

**FIRST AMENDMENT TO SUBDIVISION AGREEMENT**  
**Trails at Crowfoot Filing No. 3**

THIS FIRST AMENDMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 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. 3, on October 3, 2018, which was recorded on October 29, 2018, at Reception No. 2018065296 (the "Agreement").

B. The Town and the Developer desire to enter into this First Amendment to the Agreement (the "First Amendment") in order to amend Paragraph 4.f. 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 First Amendment as follows:

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

f. 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 this First Amendment.

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

**TOWN OF PARKER, COLORADO**

By: \_\_\_\_\_  
John Fussa, Community Development Director

By: \_\_\_\_\_  
Tom Williams, Director Engineering/ Public Works

ATTEST:

\_\_\_\_\_  
Chris Vanderpool, Acting Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Town Attorney's Office

**DEVELOPER: MELODY HOMES, INC., a  
Delaware corporation**

By: \_\_\_\_\_  
Jon Wayne, V.P. Land Acquisition

STATE OF COLORADO    )  
  ) ss.  
COUNTY OF \_\_\_\_\_)

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,  
2021, by Jon Wayne, as V.P. Land Acquisition of Melody Homes, Inc.

My commission expires: \_\_\_\_\_.

SEAL

\_\_\_\_\_  
Notary Public