

**FOURTH AMENDMENT TO THE PROTECTIVE COVENANTS
OF CHATFIELD EAST**

THIS FOURTH AMENDMENT ("Amendment") is adopted as of the 26th day of October, 2023, by the CHATFIELD EAST PROPERTY OWNERS ASSOCIATION, INC., a Colorado nonprofit corporation ("Association").

RECITALS

A. WHEREAS, Chatfield East Development Company, a general partnership ("Declarant") caused to be recorded those certain Protective Covenants of Chatfield East on May 26, 1978, at Book 332, Page 791, Reception No. 217867, in the real property records of Douglas County, Colorado, as amended and supplemented ("Covenants");

B. WHEREAS, the Chatfield East Property Owners Association, Inc. is a Colorado nonprofit corporation existing under the laws of the State of Colorado for the purpose of regulating and maintaining common areas within a common interest community, as described in the Covenants;

C. WHEREAS, Paragraph 23 of the Covenants provides that the Covenants may be amended by an instrument signed by sixty percent (60%) of the then Owners of the Lots, agreeing to the amendment;

D. WHEREAS, C.R.S. § 38-33.3-217(1)(a)(I), which applies to the Association pursuant to C.R.S. § 38-33.3-117(1.5)(d), permits amendments to the Covenants only by the affirmative vote or agreement of the unit owners of units to which more than fifty percent (50%) of the votes in the association are allocated or any larger percentage, not to exceed sixty-seven percent (67%), that the Covenants specify;

E. WHEREAS, Paragraph 23 of the Covenants provides that any amendment to the Covenants must be properly recorded; and

F. WHEREAS, pursuant to the Secretary's certificate contained herein and the signature pages attached, at least sixty percent (60%) of the owners of the lots have provided written consents to amend the Covenants as provided herein.

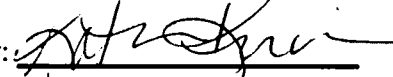
NOW, THEREFORE, in accordance with and subject to the provisions of the Covenants, as amended and supplemented, the Association adopts the following Amendment:

AMENDMENT

1. Special Assessments. In addition to the Annual Assessments authorized in Sections 17 and 18 of the Declaration, a one-time Special Assessment in the amount of \$51,500.00 shall be levied by the Association for the purpose of defraying in whole or in part the cost of any construction, reconstruction, repair or replacement of a capital improvement upon any portion of real property related thereto, or for which the Association has repair and/or reconstruction obligations, including fixtures and personal property related thereto, or for repair or reconstruction of any damaged or destroyed Improvements located on said real property, or for the funding of any operating deficit incurred by the Association. The Special Assessment shall be set against each Lot in accordance with the Allocated Interests set forth in this Declaration and payable as determined by the Board, but in no event shall the Board require payment sooner than 45 days after notice to Owners of the approval of the Fourth Amendment to the Declaration by the Owners.
2. There are no further amendments. Except as specifically amended by the terms of this Amendment, the Covenants shall remain in full force and effect. To the extent that any provision of this Amendment is held to be invalid for whatever reason, such provisions shall be reformed to the amount least necessary to make them valid and the remainder of this Amendment shall be unaffected.
3. Terms used but not defined in this Amendment have the meanings given those terms in the Covenants or in the Revised Bylaws of CEPOA.
4. In the event of a conflict between the terms of this Fourth Amendment and the Covenants, the terms of this Fourth Amendment shall control.
5. This Fourth Amendment shall take effect subject only to recordation in the real property records of Douglas County, Colorado, at such time as it has been approved by the agreement of owners of at least sixty percent (60%) of the lots.

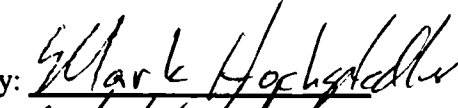
Dated: 10/20/23

CHATFIELD EAST PROPERTY OWNERS ASSOCIATION, INC.

By: 
Katherine Kivikuer, President

Officer's Certificate

I, the undersigned Treasurer of the Association, do hereby certify that this Fourth Amendment to the Covenants was approved by owners of at least sixty percent (60%) of the lots, as evidenced by the signature pages attached hereto.

By: 
Mark Hochstetler, Treasurer