

**AMENDMENT TO THE DECLARATION OF
AMENDED PROTECTIVE COVENANTS
NORTH ELK MEADOWS FILING 11**

(As Recorded of Gunnison County Public Record in Book 632, pages 493-505)

487363 09/28/1998 02:46P 543
1 of 21 R 106.00 D 0.00 N 0.00 Gunnison County

The undersigned owners of real property in North Elk Meadows Filing 11 hereby attest and approve amendment of the Declaration of Protective Covenants for North Elk Meadows, as follows:

This current language:

4.A. Single Family Dwelling Lots. Lots 1 through 24, both inclusive, to be used exclusively for one single family dwelling per lot.

4.B. Commercial Lots. Lots 25 and 26 shall be used exclusively for stores in retail trade, service establishments, a restaurant and lounge, offices, recreational facilities, and other such similar uses not more detrimental to the area than those specifically enumerated herein. The restaurant and lounge and recreational facilities shall only be constructed upon lot 26. Each retail trade establishment may not exceed 3,000 square feet of interior floor space in the aggregate. In addition to retail trade establishments, only one restaurant and lounge facility, and a total of two additional commercial establishments, whether offices or service establishments, shall be permitted on both of said commercial lots.

The owner of either of said commercial lots shall have the right to purchase all or any adjoining portion of the other commercial lot in order to accomplish a relocation of the common boundary line between said commercial lots depicted upon the recorded amended subdivision plat, so long as such sale and purchase shall not decrease the size of an original lot to less than 1.00 acre, unless the entire lot is purchased.

Shall be changed to:

4.A. Single Family Dwelling Lots. Lots 1 through 25, both inclusive, to be used exclusively for one single family dwelling per lot.

4.B. Commercial Lot. Lot 26 shall be used exclusively for stores in retail trade, service establishments, a restaurant and lounge, offices, recreational facilities, and other such similar uses not more detrimental to the area than those specifically enumerated herein. Each retail trade establishment may not exceed 3,000 square feet of interior floor space in the aggregate. In addition to retail trade establishments, only one restaurant and lounge facility, and a total of two additional commercial establishments, whether offices, or service establishments, shall be permitted on lot 26

The owner of either lots 25 or 26 shall have the right to purchase all or any adjoining portion of the other lot in order to accomplish a relocation of the common boundary line between said lots depicted upon the recorded amended subdivision plat, so long as such sale and purchase shall not decrease the size of an original lot to less than 1.00 acre.

(Lot owner's signatures attached to this amendment as Exhibit "A")

Exhibit "A"

Consent To Amend the Declaration of Amended Protective Covenants North Elk Meadows Filing 11, as Recorded of Gunnison County Public Record in Book 632, pages 493-505

Robert A. Harrer
ROBERT A. HARRER (HARRER)

Kathleen J. Harrer
KATHLEEN J. HARRER (HARRER)

Owners Lot # 1

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2 of 21 R 106.00 D 0.00 N 0.00 Gunnison County

STATE OF Florida)
County of Pasco) ss.

The foregoing instrument was acknowledged before me this 9th day of Sept, 1998, as set forth above, by Robert A. Harrer and Kathleen J. Harrer

Witness my hand and official seal.
My commission expires:

Virginia Dios

VIRGINIA I. DIOS
MY COMMISSION # CC 584160
EXPIRES; October 6, 2000
Bonded Thru Notary Public Underwriters

Continued

Exhibit "A"

Consent To Amend the Declaration of Amended Protective Covenants North Elk Meadows Filing 11, as Recorded of Gunnison County Public Record in Book 632, pages 493-505

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3 of 21 R 106.00 D 0.00 N 0.00 Gunnison County

Jim P. Garrison
JIM P. GARRISON

Patricia A. Garrison
PATRICIA A. GARRISON

Owners Lot # 4

STATE OF COLORADO)
County of Gunnison) ss.

The foregoing instrument was acknowledged before me this 7 day of August, 1998, as set forth above, by Jim P. Garrison and Patricia A. Garrison

Witness my hand and official seal.

My commission expires: Aug. 8, 2000
WILLIAMS
-232 W. Tbmichi
Gunnison, CO 81230

Warrick L. Williams



Continued

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Exhibit "A"

Consent To Amend the Declaration of Amended Protective Covenants North Elk Meadows Filing 11, as Recorded of Gunnison County Public Record in Book 632, pages 493-505

Clanton C. Johnston
CLANTON C. JOHNSTON

Pamela S. Johnston
PAMELA S. JOHNSTON

Owners Lot # 5

STATE OF COLORADO)
County of Gunnison) ss.

