

**RESOLUTION OF AMENDMENT TO
AMENDED AND RESTATED DECLARATION OF COVENANTS
FOR RUEDI SHORES SUBDIVISION**

This Resolution of Amendment to Amended and Restated Declaration of Covenants is made this 19th day of August, 2001, by the Ruedi Shores Homeowners Association, Inc., a Colorado nonprofit corporation (hereinafter "Association"), located in Eagle County, Colorado.

WITNESSETH:

WHEREAS: The Ruedi Shores subdivision consists of Lots 1 to 45, Block 1 and Lots 1 to 31 Block 2 as designated on that certain Plat of Subdivision recorded with the Eagle County Clerk and Recorder Filing No. 1 recorded in June of 1969 in Book 215, Page 358 and Filing No. 2 recorded on July 22, 1970 in Book 218 Page 265; and

WHEREAS: on November 08, 1991, the Amended and Restated Protective Covenants of Ruedi Shores Subdivision, was executed and recorded with the Eagle County Clerk and Recorder at Book 566 Page 625; and

WHEREAS: Paragraph 29(D) of the Declaration allows for amendments of the Declaration by the vote of 67% of the votes entitled to be cast by the members of the association; and

WHEREAS: The owners of 56 lots within the Subdivision were present in person or by proxy at a general meeting duly noticed to all members of the Association held on the 19th day of August 2001 and have agreed to this amendment to the Protective Covenants as set forth herein. Such constitutes a quorum and 67% of votes entitled to be cast by the members voted to approve this resolution.

NOW THEREFORE, in consideration of the mutual covenants contained herein, the Ruedi Shores Homeowners Association declares that the Declaration is amended as follows:

18. Architectural Committee

B. Approval by Architectural Committee

Add to second paragraph, immediately following first sentence:

"In addition, a current topographical survey at 1:20 scale indicating existing grade at two-foot contour intervals within the proposed development's "Area of Disturbance" shall be submitted to the Architectural Committee by the prospective developer. This survey shall be prepared, signed and stamped by a Professional Surveyor licensed in the State of Colorado."

Add the following third paragraph:

"Upon receiving conditional approval from the Architectural Committee, the prospective developer will stake their property; marking all proposed building corners. If a height variance has been granted, the Architectural Committee may request the developer to erect 'story-poles' to simulate building height at its two (2) highest points. Given three (3) days notice when scheduled by the developer, the Architectural Committee will review and if compliant with the regulations herein, issue a "Notice to Proceed" to Eagle County Community Development Department for the developer. The developer must receive a "Notice to Proceed" in order to obtain a building permit."

22. Primary Structures

Change first clause of the first sentence to read:

"The primary structures permitted on any single-family parcel shall consist of no more than on (1) single-family dwelling house with a (floor area) of at least one thousand three hundred (1,300) square feet..." (the balance of the sentence shall remain as set forth.

At the end of the paragraph add the following:

"Manufactured homes, mobile homes, trailer homes and motor homes, on a temporary or permanent basis, are not permitted."

23. Height Restrictions

Replace the entire paragraph as follows:

"On 'open meadow lots'* in the Subdivision, the maximum height of any structure shall be twenty-eight feet (28') as measured from existing or finished grade; whichever is more restrictive. On 'wooded lots'* in the Subdivision, the maximum height of any structure shall be twenty-eight feet (28') as measured from existing grade. For the purpose of this paragraph, "maximum height" shall mean the maximum possible distance measured adjacent to all sides of the building from existing or finished grade, as indicated above. Proper measurement of these height restrictions are described and shown on Diagrams 23.A -D which are attached hereto and incorporated herein by this reference.

* Designated 'Open Meadow Lots': Filing 1, Lots: 14,15,16,17,18,19,20,21
Filing 2, Lots: 1,2,13,14,15,16,17,24,25,27

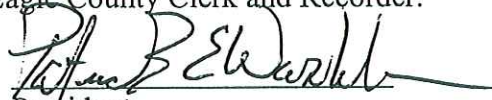
* Designated 'Wooded Lots': All Lots not designated as 'Open Meadow Lots'"

The documents labeled Diagrams 23. A to D are herein attached to this amendment and made part of this amendment.

All other portions of the Amended and Restated Protective Covenants not inconsistent herewith shall remain as set forth on the documents recorded with the Eagle County Clerk and Recorder.

