

FIFTH AMENDMENT TO THE DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR EAGLE'S VIEW SUBDIVISION HOMEOWNERS ASSOCIATION, INC.

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THIS FIFTH AMENDMENT to the Declaration of Covenants, Conditions and Restrictions for Eagle's View Subdivision is hereby made this 19th day of AUGUST, 2002 by Eagle's View Subdivision Homeowners Association, Inc., a Colorado Non-Profit Corporation and the Board of Directors (hereinafter the "Board") of the Eagle's View Subdivision Homeowners Association, Inc., (hereinafter the "Association") with the express approval of Lot Owners and Members having Seventy-Five Percent (75%) of the Members voting rights in the Association as of this date; said approval being evidenced by their execution hereof.

RECITALS

A. There is presently in effect and recorded in the records of the Garfield County Clerk and Recorder, Garfield County, Colorado, the Declaration of Covenants, Conditions and Restrictions for Eagle's View Subdivision, as Reception No. 513711 in Book 1034 at Page 419 thereof (the "Declaration").

B. There is also presently in effect and recorded in the records of the Garfield County Clerk and Recorder, Garfield County, Colorado, a First Amendment to the Declaration of Covenants, Conditions and Restrictions for Eagle's View Subdivision, as Reception No. 524182 in Book 1064 at Page 567 thereof (the "First Amendment to the Declaration").

C. There is also presently in effect and recorded in the records of the Garfield County Clerk and Recorder, Garfield County, Colorado, a Second Amendment to the Declaration of Covenants, Conditions, and Restrictions for Eagle's View Subdivision, as Reception No. 531380 in Book 1086 at page 94 thereof (the "Second Amendment to the Declaration").

D. There is also presently in effect and recorded in the records of the Garfield County Clerk and Recorder, Garfield County, Colorado, a Third Amendment to the Declaration of Covenants, Conditions and Restrictions for Eagle's View Subdivision as Reception No. 537864 in Book 1106 at page 282 thereof (the "Third Amendment to the Declaration").

E. There is also presently in effect and recorded in the records of the Garfield County Clerk and Recorder, Garfield County, Colorado, a Fourth Amendment to the Declaration of Covenants, Conditions and Restrictions for Eagle's View Subdivision as Reception No. 610035 in Book 1383 at page 224 thereof (the "Fourth Amendment to the Declaration").

F. The Association now desires to amend Sub-section 4.7 of Article 4 of the Declaration in the manner set forth herein.

NOW THEREFORE, the Board with the requisite consent of ^{FIFTY ONE} Seventy-Five Percent (75%) of the Association's Lot Owners and Members voting rights does hereby further amend the Declaration in the following respects:

EAGLE'S VIEW SUBDIVISION HOMEOWNERS ASSN, INC
P.O. BOX 24
SILT, CO 81652

Recorder's Note: This Document appears to be a copy 9/3/2002 OR

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of Fifth Amendment to the Declaration of Covenants
for Eagle's View Subdivision Homeowners Association, Inc.

4.7 Member Meetings. An annual meeting shall be held by the Members on a date provided in the Bylaws. Not less than ten and no more than fifty days in advance of any meeting, the secretary or other officer specified in the bylaws shall cause notice to be hand delivered or sent by United States mail to the mailing address of the Member or Members.. A quorum will be deemed to be present if **twenty percent of the Members eligible to vote are present in person or by proxy.** If the required quorum is not present, another meeting may be called subject to the same notice requirements, and the required quorum at the subsequent meeting shall be one-half of required quorum at the preceding meeting. A majority of the Member votes present at the meeting shall be required for approval of any action.

Except as hereby amended and modified, all other covenants, conditions, restrictions, terms and provisions of the Declaration and the aforesaid said amendments thereto shall be and remain in full force and effect.

IN WITNESS WHEREOF, this Fifth Amendment to the Declaration of Covenants, Conditions and Restrictions for Eagle's View Subdivision has been consented to, adopted and approved by those Members and Lot Owners having Seventy-Five Percent (75%) of the Members voting rights of the Association and as evidenced by their respective executions hereof, with certification of the requisite percentage of Members and Lot Owners evidenced by the execution hereof by the Secretary of the Association, and executed by the Board of Directors of Eagle's View Subdivision Homeowners Association, Inc. on the day and year first above set forth.

BOARD OF DIRECTORS

M. Dale McCall
M. Dale McCall, President

Elaine Patterson
Elaine Patterson, Vice President

Ulla Hövelmann
Ulla Hövelmann, Secretary/Treasurer

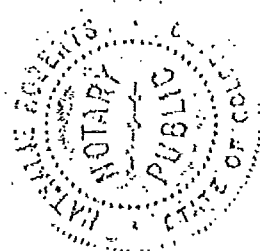
STATE OF COLORADO)
) ss.
COUNTY OF GARFIELD)

The foregoing instrument was acknowledged before me this 29TH day of AUGUST, 2002 by M. Dale McCall as President and all of the Members of the board of Directors of Eagle's View Subdivision Homeowners Association, Inc.

Witness my hand and official seal
MY COMMISSION EXPIRES:
My commission expires: SEPTEMBER 26, 2002

Nathalie Roberts
Notary Public NATHALIE ROBERTS

SEAL



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The undersigned Secretary of the Eagle's View Subdivision Homeowners Association, Inc. does hereby certify that the above and foregoing Fifth Amendment to the Declaration of Covenants, Conditions and Restrictions for Eagle's view Subdivision was duly adopted by the Board of Directors and 75% of the Lot Owners in Eagle's View Subdivision with corresponding Member voting rights on the day and year first above set forth.


Ulla Hövelmann, Secretary/Treasurer

The undersigned consents to, adopts and approves the Fifth Amendment to the Declaration of Covenants, Conditions and Restrictions for Eagle's View Subdivision.

By: 
M. Dale McCall, President

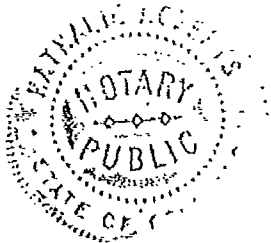
STATE OF COLORADO)
) ss.
COUNTY OF GARFIELD)

The foregoing instrument was acknowledged before me this 29TH day of
AUGUST 2002 by M. Dale McCall as President of Eagle's View Subdivision Homeowners
Association, Inc.

Witness my hand and official seal
My commission expires: _____ MY COMMISSION EXPIRES:
 SEPTEMBER 26, 2002


Notary Public NATHALIE ROBERTS

SEAL



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