

404 663

AMENDMENT  
TO  
DECLARATION OF COVENANTS, CONDITIONS,  
RESTRICTIONS AND EASEMENTS FOR  
SOPRIS CREEK CABINS

This Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Sopris Creek Cabins entered into this 1st day of December, 1980 by Christopher H. Smith (hereinafter referred to "Declarant").

W I T N E S S E T H:

WHEREAS, Declarant signed and recorded the Declaration of Covenants, Conditions and Restrictions, and Easements for Sopris Creek Cabins recorded in Book 391, Page 430 of the real property records of Pitkin County, Colorado (hereinafter "the Declaration");

WHEREAS, Declarant is the owner of more than 75% of the Residential Lots subject to the Declaration and there are no first mortgagees on the Residential Lots and Declarant may amend the Declaration pursuant to Article XIV, Section 3 of the Declaration;

NOW, THEREFORE, Declarant amends, and supplements the Declaration as hereinafter set forth.

1. Article V, Section 2 of the Declaration is hereby amended to include the following sentence:

"Declarant has assigned parking spaces to particular Residential Lots as set forth on Exhibit D attached hereto and incorporated herein."

2. Article V, Section 3, Subsection e of the Declaration is hereby amended to include the following sentence:

"Neither the Homeowner's Association nor the Owners may abandon, subdivide, encumber, sell or transfer the Common Area without first obtaining the written consent of all of the first mortgagees of the Residential Lots. Each such first mortgagee shall have one vote for each mortgage owner by it. Any such action without the written consent of said mortgagees shall be null and void."

3. Article V, Section 4 of the Declaration is hereby amended to include the following sentence:

"The Declarant will quitclaim all of Declarant's interest in the water and water well located on Lot 11 to the Homeowner's Association which water and water well shall be held by the Homeowner's Association as Common Area."

4. Article IX, Section 7 of the Declaration is hereby amended to include the following sentence:

"Notwithstanding anything to the contrary contained herein, horses may be kept on Lot 11."

