L39	33.94	S04°03'07"E
L40	26.41	N87°18'31"E
L41	73.62	S00°00'00"W
L42	23.67	S83°31'47"W
L43	50.00	N88°26'00"E
L44	50.00	S01°21'04"E
L45	50.00	N01°21'04"E
L46	50.00	N88°26'00"E
L47	44.26	N82°14'49"E
L48	117.69	S84°03'00"W
L49	32.56	S04°24'24"E
L50	66.53	N87°34'24"E
L51	25.00	N00°14'39"E
L52	66.58	N89°20'42"E
L53	46.78	N42°44'24"E
L54	16.25	S81°42'42"W
L55	26.51	S73°44'00"W
L56	23.57	N74°57'33"W
L57	14.22	S07°14'43"E
L58	61.65	N78°13'36"E
L59	14.04	N72°04'00"E
L60	8.78	N50°29'49"E
L61	30.88	N82°38'36"E
L62	35.14	N37°14'00"W
L63	27.63	S14°40'41"W
L64	11.86	S08°57'02"E
L65	40.00	N74°29'08"W
L66	14.48	N37°14'00"E
L67	40.20	S74°28'28"E
L68	44.48	S05°20'12"W
L69	NOT USED	NOT USED
L70	NOT USED	NOT USED
L71	50.00	N00°00'00"E
L72	50.00	S30°00'00"E
L73	50.00	S00°00'00"E
L74	50.00	N30°00'00"E
L75	77.50	S41°36'40"W
L76	50.77	S70°11'18"E
L77	49.24	S14°48'44"W
L78	50.77	N02°11'18"W
L79	49.24	N14°48'44"E
L80	337.58	S24°28'00"E

LINE	LENGTH	BEARING
L81	77.00	S01°52'31"E
L82	12.77	N33°28'43"W
L83	48.82	N44°34'34"E
L84	16.88	N47°49'00"W
L85	77.45	S48°43'30"W
L86	48.82	S02°00'00"E
L87	38.22	N38°17'44"E
L88	50.00	N00°00'00"W
L89	50.00	N50°38'53"E
L90	50.00	S28°30'00"E
L91	50.00	S00°00'00"W
L92	50.00	N30°00'00"W
L93	50.00	N50°38'53"E
L94	50.00	S30°00'00"E
L95	50.00	S00°00'00"W
L96	78.17	N43°21'11"E
L97	73.30	S04°14'48"E
L98	31.16	S41°14'46"E
L99	83.52	S34°29'30"W
L100	31.16	N41°14'46"W
L101	83.52	N34°29'30"E
L102	42.50	N87°15'00"W
L103	42.58	S32°36'13"W
L104	42.50	S38°15'55"E
L105	42.58	S02°14'38"E
L106	42.50	N87°15'00"W
L107	42.58	S32°36'13"E
L108	50.00	N12°20'00"E
L109	50.00	S62°24'39"W
L110	50.00	N12°20'00"E
L111	145.19	S27°14'25"E
L112	145.19	N70°44'24"E
L113	81.40	S67°42'42"W
L114	74.52	N82°14'24"E
L115	49.00	S70°29'59"E
L116	42.50	N18°00'00"E
L117	49.00	N30°28'58"W
L118	42.50	N18°00'00"E
L119	50.00	S48°19'36"E
L120	50.00	S41°45'04"E
L121	50.00	S48°19'36"E
L122	50.00	S68°15'26"E
L123	50.00	N00°00'00"E
L124	50.00	N89°30'51"E
L125	50.00	S00°00'00"E
L126	50.00	S48°19'36"E
L127	50.00	N00°00'00"E
L128	50.00	N18°00'00"E
L129	50.00	S02°24'00"E
L130	50.00	S48°19'36"E
L131	88.23	S08°34'14"E
L132	88.23	N08°58'48"E
L133	50.00	N01°26'07"E
L134	50.00	N01°26'07"E
L135	50.00	N89°03'03"E
L136	50.00	S01°26'07"E
L137	14.53	N00°00'00"E
L138	58.08	N132°42'42"E
L139	30.50	S88°17'24"E
L140	85.87	S01°20'07"E
L141	77.94	N08°21'20"E
L142	74.25	S09°03'06"E
L143	139.30	S14°21'00"E
L144	38.24	N33°58'48"E
L145	73.81	S18°24'00"E
L146	50.00	N33°58'48"E
L147	44.81	N01°26'11"E
L148	114.89	S57°37'18"E
L149	46.81	N01°26'11"E
L150	77.40	S41°15'23"E
L151	49.00	S70°00'00"E
L152	50.00	N43°04'24"E
L153	50.00	S24°48'48"E
L154	50.00	S67°10'14"E
L155	50.00	S24°48'48"E
L156	50.00	N18°28'14"E
L157	50.00	S30°00'00"E
L158	50.00	S30°00'00"E
L159	50.00	S16°28'14"E
L160	58.47	S13°08'58"E

LINE	LENGTH	BEARING
L161	50.00	S17°01'14"E
L162	55.18	S74°22'23"E
L163	41.38	N72°28'24"E
L164	54.38	N87°28'50"W
L165	50.70	S77°20'47"W
L166	14.84	S31°48'44"E
L167	84.83	S65°59'48"E
L168	50.00	N130°44'54"E
L169	50.00	N76°50'14"E
L170	50.00	S78°50'10"E
L171	50.00	S130°00'00"E
L172	50.00	S130°00'00"E
L173	50.00	S130°00'00"E
L174	50.00	S130°00'00"E
L175	50.00	N130°00'00"E
L176	50.00	S130°00'00"E
L177	36.10	S77°28'20"E
L178	32.00	N77°28'20"W
L179	78.98	N10°39'41"E
L180	16.22	N58°25'11"E
L181	288.13	S81°12'18"E
L182	50.00	N06°33'36"E
L183	50.00	S83°26'22"E
L184	50.00	S83°39'44"E
L185	50.00	N06°33'36"E
L186	50.00	N06°33'36"E
L187	77.73	N06°33'36"E
L188	100.00	S74°30'48"E
L189	28.00	N12°21'15"E
L190	28.50	N12°21'15"E
L191	100.00	S74°30'48"E
L192	50.00	S83°26'22"E
L193	50.00	S83°39'44"E
L194	50.00	N06°33'36"E
L195	48.00	S83°26'22"E
L196	30.00	S07°33'36"E

FIRST AMENDMENT TO SITE CONSTRAINTS MAP FOR THE DARADO SUBDIVISION  
 Located Within The Seattle Placer MS 14751, The St. James Placer MS 1035, The Gold Run Placer MS 554,  
 The Royer Creek Placer Township, The Fraction Placer MS 19229 and the P and O Placer MS 2346,  
 Sections 5 and 6, T.42N, R.6W, N.M.P.M., San Miguel County, Colorado

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Project no. 02	NO. 00000000	DATE 01/20/11	BY JLD
Section of 1	1	DATE 01/20/11	BY JLD
Revision		DATE	BY
Checked by		DATE	BY
Drawn by	02-10-04	DATE	BY

**FOLEY ASSOCIATES, INC.**  
 870-728-6154 870-728-6080 FAX  
 P.O. BOX 1385  
 125 W. PACIFIC, SUITE B-1  
 TELLURIDE, COLORADO 81426  
 Sheet of 4 Project # 0204