

AMENDMENT TO THE STAGECOACH DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

(as recorded in the real property records of the Routt County, Colorado on December 7, 1971 at Reception No. 229787)

THIS AMENDMENT TO THE STAGECOACH DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS recorded in the real property records of the Routt County, Colorado on December 7, 1971 at Reception No. 229787 is hereby made this 29th day of December, 2015.

FIRST AMENDMENT: Article IV, 1., Section "d." of the Stagecoach Declaration of Covenants, Conditions and Restrictions shall be amended in its entirety to read as follows:

"Section d. Special Assessments for Capital Improvement Construction, Reconstruction and Repair.

1. In addition to the annual assessments authorized above, the Association may levy special assessments for the construction, reconstruction and repair of capital improvements, provided however, that such special assessments may only be levied upon the terms described in this Section d.

2. The process for levying a special assessment shall be initiated by the directors of the Association at a regularly scheduled and noticed directors' meeting by adopting a resolution (referred to hereafter as the "Resolution") stating the following:

i. A reasonably detailed description of the capital improvement or improvements that would be constructed or reconstructed or repaired using the special assessment funds; and

ii. A list of the Lots (by subdivision and lot number within the subdivision) that will benefit from the construction or reconstruction or repair, and will thus be assessed to pay for the construction or reconstruction or repair; and

iii. The amount, duration and terms of the proposed special assessment; and

iv. A reasonably detailed description of how the directors determined the amount of the proposed assessment; and

v. That Lot Owners who fail to vote or who vote to reject the proposed special assessment will be required to pay their share of the special assessment, if the special assessment is approved; and

vi. That Lot Owners who fail to pay the special assessment will be subject to the actions stated in Article IV, sections 1.a, 1.h, 1.i, and 1.j; and

vii. That the resolution shall become effective upon approval by Lot Owners owning 67%, or more, of the Lots listed in the Resolution.

3. Upon approval of the Resolution by the directors, the Secretary of the Association shall cause the text of the Resolution to be mailed, or delivered by such other method of transmission as the Secretary shall determine, to each of the owners of the Lots listed in the Resolution, together with a ballot which shall have a space for the Lot Owners' signatures, and the date of the signatures, and a space for the Lot

Owners to vote for or against the special assessment described in the Resolution. The mailing and transmission shall also include a statement, approved by a majority of the directors voting in favor of the Resolution, stating the reasons why the proposed special assessment should be approved by the Lot Owners. The mailing and transmission shall also include, at the request of any director of the Association, a statement approved by a majority of the directors voting against the Resolution, stating the reasons why the proposed special assessment should not be approved by the Lot Owners. The mailing or transmission of the Resolution and ballot shall start the period for voting (the "Voting Period") on the proposed special assessment. The Voting Period shall end on the date which is 180 days after the start of the Voting Period.

4. If the Association receives, during the Voting Period, ballots signed by the owners of 67% or more of the Lots listed in the Resolution, approving the special assessment, the directors shall proceed to levy the special assessment against all of the Lots listed in the Resolution. If the Association receives, during the Voting Period, ballots signed by the owners of more than 33% of the Lots listed in the Resolution, rejecting the special assessment, the special assessment shall not be levied. If the Association does not receive, during the Voting Period, ballots signed by a sufficient number of Lot Owners to either approve or reject the special assessment, the special assessment shall not be levied."

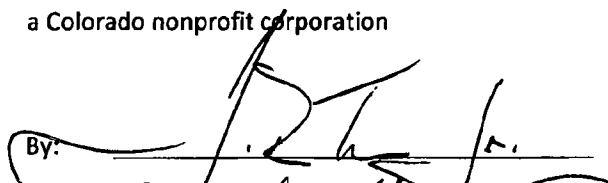

SECOND AMENDMENT: Article IV, 1., Section "e" shall be amended to delete all references to "Section d."

THIRD AMENDMENT: Article IV, 1., Section "f" shall be amended to delete all references to "special assessments."

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

Stagecoach Property Owners' Association,

a Colorado nonprofit corporation

By: 
President
By: 
Secretary

STATE OF COLORADO)

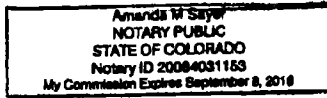
) ss.

COUNTY OF Lanier)

The foregoing was acknowledged before me this 19 day of Dec, 2015
by John Troka Jr, as President of Stagecoach Property Owners' Association, a
Colorado nonprofit corporation.

Witness my hand and official seal.

My commission expires: 9/8/16



[Handwritten Signature]

Notary Public

STATE OF COLORADO)

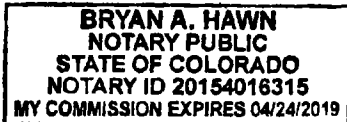
) ss.

