

## **AMENDMENT TO THE STAGECOACH DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

(as recorded in the real property records of the Routt County, Colorado on December 7, 1971 at Reception No. 229787)

THIS AMENDMENT TO THE STAGECOACH DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS recorded in the real property records of the Routt County, Colorado on December 7, 1971 at Reception No. 229787 is hereby made this \_\_\_\_ day of \_\_\_\_\_, 2015.

FIRST AMENDMENT: Article IV, 1., Section "d." of the Stagecoach Declaration of Covenants, Conditions and Restrictions shall be amended in its entirety to read as follows:

"Section d. Special Assessments for Capital Improvement Construction, Reconstruction and Repair.

1. In addition to the annual assessments authorized above, the Association may levy special assessments for the construction, reconstruction and repair of capital improvements, provided however, that such special assessments may only be levied upon the terms described in this Section d.

2. The process for levying a special assessment shall be initiated by the directors of the Association at a regularly scheduled and noticed directors' meeting by adopting a resolution (referred to hereafter as the "Resolution") stating the following:

i. A reasonably detailed description of the capital improvement or improvements that would be constructed or reconstructed or repaired using the special assessment funds; and

ii. A list of the Lots (by subdivision and lot number within the subdivision) that will benefit from the construction or reconstruction or repair, and will thus be assessed to pay for the construction or reconstruction or repair; and

iii. The amount, duration and terms of the proposed special assessment; and

iv. A reasonably detailed description of how the directors determined the amount of the proposed assessment; and

v. That Lot Owners who fail to vote or who vote to reject the proposed special assessment will be required to pay their share of the special assessment, if the special assessment is approved; and

vi. That Lot Owners who fail to pay the special assessment will be subject to the actions stated in Article IV, sections 1.a, 1.h, 1.i, and 1.j; and

vii. That the resolution shall become effective upon approval by Lot Owners owning 67%, or more, of the Lots listed in the Resolution.

3. Upon approval of the Resolution by the directors, the Secretary of the Association shall cause the text of the Resolution to be mailed, or delivered by such other method of transmission as the Secretary shall determine, to each of the owners of the Lots listed in the Resolution, together with a ballot which shall have a space for the Lot Owners' signatures, and the date of the signatures, and a space for the Lot

Owners to vote for or against the special assessment described in the Resolution. The mailing and transmission shall also include a statement, approved by a majority of the directors voting in favor of the Resolution, stating the reasons why the proposed special assessment should be approved by the Lot Owners. The mailing and transmission shall also include, at the request of any director of the Association, a statement approved by a majority of the directors voting against the Resolution, stating the reasons why the proposed special assessment should not be approved by the Lot Owners. The mailing or transmission of the Resolution and ballot shall start the period for voting (the "Voting Period") on the proposed special assessment. The Voting Period shall end on the date which is 180 days after the start of the Voting Period.

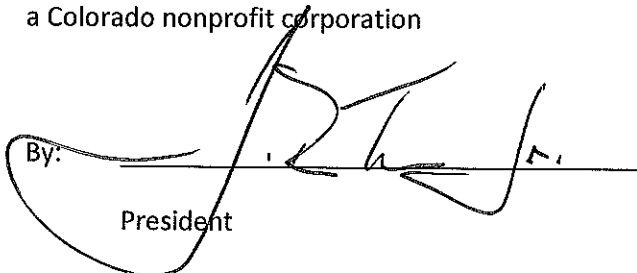
4. If the Association receives, during the Voting Period, ballots signed by the owners of 67% or more of the Lots listed in the Resolution, approving the special assessment, the directors shall proceed to levy the special assessment against all of the Lots listed in the Resolution. If the Association receives, during the Voting Period, ballots signed by the owners of more than 33% of the Lots listed in the Resolution, rejecting the special assessment, the special assessment shall not be levied. If the Association does not receive, during the Voting Period, ballots signed by a sufficient number of Lot Owners to either approve or reject the special assessment, the special assessment shall not be levied."

SECOND AMENDMENT: Article IV, 1., Section "e" shall be amended to delete all references to "Section d."

THIRD AMENDMENT: Article IV, 1., Section "f" shall be amended to delete all references to "special assessments."

IN WITNESS WHEREOF, this Amendment is executed by the undersigned.

Stagecoach Property Owners' Association,  
a Colorado nonprofit corporation

By:   
President

By: \_\_\_\_\_  
Secretary

STATE OF COLORADO )

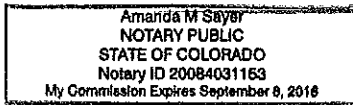
) ss.

COUNTY OF Larimer )

The foregoing was acknowledged before me this 19 day of Dec, 2015  
by John Troika Jr, as President of Stagecoach Property Owners' Association, a  
Colorado nonprofit corporation.

Witness my hand and official seal.

My commission expires: 9/8/16.



A handwritten signature in dark ink, appearing to be "Amanda Sawyer", written over a horizontal line.

Notary Public

STATE OF COLORADO )

) ss.

COUNTY OF \_\_\_\_\_ )

The foregoing was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_, as Secretary of Stagecoach Property Owners' Association,  
a Colorado nonprofit corporation.

Witness my hand and official seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_

Notary Public

**COURT ORDER**

[ATTACHED]