

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)

JUN - 7 1982

Record No. 110998

10:00 A.M. ja
Mary Ann Colton -- Recorder

AMENDMENT TO DECLARATION OF RESTRICTIONS

NORTH VILLAGE LAKE

THIS AMENDMENT TO DECLARATION OF RESTRICTIONS for NORTH VILLAGE LAKE Subdivision is made this 3rd day of June, 1982, 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 NORTH VILLAGE LAKE, a subdivision of Pagosa, recorded March 16, 1982, in the public records of Archuleta County, Colorado, under Reception Number 109817, which plat is made a part hereof and incorporated herein by reference; and

WHEREAS, previously by instrument recorded March 16, 1982, in Book 187 at Pages 692 through 695, which in turn incorporates by reference the Declaration of Restrictions recorded June 24, 1970 in Book 122 at Pages 224 through 247, NORTH VILLAGE LAKE subdivision was made subject to the terms of a Declaration of Restrictions; and

WHEREAS, Declarant is the record owner of all the lots in NORTH VILLAGE LAKE subdivision; and

WHEREAS, Declarant desires to amend said Declaration of Restrictions for NORTH VILLAGE LAKE in certain respects;

NOW, THEREFORE, Declarant hereby declares that said Declaration of Restrictions for NORTH VILLAGE LAKE shall be amended as to all lots as follows:

1. Overnight parking of recreational vehicles (boats, trailers, campers, etc.) is not permissible in regular parking areas or on streets, or anywhere else in the subdivision not specifically designated for parking of recreational vehicles. Declarant will provide an enclosed, screened area for the purpose of storing recreational vehicles on the basis of one space at least ten feet by twenty feet per ten residential units occupying the site; provided, however, that the Environmental Control Committee may at its discretion adjust the parking space requirements, according to the demand for recreational vehicle parking. From time to time, the Committee also may move the site for parking of recreational vehicles to a different location.

2. Entrance signs to North Village Lake subdivision are to be maintained by the Pagosa Property Owners Association or the North Village Lake Property Owners Association.

3. No docks and/or piers shall be erected, altered, placed, or maintained in Village Lake until the final plans and specifications have received written approval of the Environmental Control Committee. Once approved, the same dock and/or pier may be erected each subsequent year unless otherwise informed by the Environmental Control Committee.

4. Fishing in Village Lake is prohibited unless a permit is first obtained from the proper authority.

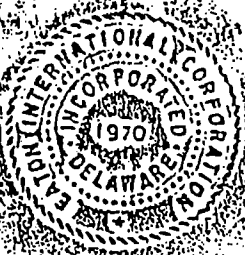
5. Violation or breach of any restriction herein contained shall, should such violation or breach continue for a period of twenty days after written notice thereof, entitle Declarant and/or a representative of the Environmental Control Committee to the right to enter upon the property with respect to which said violation or breach exists, and summarily to remove at the expense of the owner, lessee or occupant thereof, any structure, thing or condition that may be or exist thereon contrary to the intent and meaning of the provisions hereof.

The Declaration of Restrictions affecting NORTH VILLAGE LAKE subdivision, except as expressly herein modified, shall remain in full force and effect.

DATED this 3rd day of June, 1982.

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EATON INTERNATIONAL CORPORATION
a Delaware corporation

By David H. Eaton
David H. Eaton, President

Attest:

Fred B. Thielen
Fred B. Thielen, Secretary

STATE OF ARIZONA)
) SS.
COUNTY OF MARICOPA)

This instrument was acknowledged before me this 3rd day of June, 1982,
by David H. Eaton as President and Fred B. Thielen as Secretary of EATON INTERNATIONAL
CORPORATION, a Delaware corporation.

M. Carol Becker
Notary Public
Carol Becker

My commission expires January 13, 1984.

110998

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Recorded MAR 16 1982 At 9:59 AM
Receipt No. 109818 Mary Ann Callan - - Recorder *ja*

DECLARATION OF RESTRICTIONS

NORTH VILLAGE LAKE

THIS DECLARATION is made this 25th day of November, 1981, 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 NORTH VILLAGE LAKE, a subdivision of Pagosa, recorded March 16, 1981, in the public records of Archuleta County, Colorado, Reception Number 109812, which plat is made a part hereof and incorporated herein by reference; and

WHEREAS, the real property described in the plat has been subdivided into numbered or lettered parcels identified on the plat as lots, which lots comprise in the aggregate a subdivision, which is one of several subdivisions in the Pagosa general development. Declarant desires said lots in NORTH VILLAGE LAKE to be subject to the terms of a Declaration of Restrictions (herein called "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 is made a part hereof and is incorporated herein by reference; and

WHEREAS, Declarant desires to amend said Restrictions in certain respects as said Restrictions affect NORTH VILLAGE LAKE.

