



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

This Second Amendment to Declaration of Protective Covenants of Riverwalk Estates Subdivision (this "Second 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 as amended by the First Amendment to Declaration of Protective Covenants Riverwalk Estates Subdivision as recorded in the real property records of Gunnison County, Colorado at reception number 649670 (collectively, the "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 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 Second 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, and in the name of each person signing any written consent to this amendment recorded herewith, if any, as grantor.

The Declaration is amended as follows:

1. A new Section 15 of Article 5 is added as follows:

Section 15. Variance. The Board of Directors of the Association shall have the power and authority to grant Owners variances from any design or architectural requirements or limitations set forth in the Declaration of Protective Covenants, including those requirements and limitations set forth in Article 5 of the Declaration of Protective Covenants, upon an express written finding by the Board of Directors of the Association that: (a) the variance is consistent with the objectives and purposes of the Declaration of Protective Covenants, and (b) there is no material negative impact on other owners, including considerations of general aesthetics in the community. Copies of granted variances will be maintained in the records of the Association.

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

Executed this 9th day of July, 2018.

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

By: 
Tracy Leonard, President

STATE OF COLORADO)

Gunnison County, CO
7/10/2018 2:05:58 PM
314

654345
Page 2 of 17
R 93.00 D 0.00

) ss.



COUNTY OF GUNNISON)

This document was acknowledged before me this 9th day of July, 2018, 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 9th day of July, 2018, 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