

After Recording return to:

AREM HOA & PROPERTY MANAGEMENT
1201 MAIN AVE STE 103
DURANGO, CO 81301

FIRST SUPPLEMENT
TO THE SECOND AMENDED AND RESTATED DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS FOR
EDGEMONT HIGHLANDS

THIS FIRST SUPPLEMENT TO THE SECOND AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR EDGEMONT HIGHLANDS ("First Supplement") is made effective as of the 13th day of August, 2025 by Edgemont Highlands Community Association, Inc., a Colorado nonprofit corporation ("Association").

RECITALS

A. WHEREAS, the Association is subject to that certain Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Edgemont Highlands, recorded in the real property records of La Plata County, Colorado, on April 1, 2024, at Reception No. 1231036 ("Declaration").

B. WHEREAS, Lot 121 (the "Lot"), as depicted on the plat recorded in the real property records of La Plata County, Colorado, on November 3, 2004 at Reception No. 896542, was originally intended to be re-platted into a greater number of lots than is currently proposed.

C. WHEREAS, Edgemont Overlook Properties LLC, a Colorado limited liability company ("Owner"), is the fee simple owner of the Lot and desires to subdivide the Lot into four (4) separate lots.

D. WHEREAS, the Association has reviewed the Owner's request and the proposed subdivision and hereby approves the same.

E. WHEREAS, the parties agree the Lot shall be subdivided into four (4) separate lots, and such newly created lots shall be subject to the terms of the Declaration.

NOW THEREFORE, the parties agree as follows:

1. **Subdivision of Lot 121.** The Lot shall be subdivided into four (4) separate lots, as depicted on the plat attached hereto as Exhibit A, and such subdivision is deemed approved by the Association in accordance with the Declaration. Upon recordation of this First Supplement, each new lot shall be deemed a separate lot, as defined in the Declaration, and all terms, covenants, conditions, restrictions, easements,

assessments, and obligations set forth in the Declaration shall apply to each such lot individually including payment of assessments based upon the formula set forth in the Declaration.

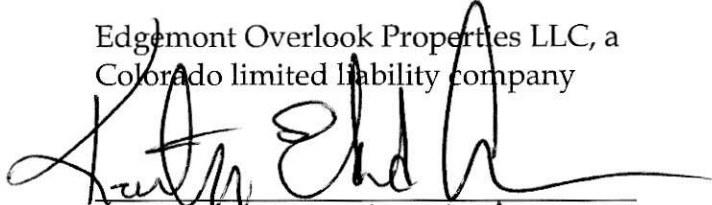
2. **Recording.** This First Supplement shall be recorded in the real property records of La Plata County, Colorado and shall run with the land and be binding upon and inure to the benefit of the successors and assigns of the Owner and all future owners of the newly subdivided lots.

3. **Definitions.** Unless otherwise defined herein, initially capitalized terms defined in the Declaration shall have the same meaning herein.

IN WITNESS WHEREOF, the undersigned execute this First Supplement to be effective as of the date and year first written above.

OWNER:

Edgemont Overlook Properties LLC, a
Colorado limited liability company

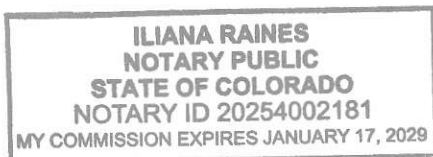

By: Kenneth Edward Asher
Its: Owner / manager

STATE OF Colorado)
) ss
COUNTY OF La Plata)

The foregoing First Supplement is acknowledged before me this 13th day of August, 2025 by Iliana Raines as Receptionist of Edgemont Overlook Properties LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: January 17, 2029



Iliana Raines
Notary Public

ASSOCIATION:

Edgemont Highlands Community
Association, Inc.

By: *[Signature]*
Its: President

STATE OF Colorado)
) ss
COUNTY OF LaPlata)

The foregoing First Supplement is acknowledged before me this 13th day of August, 2025 by Edward Asher as President of Edgemont Highlands Community Association, Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.