This Resolution is adopted by the members of the Ruedi Shores Homeowners Association on the 19th day of August, 2001 by a vote of 51 in favor and 5 opposed.

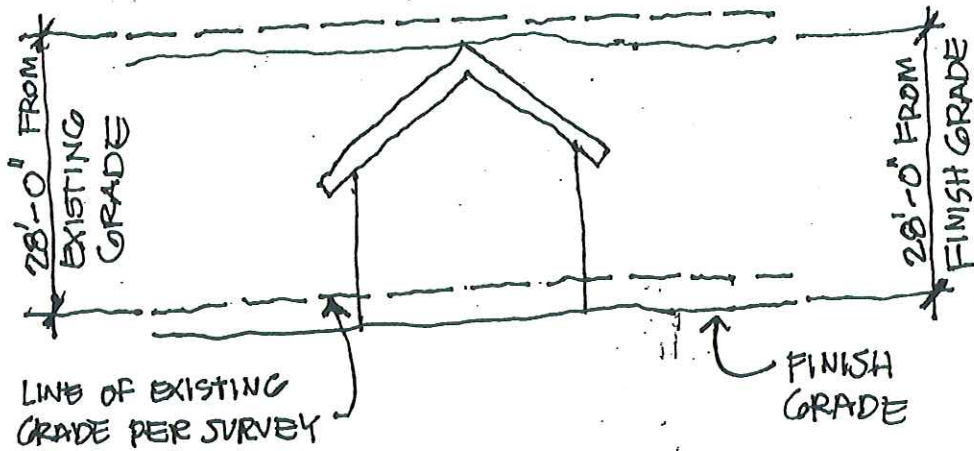
This Resolution shall be recorded with the Eagle County Clerk and Recorder.

