

Declaration of Restrictions

Incorporates by Reference

Declaration of Restrictions

Made 3/13/70 and

Recorded 6/24/70 in

Book 122, Pages 224-247

(Pagosa)



**FIRST AMENDED
DECLARATION OF RESTRICTIONS
LAKE FOREST ESTATES SUBDIVISION**

THIS FIRST AMENDED DECLARATION is made this 9th day of April, 1998, by The Pagosa Lakes Property Owners Association, Inc., a Colorado Nonprofit Corporation, whose address is 230 Port Avenue, Pagosa Lakes, Colorado 81147, hereinafter referred to as "Declarant."

WITNESSETH:

WHEREAS, Declarant is an organization whose members include all of the owners of the parcels in the Lake Forest Estates subdivision, desiring to amend the Declaration of Restrictions, previously filed of record on June 4, 1973, in Book 132, Pages 231-234 (Reception No. 77873), in the Office of the Clerk and Recorder of Archuleta County, Colorado, which Declaration incorporated the terms of the Declaration of Restrictions filed of record on June 24, 1970, in Book 122, pages 224-247 (Reception No. 73297); and

WHEREAS, paragraph 2(A) of the Master Declaration of Restrictions, recorded on June 24, 1970, in Book 122 at Page 224, in the Office of the Clerk and Recorder of Archuleta County, Colorado, and adopted by reference by the aforesaid Declaration of Restrictions filed of record on June 4, 1973, in Book 132, Pages 231-234, in the Office of the Clerk and Recorder of Archuleta County, Colorado, provides that said restrictions may be amended by the owners of record title of a majority of the lots subject thereto, which in this instance consists of the land comprising the Lake Forest Estates subdivision, and;

WHEREAS, the owners of record of a majority of the lots in Lake Forest Estates subdivision, voted by their execution of written instruments in favor of the restriction set forth below, such vote being by owners of a majority of the lots and by a majority of the owners of lots in Lake Forest Estates subdivision, which written instruments also authorized the undersigned President and Secretary of Declarant to execute an instrument suitable for recording setting forth the exact terms of the amendment adopted, in order to amend the previously existing Covenants, Conditions, and Restrictions referred to above;

NOW, THEREFORE, under the amendment power reserved to the parcel owners, Declarant does hereby amend the said Covenants, Conditions and Restrictions as follows:

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A.

By replacing Paragraph numbered 5.B-(4) of the master Declaration of Restrictions filed of record on June 24 1970 at Book 122 page 228, and replacing paragraphs numbered B-1(4), B-2(4), B-3(4), B-4(4), and B-5(4) of the Declaration of Restrictions of Lake Forest Estates, recorded on June 4, 1973, in Book 132 Pages 231-234, in the Office of the Clerk and Recorder of Archuleta County, Colorado. Said Paragraphs B(4), B-1(4), B-2(4), B-3(4), B-4(4) and B-5(4), each entitled "Minimum Living Area", are hereby replaced by this amendment to state as follows:

All houses in the Lake Forest Estates Subdivision shall have a minimum total living space of 1,500 square feet. All one-story houses shall have a minimum of 1,500 square feet of living space and all multi-story houses shall have a minimum of 1,000 square feet on the main floor.

B.

By replacing Paragraph 7.E of the Master Declaration of Restrictions recorded on June 24, 1970, in Book 122, pages 224-247, in the Office of the Clerk and Recorder of Archuleta County, Colorado, as adopted by the declaration recorded on June 4, 1973, in Book 132, Pages 231-234, with the following:

Construction of all structures on any lot shall utilize only new materials; and residential structures shall be stick built on site. No buildings, structures, mobile homes, manufactured homes, nor any prefabricated, manufactured modules or units shall be moved on to the lot nor assembled on the lot; provided that interior cabinets and similar interior units may be placed in stick-built homes. This provision does not exclude log built, prefabricated panel built, adobe, straw, or tire built homes as long as they meet the aesthetic codes of and are approved by the Environmental Control Committee.



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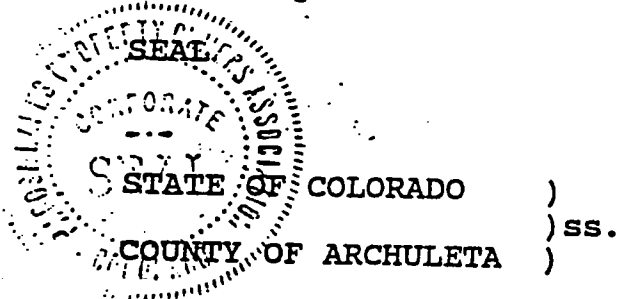
IN WITNESS WHEREOF, the Declarant has executed this First Amended Declaration on the day and year first above written.