My commission expires: January 17, 2029

[Signature]
Notary Public

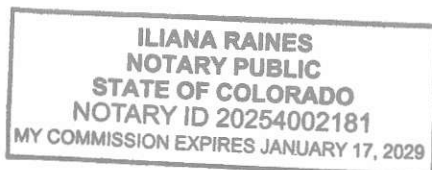
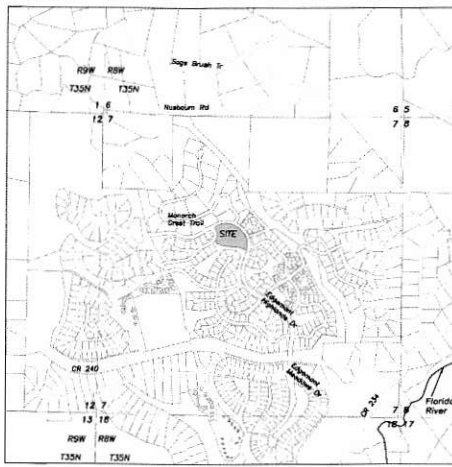


EXHIBIT A
PLAT MAP

Attached.

N



CERTIFICATE OF SURVEYOR

I hereby state that this survey and plat was prepared by me or under my direct responsibility, supervision and checking, and that, in my professional opinion, they are true and correct to the best of my knowledge, belief and information based on the applicable standards of practice of professional land surveyors in the State of Colorado. I also state that this survey and plat is not a warranty or warranty, either expressed or implied.

Joshua J. Casselberry, P.L.S.
Colorado Registration No. 37903

PRELIMINARY

Notice: Title Research - Title, easement and Right of Way research was conducted by Land Title Guarantee Company, per Order No. DUB180118, effective date June 10, 2021 at 5:00 PM, and not from research conducted by Moreno Surveying & Geographics, Inc. Any and all parties having interest in subject tracts of land are hereby referred to said title commitments and any title policies issued at a later date.

Notice: According to Colorado law you must commence any legal action based upon any defect in this survey within three (3) years after you first discovered such defect. In no event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of the certification shown herein.

Notice: Any encroachment of fences across property may indicate that possessory rights are accruing.

