

Filed for record the 9 day of Nov. A. D. 1979 at 3:50 o'clock P. M.
 Reception No. 346365 FIRST AMENDMENT TO By Joanne M. Reitinger DEPUTY

PROTECTIVE COVENANTS

Chalet Additions 12 and 13
 also known as
 ELK RUN

November 1, 1979

KNOW ALL MEN BY THESE PRESENTS:

THAT, the undersigned individuals do collectively and in combination constitute all present owners of fee simple title in and to all lots being located within the Elk Run Subdivision, Mt. Crested Butte, Colorado, and

THAT, the undersigned do hereby declare both jointly and severally, their mutual desire and intent to, and further, do by the execution, hereof, change, modify and amend those certain Protective Covenants, Chalet Additions 12 and 13 (also known as Elk Run), Recorded in Book 542 at Page 625, Gunnison County, State of Colorado, as follows, to-wit:

Article XII - General Provisions: Paragraph 2.
Termination of Covenants

"The covenants contained in this instrument shall terminate July 3, 2019, or at the time of final dissolution of the Colorado corporation not for profit, known as ELK RUN HOMEOWNERS ASSOCIATION, effective on July 3, 1984. These covenants may be amended by a vote of three-fourths of the votes entitled to be cast by the members of ELK RUN HOMEOWNERS ASSOCIATION, said vote to be cast at a meeting of the members duly held not more than six (6) months after said date, provided a properly certified copy of the resolution of the amendment be placed of record in Gunnison County, not more than six (6) months after said date. If these covenants are amended on July 3, 1984, then they shall continue in effect, as amended, for as long thereafter as may be stated in said amendment. Notwithstanding the above and foregoing, no provision herein regarding membership (regular and/or special) shall be subject to any amendment absent the express written consent of all members affected thereby".

Shall be, and is hereby declared to be, amended to read as follows, to-wit:

"The covenants contained in this instrument shall terminate July 3, 2019, or at the time of final dissolution of the Colorado corporation not for profit, known as ELK RUN HOMEOWNERS ASSOCIATION. Effective on July 3, 1984, these covenants may be amended by a vote of three-fourths of the votes entitled to be cast by the members of ELK RUN HOMEOWNERS ASSOCIATION, said vote to be cast at a meeting of the members duly held not more than six (6) months after said date, provided a properly certified copy of the resolution of the amendment be placed of record in Gunnison County, not more than six (6) months after said date. If these covenants are amended on July 3, 1984, then they shall continue in effect, as amended, for as long thereafter as may be stated in said amendment. Notwithstanding the above and foregoing, no provision herein regarding membership (Regular and/or Associate) or the rights and/or privileges pertinent thereto shall be subject to any

amendment absent the express written consent of all members affected thereby."

That, less and except as hereinabove specifically set forth, said Protective Covenants shall remain in full force and effect.

Signed and executed on this 1st day of November, 1979.

ATTEST:

Mountain Enterprises-80
By: Mountain Enterprises, Inc.

Gail Sessions
Secretary

By: James A. Bagley
James A. Bagley, President



Quentin C. Vidor
Quentin C. Vidor

STATE OF COLORADO)
)
COUNTY OF PITKIN)

The foregoing instrument was acknowledged before me this 1st day of November, 1979, by James A. Bagley, President of Mountain Enterprises, Inc.

My Commission expires June 29, 1980.
Witness my hand and official seal.



Gail Sessions
Notary Public

STATE OF COLORADO)
)
COUNTY OF PITKIN)

The foregoing instrument was acknowledged before me this 1st day of November 1979, by Quentin C. Vidor.

My Commission expires June 29, 1980.



Gail Sessions
Notary Public