THE PAGOSA LAKES PROPERTY OWNERS ASSOCIATION, INC., a Colorado non-profit corporation,

By *Don Costa*
President

ATTEST:

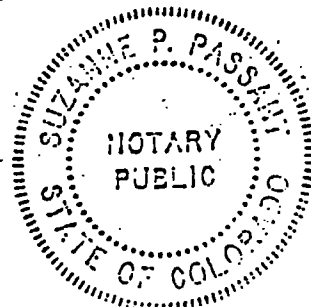
Majie Adler
Secretary



This instrument, THE FIRST AMENDED DECLARATION OF RESTRICTIONS, LAKE FOREST ESTATES SUBDIVISION, was acknowledged before me this 15th day of April, by Don Costa, as President, and by Majie Adler, as Secretary, on behalf of the Pagosa Lakes Property Owners Association, Inc., a Colorado Nonprofit Corporation.

Suzanne P. Passant
Notary Public

My Commission Expires: 02/17/2002



Records June 4, 1973 At 3:20 PM INDEXED
Recpt. No. 77873 Felima Gardner *JK* Recorder

DECLARATION OF RESTRICTIONS

LAKE FOREST ESTATES

THIS DECLARATION is made this 6th day of February, 1973 by EATON INTERNATIONAL CORPORATION, a Delaware corporation, herein referred to as "Declarant".

WITNESSETH:

WHEREAS, Declarant is the owner of all the real property set forth and described on that certain plat entitled LAKE FOREST ESTATES, a subdivision of Pagosa, recorded June 4, 1973, Reception # 77869 in the Public Records of Archuleta County, Colorado, on ~~2885~~ Plat File ~~pages 155~~ A through G inclusive, and is made a part hereof and incorporated herein by reference; and

WHEREAS, the real property described in the plat has been subdivided into numbered parcels identified on the plat as lots, which lots comprise in the aggregate one (1) subdivision (herein called "Subdivision"), which is one (1) of several subdivisions in the Pagosa general development (herein called "Development"), which said lots in LAKE FOREST ESTATES Declarant desires to be subject to the terms of a Declaration of Restrictions made on the thirteenth (13th) day of March 1970 and recorded on the twenty-fourth (24th) day of June 1970 in the Public Records of Archuleta County, Colorado, in Book 122, at pages 224 through 247 inclusive, as provided in paragraph 15 thereof, which are made a part hereof and are incorporated herein by reference; and

WHEREAS, the Declarant desires to amend said Declaration of Restrictions in certain respects.

NOW, THEREFORE, Declarant hereby declares that all of said lots in LAKE FOREST ESTATES are held and shall be held, conveyed, hypothecated or encumbered, leased, rented, used, occupied and improved, subject to the Declaration of Restrictions referred to above, which Declaration of Restrictions shall be amended to read as follows:

Subsequent to subparagraph B of paragraph 5, the following shall be added:

B-1. R-1-120 Single Family Residential District

BOOK 132 PAGE 231

(1) Uses Permitted

(a) All uses permitted in R-1-90.

(2) Minimum Lot Size

12,000 square feet; no lot shall be divided into smaller lots or parcels.

(3) Setback Requirements

Setback requirements are the same as for R-1-90.

(4) Minimum Living Area

Minimum living area requirements are the same as for R-1-90.

(5) Lot Coverage

Lot coverage limitations are the same as for R-1-90.

B-2. R-1-150 Single Family Residential District

(1) Uses Permitted

(a) All uses permitted in R-1-90.

(2) Minimum Lot Size

15,000 square feet; no lot shall be divided into smaller lots or parcels.

(3) Setback Requirements

Setback requirements are the same as for R-1-90.

(4) Minimum Living Area

Minimum living area requirements are the same as for R-1-90.

(5) Lot Coverage

Lot coverage limitations are the same as for R-1-90.

B-3. R-1-200 Single Family Residential District

(1) Uses Permitted

All uses permitted in R-1-90.

(2) Minimum Lot Size

20,000 square feet; no lot shall be divided into smaller lots or parcels.

(3) Setback Requirements

Setback requirements are the same as for R-1-90.

(4) Minimum Living Area

Minimum living area requirements are the same as for R-1-90. Minimum living area for lots 492 through 612 inclusive is 1500 square feet for one-story houses and 1000 square feet on the main floor for multiple-story houses.

(5) Lot Coverage

Lot coverage limitations are the same as for R-1-90.

B-4. R-1-300 Single Family Residential District

(1) Uses Permitted

All uses permitted in R-1-90.

(2) Minimum Lot Size

30,000 square feet; no lot shall be divided into smaller lots or parcels.

(3) Setback Requirements

Setback requirements are the same as for R-1-90.

(4) Minimum Living Area

Minimum living area requirements are the same as for R-1-90. Minimum living area for lots 492 through 612 inclusive is 1500 square feet for one-story houses and 1000 square feet on the main floor for multiple-story houses.

(5) Lot Coverage

Lot coverage limitations are the same as for R-1-90.

B-5. R-1-400 Single Family Residential District

(1) Uses Permitted

All uses permitted in R-1-90.

