



945979

Kathleen Neel - Summit County Recorder

2 Pages

9/2/2010 4:06 PM

DF: \$0.00

**SECOND AMENDMENT TO THE DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE VILLAGE AT COPPER**

This Second Amendment to the Declaration of Covenants, Conditions and Restrictions for the Village at Copper ("Amendment") is made effective this 30th of August, 2010 in contemplation of the following facts and circumstances:

A. The Declaration of Covenants, Conditions and Restrictions for the Village at Copper ("Declaration") was recorded on August 15, 2000, at Reception No. 624808, in the office of the Clerk and Recorder in Summit County, Colorado.

B. Section 15.03 of the Declaration, provides that the Declaration may be amended at any time by an eighty percent (80%) or greater vote of all votes in the Village at Copper Association, Inc. ("Association").

C. However, Section 15.03 of the Declaration is superseded by Colorado Revised Statutes § 38-33.3-217(1) which provides that any provision in a homeowner association declaration that purports to require the affirmative vote or agreement of more than sixty-seven percent (67%) of the members to whom the votes are allocated is void as contrary to public policy and any such provision shall be deemed to specify a percentage of sixty-seven percent (67%).

D. The Association desires to amend the Declaration to modify the zone ratio with respect to Zone 3.

E. The Association has submitted this Amendment to the Owners and has received the requisite approvals for the Amendment.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. Section 2.01 (yyyy) is hereby amended to provide as follows:

(yyyy) "Zone Ratio" means:

- (i) for those portions of the Property located in Zone 1, as reflected on the zone map attached hereto as Exhibit F, one (1);
- (ii) for those portions of the Property located in Zone 2, as reflected on Exhibit F, one-half (1/2); and
- (iii) for those portions of the Property located in Zone 3, as reflected on Exhibit F, one-half (1/2).

2. Except as modified herein, the Declaration shall continue in full force and effect.

CERTIFICATION

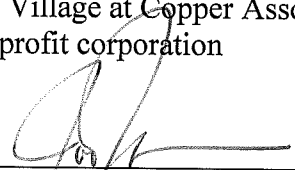
I, the undersigned, do hereby certify:

1. I am the duly elected and acting President of the Village at Copper Association, Inc., a Colorado nonprofit corporation.

2. The foregoing Second Amendment to the Declaration of Covenants, Conditions and Restrictions for the Village at Copper was duly adopted by the members of the Association, in accordance with Section 15.03 of the Declaration as modified by C.R.S. 38-33.3-217.

In witness whereof, I have hereunto subscribed my name this 30th day of August, 2010.

The Village at Copper Association, Inc., a Colorado nonprofit corporation



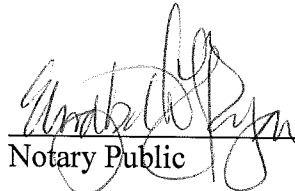
President

STATE OF COLORADO)
) ss.
COUNTY OF Summit)

The foregoing instrument was acknowledged before me this 30th day of August, 2010, by Jesse True as President of the Village at Copper Association, Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.
My commission expires: February 16, 2014





Notary Public