 10/2/01

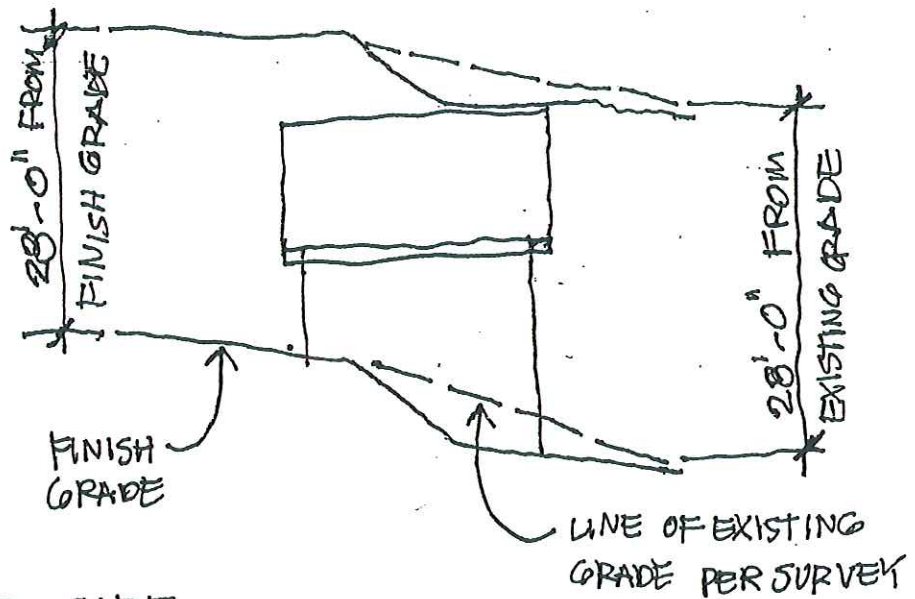
President



Secretary



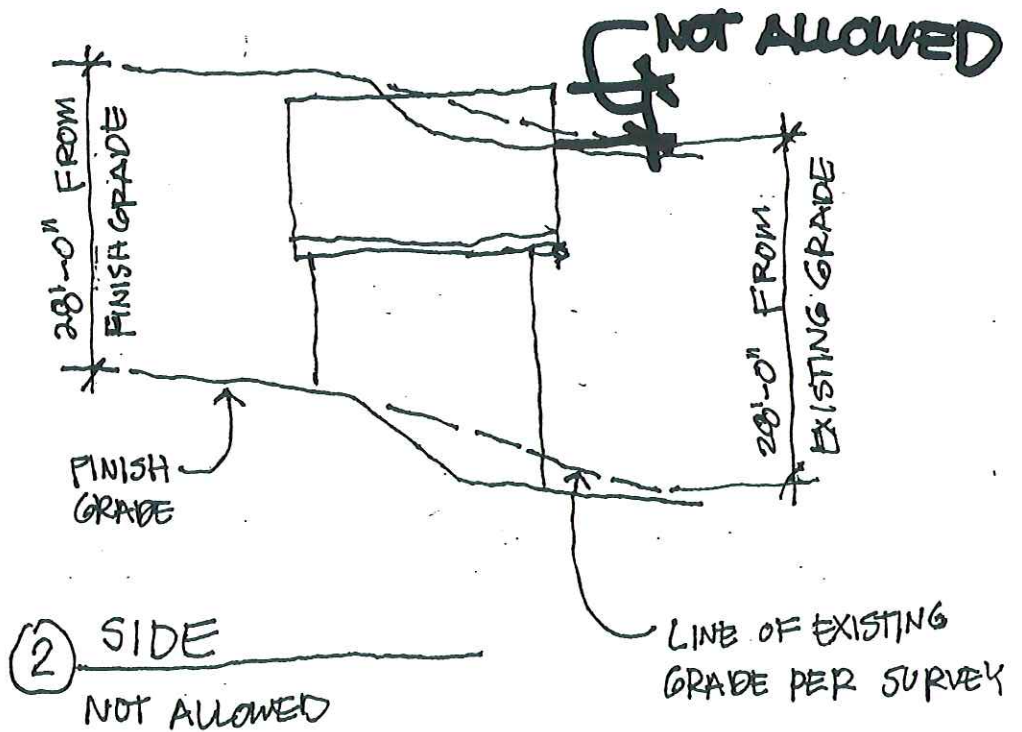
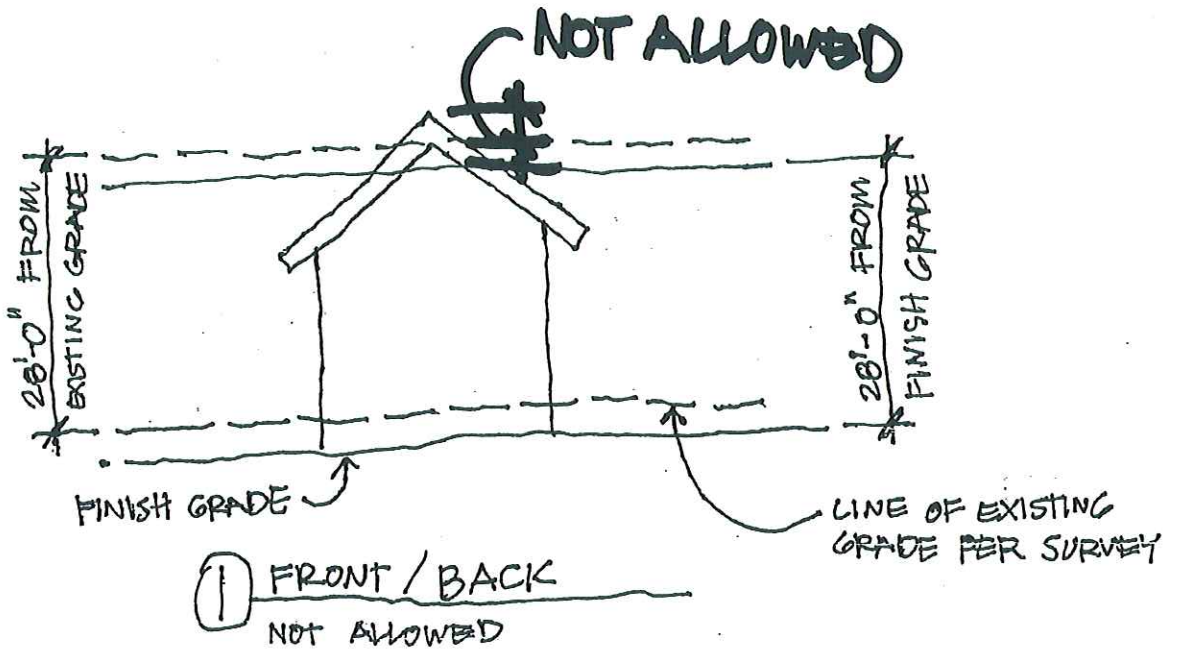
① FRONT/BACK
ALLOWED



② SIDE
ALLOWED.

