



AMENDED AND RESTATED FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS SLATE RIVER SUBDIVISION

This Amended and Restated First Amendment to Declaration of Protective Covenants Slate River Subdivision (this “First Amendment”) amends, restates, supersedes and replaces the First Amendment to Declaration of Protective Covenants Slate River Subdivision as recorded in the real property records of Gunnison County, Colorado at reception number 678186 and amends that certain Declaration of Protective Covenants Slate River Subdivision recorded on September 10, 2020 at reception number 669210 of the real property records of Gunnison County, Colorado (that “Original Declaration”). Pursuant to Article 9, Section 2 of the Original Declaration, the owners of at least four of the Lots¹ voted in favor of this First Amendment at a duly called and properly noticed meeting of the membership as certified by the Secretary of the Association below. This First Amendment shall be indexed in the grantee’s index in the name of Slate River Subdivision and in the name of Slate River Subdivision Homeowners Association, Inc., a Colorado nonprofit corporation and in the name of Augusta Park Association, Inc., a Colorado nonprofit corporation. This First Amendment shall be indexed in the grantor’s index in the name of Slate River Subdivision Homeowners Association, Inc. n/k/a Augusta Park Association, Inc., a Colorado nonprofit corporation.

The Original Declaration is amended as follows:

1. The following new section is added to Article 7:

Section 4. Regulation and Design Review. The Association, through its Board of Directors, shall have the authority to adopt and amend rules, regulations, policies and procedures relating to the subdivision, including without limitation: (1) collections of assessments and imposition of late charges and other fees and interest relating to delinquent assessments, (2) the imposition and collection of fines for violation of Association governing documents, including without limitation the Association’s articles of incorporation, bylaws, declaration of protective covenants, resolutions, rules and regulation and policies and procedures, design review standards or approval requirements, and such other governing documents as may be adopted and amended by the Association, (3) design review and approval standards and procedures, including without limitation design and maintenance standards and requirements for residences, fences, garages, dirt work, landscaping, driveways, roadways, and all other improvements and construction of any type or nature within the subdivision, (4) regulations relating to the use of the Property, including the Lots, but such regulations may not be directly in conflict with these Covenants. Such regulations may prohibit certain activities not otherwise expressly addressed by these Covenants and may permit activities subject to certain limitations. Activities essential to the use of a Lot for single family residential purposes may not be prohibited by the regulations, but may be

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



subject to reasonable rules, regulations, policies and procedures that provide limitations and requirements on when, where, and how such activities may be performed in the subdivision. The rules, regulations, policies and procedures adopted and amended by the Board of Directors may permit short term renting (assuming such renting is otherwise permitted by the Town of Crested Butte) or may prohibit short term renting (regardless of whether otherwise permitted by the Town of Crested Butte) or may permit short term renting subject to such rules, regulations, policies and procedures as the Board of Directors deems appropriate. The Board of Directors, through the rules, regulations, policies and procedures, shall have the authority to define the term 'short term renting' and 'short term rental' within the subdivision.

2. The Original Declaration is hereby amended to change the name of the Association to Augusta Park Association, Inc. All references in the Original Declaration to Slate River Subdivision Homeowners Association, Inc. are hereby amended and restated to be to Augusta Park Association, Inc. Specifically, but without limitation, Section 1 of Article 2 of the Original Declaration is hereby amended and restated as follows:

Section 1. "Association" shall mean the Augusta Park Association, Inc., a Colorado nonprofit corporation.

3. Section 1 of Article 7 is hereby amended and restated as follows:

Section 1. Common Interest Community. Slate River Subdivision, which may also be referred to as Augusta Park, is a common interest community that is a planned community governed by the Augusta Park Association, Inc., a Colorado nonprofit corporation. The common interest community is located in Gunnison County. The boundaries of each unit created by the Covenants is as set forth on the Plat, including the unit's identifying number and its size. There are no limited common elements. A legally sufficient description of the real estate included in the common interest community is:

The Applicant Retained Land according to the Plat of the Slate River Subdivision, filed for record the 10th day of September, 2020 and bearing Reception No. 669207 of the Records of Gunnison County, Colorado.

Except as set forth above, the provisions of the Original Declaration are not amended by this First Amendment and remain in full force and effect.

Executed this 27 day of January, 2022.

Slate River Subdivision Homeowners Association, Inc.
n/k/a Augusta Park Association, Inc., a Colorado nonprofit corporation



By: [Signature]
Brian Parro, Its President

SECRETARY CERTIFICATION: The undersigned, being the Secretary of Slate River Subdivision Homeowners Association, Inc. n/k/a Augusta Park Association, Inc., a Colorado nonprofit corporation, does hereby certify that owners of at least four of the Lots voted in favor of such First Amendment at a duly called and properly noticed meeting of the membership.

Certified this 26th day of January, 2022.

Slate River Subdivision Homeowners Association, Inc.
n/k/a Augusta Park Association, Inc., a Colorado nonprofit corporation

By: [Signature]
Kirk Williams, its Secretary

STATE OF Texas)
) ss.
COUNTY OF Dallas)

The foregoing instrument was acknowledged before me this 27th day of January, 2022 by Kirk Williams as Secretary of Slate River Subdivision Homeowners Association, Inc. n/k/a Augusta Park Association, Inc., a Colorado nonprofit corporation.
Witness my hand and official seal.
My commission expires: February 24, 2025

[Signature]
Notary Public

