

3415562 08/29/2006 04:30P Weld County, CO  
 1 of 2 R 11.00 D 0.00 Steve Moreno Clerk & Recorder

WHEN RECORDED, RETURN TO:  
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**FIRST AMENDMENT TO DECLARATION OF COVENANTS,  
 CONDITIONS AND RESTRICTIONS FOR  
 SUMMIT VIEW**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SUMMIT VIEW (the "Amendment") is made effective as of November 15, 2005.

**RECITALS**

- A. Certain Declaration of Covenants, Conditions and Restrictions of Summit View (the "Declaration"), was executed by Capital Pacific Holdings, LLC, a Delaware limited liability company, ("Declarant"), which was recorded in the real property records of Weld County, Colorado on October 1, 1999 as Reception No. 2724057 (for purposes of this Amendment, defined terms, indicated by initial capital letters, shall have the meaning set forth in the Declaration, unless otherwise defined herein).
- B. Section 14.2 of the Declaration provides that the Declaration may be amended by the vote of the Members of the Association.
- C. At the annual meeting of the Association, held November 15, 2005, two-thirds or more of the Members approved the following Amendments to the Declaration.

NOW, THEREFORE, in consideration of the premises, the Members amend the Declaration by adding the following provisions to Article 8, Duties and Powers of Association and Article 5, Living Environment Standards:

**Section 8.5. Power to Establish and Collect Assessments.** The Board shall have the authority to establish annual dues based on the projected annual budget, but can not increase that amount by more than 10% over the previous year. Any special assessments to cover one-time expenditures must be voted on and approved by the homeowners at the annual meeting. Due shall be due the first quarter of each year. The Annual dues for 2006 shall be \$40.00.

**Section 5.3.1 Trash Service.** The Board shall have the authority to represent the community in negotiating one trash service provider and the rate for the service. All homeowners who require trash pick up will be required to use this trash service provider.

Except as so amended, the Declaration is hereby ratified and affirmed and shall remain in full force and effect.

