

FIRST MODIFICATION TO DECLARATION OF ACCESS EASEMENT  
(East Colorado Tract)

THIS FIRST MODIFICATION TO DECLARATION OF ACCESS EASEMENT ("Modification") is made effective as of this 13 day of January, 2005 ("Effective Date") by Idarado Legacy, LLC, a Colorado limited liability company ("Idarado Legacy").

1. Idarado Legacy executed and recorded that certain Declaration of Access Easement ("Declaration"), which was recorded on November 1, 2004 in Reception No. 370148 in the Office of the Clerk and Recorder of San Miguel County, Colorado ("Official Records").

2. The Declaration established certain easement rights, the East Colorado Tract Employee Access Easement, over and upon a portion of the land owned by Idarado Legacy, which area was described in the Declaration and defined as the East Colorado Tract Employee Access Easement Area.

3. Section 1.1 of the Declaration established the uses that could occur pursuant to the East Colorado Tract Employee Access Easement within the East Colorado Tract Employee Access Easement Area.

4. Idarado Legacy wishes to, and does hereby, expand the scope of the allowed uses and activities provided for in said Section 1.1 of the Declaration to include the installation, use, maintenance, repair and replacement of underground public or private utilities serving the Employee Housing Parcels.

IN WITNESS WHEREOF, Idarado Legacy has executed this Declaration as of the Effective Date.

Idarado Legacy, LLC, a Colorado limited liability company

By: CLH-Telluride Associates, LLC,  
a Colorado limited liability company,  
Member of Idarado Legacy, LLC

By: Wildcat Land Company, its Manager

By: William R. Hegberg  
William R. Hegberg, President

Date: 11/13/05

STATE OF COLORADO )  
 ) ss.  
COUNTY OF SAN MIGUEL)



MY COMMISSION EXPIRES 4/5/2008

Acknowledged, subscribed and sworn to before me this 13<sup>th</sup> day of January, 2005 by William R. Hegberg, President of Wildcat Land Company.

Witness my hand and official seal.

J. Dolan  
Notary Public

My commission expires: 4/5/08

**ASSOCIATION CONSENT:**

Idarado Legacy Homeowners Association,  
a Colorado nonprofit corporation

By: [Signature]  
J. Christopher Chaffin, President

Date: 1/13/04

STATE OF COLORADO )  
                                  ) ss.  
COUNTY OF SAN MIGUEL)



MY COMMISSION EXPIRES 4/5/2008

Acknowledged, subscribed and sworn to before me this 13 day of January, 2005 by  
J. Christopher Chaffin, President of Idarado Legacy Homeowners Association.

Witness my hand and official seal.

[Signature]  
Notary Public

My commission expires: 4/5/08