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**Certificate of Amendment To Declaration Of
Protective Covenants, Conditions and
Restrictions For Douglass Ranch**

This Certificate of Amendment (this Amendment) is entered into this 16th day of October, 2007 by the Douglass Ranch Property Owners Association, Inc., a Colorado nonprofit corporation (the Association).

Recitals

The Douglass Ranch Property Owners approved a change the CC&R's adding wording to authorize and control electronic (buried/invisible) dog fences. As approved at our annual meeting in October 2007, the Douglass Ranch POA Board of Directors is taking action to revise the Protective Covenants, Conditions and Restrictions for Douglass Ranch (the Declaration), recorded with the Clerk and Recorder of Jefferson County, Colorado on April 21, 1989 under Reception No. 89033830.

Amendment

1. **Section 8.4 Animals**, paragraph two, second sentence of the Declaration is hereby amended/added to read, "All Owners who intend to keep a dog on their Lot must construct a dog run or kennel (electronic (invisible/buried) fence authorized) for the purpose of confinement and in a manner and location approved by the Design Review Board and applicable zoning for Douglass Ranch. The electronic dog fences must conform to the Douglass Ranch Design Standards and must be approved for installations. Existing installations as of October 16, 2007 (Annual Meeting) are hereby grandfathered.

2. **Douglass Ranch Design Standards & Construction Regulations, section IV - N: Fences and Screening**, add a second paragraph that reads:

Electronic (invisible/buried) dog fence layouts are to be submitted for review and approval by the Design Review Board. It is required that the electronic fence line be installed no closer than 20 feet from the near edge of any Douglass Ranch roadway to help prevent possible harassment of passersby by the enclosed dogs.

The undersigned hereby certify that at an election duly called and held pursuant to the provisions of the articles and bylaws of the Association, members voted affirmatively for the adoption of this Amendment.

Douglass Ranch Property Owners Association, Inc.

Richard Koth
DRPOA President

Thomas Washburn
DRPOA Secretary

All Owners who intend to keep a dog on their Lot must construct a dog run or kennel (electronic (invisible/buried) fence authorized) for the purpose of confinement and in a manner and location approved by the Design Review Board and applicable zoning for Douglass Ranch. The electronic dog fences must conform to the Douglass Ranch Design Standards and must be approved for installations. Existing installations as of October 16, 2007 (Annual Meeting) are hereby grand-fathered. At all other times, dogs shall be on a leash and under the direct control and supervision of said owner. 2

8.5 Restricted Use of Douglass Ranch Pond: The Douglass Ranch Pond and the area surrounding the pond has been created for use by Owners and the Association in accordance with section 8.6 hereof and is not a recreational amenity to Douglass Ranch. The Douglass Ranch Pond shall not be used by anyone other than the Owner of Lot 7 for any recreational purposes.

8.6 Water Service, Use and Regulation. Each Owner and the Association shall be responsible for compliance with the water supply plan for Douglass Ranch as approved by the water court pursuant to the Findings of Fact, Conclusions of Law, Judgment and Decree of the District Court of Colorado, Water Division No. 1, Case No. 87-CW-148 (the "Decree"). This plan, like those for many new subdivisions in Colorado, provides senior water rights to replace water consumed by inhouse use, outside irrigation, and pond evaporation on the Property. The use of water on each Owner's Lot is subject to the terms of the plan, any future amendments to the plan, and administration of that plan by the state water officials.

Water use on each Lot is limited to ordinary in-house uses in one single-family dwelling and an amount of outside lawn or garden irrigation to be determined by the Association. If the Association decides not to irrigate any common areas in the subdivision, each Lot would be allowed an average of 350 square feet of lawn or 1700 square feet of garden, or an appropriate combination of gardens and lawns. Use of the available irrigation water, allocation of this water among Lots, and charges for such use shall be determined by the Association. Outside irrigation may occur only from May 1 to October 30 of each year. Each Owner must provide to the Association on request information concerning water usage on his Lot.

The water supply plan must also replace evaporation losses from the Douglass Ranch Pond, which is essential to the operation of the plan. One Pond will be constructed by the Declarant to meet the requirements of the plan. Water will be stored in or released from the Pond as necessary to provide replacement water to senior, water rights on Elk Creek and to protect minimum streamflows held by the Colorado Water Conservation Board.