The foregoing instrument was acknowledged before me this 16 day of August, 1998, as set forth above, by Clanton C. Johnston and Pamela S. Johnston

Witness my hand and official seal.
My commission expires: 10-24-98 Judy A. Brown

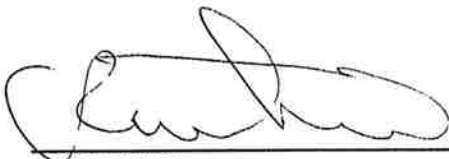


Continued

Exhibit "A"

Consent To Amend the Declaration of Amended Protective Covenants North Elk Meadows Filing 11, as Recorded of Gunnison County Public Record in Book 632, pages 493-505

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5 of 21 R 106.00 D 0.00 N 0.00 Gunnison County



CHARLES R. WEIDLEIN

Owner Lot # 8

STATE OF COLORADO)
County of Gunnison) ss.

The foregoing instrument was acknowledged before me this 13th day of August, 1998, as set forth above, by Charles R. Weidlein

Witness my hand and official seal.
My commission expires: My Commission Expires: 08/01/2002



Continued

Exhibit "A"

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6 of 21 R 106.00 D 0.00 N 0.00 Gunnison County

Craig S. Swenson
CRAIG S. SWENSON

Sherry L. Swenson
SHERRY L. SWENSON

Owners Lot # 9

STATE OF COLORADO)
) ss.
County of GUNNISON)

The foregoing instrument was acknowledged before me this 3rd day of Sept., 1998, as set forth above, by Craig S. Swenson and Sherry L. Swenson.

Witness my hand and official seal. *Diana L. Purnell*
My commission expires: _____ My Commission expires
November 24, 2001

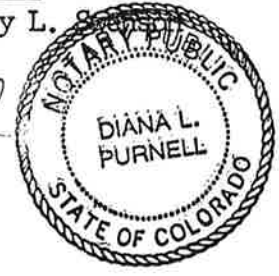


Exhibit "A"

Consent To Amend the Declaration of Amended Protective Covenants North Elk Meadows Filing 11, as Recorded of Gunnison County Public Record in Book 632, pages 493-505

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7 of 21 R 106.00 D 0.00 N 0.00 Gunnison County

[Signature]
LARRY E. HEESCH
[Signature]
LINDA J. HEESCH

Owner Lot # 10

STATE OF Colorado)
County of Arapahoe) ss.

The foregoing instrument was acknowledged before me this 18th day of August, 1998, as set forth above, by Larry E. Heesch and Linda J. Heesch

Witness my hand and official seal. [Signature]
My commission expires: _____
MY COMMISSION EXPIRES 4/16/2001



Continued

Exhibit "A"

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Consent To Amend the Declaration of Amended Protective Covenants North Elk Meadows Filing 11, as Recorded of Gunnison County Public Record in Book 632, pages 493-505

Nancy E. Platt
NANCY E. PLATT
Patricia A. Platt
PATRICIA A. PLATT

Owner Lot # 12

STATE OF COLORADO)
) ss.
County of Boulder)

The foregoing instrument was acknowledged before me this 10th day of August, 1998, as set forth above, by Nancy E. Platt, and Patricia A. Platt



Witness my hand and official seal.
My commission expires: 4-27-99

Cheryl W. Guisard
Notary Public

Continued

Exhibit "A"

Consent To Amend the Declaration of Amended Protective Covenants North Elk Meadows Filing 11, as Recorded of Gunnison County Public Record in Book 632, pages 493-505

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9 of 21 R 106.00 D 0.00 N 0.00 Gunnison County

Joella F. Andrews
LOELLA F. ANDREWS

Steven R. Andrews
STEVEN R. ANDREWS

Owner Lot # 13

STATE OF COLORADO)
County of Gunnison) ss.

The foregoing instrument was acknowledged before me this 18 day of Sept, 1998, as set forth above, by Joella F. Andrews and Steven R. Andrews.

Witness my hand and official seal.
My commission expires:

Judy R. Brown



Exhibit "A"

Consent To Amend the Declaration of Amended Protective Covenants North Elk Meadows Filing 11, as Recorded of Gunnison County Public Record in Book 632, pages 493-505

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JEFFREY A. WALKER



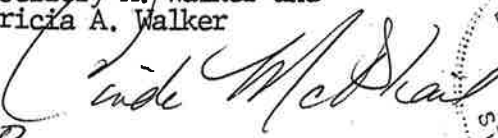
PATRICIA A. WALKER

Owners Lot # 14

STATE OF COLORADO)
) ss.
County of Gunnison)

The foregoing instrument was acknowledged before me this 7 day of August, 1998, as set forth above, by Jeffery A. Walker and Patricia A. Walker

