

Second Amendment to the Amendment of Declaration of Covenants, Conditions, and Restrictions for Fairway Meadows Subdivision, Filing No. 1

Recitals

1. The Amendment of Declaration of Covenants, Conditions, and Restrictions for Fairway Meadows Subdivision, Filing No. 1 was recorded on November 2, 1995 at Book 713 Page 785 of the records of Routt County (the "Covenants").
2. The First Amendment of Declaration of Covenants, Conditions, and Restrictions for Fairway Meadows Subdivision, Filing No. 1 was recorded on January 25, 2004 at Book ____ Page ____ of the records of Routt County (the "Covenants").
3. The Owners desire to amend the Covenants by deleting subparagraphs II 8 (d), III 4, and XI 4 and substituting the paragraphs reflected below.
4. The Covenants, in subparagraph XI 4., permit an Amendment of the Covenants by an affirmative vote of not less than 2/3rds of the Owners who vote in person or proxy at a meeting called for such purpose; however, C.R.S. 38-33.3-217 provides Amendments to the Covenants may be made by Owners holding at least fifty percent (50%) of the votes.
5. A ballot vote mailed to all Owners during August, 2016 resulted in over 50% of the Owners voting for approval of this Second Amendment to the Amendment of Declaration of Covenants, Conditions, and Restrictions for Fairway Meadows Subdivision, Filing No. 1.

The following changes to the Covenants is hereby approved as enacted:

Subparagraph II 8(d) is deleted and the following paragraph substituted:

8. (d). No Unsightliness: No Owner shall place upon his Lot clotheslines, swimming pool filter tanks, or similar tanks, which may be visible from any road. All tanks and liquid storage facilities must be enclosed or otherwise appropriately screened so that they will not be visible from any road or from other Lots. Protective enclosures or screens must be approved by the Architectural Control Committee as a part of the plans for the improvements to be located on the Property.

Subparagraph III 4. Is deleted and the following paragraph substituted:

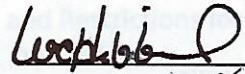
4. Notices: Except as a greater period is specified in this Declaration, each Owner shall be entitled to notice of any meeting of the Association at least ten (10) days and not more than fifty (50) days before the date of each meeting. Notices of meetings shall be in writing and shall state the date, time and place of the meeting and shall indicate each matter to be voted on at the meeting which is known to the Association at the time notice of the meeting is given. Any notice shall be deemed furnished or delivered to a party at the time a copy thereof is deposited in the United States mails, postage prepaid, addressed to an Owner, or with Owner consent, emailed to the email address provided to the association by the Owner. Any notice, information or material shall be deemed properly addressed to an Owner if it is addressed to the last known address of such Owner as shown on the records of the Association at the time of such mailing, or, if the name and address is not so shown on the Association's records, if it is addressed "To the Owner" at the address of the Lot of such Owner.

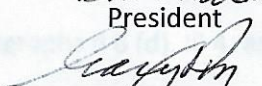
Subparagraph XI 4. is deleted and the following paragraph substituted.

4. Amendment. The covenants and restrictions of this Declaration shall run and bind the Property, and shall inure to the benefit of and be enforceable by the Association, or any Owner subject to this Declaration, their respective legal representatives, heirs, successors and assigns, for a term ending on December 31, 2004, after which time this Declaration shall be automatically extended for successive periods of ten (10) years unless terminated. This Declaration may be amended or terminated by a vote of at least fifty one percent (51%) of all owners by mail or at

a meeting called for this purpose. Any amendment must be properly recorded. No part of the Declaration may be amended in such a manner that it will adversely affect the existing rights of any Owner or mortgagee with particular respect to, but not limited to, unpaid assessments or the lien of any mortgage.

Executed and effective this 11th day of November, 2016 by the President and Secretary of the Association.



Bill Hibbard
President


Garry Pen
Secretary