

CERTIFICATE OF AMENDMENT
TO DECLARATION OF PROTECTIVE COVENANTS OF
CREEK RANCH OWNERS ASSOCIATION

THE UNDERSIGNED, OFFICERS OF THE EXECUTIVE BOARD OF CREEK RANCH OWNERS ASSOCIATION, HEREBY CERTIFY THE FOLLOWING:

That at the annual meeting of owners, held on July 11, 2009, pursuant to written notice as required by its By Laws, at which a quorum of owners were present in person or by proxy, the following action took place:

Upon motion made, seconded and carried by at least two thirds majority of owners, **Paragraph 3.03.08 Rentals:** of the DECLARATION OF PROTECTIVE COVENANTS FOR CREEK RANCH, a subdivision within Routt County, Colorado, with the legal description as described in EXHIBIT A attached hereto and incorporated herein by this reference; which covenants were originally recorded in book 762, page 585 in the records of Routt County, Colorado, **was amended to read:**

3.03.08 Rentals. No Structure within the Subdivision, *except for the headquarters building*, shall be rented on a nightly or short-term basis. For purposes of this Section, short-term rental shall include any lease or rental for fewer than thirty (30) consecutive days. The Association may establish rules and regulations applicable to rentals, including without limitation, rules and regulations limiting the number of occupants of rental properties. The Executive Board may establish policies for short-term rentals of the headquarters building, and authorize such rentals.

And, further, after proper notice, pursuant to its By-Laws, by written consent, of at least two thirds majority of owners eligible to vote, **Paragraph 3.03.14 Livestock Operations:** of the DECLARATION OF PROTECTIVE COVENANTS FOR CREEK RANCH, a subdivision within Routt County, Colorado, whose legal description is described in EXHIBIT A, and which covenants were originally recorded in book 762, page 585 in the records of Routt County, Colorado, **was amended to read:**

3.03.14 Livestock Operations: The Association may keep or raise commercial livestock on the Common Property of the Creek Ranch Subdivision. Except as provided in this Section, no other person or entity, including individual members or groups of members of the Association, may keep or raise commercial livestock, including but not limited to cattle or sheep, on the Common Property or any lot within the Creek Ranch Subdivision. However, the Executive Board shall be empowered to formulate and present to all lot owners for approval rules for an agricultural cooperative that would be allowed to keep or raise commercial livestock on individual lots, provided that (1) all of the members of the cooperative are lot owners in the Subdivision; (2) grazing fees or other income are distributed to each member of the cooperative and only to members of the cooperative; (3) livestock are prevented from entering any lot to which the owner withholds consent for grazing; and (4) the cooperative will operate the livestock activity in a way that will

RECEPTION#: 694225, 12/14/2009 at
01:10:44 PM,
1 OF 6, R \$31.00 Doc Code:COV
Kay Weinland, Routt County, CO

have minimal impact on the Subdivision and on the ability of non-participating lot owners to enjoy both their individual lots and the overall aesthetic and recreational attributes of the Subdivision. No part of this section, nor any part of the rules of the cooperative, if one is formed, shall be construed to require any lot owner to fence his or her lot to prevent trespass into said lot by livestock kept or raised by the Association or by the cooperative. Unless such plan is formulated, and presented to and approved by not less than 25 of the owners by (a) a writing delivered to the President by regular mail, (b) an electronic mail message sent to the President, or (C) a vote in person or by proxy at an annual or special meeting of owners, within 18 months of the effective date of this amendment, this Section 3.03.14 shall revert to read as if this amendment had never been adopted.

Horses may be kept and maintained on Lots and Remainder Parcels as elsewhere herein provided. Horse boarding and training operations and commercial poultry, feedlot and swine operations are prohibited. FFA or 4-H projects by minors shall not be deemed to be the "commercial" raising of animals. The keeping of elk, llamas, alpacas and other exotic livestock within the Subdivision is not permitted.

IN WITNESS WHEREOF, the President and Secretary of the Executive Board of Creek Ranch Owners Association have certified the above action of the owners to be in compliance with the Association's By-Laws and have caused the DECLARATION OF PROTECTIVE COVENANTS FOR CREK RANCH to be amended as herein stated and recorded herewith.

By: Gerald Audesirk
Gerald Audesirk, President

Tony Dietrich
Tony Dietrich, Secretary

State of Colorado)
County of Routt)

The foregoing instrument was acknowledged before me this 3RD day of October, 2009, by Gerald Audesirk and Tony Dietrich, duly elected officers of the Executive Board of Creek Ranch Owners Association.

Witness my hand and official seal:

JoAnn Ranta

My commission expires: 02/05/2010
JR

JoAnn Ranta
Notary Public
State of Colorado