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El Paso County, CO



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**2017 AMENDMENT TO THE RESTRICTIVE COVENANTS OF RED ROCK RANCH
SUBDIVISION (INCLUDING RED ROCK RANCH, FOREST VIEW ACRES, AND
CLOVENHOOF), EL PASO COUNTY, COLORADO**

This 2017 Amendment to the Restrictive Covenants of Red Rock Ranch Subdivision (including Red Rock Ranch, Forest View Acres, and Clovenhoof) (called the "2017 Amendment") is made effective as of the 1st day of February, 2017.

WITNESSETH:

WHEREAS, the lot owners of Red Rock Ranch, Forest View Acres, and Clovenhoof Homeowners Association, Inc., adopted those Restrictive Covenants dated June 15, 1995 which are recorded in Book 6667 at the beginning of Page 679 of the real property records of El Paso County, Colorado (called the "Covenants"); and

WHEREAS, the undersigned Lot Owners (called "Lot Owners") are the owners of a majority of the Lots in the association known as the Red Rock Ranch, Forest View Acres, and Clovenhoof Homeowners Association, Inc., being subdivisions of a portion of Sections 8, 9, and 17, Township 11 South, Range 67 West of Sixth P.M., as recorded in the public records of said El Paso County (collectively called "Red Rock Ranch"); and

WHEREAS, the undersigned Lot Owners are desirous of encumbering all of the Lots and property in said subdivisions with the covenants, terms, and provisions of this 2017 Amendment which shall bind all persons (natural or corporate) who shall acquire title to any of the lots and property in said subdivisions, until January 1, 2030, or such later date as may be fixed by extensions hereof; and

WHEREAS, Paragraph 23 of the Covenants provides that the Covenants may be changed by an instrument signed by a majority of the Lot Owners; and

WHEREAS, the Lot Owners of at least fifty-one percent (51%) of the Lots hereby agree to this 2017 Amendment; and

WHEREAS, in addition, the Lot Owners hereby provide that the real property described in the Covenants known as Red Rock Ranch and the Red Rock Ranch, Forest View Acres, and Clovenhoof Homeowners Association, Inc., a Colorado Nonprofit Corporation; (called the "Association") shall be exempt from the Colorado Common Interest Ownership Act (called "CCIOA" C.R.S 38-33.3-101, et seq).

NOW WHEREFORE, the Association and the Owners hereby amend and restate the Covenants with the following additions:

1. The following shall be added to the Covenants as Paragraphs 6(a) and 6(b):

6(a). Single Family Requirement. Each Lot shall be used and/or occupied only for single-family residential purposes. "Single Family" is defined as "one or more persons who are related by blood, marriage, civil union, or legal adoption occupying and/or using the single family home on the Lot as a single housekeeping unit". No Lot shall be used and/or occupied for non-single family and/or non-residential purposes; such prohibition shall include, without limitation, group home, vacation rental, bed and breakfast, hotel, boarding house, apartment building, any housing for transients, or any other occupancy or use as determined by the Board of Directors of the Association in its discretion to be similar to the foregoing prohibitions or within the intent of

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these prohibitions. Any violation of this restriction shall allow the Board to impose fines for such violations and/or allow the Board to obtain injunctive relief without the posting of a bond, and the Board shall recover all of its attorney's fees and expenses of enforcement.

6(b). Limitation on Leases. No residence may be leased for a term of less than six (6) consecutive months at a time.

2. The following is hereby added as Paragraph 27 to the Covenants:

27. CCIOA Exemption. Notwithstanding any provision of the Covenants, it is hereby declared that Red Rock Ranch, the Association and the Owners shall not be subject to the Colorado Common Interest Ownership Act (C.R.S. 38-33.3-101 et seq.) ("CCIOA") based upon the provisions of C.R.S 38-33.3-116 because the Association's annual average common expense assessment of each Lot, (exclusive of optional user fees and any insurance premiums paid by the Association), shall not exceed the maximum annual assessment as provided in C.R.S 38-33.3-116, provided however the following sections of CCIOA shall apply to Red Rock Ranch and the Association: C.R.S. 38-33.3-105, 106, 107 and 217 which are incorporated hereby as if set forth herein. For any and all purposes of exemption from CCIOA, the Covenants are hereby amended, as of the date on which this 2017 Amendment is recorded in the El Paso County real property records.

3. Ratification of Covenants. Except as provided herein, the Covenants shall continue to be in full force and effect and shall be binding upon all Owners. The Association hereby certifies that a majority of the Lot Owners have consented to this Amendment.

IN WITNESS WHEREOF, the Association and the undersigned Owners have signed and agreed to this 2017 Amendment.

ASSOCIATION:

RED ROCK RANCH, FOREST VIEW ACRES, AND CLOVENHOOF HOMEOWNERS ASSOCIATION, INC.
a Colorado Nonprofit Corporation

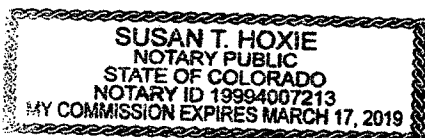
By: Elizabeth A. Lowquist
President

STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this 8th day of March, 2017 by Elizabeth A. Lowquist as President of Red Rock Ranch, Forest View Acres, and Clovenhoof Homeowners Association, Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.
My commission expires: 3-17-19

(SEAL)



Susan T. Hoxie
Notary Public

