

2

\*22105130\*

22105130  
1 of 2

7/9/2021 12:25 PM  
R\$18.00 D\$0.00

Kristy Archuleta  
Archuleta County

SECOND AMENDED  
DECLARATION OF PROTECTIVE COVENANTS OF  
ELK PARK MEADOWS PROPERTY OWNERS ASSOCIATION

This Second Amended Declaration of Protective Covenants of Elk Park Meadows Property Owners Association is made this 9<sup>th</sup> day of July, 2021, by the Elk Park Meadows Property Owners Association, Inc., a Colorado nonprofit corporation, whose address is 378 Ironwood Drive, Pagosa Springs, CO 81147

Hereinafter referred to as "Declarant":

WHEREAS, Declarant is an organization whose members include all of the owners of the lots of Elk Park Meadows, which members have voted to amend those certain Declaration of Protective Covenants of Elk Park Meadows, previously recorded in the office of the Archuleta County Clerk and Recorder on August 31, 2000 as reception number 20008570 and re-recorded on June 22, 2001 as reception number 20105416, as amended by the First Amendment to Declaration of Protective Covenants dated June 30, 2005 and recorded in the office of the Archuleta County Clerk and Recorder on July 21, 2006 as Reception Number 20606964,

WHEREAS, Section 38-33.3-217 of Colorado Common Interest Ownership Act (CCIOA) provides that said Covenants may be amended by written consent of the owners of sixty seven percent (67%) or more of the Lots of Elk Park Meadows.

WHEREAS, the homeowners of Elk Park Meadows Property Owners Association, Inc. wish to reaffirm their desire to maintain the single-family residential character of their community, consistent with Article 1 of these covenants, and;

WHEREAS, short term home rentals, both in municipalities nationwide and in Elk Park Meadows, have demonstrably and deleteriously affected the character of single family residential communities, largely due to recent changes in the way rental properties are marketed, particularly via the internet and social mass media, and;

WHEREAS, sixty-seven percent (67%) or more of the Lot Owners in Elk Park Meadows have cast a written ballot in favor of the amendments set forth below, which written ballot also authorized the President and Secretary of Elk Park Meadows Property Owners Association, Inc. to execute and record the amended covenants on behalf of such owners;

Elk Park Meadows POA  
378 IRONWOOD DRIVE  
PAGOSA SPRINGS, CO 81147

NOW THEREFOR, the following provisions are hereby amended or added to the Covenants:

1. Article XV, Section 1 shall be added as follows:

Effective August 1, 2021, owners shall not be permitted to rent or lease their properties for less than thirty (30) consecutive days. This amendment has no effect on owners who rent their homes for periods in excess of 30 consecutive days. Further, in the event of termination or abandonment of a rental or lease before 30 consecutive rental or lease days have elapsed, owners shall not be permitted to otherwise rent or lease a property during the remainder of such a 30 consecutive day minimum period.

IN WITNESS WHEREOF, The Declarant has executed this Second Amended Declaration of Covenants, Conditions and Restrictions of Elk Park Meadows Property Owners Association on the day and year first set forth above.

Elk Park Meadows Property Owners Association, Inc.  
A Colorado non-profit Corporation

By: Thomas Lydick Attest: Teresa Lydick  
President Secretary

STATE OF COLORADO  
COUNTY OF ARCHULETA

SUBSCRIBED AND SWORN to before me this 9<sup>th</sup> day of July, 2021, by Thomas Lydick, President, and Teresa Lydick, Secretary, of the Elk Park Meadows Property Owners Association, Inc.

Stephanie R Wagner  
Notary Public

My Commission expires:

11/07/2024

STEPHANIE R WAGNER  
Notary Public  
State of Colorado  
Notary ID # 20164042356  
My Commission Expires 11-07-2024