1029593 4/20/2011 9:41 AM Tiffany Lee Parker
1 of 3 COV R$21.00 D$0.00 Laplata County Clerk

Silver Streams Subdivision
Covenants, Conditions and Restrictions
1st Amendment

The above named covenants, conditions and restrictions originally recorded on November 19, 1984 under reception # 508236 are hereby amended and supplemented in the following particulars only:

Section Numbers:

5.1: Tract # 2 may be used for any county approved commercial purpose. Tracts # 3 through # 7 may be additionally utilized for Condominiums, Town Homes or Multi-family housing with a maximum of 2 units per lot. All Tracts may be further subdivided in order to accomplish the above. Tract # 7 may be subdivided to allow for an additional single family home.

5.2: All new homes shall be a minimum of 1250 sq. ft. and shall be 2 or 3 stories high with a 2 car garage on the lower level. The maximum height limit is changed to 42 feet.

The association may build a club house and amenities to same on the area currently reserved as green belt for the benefit of the Silver Streams community.

5.4: For Sale Signs may not exceed 3 sq. ft. Tradesmen signs are not permitted. Commercial Signs for the attraction of commercial business customers are exempt excepting no commercial sigh shall be more then 16 sq. ft. Also applies to

5.6: Tract 1 may have its own well and be further subdivided into commercial or residential spaces, condominiums or Townhomes. 5.2 shall also apply to this paragraph. Satellite dishes are permissible. Height restrictions shall be a maximum of 48 ft. (xiv) is hereby deleted.

5.8: Tract 8 may be further subdivided with a vote of 75% of the owners the proceeds of any sale of this property shall be proratably shared with all owners on the basis of how many sq. ft. of land they own in the subdivision. This shall also apply to Tract # 9.

Additional Provisions:

A permanent easement for the exclusive benefit of Wit End Guest Ranch and Resort, inc., Custer and Company Property Management Limited Partnership and James H. Custer or their assigns, is hereby created by this document. The easement shall be for the purpose of allowing equestrian, pedestrian, cross country skiing, snowmobiling, and dog sled rides from the

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Southern end of the entire property to the Northern end. The easement shall be 15 feet in width and shall initially shall follow the Subdivision Roads going North and South or along the Eastern property boundary West of Grimes Creek and/or along the Sewer Easement of Record. The grantors retain the right to move this easement to the center of the property or through the greenbelt area,Tract Eight, if in their sole discretion it is determined to be better for the residents of Silver Streams with homes along Grimes Creek. All Tracts shall have use of the various Roads as they may be recorded on the Plat of Record. The benefiting Parcels of land are recorded under Reception # 780527 and #780528 in the Records of La Plata County.

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The road entering CR 500 on the Western Boundary of the Subdivision may be rerouted so it does not pass in front of Tract # 1. Should this event take place the additional land, shall become the property of those persons owning land that is or was originally part of Tract #1, that is to the East of Tract 1.

The authority for these additions and modifications arises out of the fact that the above subdivision is owned in it's entirety by the above named individual and Corperation. As such, the original CC&R's are subject to amendments and modifications by the sole owners listed herein.

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All of the original declarant's rights are hereby assigned to the named Parties & Entities as shown below and may be further assigned in the future.

All other terms and conditions of the original covenants as recorded under Reception #508236 shall remain unchanged and in full force and effect.

In witness where of the undersigned hereby declare these to be effective on this 6th day of April, 2011.

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James H. Custer
Owner of Tracts 2, 3, 4, 5, 6, & 7.

Silver Streams Lodge, LLC

By James H. Custer
It's Manager

Wits End Guest Ranch and Resort, inc.
owner of Tracts 8 & 9.

by James H. Custer,
it's president

CORPORATE SEAL

STATE OF COLORADO
COUNTY OF LA PLATA

The foregoing instrument was acknowledged before me this 19th day of April, 2011
by: **JAMES H. CUSTER, INDIVIDUALLY**

My commission expires 12-23-2014

Witness my hand and official seal.

TRACY TERAN NOTARY PUBLIC STATE OF COLORADO

Notary Public

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STATE OF COLORADO
COUNTY OF LA PLATA

The foregoing instrument was acknowledged before me this 19th day of April, 2011
by: **JAMES H. CUSTER AS MANAGER OF SILVER STREAMS LODGE, LLC and**

My commission expires 12-23-2014

UNOFFICIAL COPY

Witness my hand and official seal.

TRACY TERAN NOTARY PUBLIC STATE OF COLORADO

Notary Public

STATE OF COLORADO
COUNTY OF LA PLATA

The foregoing instrument was acknowledged before me this 19th day of April, 2011
by: **JAMES H. CUSTER AS PRESIDENT OF WITS END GUEST RANCH AND RESORT, INC.**

My commission expires 12-23-2014

UNOFFICIAL COPY

Witness my hand and official seal.

TRACY TERAN NOTARY PUBLIC STATE OF COLORADO

Notary Public