Witness my hand and official seal.
My commission expires: 10/15/00



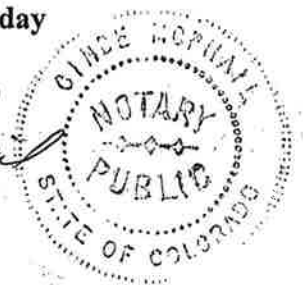


Exhibit "A"

Consent To Amend the Declaration of Amended Protective Covenants North Elk Meadows Filing 11, as Recorded of Gunnison County Public Record in Book 632, pages 493-505

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11 of 21 R 106.00 D 0.00 N 0.00 Gunnison County

[Signature]
DARYL L. CUNNINGHAM
[Signature]
MARY A. CUNNINGHAM

Owners Lot # 15

STATE OF COLORADO)
) ss.
County of Gunnison)

The foregoing instrument was acknowledged before me this 2 day of Sept, 1998, by Daryl L. Cunningham & Mary A. Cunningham

Witness my hand and official seal.

Kelley Pinkerton



My Commission Expires
July 31, 2002

My commission expires: 7/31/02

Continued

Exhibit "A"

Consent To Amend the Declaration of Amended Protective Covenants North Elk Meadows Filing 11, as Recorded of Gunnison County Public Record in Book 632, pages 493-505

Harvey A. Johnson

HARVEY A. JOHNSON

Ann B. Johnson

ANN B. JOHNSON

Owners Lot # 16

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12 of 21 R 106.00 D 0.00 N 0.00 Gunnison County

STATE OF Colorado)
) ss.
County of Gunnison)

The foregoing instrument was acknowledged before me this 6th day of August, 1998, as set forth above, by Harvey A. Johnson and Ann B. Johnson

Amelia Ashpazz



Witness my hand and official seal.

My commission expires: 11-1-98

Continued

Exhibit "A"

Consent To Amend the Declaration of Amended Protective Covenants North Elk Meadows
Filing 11, as Recorded of Gunnison County Public Record in Book 632, pages 493-505

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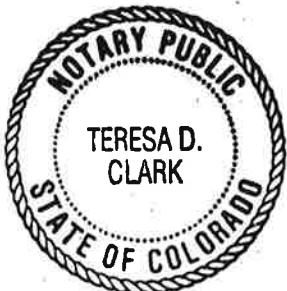

RAYMOND H. CLARK, JR.

Owner Lot # 17

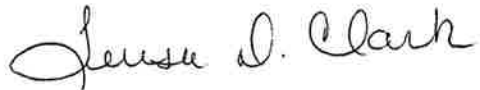
STATE OF COLORADO)
) ss.
County of GUNNISON)

The foregoing instrument was acknowledged before me this 27th day
of August, 1998, as set forth above, by Raymond H. Clark, Jr.

Witness my hand and official seal.
My commission expires: 5/30/2001



My Comm. Expires 5/30/2001



Continued

Exhibit "A"

Consent To Amend the Declaration of Amended Protective Covenants North Elk Meadows
Filing 11, as Recorded of Gunnison County Public Record in Book 632, pages 493-505

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14 of 21 R 106.00 D 0.00 N 0.00 Gunnison County

Ashley J. Burt
ASHLEY J. BURT

Jackie S. Burt
JACKIE S. BURT

Owners Lot # 18

STATE OF COLORADO)
) ss.
County of Gunnison)

The foregoing instrument was acknowledged before me this 4th day
of September, 1998, by Ashley J. Burt & Jackie S. Burt

Witness my hand and official seal.

Tracey Nickell



My commission expires: 6-10-2000

Continued

Exhibit "A"

Consent To Amend the Declaration of Amended Protective Covenants North Elk Meadows Filing 11, as Recorded of Gunnison County Public Record in Book 632, pages 493-505

Stephen Richard Fuller
STEPHEN RICHARD FULLER

Lisa Jean Fuller
LISA JEAN FULLER

Owners Lot # 19

STATE OF COLORADO)
County of Gunnison) ss.

The foregoing instrument was acknowledged before me this 11 day of Aug, 1998, as set forth above. by Stephen Richard Fuller and Lisa Jean Fuller.

Witness my hand and official seal.
My commission expires: August 29, 1998



Continued

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Exhibit "A"

Consent To Amend the Declaration of Amended Protective Covenants North Elk Meadows Filing 11, as Recorded of Gunnison County Public Record in Book 632, pages 493-505

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16 of 21 R 106.00 D 0.00 N 0.00 Gunnison County

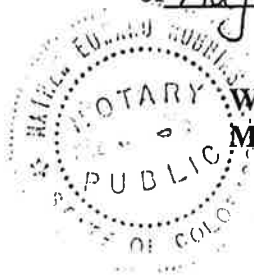
Robert Lodato
ROBERT LODATO
Jeraldine A. Lodato
JERALDINE A. LODATO

Owners Lot # 21

STATE OF COLORADO)
County of Gunnison) ss.

