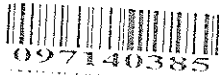


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J. PATRICK KELLY  
EL PASO COUNTY CLERK & RECORDER, CO

AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
LONGVIEW AT MOUNTAIN SHADOWS

1 of 2  
10-  
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This Amendment to Declaration of Covenants, Conditions and Restrictions for Longview at Mountain Shadows is made as of November 24, 1997 by Ute Valley, LLC, a Colorado Limited Liability Company ("Declarant").

WHEREAS, Declarant recorded that certain Declaration of Covenants, Conditions and Restrictions for Longview at Mountain Shadows on October 24, 1997 at Reception No. 97125940 of the real property records of El Paso County, Colorado (collectively, the "Declaration");

WHEREAS, pursuant to Section 10.6 of Article X of the Declaration, the Declarant has the right to amend the Declaration during the ten year period following the recordation of the Declaration in the real property records of El Paso County, Colorado;

WHEREAS, Declarant desires to amend the Declaration regarding the height restrictions contained in the Declaration;

NOW, THEREFORE, the Declarant under the Declaration and pursuant to Section 10.6, Article X of the Declaration, hereby declares that Section 6.4(a)(iii) Building Requirements: Height Restrictions of the Declaration is hereby deleted in its entirety and the following language is substituted in its place:

"(iii) Height Restrictions. No dwelling or other structure shall exceed thirty (30) feet in height, as measured in accordance with the applicable El Paso County Regional Building Department and Zoning Administration Office regulations under the Hillside Overlay Area ordinances."

This Amendment shall be completed and effective upon the execution and recording hereof and the terms and conditions hereof shall be binding upon all Owners of Lots within the Property which is encumbered by the Declaration.

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IN WITNESS WHEREOF, the undersigned has executed this Amendment to Declaration of Covenants, Conditions and Restrictions for Longview at Mountain Shadows as of the date and year first above written.

Ute Valley, LLC, a Colorado Limited Liability Company  
By: William D. Schuck  
Its: President

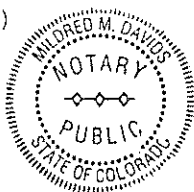
STATE OF COLORADO )  
 ) ss.  
COUNTY OF EL PASO )

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of November 1997 by William D. Schuck as President of Schuck Communities, Inc. of Ute Valley, LLC, a Colorado Limited Liability Company. MANAGER OF

Witness my hand and official seal.

My commission expires: 8/07/2000

(SEAL)



Mildred M. Davis  
Notary Public