PLAT NOTICES

1. NOTICE: WATER AND SEWER SERVICE IS PROVIDED BY EDMONT RANCH METROPOLITAN DISTRICT.
2. NOTICE: NO COUNTY MAINTENANCE OF STREETS OR ROADS. THE COUNTY'S ACCEPTANCE OF THIS PLAT CONSTITUTES ACCEPTANCE, ON THE PUBLIC'S BEHALF, OF THE OFFER OF DEDICATION OF RIGHTS OF WAY OVER THE SUBDIVISION ROADS BUT DOES NOT CONSTITUTE ACCEPTANCE OF ROAD MAINTENANCE OBLIGATIONS. THE EDMONT RANCH METROPOLITAN DISTRICT SHALL BE RESPONSIBLE FOR ALL ROAD MAINTENANCE OBLIGATIONS ALONG WITH THE ASSOCIATED ROADSIDE DRAINAGE DITCHES.
3. NOTICE: LOTS IN THIS SUBDIVISION MAY BE SUBJECT TO THE EXPLORATION AND/OR DEVELOPMENT OF MINERALS INCLUDING OIL AND GAS. THIS INCLUDES THE RIGHT TO MAKE SUCH USE OF THE SURFACE AS IS REASONABLY REQUIRED TO DEVELOP THE MINERAL ESTATE.
4. NOTICE: COLORADO IS A RIGHT TO FARM STATE WHICH MAY PRECLUDE NUISANCE LAWSUITS AGAINST EXISTING FARM OPERATIONS. C.R.S. § 35-5-101 ET SEQ.
5. NOTICE: COLORADO IS A FENCE LAW STATE. OWNERS OF PROPERTY SHALL BE REQUIRED TO FENCE LIVESTOCK OUT IN ORDER TO RECOVER DAMAGES FOR TRIPPING LIVESTOCK. C.R.S. § 35-46-101 ET SEQ.
6. THIS PROPERTY IS SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF EDMONT HIGHLANDS RECORDED ON MAY 11, 2004 UNDER RECEPTION NUMBER 894350, AS SUBSEQUENTLY AMENDED AND REESTATED BY DOCUMENTS RECORDED AT RECEPTION NUMBERS 893226, 894237, 896541, 906547, 925849, 993084, 1020149, 1040592, 1049216 AND 1049216.
7. THIS PROPERTY IS SUBJECT TO THE WILDFIRE MITIGATION PLAN AS OUTLINED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF EDMONT HIGHLANDS RECORDED ON MAY 11, 2004 UNDER RECEPTION NUMBER 894350, AS SUBSEQUENTLY AMENDED AND REESTATED BY DOCUMENTS RECORDED AT RECEPTION NUMBERS 893226, 894237, 896541, 906547, 925849, 993084, 1020149, 1040592, 1049216 AND 1049216.
8. NOTICE: SITE DEVELOPMENT SHALL COMPLY WITH THE TRAITNER GEOTECH, LLC GEOTECHNICAL ENGINEERING STUDY, PROPOSED RESIDENCES, THE GROVE AT EDMONT HIGHLANDS, DURANGO, COLORADO, DATED OCTOBER 25, 2022 AND ASSOCIATED COLORADO GEOTECHNICAL SURVEY COMMENTS COLLECTIVELY RECORDED AT RECEPTION NO. _____ ON _____, 2025 AT THE LA PLATA COUNTY CLERK AND RECORDER.
9. NOTICE: SOIL LIMITATION - LOT 1, LOT 2, LOT 3, AND LOT 4, ARE LOCATED IN AREAS OF SEVERE SOIL LIMITATIONS. SITE CONDITIONS MAY PREVENT THE USE OF CONVENTIONAL BUILDING TECHNIQUES. A SITE SPECIFIC GEOTECHNICAL REPORT SHALL BE REQUIRED ON ALL LOTS PRIOR TO DEVELOPMENT OR CONSTRUCTION.
10. NOTICE: SLOPES: SEE EAST ON LOT 1, LOT 2, LOT 3, AND LOT 4.
11. NOTICE: ONSITE FIRE FIGHTING FACILITIES ARE NOT PROPOSED. FIRE ENGINE RESPONSE TIME IS ESTIMATED AS 7 MINUTES IN THE WINTER MONTHS.
12. NOTICE: SOME DRIVEWAYS MAY REQUIRE SUBSTANTIAL CUT OR FILL AND POSSIBLE RETAINING WALLS TO MEET THE REQUIRED MAXIMUM 12% GRADE.
13. NOTICE: ALL STRUCTURES MUST BE LOCATED INSIDE THE BUILDING ENVELOPES BUT DRIVEWAYS AND PARKING AREAS MAY OCCUR WITHIN THE STEEP SLOPE AREAS.
14. NOTICE: ACCESS TO MAINTAIN LOT 4 MUST OCCUR WITHIN THE 100' AREA AS SHOWN.
15. NOTICE: TRAIL SURFACE SHALL BE MAINTAINED BY AGREEMENT BETWEEN THE NON ADJACENT EDMONT RANCH METROPOLITAN DISTRICT.

