

**AMENDMENT  
TO THE AMENDED AND RESTATED  
DECLARATION OF COVENANTS, RESERVATIONS AND RESTRICTIONS  
OF  
ROWLEY DOWNS HOMEOWNERS ASSOCIATION**

THIS AMENDMENT is made this 16<sup>th</sup> day of October, 2014.

**RECITALS**

A. Parker City Land Company, a now non-existent Colorado corporation, created the Rowley Downs Subdivision ("Community") by recording a Declaration and Establishment of Conditions, Reservations, and Restrictions in the real property records of the County of Douglas, State of Colorado, in Book 222 at Page 951, on October 21, 1971, as subsequently amended and restated (collectively referred to as the "Original Declaration").

B. The Original Declaration provides for and allows for this Amendment to the Amended and Restated Declaration of Covenants, Reservations and Restrictions of Rowley Downs Homeowners Association (the "Amendment") in Article B, Section 2, which provides as follows:

These covenants may be amended in whole or in part by the owners of sixty percent (60%) of the lots signing an instrument effectuating such amendment.

C. All Owners are aware of the provisions of the Original Declaration allowing for amendment, by virtue of the record notice of the Original Declaration, by acts and disclosures, newsletters or notices of the Association and by other means.

D. This Amendment has been prepared and determined by the Association and by the Owners that have approved this Amendment to be reasonable and not burdensome.

E. The purpose of this Amendment is to allow the Association the option to provide Owners with trash pickup service and collect the cost of same through supplemental trash assessments.

F. The undersigned, being the President and Secretary of the Association, hereby certify that sixty percent (60%) of the Owners have consented and agreed to this Amendment. Alternatively, the Association has obtained approval for this proposed Amendment pursuant to the terms and conditions of the Colorado Common Interest Ownership Act.

G. As amended by this Amendment, the Original Declaration is referred to as the "Declaration."

NOW THEREFORE,

I. Amendments. The Original Declaration is hereby amended as follows:

(a) Addition. The following Article A, Section 4 is hereby added:

Section 4. Supplemental Trash Assessments

The Association shall have the exclusive right to engage a trash removal contractor on behalf of all of the lots. In the event the Board of Directors, on behalf of the Association, engages a trash removal contractor, all owners shall be required to participate in the trash service. In addition to the assessments permitted under Article A, Section 2 of this Declaration, the Association shall charge supplemental trash assessments against the owner of every lot. The full cost of the trash removal contractor shall be divided equally among the lots. Any change in supplemental trash assessment is not subject to the owner vote requirements of Article A, Section 2 of this Declaration.

II. No Other Amendments. Except as amended by the terms of this Amendment and previous amendments, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, this Amendment is executed by the undersigned.

**Rowley Downs Homeowners' Association,**  
a Colorado nonprofit corporation

By: M. J. Kueckle  
President

By: D. Hill  
Secretary

STATE OF COLORADO )  
COUNTY OF Douglas ) ss.

The foregoing was acknowledged before me this 16 day of October, 2014, by Michael J. Bawche, as President of Rowley Downs Homeowners' Association, a Colorado nonprofit corporation.

Witness my hand and official seal.  
My commission expires: 4-16-2018

**HOWARD ZALER  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 19904005365  
MY COMMISSION EXPIRES 04/16/2018**

Howard Zaler  
Notary Public

STATE OF COLORADO )  
COUNTY OF Douglas ) ss.

The foregoing was acknowledged before me this 16 day of October, 2014, by Valerie Jean Gill, as Secretary of Rowley Downs Homeowners' Association, a Colorado nonprofit corporation.

Witness my hand and official seal.  
My commission expires: 4-16-2018

**HOWARD ZALER  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 19904005365  
MY COMMISSION EXPIRES 04/16/2018**

Howard Zaler  
Notary Public