

**FIRST AMENDMENT TO  
RED HAWK FILING NO. 1  
SUBDIVISION IMPROVEMENTS AGREEMENT**

DC9806549

**DATE:** December 11, 1997

**PARTIES:** **TOWN OF CASTLE ROCK**, a Colorado municipal corporation ("Town"), 680 N. Wilcox Street, Castle Rock, Colorado 80104.

**U.S. HOME CORPORATION**, a Delaware corporation ("Subdivider"), 6000 S. Greenwood Plaza Boulevard, Suite 200, Englewood, Colorado 80111.

**RECITALS:**

A. Town and Subdivider are parties to the Red Hawk Filing No. 1 Subdivision Improvements Agreement dated July 10, 1997, recorded on September 11, 1997 at Reception 9750686, beginning in Book 1464 at Page 505 of the public records of Douglas County, Colorado (the "SIA").

B. The parties desire to modify the SIA to allow for the phasing of improvements within the Subdivision.

C. Capitalized terms in this document have the same meaning as given in the SIA.

**COVENANTS:**

**NOW, THEREFORE**, in consideration of these mutual promises, the parties agree and covenant as follows:

1. **Phasing.** Concurrently Town has approved an amendment to the preliminary plat for the Subdivision which allows for the development of the lots within the Subdivision in two phases, and provides for a phasing of the public improvements necessary to service each phase (the "Phasing Plan"). The Phasing Plan requires that Santa Fe Drive be extended from Wolfensberger Road to the intersection of Meadows Parkway and Meadows Boulevard, and improvements to Wolfensberger Road with development of Phase I. Notwithstanding the Phasing Plan, Town will allow issuance of not more than 50 building permits within Phase I, prior to the completion of Santa Fe Drive and the Wolfensberger Road improvements, provided however, that all on-site improvements within Phase I are first completed and accepted by Town. No certificates of occupancy will be issued in Phase I until the Santa Fe Drive and Wolfensberger Road improvements are completed and accepted.

2. **Scope.** This amendment shall supersede any conflicting provisions in the SIA.



