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Carol Snyder, Clerk \$16.00

SECOND AMENDMENT
TO
DECLARATION
OF
HAYESMOUNT RIDGE ESTATES

THIS SECND AMENDMENT TO DECLARATION OF HAYESMOUNT RIDGE ESTATES (this "Amendment") is made and executed as of the 10th day of May, 2006 by Hayesmount Ridge Estates Homeowners Association, Inc., a Colorado nonprofit corporation (the "Association")

RECITALS:

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A. Hayesmount Ridge Estates, LLC, a Colorado limited liability company executed that certain "DECLARATION OF HAYESMOUNT RIDGE ESTATES A PLANNED COMMUNITY" on December 9, 2004, and recorded same in the real property records of Adams County on December 9, 2004 at Reception Number 20041209001250550, as amended by that certain "FIRST AMENDMENT TO DECLARATION OF HAYESMOUNT RIDGE ESTATES" executed by Declarant as of October 5th, 2005 and recorded in the real property records of Adams County, Colorado on October 12th, 2005 at Reception Number 20051012001123710 (collectively the "Declaration").

B. Pursuant to a meeting of Members of the Association held September 27, 2005, the number of votes cast at such meeting was sufficient to approve the matters set forth in both the aforesaid First Amendment to Declaration of Hayesmount Ridge Estates and this Amendment.

NOW THEREFORE, the Association desires to amend the Declaration as set forth below:

1. The first sentence of Section 6.7 shall be deleted in its entirety and the following sentence shall be substituted in lieu thereof:

All primary residences shall contain an authentic brick façade (made of either clay or concrete) on the front of such residence, which façade must be approved in writing by the Architectural Control Committee prior to installation.

2. The fifth sentence of Section 6.8 shall be deleted in its entirety and the following sentence shall be substituted in lieu thereof:

Metal (but not Quonset) outbuildings shall be allowed provided that (i) such buildings have a minimum roof pitch of 5:12, but not less

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Greenwood Village CO 80111

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than the roof pitch of the primary residence, (ii) the color and trim (including the roof) shall match the primary residence's color and trim, however, brick and lap siding are not required, but vinyl siding shall not be permitted, and (iii) the Lot Owner has received the prior written approval of the Architectural Review Committee as to the exact location of any such outbuilding.

3. The second sentence of Section 6.9 shall be deleted in its entirety and the following sentence shall be substituted in lieu thereof:

All asphalt and concrete must be installed as new, and may not be recycled or previously used, except that recycled asphalt, recycled concrete, or road base may be used for secondary driveways if properly compacted.

4. The fourth, fifth, and sixth sentences of Section 6.19 shall be deleted in their entirety and the following sentences shall be substituted in lieu thereof:

All flat rectangular rail fences shall be white in color and may be either installed on the Lot property lines in accordance with the provisions set forth above or installed within the boundaries of a particular Lot. Six foot cedar fences, six foot white vinyl solid panel fences, or six foot white picket fences are allowed, if limited to areas for privacy or use of smaller portions, with the prior written approval of the Architectural Review Committee. No wire fences shall be allowed, except (i) if attached to, and installed in conjunction with, the white two or three rail fence, as the case may be, referred to above, (ii) where used to protect gardens or bushes from animals, and/or (iii) where used solely for temporary purposes, if placed in the rear of an Owner's Lot, to retain pets during the first 90 days after an Owner acquires title to his Lot.

5. The following sentence shall be added to the end of Section 6.24:

Any Owner who keeps horses on his Lot must pick up and remove all horse manure at least once a month. Any Owner who composts horse manure must do so in a sealed container.

6. The following new Section 6.44 shall be added:

Section 6.44 Attached Porches. Each primary residence within the Community shall have an attached front porch measuring at least 17 feet in width and 7 feet deep. Each such porch shall match the primary residence in color, roof, pitch, materials, and finishes.

7. All capitalized terms used but not defined herein shall have the meanings ascribed to them in the Declaration.

8. Except as expressly modified by this Amendment, the Declaration is hereby ratified and reaffirmed in its entirety.

IN WITNESS WHEREOF, the undersigned Declarant has made and executed this Amendment effective as of the day and year first above written.

“ASSOCIATION”
Hayesmount Ridge Estates Homeowners Association, Inc.
a Colorado non-profit corporation

By: Jay B. Scolnick
Jay B. Scolnick – President

STATE OF COLORADO)
CITY AND)
COUNTY OF DENVER)

The foregoing instrument was acknowledged before me by Jay B. Scolnick, as President of Hayesmount Ridge Estates Homeowners Association, Inc., a Colorado nonprofit corporation, on this 16th day of May, 2006.

My commission expires: 5-29-07

Debra L. Farny
Notary Public

