

419 636

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

This Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Sopris Creek Cabins entered into this 13th day of October, 1981, by the undersigned owners of at least 75% of the Residential Lots, Sopris Creek Cabins, and by all first mortgagees against said Lots.

W I T N E S S E T H:

WHEREAS, Christopher H. Smith as Declarant signed and recorded the Declaration of Covenants, Conditions, Restrictions and Easements for Sopris Creek Cabins recorded in Book 391 at page 430 of the Real Property records of Pitkin County, Colorado (hereinafter "the Declaration"), as amended by Amendment to Declaration recorded in Book 404 at page 663 of said records; and

WHEREAS, the undersigned as the owners of at least 75% of the Residential Lots, Sopris Creek Cabins, subject to the Declaration and all of the mortgagees on the Residential Lots wish to amend the Declaration pursuant to Article XIV, Section 3 thereof.

NOW, THEREFORE, the undersigned hereby amend the Declaration as hereinafter set forth.

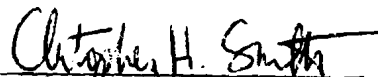
1. Article IX, Section 2 of the Declaration is hereby amended and restated as follows:

"2. Businesses. No business of any kind shall be conducted on any Residential Lot except home occupations consistent with the residential character of Sopris Creek Cabins and carried on in the owner's actual place of residence or in an accessory building and except, further, agricultural and related activities on Lot 11."

2. Except as amended herein, the Declaration shall remain in full force and effect as written.

3. This Second Amendment may be executed in several counterparts, and as executed shall constitute one agreement binding on all parties hereto notwithstanding that all parties are not signatory to the original or the same counterpart.

IN WITNESS WHEREOF, the undersigned have executed this Second Amendment to the Declaration.



Christopher H. Smith

STATE OF COLORADO)
) ss.
COUNTY OF PITKIN)

The foregoing was acknowledged before me this 14th day of October, 1981, by Christopher H. Smith as the owner of Residential Lots 3, 4, 6, 7, 8, 9, 10 and 11, Sopris Creek Cabins.

My commission expires: June 15, 1981

Witness my hand and official seal.



Barbara J. Howe
Notary Public

Address: Box TT
Barnet, CO 81621

COUNTERPART SIGNATURE AND ACKNOWLEDGMENT PAGE
FOR ATTACHMENT TO SECOND AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS FOR
SOPRIS CREEK CABINS

The undersigned, being one of the owners or mortgagees of a Residential Lot(s), Sopris Creek Cabins, County of Pitkin, State of Colorado, hereby acknowledges receipt and execution of a Counterpart of the Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Sopris Creek Cabins, dated October 13, 1981. The undersigned hereby authorizes the attachment of this Signature and Acknowledgment Page to the Original of the Second Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements for Sopris Creek Cabins to be recorded, hereby ratifying and confirming said act of attachment for all intents and purposes as if the undersigned had executed the Original of said Second Amendment.

Dated this 14 day of October, 1981.

Dayle Van Doren
Dayle Van Doren
Owner of Residential Lot # 1

STATE OF COLORADO)
COUNTY OF Eagle) ss.

The foregoing instrument was acknowledged before me this 14th day of October, 1981 by Dayle Van Doren, as the owner of Residential Lot 1, Sopris Creek Cabins.



My commission expires: June 15, 1981

Witness my hand and official seal.

Barbara A. Howe
Notary Public

Address: Box 77
Basalt, CO 81621

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Dated this 13th day of October, 1981.

James P. Greehey
James P. Greehey

Owner of Residential Lot # 2

STATE OF COLORADO)
) ss.
COUNTY OF Pitkin)

The foregoing instrument was acknowledged before me this day of October, 1981 by James P. Greehey, Owner of Residential Lot #2, Sopris Creek Cabins.

My commission expires: My Commission expires October 3, 1991

Witness my hand and official seal.



Ann J. Clark
Notary Public

Address:

*Aspen Skiing Company
PO Box 1248
Aspen, CO 81612*

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Dated this 14th day of October, 1981.

Shannon Stapleton
Shannon Stapleton

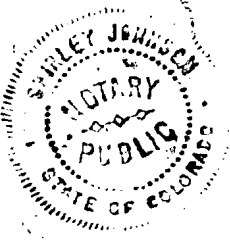
Owner of Residential Lot # 5

STATE OF COLORADO)
) ss.
COUNTY OF)

The foregoing instrument was acknowledged before me this day of October, 1981 by Shannon Stapleton, Owner of Residential Lot 5, Sopris Creek Cabins

My commission expires: July 18, 1983

Witness my hand and official seal.




