

**Red Rock Ranch Homeowners Association**  
**PO Box 1463**  
**Monument, CO 80132**

February 3, 2022

Dear Owner(s):

As you may recall, in 2017 the Red Rock Ranch Homeowners Association's Board of Directors proposed the 2017 Amendment to the Restrictive Covenants of Red Rock Ranch Subdivision (Including Red Rock Ranch, Forest View Acres, and Clovenhoof), El Paso County, Colorado (the "2017 Amendment"). The 2017 Amendment proposed that the Red Rock Ranch Subdivision (including Red Rock Ranch, Forest View Acres, and Clovenhoof Estates) Restrictive Covenants Dated April 16, 2002 (the "Covenants") be amended to include, among other things, a single family requirement, an extension of the covenants through January 1, 2030, and a limitation on leases. The 2017 Amendment and Covenant extension was voted on and approved by the membership and recorded on March 8, 2017 at Reception No. 217027330 in the El Paso County Clerk and Recorder's Office.

Subsequently, the Association has been advised that the single family requirement in the 2017 Amendment is in conflict with current federal law. Therefore, in an effort to clarify the 2017 Amendment, the Board of Directors hereby submits for a vote of all Owners to remove the single family requirement language from the 2017 Amendment (the "Proposed Amendment"). In addition, the Board of Directors is requesting an affirmation by the members of the extensions of the Covenants to January 1, 2030.

To encourage Owner participation, the Board has decided to conduct the vote on this matter by mail pursuant to C.R.S. §7-127-109 and has enclosed a Ballot for you to cast your vote.

In order for the Association to meet quorum for purposes of the vote on the Proposed Amendment, Ballots must be returned by Owners entitled to cast a minimum of twenty percent (20%) of the total votes in the Association. Additionally, for the Proposed Amendment to be adopted and become effective, it must be approved by Owners holding at least a majority (greater than 50%) of the total votes in the Association.

Please cast your vote on the enclosed Ballot. Please return your Ballot at your earliest convenience to the Association by mail: RRRHOA, PO Box 1463, Monument, CO 80132 or email:

\_\_\_\_ballots@rrrhoa.org\_\_\_\_\_, **no later than 5:00 p.m., May 1, 2021.**

Once cast, a Ballot may not be revoked. The prompt return of the enclosed Ballot will aid the Association in reducing the expense of additional solicitations. Should you have any further questions regarding this matter please contact any one of your current Board members.

Very truly yours,

Board of Directors  
Red Rock Ranch, Forest View Acres, and Clovenhoof Homeowners Association

**BALLOT**  
**FOR VOTE ON PROPOSED AMENDMENT AND AFFIRMATION**

NOTICE IS HEREBY GIVEN that the Red Rock Ranch, Forest View Acres, and Clovenhoof Homeowners Association (the "Association") solicits your vote by written Ballot for the purpose of amending the Restrictive Covenants dated Jun 15, 1995, as previously amended on March 8, 2017 and recorded in the real property records of El Paso County, Colorado, at Reception No. 217027330 (called the "Covenants"). If approved, the Proposed Amendment will become binding and the single family requirement will be removed from the Covenants. In addition, the Ballot includes a separate vote to affirm the extension of the Covenants to January 1, 2030.

Pursuant to the terms of the Colorado Revised Nonprofit Corporation Act, a written Ballot may not be revoked.

I/We represent myself/ourselves to be (an) Owner(s) of a Lot within the community.  
 I/We cast my/our vote in reference to the following matters as indicated:

Item 1 - Vote on the Proposed Amendment—(Only check one box below)	
<input type="checkbox"/>	Vote IN FAVOR of and APPROVE the Proposed Amendment
<input type="checkbox"/>	Vote AGAINST and REJECT the Proposed Amendment
Item 2 - Vote on the Affirmation of the Covenant extension to January 1, 2030—(Only check one box below)	
<input type="checkbox"/>	Vote IN FAVOR of and APPROVE the Affirmation
<input type="checkbox"/>	Vote AGAINST and REJECT the Affirmation

Owner (as title is held)	Date	Owner (as title is held)	Date
Legal signature - DO NOT PRINT		Legal signature - DO NOT PRINT	

Printed Owner Name(s): \_\_\_\_\_

Address in Community: \_\_\_\_\_

This Ballot should be signed and delivered no later than May 1, 2022, to the Secretary of the Association, in care of:

RRRHOA  
 PO Box 1463  
 Monument, CO 80132

Fully completed, signed, and scanned electronic copies of the Ballots may also be returned via email at [ballots@rrrhoa.org](mailto:ballots@rrrhoa.org) no later than May 1, 2022.

**LIMITED AMENDMENT TO THE RESTRICTIVE COVENANTS OF RED ROCK RANCH SUBDIVISION (INCLUDING RED ROCK RANCH, FOREST VIEW ACRES, AND CLOVEN HOOF ESTATES), EL PASO COUNTY, COLORADO**

THIS AMENDMENT is made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**RECITALS**

A. 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"), as amended; and

B. In 2017, the Covenants were amended by the 2017 Amendment to the Restrictive Covenants of Red Rock Ranch Subdivision (including Red Rock Ranch, Forest View Acres, and Clovenhoof), El Paso County, Colorado (the "2017 Amendment"); and recorded in the real property records of El Paso County, Colorado, at Reception No. 217027330 on March 8, 2017;

C. The Covenants provide for and allow this amendment (the "Amendment") in Paragraph 23, which provides as follows:

The owners reserve the right from time to time to prescribe additional restrictive covenants and to amend any restrictive covenants then in existence, but no such additions, amendments, or revocations shall apply to any lots that are sold prior thereto without the consent of a majority of the then owners of any such lots.

D. All Owners are aware of the provisions of the Covenants allowing for amendment, by virtue of the record notice of the Covenants, by acts and disclosures, newsletters or notices of the Association and by other means.

E. This Amendment has been prepared and determined by the Association and by the Owners that have approved this Amendment to be reasonable and not burdensome.

F. The purpose of this Amendment is to 1) remove the single family restriction language in the 2017 Amendment and 2) affirm all other portions of the 2017 Amendment.

G. The undersigned, being the President and Secretary of the Association, hereby certify that a majority of the Owners have consented and agreed to this proposed Amendment.

NOW THEREFORE,

I. Amendments. The Covenants and the 2017 Amendment are hereby amended as follows:

Repeal. Paragraph 6(a) of the 2017 Amendment is hereby repealed in its entirety.

II. No Other Amendments. Except as amended by the terms of this Amendment and previous amendments that are not superseded hereby, the Covenants shall remain, have always been, and currently are, in full force and effect.

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

**Red Rock Ranch Homeowners Association, a Colorado nonprofit corporation**

By: \_\_\_\_\_  
President

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

STATE OF COLORADO )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2021, by \_\_\_\_\_, President of Red Rock Ranch Homeowners Association, a Colorado nonprofit corporation.

Witness my hand and official seal.  
My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

STATE OF COLORADO )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2021, by \_\_\_\_\_, Secretary of Red Rock Ranch Homeowners Association a Colorado nonprofit corporation.

Witness my hand and official seal.  
My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

**AFTER RECORDING RETURN TO:**  
Altitude Community Law P.C.  
555 Zang Street, Suite 100  
Lakewood, CO 80228-1011