The plan is designed to allow these water uses to occur every year. However, it is always possible that these uses would have to be curtailed because of legal or physical unavailability of water during drought conditions or as a result of flood, natural disaster, or other unforeseen circumstances.

The replacement water rights on which the plan depends are held for the benefit of the owners and the Association by the Mountain Mutual Reservoir Company, a mutual reservoir company (the "company") which is owned by its shareholders. Each Owner will hold one share of stock in the Company, which represents his entitlement to in house uses in one single-family dwelling on his Lot. The shares of stock associated with lawn and garden irrigation and pond evaporation will be held by the Association for the benefit of all of the Owners. These shares cannot be transferred apart from the Property.

Each shareholder in the Company is responsible for complying with the bylaws of the Company and for payment of periodic assessments which are levied by the Company to defray its administrative expenses. Although no assessments have yet been levied, it is possible that future assessments may be made for the administrative expenses of the company, operation of reservoirs and other water works held by the Company for the benefit of its shareholders, legal and engineering costs, and the like. The assessments, if not paid in accordance with the Company's bylaws, will become a lien on the water stock as well as the individual shareholders' Lots. These liens may be foreclosed and the water and land sold if necessary to satisfy the assessments. The Company may also withhold replacement water under the water supply plan if assessments are not paid.

The Association, the Company and the state water officials are all empowered to regulate and curtail water use on individual Lots to ensure compliance with the decreed water supply plan, the bylaws of the Company, and state water law. The Association will act as the liaison between the Owners and the Company and the state water officials and will be responsible for operating the Douglass Ranch Pond, keeping the necessary records of water use on the property, and otherwise complying with the water decree. The cost of maintaining and operating the Pond will be assessed to the Owners. The Association will also operate the Pond for the benefit of certain adjoining property, which is entitled to use the Pond under agreements with the Declarant.

K. COLOR

Exterior finishes shall be in subdued earth tones. Use of bold or striking colors is discouraged.

L. FOUNDATION WALLS

Foundation walls shall not be exposed, but shall be finished to blend with the other exterior materials.

M. ACCESSORY, UTILITY, AND SOLAR STRUCTURES

Accessory buildings or facilities such as detached garages, gazebos, greenhouses, tennis courts, pools, etc., shall adhere to the standards outlined for buildings and site planning and must be located within building envelopes. It is important that the massing and scale, as well as forms, material, and other detailing should be well coordinated with the main structure(s) on the site. Generally, no temporary sheds will be allowed.

All exterior utility equipment shall either be incorporated into the main building or, along with other detached structures, be architecturally compatible with the residence. Well and septic locations shall be carefully coordinated to meet separation requirements and to minimize site disruption.

All solar equipment shall also be incorporated into the structure and be architecturally compatible with the residence.

N. FENCES AND SCREENING

The use of fences and screening will be discouraged except when used to define private "outdoor living areas" or to aid in confining pets to selected areas. When approved, such fences and screens shall be complementary in design to the main structure(s). Screens along property lines, in the form of fencing or formal planting, will be discouraged.

Electronic (invisible/buried) dog fence layouts are to be submitted for review and approval by the Design Review Board. It is required that the electronic fence line be installed no closer than 20 feet from the near edge of any Douglass Ranch roadway to help prevent possible harassment of passersby by the enclosed dogs.

O. TRASH RECEPTACLES

All areas used for storage of solid waste shall be screened from off site view, using materials and forms complementary to the main structure(s).

P. MAILBOXES

Please see attached drawing for standard mailbox design. The owner/ builder in conjunction with the U. S. Postal Service will determine location.

Q. SIGNAGE

Signs attached or fastened to any natural features, including trees, are discouraged.

No signs whatsoever shall be permitted within any Lot, with the exception of those listed below:

1. Signs required by legal proceedings.
2. Directional informational signs installed by the Developer as allowed in the Official Development Plan.
3. Residential identifications signs constructed of materials, which are compatible with the architecture of the area, and these shall be subject to the approval of the Design Review Board prior to erection. Such signs shall not exceed a total face area of two square feet.