THE GROVE AT EDMONT PHASE 1 PROJECT NO. 2022-0254 A RESUBDIVISION OF LOT 121 PHASE 2A, EDMONT HIGHLANDS EDMONT OVERLOOK PROPERTIES, LLC NW1/4 S7, T35N, R8W, N.M.P.M. LA PLATA COUNTY, COLORADO

Land Use Table

Total number of lots = 4
Total Acreage = 4.889
Acres/lot = 1.222
Range of Lot Area = 1.000 to 1.344
Critical Lands = Range 1007 = 0.207 Acres = 2.45
Open Space = 0.810 Acres

Original	Area
Lot 121	4.889
Subdivision	8931
Lot 1	1.000
Lot 2	1.000
Lot 3	1.000
Lot 4	1.344
Lot 5 (Remains Future Phase)	0.189

CONFIRMATION AND ACCEPTANCE OF DEDICATIONS:

Edmont Ranch Metropolitan District confirms this plat and the dedications set forth herein

By: _____ Edmont Ranch Metropolitan District Date _____

CERTIFICATE OF APPROVAL

This plat has been reviewed and approved by the Board of County Commissioners of La Plata County, Colorado, on this _____ day, of _____, 2025 for the aforementioned purposes.

BOARD OF COUNTY COMMISSIONERS
OF LA PLATA COUNTY, COLORADO

By: _____ Chairman Attest: _____ Clerk of Record

COUNTY REVIEWING SURVEYOR

Approved for content and form only and not the accuracy of surveys, calculations, or drafting. Pursuant to C.R.S. § 38-31-106

La Plata County Reviewing Surveyor

STATE OF COLORADO
801
COUNTY OF LA PLATA

I hereby state that this instrument was filed for record at _____, Onlook _____ at this day of _____, 2025 and duly filed.
Reception Number _____ Fee \$ _____
Tiffany Lee, Recorder
By _____

Deputy

THE GROVE AT EDMONT
PHASE 1
A RESUBDIVISION OF LOT 121
PROJECT NO. 2022-0254
PHASE 2A, EDMONT HIGHLANDS
EDMONT OVERLOOK
PROPERTIES, LLC
S7, T35N, R8W, N.M.P.M.
LA PLATA COUNTY, COLORADO

Moreno
SURVEYING
GEOGRAPHICS

3050 Main Ave., Durango, CO 81301 385-8535

DATE: 4/3/2025 SCALE: As Shown
DRAWN BY: MLC CHECKED BY: JLC RIG NO.: 202425

SHEET 1 OF 2

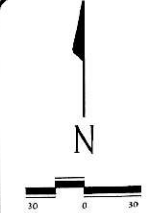
THE GROVE AT EDMONT PHASE 1
PROJECT NO. 2022-0254
A RESUBDIVISION OF LOT 121
PHASE 2A, EDMONT HIGHLANDS
EDDMONT OVERLOOK PROPERTIES, LLC
NW1/4 S7, T35N, R8W, N.M.P.M.
LA PLATA COUNTY, COLORADO

