



AMENDMENTS TO THE DECLARATION FOR ECHO CANYON RANCH

ARTICLE V DESIGN REVIEW COMMITTEE

Section 5.1 Committee and Guidelines. (Paragraph 2)

The Design Guidelines ~~may~~ *shall* include, among other things, those restrictions and limitations set forth below...

(The various provisions of Sections 5.1.1 through 5.1.11 follow, without change.)
(Amendment Adopted 1-15-04)

Section 5.3.1 Committee Discretion. (Paragraph 2, Sentence 1)

"Without limiting the generality of the foregoing, in the Committee's exercise of its powers under Section 5.1.4 above, to designate the building site or "Building Envelope" in any parcel, the Committee may establish that the developed area (sic) by methods including, among others, reference to monuments or other points depicted on the Parcel Map which ~~mark the center of a circular area, defined with a specific radius distance~~ locate the "Building Envelope" to which all Improvements in the Parcel must be restricted." (Amendment Adopted 1-15-04)

Section 5.3.2 Binding Effect. The actions of the Committee in the exercise of its discretion by its approval or disapproval of plans and other information submitted to it, or with respect to any other matter before it, shall be conclusive and binding on all interested parties, *except as provided in Section 5.3.3.*

Section 5.3.3 Review of DR/EC Decision. (a) Any owner who disagrees with a decision of the DR/EC may seek a review of said decision by the Board of Directors of the Association by requesting such a review in writing, stating the grounds for objecting to the decision of the DR/EC and delivering that request to the President or Manager of the Association on or before 5:00 p.m. on the thirtieth (30th) day following decision of the DR/EC.

(b) Upon receipt of a timely request for a review of a decision of the DR/EC, the Board or its delegate will serve all owners who took part in the DR/EC process which is the subject of the requested review with a notice containing:

- (i) The time and place of the hearing, which time will not be less than 10 days from the giving of the notice; and
- (ii) A copy of the written request for review; and



(iii) An invitation to attend the hearing and produce any statement, evidence or witness relevant to the issues before the Board.

(c) The review hearing will be held pursuant to the notice, affording the owners a reasonable opportunity to be heard. Written and oral evidence may be presented. The presenting party will provide copies of any written evidence to the other party or parties. The minutes of the hearing will contain a written statement of the results of the hearing and the decision of the Board. The Board may make such decision as it deems appropriate under the circumstances and is consistent with the Declaration."

(Amendment Adopted 1-15-04)

Section 5.3.4 Any changes or modification to the Guidelines as they exist as of January 29, 2002 and supplemented as of March 28, 2002, will need approval by the Board of Directors, at a regular or special meeting of the Board, with advance notice of the Proposed change(s) by an affirmative vote of at least three members voting in person.

(Amendment Adopted 1-15-04)

ARTICLE VI PROPERTY USE RESTRICTIONS

Section 6.7 Wells. No well from which ~~water~~ oil or gas is produced shall be dug, nor shall storage tanks, reservoirs, or any installation of power, telephone or other utility lines (wire, pipe, or conduit) be made or operated anywhere on the Property except in connection with water wells and works operated by public agencies or duly certified public utility companies; provided, however, that the foregoing shall not prevent the drilling of or installation of additional water wells by an owner *so long as it is done in compliance with appropriate state or local regulations or statutes by Declarant or its assigns.*

(Amendment Adopted 1-15-04)

Section 6.20 Outside Burning. ~~Without first receiving the consent of the Committee, there shall be no exterior fires, except barbecues, outside fireplaces and braziers contained within facilities or receptacles and in areas designated and approved by the Committee.~~ No Owner shall permit any condition upon its portion of the Property which creates a fire hazard or is in violation of fire prevention regulations.

(Amendment Adopted 1-15-04)

Section 6.28. General Practices Prohibited.

6.28.3 discharging firearms on the Property *unless expressly authorized by the Board of Directors;*

(Amendment Adopted 1-15-04)



ARTICLE XIX
MISCELLANEOUS PROVISIONS

Section 19.6. Conflicts Between Documents. In case of conflict between this Declaration and the Articles of Incorporation, *or* the Bylaws, *or* the *Design Guidelines*, this Declaration shall control. In case of conflict between the Articles of Incorporation and the Bylaws, the Articles of Incorporation shall control. (Amendment Adopted 1-15-04)

Our signatures, as President and Secretary-Treasurer of Echo Canyon Ranch Association, certify that these changes to the Declaration have been ratified by at least 67% of the total membership of Echo Canyon Ranch Association.

Michael McCrudden, President

Robert Moomaw, Secretary-Treasurer

DATED: 1-22-2004

Return recorded Amendments (3 pages) to:
Echo Canyon Ranch Association
P O Box 2031
Pagosa Springs CO 81147

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