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1 of 3

7/17/2017 11:19 AM  
R\$23.00 D\$0.00

June Madrid  
Archuleta County

FOURTH AMENDED  
DECLARATION OF PROTECTIVE COVENANTS OF  
EATON PAGOSA ESTATES SUBDIVISION

This Fourth Amended Declaration of Protective Covenants of Eaton Pagosa Estates Subdivision is made this 1st day of July , 2017, by the Eaton Pagosa Estates Property Owners Association, Inc., a Colorado nonprofit corporation, whose address is PO Box 2272, Pagosa Springs, Colorado 81147, hereinafter referred to as "Declarant":

WHEREAS, Declarant is an organization whose members include all of the owners of the lots of Eaton Pagosa Estates, which members have voted to amend those certain Declaration of Protective Covenants of Eaton Pagosa Estates Subdivision, previously recorded in the office of the Archuleta County Clerk and Recorder on October 31, 1996 as reception number 1996008108, as amended by the First Amendment to Declaration of Protective Covenants dated February 5, 1997 and recorded in the office of the Archuleta County Clerk and Recorder on February 13, 1997 as Reception Number 97001043 and the Second Amendment to Declaration of Protective Covenants dated October 30, 1997 and recorded in the office of Archuleta County Clerk and Recorder on February 9, 1998 as Reception Number 98001014 and the Third Amendment to the Declaration of Protective Covenants dated April 24, 2006 as Reception Number 20603569.

WHEREAS, Section 38-33.3-217 of Colorado Common Interest Ownership Act (CCIOA) provides that the said Covenants may be amended by written consent of the owners of sixty seven percent (67%) or more of the Lots in Eaton Pagosa Estates Subdivision:

WHEREAS, sixty-seven percent (67%) or more of the Lot Owners in Eaton Pagosa Estates have given written consent in favor of the amendments set forth below, which writing also authorized the President and Secretary of Eaton Pagosa Estates Property Owners Association, Inc. to execute and record the amended covenants on behalf of such owners;

NOW THEREFORE, the following provisions are hereby amended or added to the Covenants:

1. Article 7, Section 6 shall be amended as follows:

Section 6. TEMPORARY STRUCTURES AND PROHIBITED ACTIVITIES. No temporary structure, modular home, manufactured home, mobile home, trailer house 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 shall be approved by the Archuleta County Building Department under its then current Uniform Building code and no buildings or structures shall be moved from other locations onto the Property except with the written permission of the ARC. All vehicles must be parked off-street in driveways or garages. This Section 6 shall not be subject to variance.

Joyce Seathill  
1187 Lakeside Dr.  
Pagosa Springs, Co 81147



21704121  
2 of 3

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This paragraph is not intended to prohibit the use of pre-assembled or manufactured components such as roof trusses, pre-cut 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 completion of such structure. The ARC shall maintain a policy regarding minimum quality and construction guidelines designed to prohibit low-quality stick-built, modular, pre-manufactured or panelized buildings or structures addressing, among others, such issues as minimum size and spacing for floor joists, interior walls roof structure and roof pitch.

2. Article 7, Section 6a shall be added as follows:

Section 6a. STORAGE AND PARKING OF RVs, TRAILERS, ATVs AND WATERCRAFT. There shall be no outside storage of RVs, travel trailers, ATVs, utility trailers or watercraft. All RVs, travel trailers, ATVs, utility trailers and watercraft shall be stored off site or inside attached garages. Watercraft, such as canoes, kayaks and small rowboats, are exempt and may be stored on a lot, as long as they are not visible from the roadway. Property owners' RVs, travel trailers and watercraft may be parked on their property or driveways for a maximum of three days in preparation for use or following the use thereof. Guest RVs, travel trailers or watercraft parking is limited to a maximum of two weeks.

IN WITNESS WHEREOF, The Declarant has executed this Fourth Amended Declaration of Covenants, Conditions and Restrictions of Eaton Pagosa Estates Subdivision on the day and year first set forth above.

Eaton Pagosa Property Owners Association, Inc.  
A Colorado non-profit Corporation

By: Joyce Scahill  
Joyce Scahill, President

Attest: John Vander Horck  
John Vander Horck, Secretary



21704121  
3 of 3

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STATE OF COLORADO  
COUNTY OF ARCHULETA

SUBSCRIBED AND SWORN to before me this 17<sup>th</sup> day of July,  
2017, by Joyce Scahill, President and John Vander Horck, Secretary of the Eaton Pagosa Estates  
Property Owners Association, Inc.

Witness my hand and official seal.

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

My commission expires:

04-19-2021

Michael P. Coto  
MICHAEL P COTO  
Notary Public  
State of Colorado  
Notary ID # 20174016963  
My Commission Expires 04-19-2021