Monarch Crest Trail

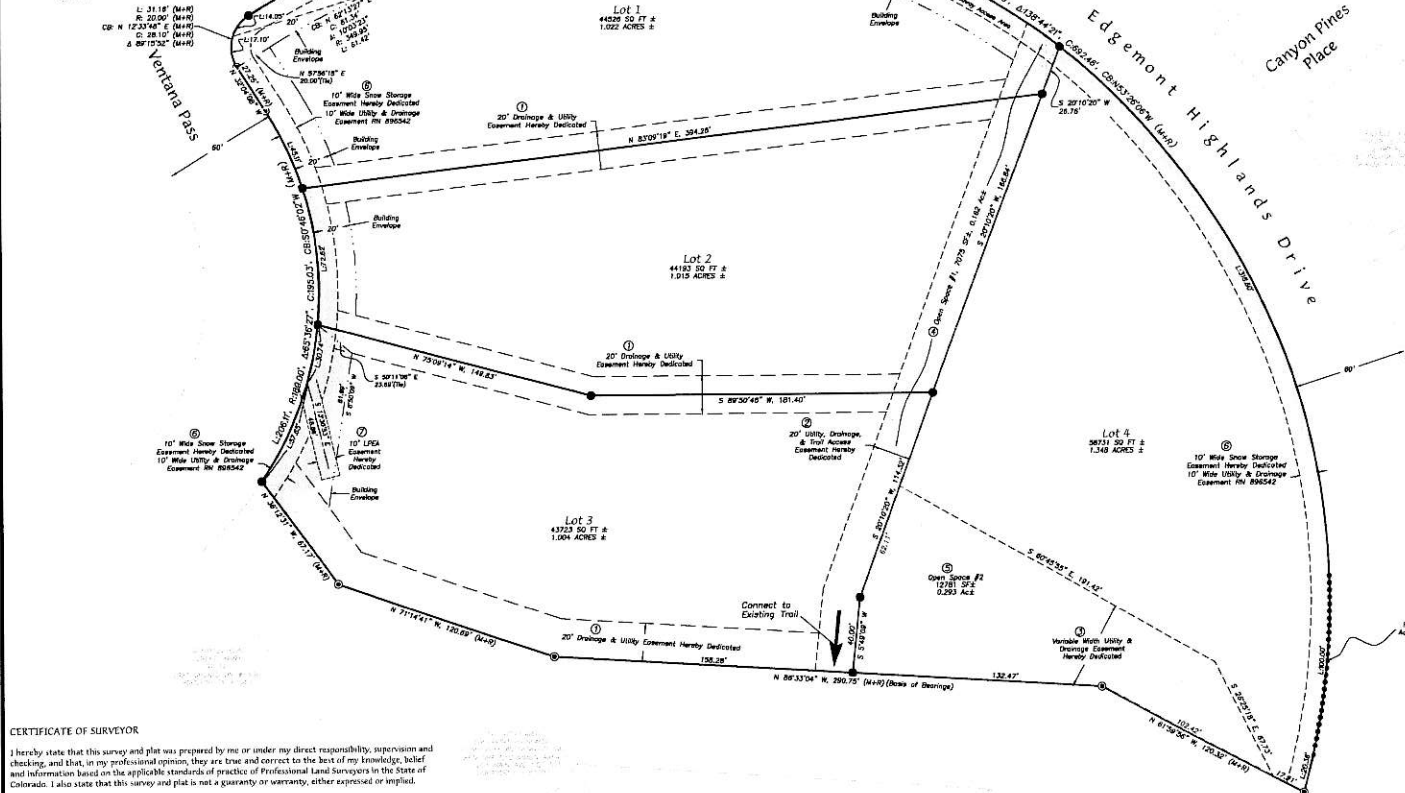
Edmont Highlands Drive

Copper Rim Trail

- Legend**
- Found: 1 1/2 inch Aluminum Cap on 5/8 inch rebar stamped "T15 29026"
 - Set: 1 1/2 inch Aluminum Cap on 24 inch long 5/8 inch rebar stamped "T15 27903"
 - (R) Record Dimension per R.N. 896542
 - (M) Measured Dimension
- Property Line
Slopes greater than 30%
Open Space
No Roadway Access Area



Scale: 1 inch = 30 feet
Linear Units are U.S. Survey Feet
Basis of Bearing: Bearings are based on the South line of Lot 121, Edmont Highlands Phase 2A, R.N. 896542, born N 65° 33' 04" W, between found monuments as shown herein.



<p>THE GROVE AT EDMONT PHASE 1 A RESUBDIVISION OF LOT 121 PROJECT NO. 2022-0254 PHASE 2A, EDMONT HIGHLANDS EDDMONT OVERLOOK PROPERTIES, LLC S7, T35N, R8W, N.M.P.M. LA PLATA COUNTY, COLORADO</p>	<p>Moreno SURVEYING GEOGRAPHICS</p> <p>3070 MAIN AVE., DURANGO CO. 81301-385-8035 DATE: 4/3/2023 SCALE: 1 inch = 30 feet DRAWN BY: MLC CHECKED BY: JLC NOB NO: 2022-0254</p>
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SHEET 2 OF 2