

AFTER RECORDING
RETURN TO:
HindmanSanchez P.C.
5610 Ward Road,
Suite 300
Arvada, CO 80002
Attn: EBG

**FIRST AMENDMENT
TO THE
AMENDED AND RESTATED DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR
THE PROMONTORY AT SODA CREEK
HOMEOWNERS' ASSOCIATION, INC.**

THIS AMENDMENT is made this 14TH day of MAY, 2012.

RECITALS

A. Hiwan Ridge Development Co., created the Promontory at Soda Creek community ("Community") by recording that certain Declaration of Covenants, Conditions and Restrictions for the Promontory at Soda Creek Homeowners' Association, Inc. in the real property records of Jefferson County, Colorado at Reception No. 93195083 on November 23, 1993, which was replaced by the Amended and Restated Declaration of Covenants, Conditions and Restrictions for the Promontory at Soda Creek Homeowners' Association, Inc., and recorded at Reception No. 2010033554 on April 21, 2010, in the Jefferson County real property records ("Declaration").

B. The Declaration provides for and allows for this amendment ("Amendment") to the Declaration in Article 8, Section 8.5, which provides as follows:

Any provision, covenant, condition, restriction or equitable servitude contained in this Declaration may be amended, revised, removed or repealed, and new provisions, covenants, conditions, restrictions or equitable servitudes may be added, at any time and from time to time upon approval of at least 55% of the votes in the Association and with the written consent of the Association.

C. All Owners are aware of the provisions of the Declaration allowing for amendment, by virtue of the record notice of the Declaration, by acts and disclosures, newsletters or notices of the Association and by other means.

D. This Amendment has been prepared and determined by the Association and by the Owners that have approved this Amendment to be reasonable and not burdensome.

E. The purpose of this Amendment is to add a restriction prohibiting discharge of weapons in the community.

F. The undersigned, being the President and Secretary of the Association, hereby certify that 55% of the votes in the Association have been obtained approving this Amendment.

NOW THEREFORE,

I. Amendments. The Original Declaration is hereby amended as follows:

(a) Repeal and Restatement. The second sentence of Article 5, Section 5.14 is hereby repealed and restated as follows:

Without limiting the generality of the foregoing, no firearms or other weapons of any kind shall be discharged upon any Property within the Community, including any Lot and any Common Area, for any reason, including but not limited to any form of hunting or any other activity designed, intended, or resulting in the death or injury of any wildlife other than yard pests such as moles, voles, or gophers, but excluding a discharge for the purpose of protecting a human life or the life of a pet facing immediate danger of life or limb, or to stop or attempt to stop a criminal action as allowed by law. This does not prohibit the careful use of projectiles that commonly are neither capable of being deadly nor maiming, strictly within the boundaries of a Lot, by that Lot Owner and/or an adult agent or employee thereof, when intended merely to encourage wildlife to leave the Lot.

II. No Other Amendments. Except as amended by the terms of this Amendment and previous amendments, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, this Amendment is executed by the undersigned.

**The Promontory at Soda Creek Homeowners'
Association, Inc.,**
a Colorado nonprofit corporation

By: _____

President

By: _____

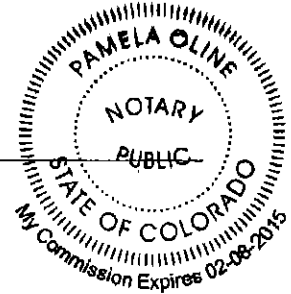
Secretary

STATE OF COLORADO)
) ss.
COUNTY OF Jefferson)

The foregoing was acknowledged before me this 6 day of July, 2012, by [Signature], as President of The Promontory at Soda Creek Homeowners' Association, Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.
My commission expires: 02-08-2015

[Signature]
Notary Public



STATE OF COLORADO)
) ss.
COUNTY OF Jefferson)

The foregoing was acknowledged before me this 6 day of July, 2012, by [Signature], as Secretary of The Promontory at Soda Creek Homeowners' Association, Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.
My commission expires: 02-08-2015

[Signature]
Notary Public

