

FIRST AMENDMENT TO SUBDIVISION AGREEMENT
Trails at Crowfoot Filing No. 15

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 KB Home Colorado Inc., a Colorado corporation (the "Developer").

RECITALS

A. The Town and the Developer entered into the Subdivision Agreement Trails at Crowfoot Filing No. 15, on November 30, 2018, which was recorded on November 30, 2018, at Reception No. 2018072146 (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: KB HOME COLORADO
INC., a Colorado corporation**

By: _____
Randy Carpenter, President

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
2021, by Randy Carpenter as President of KB Home Colorado Inc.

My commission expires: _____.

SEAL

Notary Public