



FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS
LARKSPUR

THIS FIRST AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS FOR LARKSPUR (this "First Amendment") shall be effective upon recordation and is made and adopted by the Larkspur Community Association, a Colorado nonprofit corporation (the "Association") upon the written consent and affirmative vote of the record owners of at least 75% percent of the lots within the subdivision and the written consent of Gunnison County, Colorado. This First Amendment amends the Declaration of Protective Covenants Larkspur as recorded in the real property records of Gunnison County, Colorado at Reception No. 568253 (the "Declaration").¹

The Declaration is amended as follows:

1. Article II, Section 1.3 of the Declaration is hereby revoked and replaced with the following:

Section 1.3 Common Interest Community. LARKSPUR is a common interest community and planned community within the meaning of the Colorado Common Interest Ownership Act ("CCIOA") and is entirely located within Gunnison County, Colorado. Larkspur is fully subject to CCIOA, shall comply with its provisions, and the Association shall have all powers enumerated thereunder for associations. Any provision or portion of a provision in this Declaration that is contrary to CCIOA shall be interpreted and applied in such a manner as to be fully compliant with CCIOA and as close as possible to the original intent of the provision or portion thereof. Common expenses of Larkspur Community Association shall be allocated as follows: (i) to the Owners of an essential unit and essential lot a share equal to 50% of the share of common expenses allocated to the Owner of a lot or unit that is not an essential lot or unit, and (ii) to the Owner of a lot or unit that is not an essential lot or unit, one full share, with a share equaling such percentage as is necessary, when taking into account the 50% reduced shares owed by Owners of essential lots and units, for the total of all shares to equal 100%. To the extent no other method of notice for an owner is identified, notice may be given to Owners by: (i) posting of notice in three conspicuous locations in LARKSPUR, (ii) mailing notice by first class mail to the most recent address of the Owner as identified on the Gunnison County Assessor's website, or (iii) email for those Owners that have provided an email address to the Larkspur Community Association or have otherwise used an email address to converse with the Larkspur Community Association.

2. Article VI, Section 8 of the Declaration regarding signs, shall be amended to add the following:

¹ Capitalized terms used herein but not otherwise defined herein shall have the meaning set forth in the Declaration.



Notwithstanding the foregoing, to the extent that political or other signage cannot be prohibited by CCIOA or other applicable law, it is expressly permitted hereunder, but only to extent that it may not be prohibited.

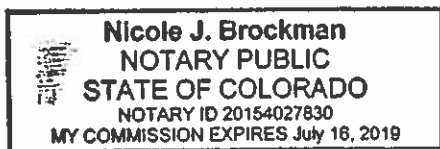
3. The following sentence shall be added to end of each of Article VI, Sections 15 and 29:

Notwithstanding any other provision of this Declaration, as is expressly permitted by CCIOA, certain on street parking is allowed for certain fire-fighting, law enforcement, ambulance or emergency medical services vehicles and to the extent so permitted by statute, but only to such extent as required by statute, the Declaration does not prohibit such parking.

4. Section 4 of Article XVIII of the Declaration is hereby revoked and replaced with the following:

4. Amendment The conditions, restrictions, stipulations, agreements and covenants herein contained, as well as the recorded plat of LARKSPUR, and any supplemental plats as specified in Article II hereof, shall not be waived, abandoned, terminated or amended except by the affirmative vote or agreement o Owners of units and lots to which sixty-seven percent of the votes in Larkspur Community Association are allocated and with the written consent of Gunnison County, which instrument shall be duly executed, acknowledged and recorded in Gunnison County, Colorado. Amendment of certain portions of the Design Guidelines for Larkspur may require the permission of Gunnison County. These include, but are not limited to, those provisions relating to parking, erosion control, drainage standards, and the Weed Management Plan.

Executed this 9 day of August, 2016.



Larkspur Community Association,
a Colorado nonprofit corporation

By: [Signature], President

STATE OF Colorado)
) ss.
County of Gunnison)

This document was acknowledged before me on this 9 day of August, 2016, by Jeffrey Duke as President of Larkspur Community Association, a Colorado nonprofit corporation.

Witness my hand and official seal

My commission expires: July 16, 2019.

[Signature]
Notary Public



CERTIFICATION

I, Jeffrey Duke, as President of the Larkspur Community Association, a Colorado nonprofit corporation, hereby certify that pursuant to C.R.S. § 38-33.3-217, Section 4 of Article XVIII of the Covenants, and the Colorado Revised Nonprofit Corporation Act, the owners and members of the Larkspur Community Association have consented to, agreed to, and approved of the First Amendment. This First Amendment was properly voted on and adopted by the owners of more than 75% of the tracts in the subdivision and members of the Larkspur Community Association. The signature pages for the consents provided by the owners and members of the Larkspur Community Association to this First Amendment are included herewith following my certification.

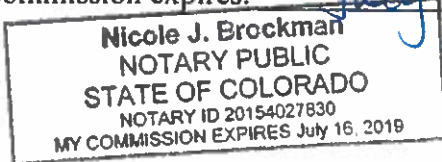
Larkspur Community Association,
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