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FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS  
OF  
EATON PAGOSA ESTATES SUBDIVISION

This First Amendment to Declaration of Protective Covenants of Eaton Pagosa Estates Subdivision executed this ~~5<sup>th</sup>~~ day of February, 1997, by Eaton Pagosa Properties, Inc., a Corporation licensed to transact business in the State of Colorado, hereinafter termed the "Declarant."

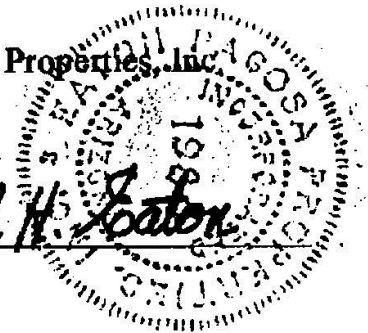
Pursuant to Article 16, Section 3 of the Declaration of Protective Covenants of Eaton Pagosa Estates Subdivision filed on October 31, 1996 in the office of the Clerk and Recorder of Archuleta County, Colorado at Reception Number 1996008108, the Declarant hereby amends Article 7, Section 6, of said Declaration, and as amended, said Article and Section shall read as follows:

"Section 6. Structures Prohibited. No occupied temporary structure, modular home, manufactured home, mobile home, trailer house, travel trailer, RV vehicle or any outbuildings shall be permitted on any Lot. All buildings or structures erected, placed or permitted upon said premises shall be of new construction and no building or structures shall be moved from other locations onto said premises. Owners of RV vehicles must garage them. This Section 6 shall not be subject to variance. Guest RV parking is limited to a maximum of two weeks. This paragraph is not intended to prohibit the use of pre-assembled or manufactured components such as roof trusses, precut logs, wall systems or similar components used in the construction of a Building. Notwithstanding anything contained in this Section 6 or the Declaration to the contrary, a temporary construction trailer or other such temporary unit or structure used for the purpose of storing construction tools, equipment or materials in connection with the construction of a residence or other permitted structure on a Lot or Lots shall be permitted, provided it is promptly removed upon the completion of such construction."

IN WITNESS THEREOF, the Declarant has executed this First Amendment to Declaration of Protective Covenants of Eaton Pagosa Estates Subdivision the day and year first above written.

Eaton Pagosa Properties, Inc.

By: Ralph H. Eaton



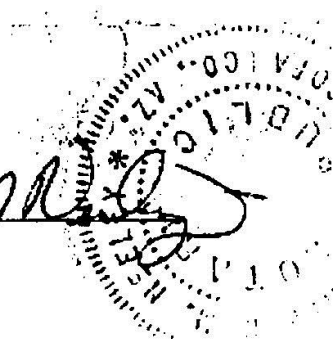
STATE OF ARIZONA            }  
COUNTY OF                    }

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of February, 1997, by Ralph H. Eaton

WITNESS my hand and seal.

My commission expires: 4-6-2000

Kathleen M. [Signature]  
Notary Public



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2 of 2 R 11.00 D 0.00 N 0.00 ARCHULETA COUNTY