COUNTY OF Routt)

The foregoing was acknowledged before me this 29th day of December, 2015,
by Barbara J. Houston, as Secretary of Stagecoach Property Owners' Association,
a Colorado nonprofit corporation.

Witness my hand and official seal.

My commission expires: 4-24-19



[Handwritten Signature]

Notary Public

COURT ORDER

[ATTACHED]

<p>DISTRICT COURT, COUNTY OF ROUTT, STATE OF COLORADO</p> <p>Court Address: 1955 Shield Drive, Unit 200 Steamboat Springs, CO 80487</p> <p>Phone Number: (970) 879-5020</p> <hr/> <p>Petitioner:</p> <p>Stagecoach Property Owners' Association, a Colorado nonprofit corporation</p>	<p>DATE FILED: December 15, 2015 4:50 PM CASE NUMBER: 2015CV30159</p> <p><input type="checkbox"/> COURT USE ONLY <input type="checkbox"/></p> <p>Case Number: 15CV30159</p> <p>Div.: 2A</p>
<p>ORDER APPROVING DECLARATION AMENDMENT, PURSUANT TO C.R.S. '38-33.3-217(7)</p>	

THIS MATTER comes before the Court for hearing on December 11, 2015. After reviewing the pleadings filed in the matter and considering the statements of Counsel, the Court makes the following Findings of Fact and Conclusions of Law and Orders:

Findings of Fact and Conclusions of Law

1. Stagecoach Property Owners' Association ("Association") seeks to amend the Stagecoach Declaration of Covenants, Conditions and Restrictions recorded in the real property records of the Routt County, Colorado at Reception No. 229787 ("Declaration") by means of Proposed Covenant Amendments (the AProposed Declaration Amendment@).
2. The Association notified its Owners of the Proposed Declaration Amendment on November 18, 2012, January 27, 2013, and May 15, 2013.
3. The Members of the Association discussed the Proposed Declaration Amendment (as submitted to the Court in the Petition filed herein) at meetings of the Association held on June 15, 2013 and July 27, 2013.
4. Based on the foregoing, the Association has complied with the notice and meeting requirements set forth in Section 38-33.3-217(7)(a)(I) and (II).

5. At least half of the Members required by the Declaration to approve the Proposed Declaration Amendment have voted for the Proposed Declaration Amendment, pursuant to C.R.S. ' 38-33.3-217(7)(a)(III).

6. Based on the Petition filed in this case, the Association has not obtained the required Owner consent needed to approve the Proposed Declaration Amendment, and so, has filed its Petition and caused this matter to come before the Court, as allowed for by state statute.

7. Based on the Certificate of Mailing filed in this case, Notice of the Petition was mailed to all of the Owners within the Association and to the others indicated in a Certificate of Mailing filed in this case.

8. The notice given is in compliance with the requirements of the applicable state statute.

9. A hearing regarding the petition was held, as referred to above, on December 11, 2015, before this Court.

10. The Association has satisfied all of the requirements of C.R.S. ' 38-33.3-217(7).

11. Neither 33% or more of the Owners nor the declarant have filed written objections with the Court prior to the hearing.

12. Neither the Federal Housing Administration nor the Veterans Administration are entitled to vote on the proposed amendment.

13. The Proposed Declaration Amendment presented to the Court does not terminate the Declaration. The preponderance of the evidence and application of plain language of the Declaration indicates that the Proposed Declaration Amendment is an amendment, and not a termination.

14. The Proposed Declaration Amendment presented to the Court does not change the allocated interests of the Owners.

15. The Period of Declarant control has expired and approval of the Declarant is not required.

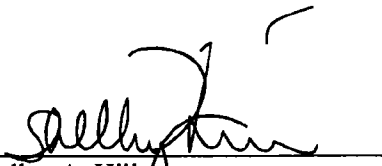
16. Based upon these Findings of Fact and Conclusions of Law and pursuant to the requirements of C.R.S. ' 38-33.3-217(7)(e) and (f), it is hereby:

ORDERED that the Proposed Declaration Amendment is approved by this Court and shall be binding upon all Owners in the Stagecoach community and shall have the same legal effect as if were adopted pursuant to the amendment requirements set forth in the Declaration upon the recording of the Declaration Amendment, with this Order attached, with the Clerk and Recorder's office for Routt County, Colorado.

IT IS FURTHER ORDERED that the Association record a copy of the approved Proposed Declaration Amendment together with a copy of this Order with the Clerk and Recorder's office for Routt County, Colorado.

SO ORDERED this 15th day of December 2015.

BY THE COURT:



Shelley A. Hill
District Court Judge