The foregoing instrument was acknowledged before me this 31st day of August, 1998, as set forth above. by Robert Lodato and Jeraldine A. Lodato

Matthew Edward Fobbe



Witness my hand and official seal.
My commission expires: May 4, 1999

Continued

Exhibit "A"

Consent To Amend the Declaration of Amended Protective Covenants North Elk Meadows Filing 11, as Recorded of Gunnison County Public Record in Book 632, pages 493-505

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17 of 21 R 106.00 D 0.00 N 0.00 Gunnison County

Kenneth W. DeForest
KENNETH W. DeFOREST
Susan K. DeForest
SUSAN K. DeFOREST

Owners Lot # 22

STATE OF COLORADO)
County of Gunnison) ss.

The foregoing instrument was acknowledged before me this 14th day of Aug., 1998, as set forth above, by Kenneth W. DeForest and Susan K. DeForest

Witness my hand and official seal. Diana L. Purnell
My commission expires: My Commission expires
November 24, 2001



Continued

Exhibit "A"

Consent To Amend the Declaration of Amended Protective Covenants North Elk Meadows Filing 11, as Recorded of Gunnison County Public Record in Book 632, pages 493-505

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Thomas L. Long
THOMAS L. LONG

Dorothy L. Long
DOROTHY L. LONG

Deborah L. Long
DEBORAH L. LONG

Owners Lot # 23

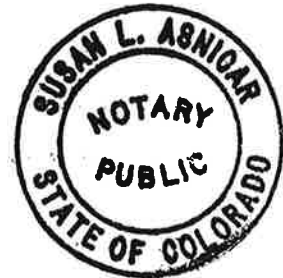
STATE OF Colorado)
) ss.
County of Montrose)

The foregoing instrument was acknowledged before me this 8th day of August, 1998, as set forth above, by Thomas L. Long, Dorothy L. Long and Deborah L. Long

Witness my hand and official seal.

Susan L. Asnicar

My commission expires: May 14, 2001



Continued

Exhibit "A"

Consent To Amend the Declaration of Amended Protective Covenants North Elk Meadows Filing 11, as Recorded of Gunnison County Public Record in Book 632, pages 493-505

William E. Williams

WILLIAM E. WILLIAMS

Arlana F. Williams

ARLANA F. WILLIAMS

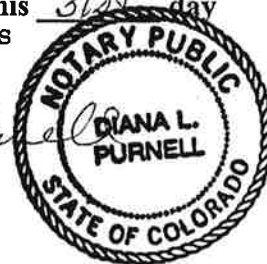
487363 09/28/1998 02:46P 543
19 of 21 R 106.00 D 0.00 N 0.00 Gunnison County

Owners Lot # 24

STATE OF COLORADO)
) ss.
County of *Gunnison*)

The foregoing instrument was acknowledged before me this 31st day of August, 1998, as set forth above, by William E. Williams and Arlana F. Williams

Witness my hand and official seal. *Diana L. Purnell*
My commission expires: _____ My Commission expires November 24, 2001



Continued

Exhibit "A"

Consent To Amend the Declaration of Amended Protective Covenants North Elk Meadows Filing 11, as Recorded of Gunnison County Public Record in Book 632, pages 493-505

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20 of 21 R 106.00 D 0.00 N 0.00 Gunnison County

Gary Appleton
GARY APPLETON

Ron Bombard
RON BOMBARD

Dan McKenna
DAN McKENNA

Owners Lot # 25

STATE OF COLORADO)
County of Gunnison) ss.

The foregoing instrument was acknowledged before me this 10th day of August, 1998, as set forth above, by Gary Appleton, Ron Bombard, and Dan McKenna

Witness my hand and official seal.
My commission expires: May 4, 1999



Matthew Edward Fols

Continued

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Exhibit "A"

Consent To Amend the Declaration of Amended Protective Covenants North Elk Meadows Filing 11, as Recorded of Gunnison County Public Record in Book 632, pages 493-505

Ron Bombard
RON BOMBARD

Dan McKenna
DAN McKENNA

Gary Appleton
GARY APPLETON

Michelle S. Hensley
MICHELLE S. HENSLEY

Owner Lot # 26

STATE OF COLORADO)
County of Gunnison) ss.

The foregoing instrument was acknowledged before me this 10th day of August, 1998, as set forth above, by Ron Bombard, Dan McKenna, Gary Appleton, and Michelle S. Hensley



Witness my hand and official seal.
My commission expires: May 4, 1999

Matthew Edward Robbins