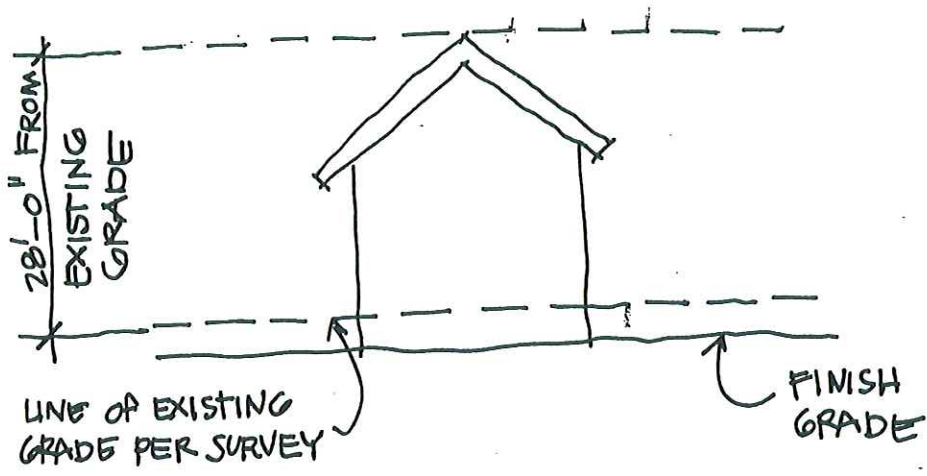
OPEN MEADOW LOTS

FIGURE 23.A - HEIGHT DIAGRAM (ALLOWED)

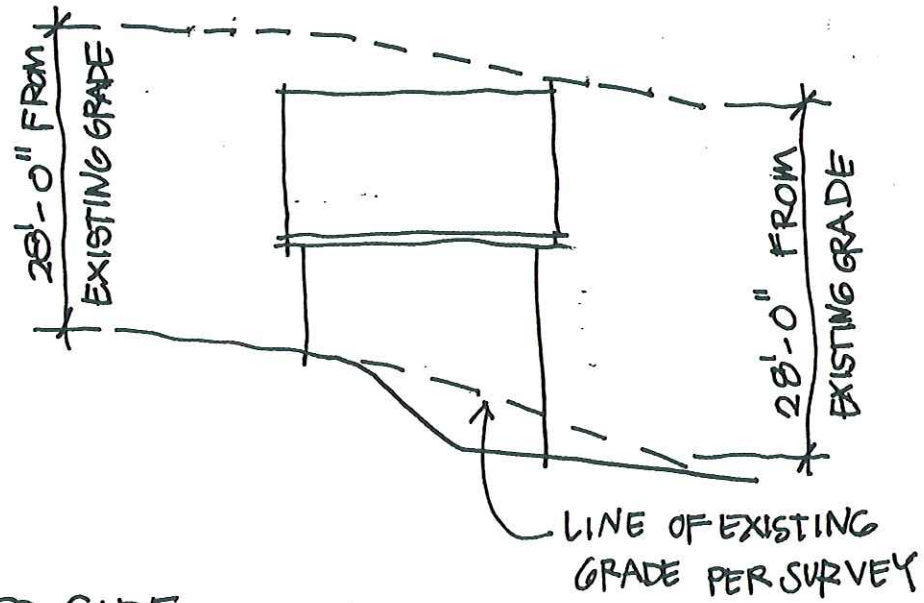


OPEN MEADOW LOTS

FIGURE 23.B - HEIGHT DIAGRAM (NOT ALLOWED)