Shirley Johnson
Notary Public

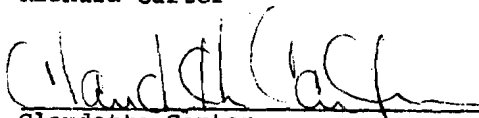
Address:
530 East Main
Aspen, Colorado

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Dated this 15 day of October, 1981.


Richard Carter

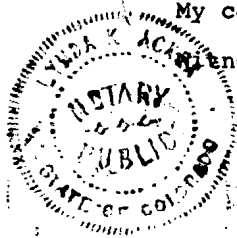

Claudette Carter
Owner of Residential Lot # 11


STATE OF COLORADO)
) ss.
COUNTY OF)

¹⁵~~15~~ The foregoing instrument was acknowledged before me this day of October, 1981 by Richard Carter and Claudette Carter, as the owner of Residential Lot 11, Sopris Creek Cabins.

My commission expires: 11-15-83

Witness my hand and official seal.




Notary Public

Address: 601 E Hyman
Aspen, CO 81611

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Dated this 29 day of October, 1981.

Christopher H. Smith
Christopher H. Smith

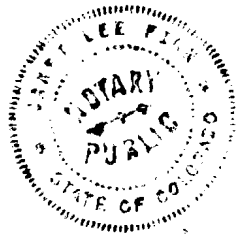
Owner of Residential Lot # 1
Mortgagee-

STATE OF COLORADO)
) ss.
COUNTY OF)

The foregoing instrument was acknowledged before me this day of _____, 1981 by Christopher H. Smith as mortgagee of Lot 1, Sopris Creek Cabins.

My commission expires: October 24, 1987

Witness my hand and official seal.



Robert L. Pisk
Notary Public

Address: 600 East Main St
Aspen, Colo 81602

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Dated this 28th day of December, 1981.

GEORGETOWN LIFE INSURANCE COMPANY

By: Ronald L. Taylor, President

Owner of Residential Lots # 3, 4 and 6
Mortgagee-

INDIANA)
STATE OF ~~COLORADO~~)
COUNTY OF ~~MASON~~) ss.

The foregoing instrument was acknowledged before me this 28th day of December, 1981 by RONALD L. TAYLOR as President of Georgetown Life Insurance Company, mortgagee of Lots 3, 4 and 6, Sopris Creek Cabins.
My commission expires: 3/23/84

Witness my hand and official seal.

Rita J. Mills
Notary Public

Address:
11460 N. MERIDIAN ST.
CARMEL, IN 46032



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Dated this 2nd day of Nov., 1981.

Sam Stapleton
Sam Stapleton

Elizabeth Stapleton
Elizabeth Stapleton
Owner of Residential Lot # 5
Mortgagees-

STATE OF COLORADO)
) ss.
COUNTY OF Pitkin)

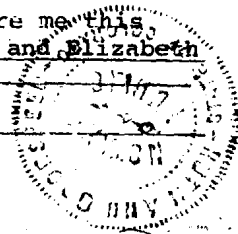
The foregoing instrument was acknowledged before me ^{this} 2nd day of November, 1981 by Sam Stapleton and Elizabeth Stapleton, mortgagees, Lot 5, Sopris Creek Cabins

My commission expires: My commission Expires June 4, 1983

Witness my hand and official seal.

Luth Ann Henderson
Notary Public

Address: Box 3677 Aspen



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Dated this 4 day of November, 1981.

Kenneth R. Whittlesey
Kenneth R. Whittlesey

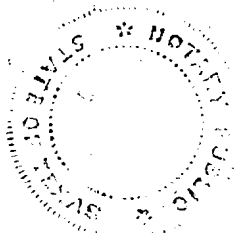
Helen E. Whittlesey
Helen E. Whittlesey
Owner of Residential Lot #11
Mortgagee-

STATE OF COLORADO)
) ss.
COUNTY OF)

The foregoing instrument was acknowledged before me this day of _____, 1981 by Kenneth R. Whittlesey and Helen E. Whittlesey, mortgagees of Lot 11, Sopris Creek Cabins.

My commission expires: 6-30-84

Witness my hand and official seal.



Esther Arzola
Notary Public

Address: P.O. Drawer I
Port Aransas, Tx. 78373

ESTHER ARZOLA
Notary Public, In and for Nuces County, Texas