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**AMENDMENT AND CONSOLIDATION
OF
DECLARATION OF PROTECTIVE COVENANTS
FOR
CUCHARA PASS RANCH PROPERTY OWNERS' ASSOCIATION**

Las Animas County
Huerfano County

This is an amendment of the Declarations of Protective Covenants for the Cuchara Pass Ranch Property Owners' Association which is intended to amend documents recorded in both Las Animas County and in Huerfano County, Colorado, which are described as follows:

Declaration of Protective Covenants for Cuchara Pass Ranch recorded in Book 899 beginning at Page 109 of the records of Las Animas County

Amendment to that document recorded in Book 899 beginning at Page 806 of the records of Las Animas County

Declaration of Protective Covenants for Cuchara Pass Ranch recorded on October 21, 1993, at Reception No. 9298, Book 21M at Pages 442-445 of the records of Huerfano County

Amendment to that document recorded on November 15, 1993, at Reception No. 9497, Book 21M at Page 993 of the records of Huerfano County

(hereinafter collectively referred to as the "Declarations").

RECITALS

A. Jacque Goemmer and L. Otto Goemmer, as the owners of the real property described in the Declarations that were platted as forty-four (44) tracts of land (the "Subdivisions"), recorded identical protective covenants in both Las Animas County and Huerfano County (the "Counties") on October 21, 1993, to create and establish certain covenants and restrictions in order to protect and preserve the values of the Subdivisions for the mutual benefit and enjoyment of purchasers and residents of Tracts within the Subdivisions, and provided therein that every property owner in the Subdivisions would be members of the Cuchara Pass Ranch Property Owners' Association (the "Association");

B. In each case, Article XII of those recordings provided that the Declarations could be amended by a vote of a majority of the record owners of the Subdivisions;

C. Article XV of the Declarations limited assessments to \$295.00 per year, but authorized the Association to raise assessments by way of a vote of the owners. However, the financial needs of the Association have consistently exceeded that limit, such that annual assessments have been consistently increased by 12% per annum in accordance with that Article; and the members of the Association now wish to have all future assessments hereafter to be determined in accordance with the amended Article XV set forth below;