



**FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS  
RIVERWALK ESTATES SUBDIVISION**

This First Amendment to Declaration of Protective Covenants of Riverwalk Estates Subdivision (this "First Amendment") shall be effective upon recordation and is made and adopted by the Riverwalk Estates Homeowners Association, Inc., a Colorado nonprofit corporation, and amends that certain Declaration of Protective Covenants Riverwalk Estates Subdivision recorded in the real property records of Gunnison County, Colorado at reception number 555977 (the "Original Declaration") upon the affirmative, written consent and vote of the Owners of 66% or more of the Lots in the Property pursuant to Section 2 of Article 12 of the Original Declaration. Capitalized terms used herein and not defined herein shall have the meaning set forth in the Original Declaration. None of the amendments are to Section 6 of Article 3, Section 14 of Article 5 or Section 8 of Article 8 and thus the written approval of Gunnison County, Colorado is not required. This First Amendment shall be indexed in the name of Riverwalk Estates as grantee, Riverwalk Estates Homeowners Association, Inc. as grantee, and Riverwalk Estates Homeowners Association, Inc. as grantor.

The Original Declaration is amended as follows:

1. Article 3, Section 7 of the Original Declaration is hereby deleted and replaced with the following:

Section 7. Subdivision and Replat of Church Lot. The "Church Lot" shown on the Plat of Riverwalk Estates recorded as Reception No. 555976 ("Plat") shall be subdivided and replatted into two residential Lots, Lots 37 and 38, as shown on the Replat of Church Lot recorded as Reception No. 649669 ("Replat"). The existing Building Envelopes shown on the Plat shall remain unchanged. Lots 37 and 38 shall each have one Building Envelope. The Owner of Lot 37 and the Owner of Lot 38 shall each pay a full Association Assessment and each have one vote as Members of the Association. Lots 37 and 38 shall be governed by the same Association Documents that govern the other residential Lots in Riverwalk Estates. Any development requiring crossing the wetlands between the two Building Envelopes, such as a driveway, trail or path, shall be approved by Gunnison County and shall bridge the wetlands with a bridge or bottomless culvert to avoid impacting the wetlands.

2. Article 3, Section 1 of the Original Declaration is hereby deleted and replaced with the following:

Section 1. Residential Use. All Lots shall be used exclusively for residential purposes. Each Lot shall have no more than one Family Residence and one attached Garage and one detached Garage or other



detached building. Such Family Residence and detached buildings shall be contained in no more than two (2) buildings. No additional Buildings shall be permitted. No more than one water well shall be installed on any Lot. No time-sharing shall be allowed. A "detached building" within the meaning of these provisions means any Building fully enclosed that is not a Family Residence or Garage, which detached building may not be occupied for sleeping purposes nor contain any elements of a kitchen, such as a cooking apparatus, dishwasher, range, or oven, other than a sink. No detached Buildings, including detached Garages: (a) shall be more than 50% of the total square feet of the Family Residence; (b) may be constructed until either after the construction of the Family Residence is completed or until commencement of construction of the Family Residence; or (c) may be taller, at any point, than the Family Residence at its tallest point nor may any detached Building have a second story. All detached buildings must have substantially the same exterior finishes and styling as the Family Residence and must receive approval pursuant to Article 4.

3. Article 5, Section 7 of the Original Declaration is hereby deleted and replaced with the following:

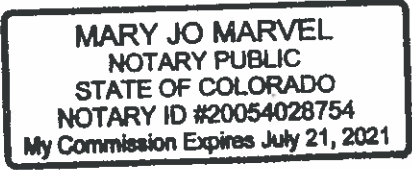
Section 7. Height. Must comply with County standards (see below). No Building shall be higher than 2 stories above grade. The maximum height of any Building shall be 30 feet; provided, however, that the maximum height of any Building on Lots 20, 21, 22, 23, 24, 25, 26 and 27 shall be 24 feet. Any existing Buildings are permitted to be maintained and replaced at their current height. The height of a Building for the purpose of this Section shall be measured from the lowest point where grade meets the foundation to the highest point of the roof.

Except as expressly set forth above, the terms and provisions of the Original Declaration shall remain in full force and effect.

Executed this 10<sup>th</sup> day of OCTOBER, 2017.

Riverwalk Estates Homeowners Association, Inc., a  
Colorado nonprofit corporation

By:   
Tracy Leonard, President



STATE OF COLORADO )

) ss.

COUNTY OF GUNNISON )

This document was acknowledged before me this 10 day of October, 2017, by Tracy Leonard as President of Riverwalk Estates Homeowners Association, Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.

My commission expires: 7-21-2021.

Mary Jo Marvel  
Notary Public

**CERTIFICATION**

I, Tracy Leonard, as President of Riverwalk Estates Homeowners Association, Inc., a Colorado nonprofit corporation, hereby certify that pursuant to C.R.S. § 38-33.3-217 and Section 2 of Article 12 of the Original Declaration, more than 66% the owners and members of Riverwalk Estates Homeowners Association, Inc. have consented to, agreed to, and approved the First Amendment in writing. The written ballots approving the above action are maintained in the records of Riverwalk Estates Homeowners Association, Inc.

Riverwalk Estates Homeowners Association, Inc., a Colorado nonprofit corporation

By: Tracy Leonard  
Tracy Leonard, President

STATE OF COLORADO )

) ss.

COUNTY OF GUNNISON )

This document was acknowledged before me this 10 day of October, 2017, by Tracy Leonard as President of Riverwalk Estates Homeowners Association, Inc., a Colorado nonprofit corporation.

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Mary Jo Marvel  
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