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

1. Subsequent to subparagraph A of paragraph 4, the following shall be added:
 - A-1. All plans and specifications for any structure or improvements to be erected on or moved to Tracts A, B and C of NORTH VILLAGE LAKE shall be subject to the prior approval in writing of the Pagosa Environmental Control Committee.
2. Subsequent to subparagraph B of paragraph 5, the following shall be added:
 - B-1. R-1-100 Single Family Residential District
 - (1) Uses Permitted
 - (a) All uses permitted in R-1-90.
 - (2) Minimum Lot Size
10,000 square feet; no lot shall be divided into smaller lots or parcels.
 - (3) Setback Requirements
 - (a) Front yard—Front yard setback requirements are the same as for R-1-90.
 - (b) Rear yard—No building or structure shall be located within twenty (20) feet of the rear property line. In no event shall any building or structure be located less than twenty-five (25) feet from the high-water line on any lot contiguous to a lake.
 - (c) Side yard—Side yard setback requirements are the same as for R-1-90.

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(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-1-120 Single Family Residential District

(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

(a) Front yard—Front yard setback requirements are the same as for R-1-90.

(b) Rear yard—No building or structure shall be located within twenty (20) feet of the rear property line. In no event shall any building or structure be located less than twenty-five (25) feet from the high-water line on any lot contiguous to a lake.

(c) Side yard—Side yard 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-1-150 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

(a) Front yard—Front yard setback requirements are the same as for R-1-90.

(b) Rear yard—No building or structure shall be located within twenty (20) feet of the rear property line. In no event shall any building or structure be located less than twenty-five (25) feet from the high-water line on any lot contiguous to a lake.

(c) Side yard—Side yard 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-4. R-1-200 Single Family Residential District

(1) Uses Permitted

(a) 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

(a) Front yard—Front yard setback requirements are the same as for R-1-90.

(b) Rear yard—No building or structure shall be located within twenty (20) feet of the rear property line. In no event shall any building or structure be located less than twenty-five (25) feet from the high-water line on any lot contiguous to a lake.

(c) Side yard—Side yard 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.

3. The following sentence shall be added as paragraph 5.K:

5.K. Tracts A, B and C

Tracts A, B and C of NORTH VILLAGE LAKE shall be used for the purposes as set forth on the subdivision plat of NORTH VILLAGE LAKE, and notwithstanding provisions of paragraph 10.A of said Restrictions, Tract A is for the exclusive use of members and associate members of The Ranch Community Property Owners Association, Inc. and their invitees; Tract B is for the exclusive use of purchasers and owners of lots in NORTH VILLAGE LAKE and their invitees, and subsequent to the formation of North Village Lake Property Owners Association, Inc. shall be for the exclusive use of members and associate members of North Village Lake Property Owners Association, Inc. and their invitees; and Tract C is for the use of members and associate members of the Pagosa Property Owners Association, Inc.

4. The following sentence shall be added at the end of paragraph 7.F:

Said pets shall be confined to the occupant's property or at all times be under the direct control of occupant(s) when in other areas.

5. The following shall be added as paragraph 11.1:

11.1 North Village Lake Property Owners Association, Inc.

In order to improve, use and maintain Tract B of NORTH VILLAGE LAKE, every person acquiring legal or equitable title to any lot in NORTH VILLAGE LAKE shall, in addition to membership in the Pagosa Property Owners Association, Inc., become a member of North Village Lake Property Owners Association, Inc. Except as modified by the provisions of this paragraph 11.1, all the provisions of the Restrictions and in particular paragraph 11 shall also be fully applicable to the North Village Lake Property Owners Association, Inc. This Association, when formed, will have the same rights and powers as to Tract B as those of the Pagosa Property Owners Association, Inc. to their properties, as set forth in said Restrictions and

the Articles and By-Laws of Pagosa Property Owners Association, Inc.; provided, North Village Lake Property Owners Association, Inc. shall have the right in addition to assessing monthly charges, which charges shall not be subject to Pagosa Property Owners Association, Inc. maximum limits, to levy special assessments by two-thirds vote of the members in order to construct, maintain and replace any improvements North Village Lake Property Owners Association, Inc. places upon Tract B. North Village Lake Property Owners Association, Inc. shall be formed and activated at such time as Tract B is conveyed to the Association. Prior to that time no assessments shall be charged.

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

EATON INTERNATIONAL CORPORATION
a Delaware corporation

By: David H. Eaton
David H. Eaton, President



Fred B. Thielen
Fred B. Thielen, Secretary

STATE OF ARIZONA)
) SS.
COUNTY OF MARICOPA)

This instrument was acknowledged before me this 25th day of November, 1981, by David H. Eaton as President and Fred B. Thielen as Secretary of EATON INTERNATIONAL CORPORATION, a Delaware corporation.

M. Carol Treviño
Notary Public

My commission expires 1/3/84



109818

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