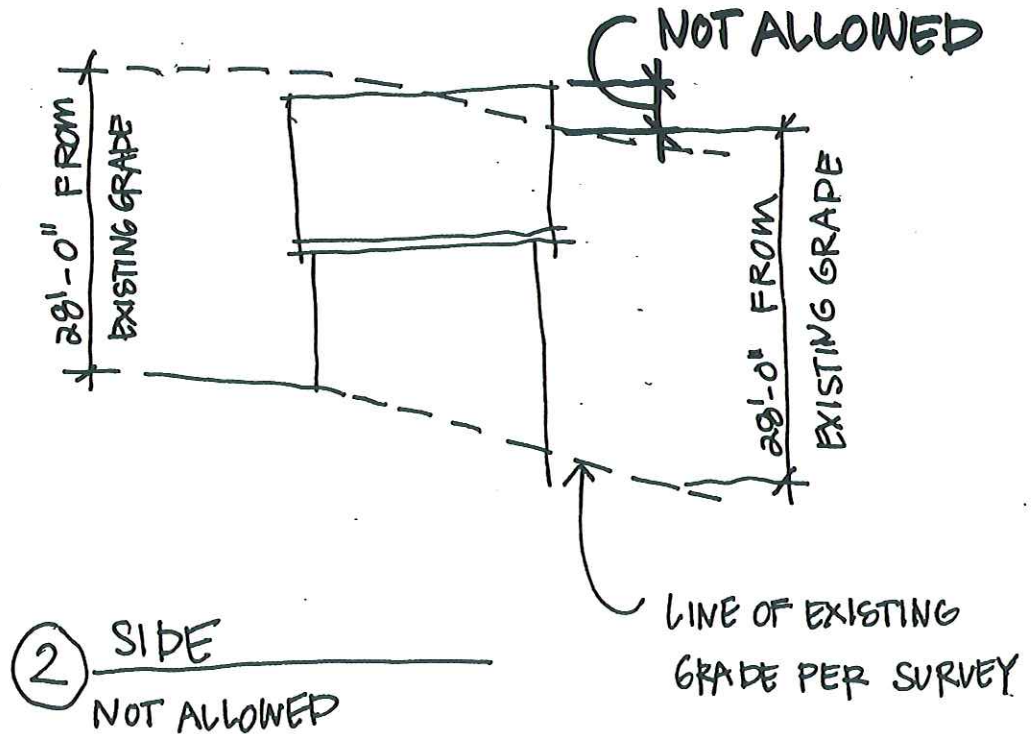
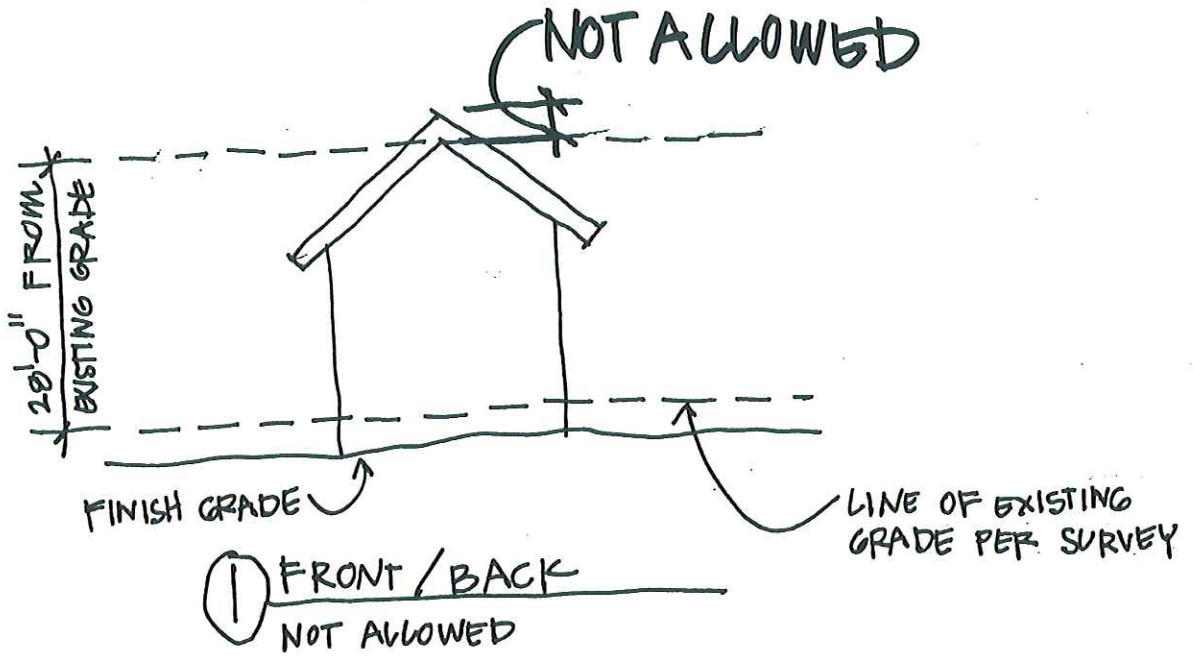
① FRONT/BACK
ALLOWED



② SIDE
ALLOWED

WOODED LOTS

FIGURE 23.C - HEIGHT DIAGRAM (ALLOWED)



WOODED LOTS

FIGURE 23.D - HEIGHT DIAGRAM (NOT ALLOWED)

