

1977416 12/19/00 0323PM
 MONIKA TODD CLK&REC MESA COUNTY Co
 REC FEE \$10.00

**THIRD AMENDMENT TO
 THE DECLARATION OF
 COVENANTS, CONDITIONS AND RESTRICTIONS
 OF
 INDEPENDENCE RANCH SUBDIVISION**

This THIRD AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF INDEPENDENCE RANCH SUBDIVISION (the "Third Amendment") is made as of the 11th day of December, 2000, by Laughing Waters, LLP (the "Declarant"), after written consent of more than 90% of the members of the Independence Ranch Homeowners Association, Inc. ("Association") consented thereto.

A. Declarant has heretofore caused to be recorded in Book 2339, Page 770, Mesa County, Colorado records, a Declaration of Covenants, Conditions and Restrictions of Independence Ranch Subdivision (the "Declaration"), said Declaration being amended at Book 2384, Page 17, and Book 2483, Page 355, Mesa County Records.

B. Article XI, Section 7 of the Declaration, provides for amendment of the Declaration upon the consent of at least 67% of the members of the Association.

Declarant, on behalf of more than 90% of the members of the Association, hereby declares that both the Property and the Supplemental Property shall be held, sold and conveyed subject to the Declaration, as amended, which is for the purpose of protecting the value and desirability of the Property and the Supplemental Property and which shall run with the land and be binding on all parties and heirs, successors and assigns of parties having any right, title or interest in all or any part of the Property of the Supplemental Property.

1. General. The terms and provisions contained in this Third Amendment shall be in addition and supplemental to the terms and provisions contained in the Declaration, as amended. All terms and provisions of the Declaration, as amended, including all definitions, except those terms and provisions specifically modified herein, shall be applicable to the Property.

2. Amendment to Article V, Section 2. The minimum square footage of one-story residential structures built after the date of this Amendment shall be 1,850 square feet of living space. Foundations in Filing 6, and all subsequent filings shall be footer and stemwalls with no slab foundations allowed except in basements. Use of exterior lap siding is discouraged.

3. Reservation. Declarant hereby reserves the right for itself and any Successor Declarant to further expand the Property in the future to include additional Lots and to further expand the Common Area.


4. Severability. Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provisions which shall remain in full force and effect.

5. Conflicts between Documents. In case of conflict between the Declaration as supplemented hereby and the Articles and the Bylaws of the Association, the Declaration as supplemented shall control.

DATED as of the day and year first above written.

LAUGHING WATERS, LLP

By: Branna, Inc., Partner

By: 
Hans Brutsche, President

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

The foregoing instrument was acknowledged before me this 11 day of DECEMBER, 2000, by Hans Brutsche, as President of Branna, Inc., Partner of Laughing Waters, LLP.

WITNESS my hand and official seal.
My commission expires:


Notary Public

