

**THIRD AMENDMENT TO SUBDIVISION AGREEMENT
Trails at Crowfoot Filing No. 2**

THIS THIRD AMENDMENT is made and entered into this 25th day of June, 2021, by and between the Town of Parker, a Colorado home-rule municipality (the "Town"), and Melody Homes, Inc., a Delaware corporation (the "Developer").

RECITALS

A. The Town and the Developer entered into the Subdivision Agreement Trails at Crowfoot Filing No. 2, on October 3, 2018, at Reception No. 2018065294 (the "Agreement").

B. The Town and the Developer entered into the First Amendment to the Agreement on August 28, 2020, which was recorded on September 2, 2020, at Reception No. 2020082978 (the "First Amendment").

C. The Town and the Developer entered into the Second Amendment to the Agreement on November 13, 2020, which was recorded on November 13, 2020, at Reception No. 2020111522 (the "Second Amendment").

D. The Town and the Developer desire to enter into this Third Amendment to the Agreement (the "Third Amendment") in order to amend Paragraph 4.g. of the Agreement to update the timeline for construction of the pool.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree to the Third Amendment as follows:

Section 1. Paragraph 4. Specific Conditions, subparagraph g., of the Agreement is amended to provide as follows:

g. The Developer shall construct and receive a certificate of occupancy for the clubhouse and pool to be located on Lot 1 of the Trails at Crowfoot Filing No. 1, according to the approved site plan for the clubhouse and pool. This shall be completed either prior to issuance of the 400th building permit for the entire Trails at Crowfoot development, including all sixteen filings proposed at the time of this Agreement and all future subdivisions of these filings, or no later than May 20, 2022, whichever is earlier.

Section 2. The Town and the Developer acknowledge and agree that the Agreement has not been amended, except as provided in the First Amendment, the Second Amendment, and this Third Amendment.

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g. The Developer shall construct and receive a certificate of occupancy for the clubhouse and pool to be located on Lot 1 of the Trails at Crowfoot Filing No. 1, according to the approved site plan for the clubhouse and pool. This shall be completed either prior to issuance of the 400th building permit for the entire Trails at Crowfoot development, including all sixteen filings proposed at the time of this Agreement and all future subdivisions of these filings, or no later than May 20, 2022, whichever is earlier.

Section 2. The Town and the Developer acknowledge and agree that the Agreement has not been amended, except as provided in the First Amendment, the Second Amendment, and this Third Amendment.

WHEREFORE, the parties hereto have executed this Third Amendment on the day and year above written.

TOWN OF PARKER, COLORADO

By: *[Signature]* 6/17/21
John Fussa, Community Development Director

By: *[Signature]*
Tom Williams, Director Engineering/ Public Works

ATTEST:

[Signature]
Chris Vanderpool, Acting Town Clerk

APPROVED AS TO FORM:

[Signature]
Town Attorney's Office

DEVELOPER: MELODY HOMES, INC., a Delaware corporation

By: *[Signature]*
Bill Carlisle, Vice President

STATE OF COLORADO)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 10 day of June, 2021, by Bill Carlisle, as Vice President of Melody Homes, Inc.

My commission expires: Feb 24, 2022

SEAL

[Signature]
Notary Public

