



**NOTICE OF AMENDMENT**

**DECLARATION OF PROTECTIVE COVENANTS OF TRAPPERS CROSSING AT CRESTED BUTTE**

**WHEREAS**, the Declaration of Protective Covenants of Trappers Crossing at Crested Butte recorded in Book 677 at Page 509 of the Gunnison County, Colorado records ("Declaration") provides that the Declaration may be amended upon the written consent by the owners of 75% or more of the lots in Trappers Crossing and the approval by the Town of Crested Butte; and

**WHEREAS**, the Trappers Crossing at Crested Butte Association, a Colorado non-profit corporation, is the property owners association for all lots subject to the Declaration; and

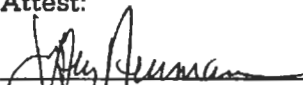
**WHEREAS**, the Amendment to Declaration of Protective Covenants of Trappers Crossing at Crested Butte attached hereto as **Exhibit A** ("Amendment") has been approved by the Town of Crested Butte and by the owners of 75% or more of the lots in Trappers Crossing;

**NOW, THEREFORE**, the Trappers Crossing at Crested Butte Association hereby executes, acknowledges and records this Notice of Amendment. The Approval of the Town of Crested Butte and written consents by the owners of 75% or more of the lots in Trappers Crossing are recorded immediately following this Notice.

**SIGNED AND DATED** at Crested Butte, Colorado this 25<sup>th</sup> day of MAY, 2001.

Trappers Crossing at Crested Butte Association, a Colorado non-profit corporation

By:   
James Gebhart, President

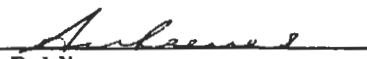
Attest:  
  
Jeffrey Neumann, Secretary

STATE OF COLORADO )  
) ss.  
COUNTY OF GUNNISON )

The foregoing Notice of Amendment was acknowledged before me this 25<sup>th</sup> day of MAY, 2001 by James Gebart as President and Jeffrey Neumann as Secretary of Trappers Crossing at Crested Butte Association, a Colorado non-profit corporation.

Witness my hand and official seal. My commission expires: 07/07/04



  
Notary Public



AMENDMENT TO

DECLARATION OF PROTECTIVE COVENANTS

OF TRAPPERS CROSSING AT CRESTED BUTTE

The owner(s) of the Lot(s) described below hereby consent(s) to add the following provisions to the Declaration of Protective Covenants of Trappers Crossing at Crested Butte recorded in Book 677 at Page 509, of the Gunnison County, Colorado records ("Declaration"):

1. **Building Site Reconfiguration.** Notwithstanding any other provision in the Declaration to the contrary, in order to minimize impact on wetlands, minimize foliage destruction, avoid building constraints, or for other good cause, the Board shall have the discretion to reconfigure the Building Site on any Lot, subject to the following conditions:

(a) The Building Site reconfiguration shall be requested in writing by the owner of the Lot with the Building Site to be reconfigured and approved by the owners of all contiguous Lots.

(b) The reconfigured Building Site shall be no larger than the original Building Site.

(c) The reconfigured Building Site shall include at least a portion of the original Building Site.

(d) Buildings in the reconfigured Building Site will be no more obtrusive than buildings in the original Building Site, when viewed from neighboring Lots and public areas.

(e) Each applicant for a reconfigured Building Site shall submit such plats and other documentation as the Association shall reasonably require and pay to the Association a reasonable fee and reimburse all of the Association's legal and other costs incurred in connection with reviewing the application for Building Site reconfiguration.

(f) No Building Site reconfiguration shall be effective until the Association has signed and recorded a plat describing the reconfigured Building Site.

2. **Boundary Line Relocation.** Notwithstanding any other provision in the Declaration to the contrary, in order to minimize impact on wetlands, minimize foliage destruction, avoid building constraints or for other good cause, the Board shall have the discretion to relocate any boundary line between Lots, subject to the following conditions:

(a) The boundary line relocation shall be requested in writing by the owners of the Lots separated by such boundary line and approved by the owners of all Lots contiguous to the Lots separated by the relocated boundary line.

(b) No Lot shall contain less than 35 acres.

(c) Each applicant for a relocated boundary line shall submit such plats and other documentation as the Association shall reasonably require and pay to the Association a reasonable fee and reimburse all of the Association's legal and other costs incurred in connection with reviewing the application for boundary line relocation.

(d) No boundary line relocation shall be effective until the Association has signed and recorded a plat describing the relocated boundary line.

**3. Setback Reduction.** Notwithstanding any other provision in the Declaration to the contrary, the Board shall have the authority to reduce the building or improvement setback to 15 feet from any Lot line, subject to the following conditions:

(a) The setback reduction shall be requested in writing by the owner of the Lot on which the setback is reduced and approved by the owners of all contiguous Lots.

(b) Buildings subject to the reduced setback will be no more obtrusive than buildings subject to the original setback, when viewed from neighboring Lots and public areas.

(c) Each applicant for setback reduction shall submit such plats and other documentation as the Association shall reasonably require and pay to the Association a reasonable fee and reimburse all of the Association's legal and other costs incurred in connection with reviewing the application for setback reduction.

(d) No setback reduction shall be effective until the Association has signed and recorded a plat describing the reduced setback.

In accordance with Article 12, Section 2 of the Declaration, this Amendment to the Declaration of Protective Covenants shall be effective upon the recording of written consents signed by Owners of 75% or more of the Lots in Trappers Crossing.

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

**Lot(s) owned in Trappers Crossing, County of Gunnison, State of Colorado:**

Lot(s) \_\_\_\_\_  
 Filing:    ( ) Trappers Crossing at Crested Butte  
           ( ) Trappers Crossing at Wildcat  
           ( ) Trappers Crossing South

STATE OF \_\_\_\_\_ )

) ss.

COUNTY OF \_\_\_\_\_ )

Acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2000.

Witness my hand and official seal. My commission expires: \_\_\_\_\_

\_\_\_\_\_  
 Notary Public