

**SCHOOL SITE DEDICATION AGREEMENT  
AMENDMENT NO. 1**

**THIS SCHOOL SITE DEDICATION AGREEMENT AMENDMENT NO. 1** (this "Agreement") is made and entered into as of September 28, 2017, by and between **NASH Inspiration, LLC**, a Delaware limited liability company, its successors and assigns ("Developer") and the **DOUGLAS COUNTY SCHOOL DISTRICT**, a Colorado public school district ("District")

**RECITALS**

- A. A **SCHOOL SITE DEDICATION AGREEMENT** ("**Original Agreement**") was entered into on September 29, 2014, by and between **WS-RHA Development, LLC** and District setting forth school site dedication requirements for Rockinghorse PD.
- B. Developer, as successor and assign to **WS-RHA Development, LLC**, is proposing to add 164 non-Age Qualified Residences ("**additional residences**") to Rockinghorse PD as contemplated in Section 2.b. of Original Agreement.
- C. Pursuant to Section 2.a. iii. of the Original Agreement, Developer will pay to the District cash-in-lieu of dedication ("**Cash-in-Lieu Payment**") for an additional 1.348 acres.
- D. District has calculated that the additional residences are expected to generate 148 students and 3,492-acres of school land dedication requirement.
- E. When added to the current 1.348 – acres of school land dedication required per the Original Agreement, the new total is 4.840-acres (1.348 + 3.492 = 4.840).

**AGREEMENT AMENDMENT**

NOW, THEREFORE, in consideration of the terms, conditions and covenants set forth in the Original Agreement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Developer and District agree as follows:

- 1. Original Agreement remains in full force and effect except as herein modified.
- 2. In accordance with the provisions of Section 2.b. of the Original Agreement, the District has determined based on the District's formula for student generation rates that 3.492 acres of additional school land dedication is required as a result of an increase in the number of non-Aged Qualified Residences from 714 to 878 non-Age Qualified Residences. Therefore, Developer will pay to the District cash-in-lieu of dedication for the additional 3.492 acres in addition to the cash-in-lieu of dedication for the 1.348 acres of school land dedication that is required under Section 2.a.iii of the Original Agreement for a total of 4.840 acres.

3. It is acknowledged by all parties that NASH Inspiration, LLC is the successor and assign to WS-RHA Development, LLC.

IN WITNESS WHEREOF, Developer and the District have executed this Agreement as of the date first written above.

DEVELOPER:

NASH Inspiration, LLC, a Delaware limited liability company

By: Newland Real Estate Group, LLC,  
a Delaware limited liability company  
Its: Development Manager

By: AC Thomas  
Name: Asst Vice President  
Title: Sandra C Thomas

STATE OF Colorado )  
) ss.  
COUNTY OF Arapahoe)

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of October, 2017, by Sandra C Thomas as Development Manager of Newland Real Estate Group, LLC, a Delaware limited liability company, as Agent of NASH Inspiration, LLC, a Delaware limited liability company.

Witness my hand and official seal.

My commission expires: 11/16/2019

Dawn H. Furlong  
Notary Public





