

Reception#: 729973

08/03/2007 12:10:59 PM Jean Alberico  
1 of 5 Rec Fee:\$26.00 Doc Fee:0.00 GARFIELD COUNTY CO

**SECOND AMENDMENT TO  
RESTATED DECLARATION OF  
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR  
IRONBRIDGE**

This Amendment (this "Amendment") is made this 19 day of April, 2007, and constitutes an amendment to the Restated Declaration of Covenants, Conditions, Restrictions and Easements for Ironbridge, recorded March 18, 2003 at Reception No. 623133 in the real property records of the County of Garfield, State of Colorado, as amended and by a document recorded on December 9, 2004 at Reception No. 664762 (First Amendment to Restated Declaration of Covenants, Conditions, Restrictions and Easements for Ironbridge) and collectively referred to in this Amendment as the "Declaration".

WITNESSETH:

WHEREAS, the Declaration created and defined certain covenants, conditions, restrictions and easements for Ironbridge (the "Project");

WHEREAS, pursuant to Article XX of the Declaration, the Declaration may be amended by the consent and agreement of Owners (all capitalized terms shall have the meanings as defined in the Declaration, unless otherwise defined herein) representing sixty-seven percent (67%) or more of the votes possible to be cast under the Declaration; and

WHEREAS, pursuant to the Bylaws of the Ironbridge Property Owners Association (the "Association") a vote of the Owners was held on the 19 day of April, 2007 and votes totaling more than 67% of the Owners voted to approve these Covenants as attested by the Secretary of the Association as set forth below.

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. The first sentence of Section 4.13 of the Declaration shall be amended to read as follows:

"To the fullest extent permitted by the Act, the Association may provide services to a Member or group of Members including, but not limited to, entering into an agreement(s) to allow a Member or group of Members to use all or any part of the Private Amenities."

2. The first paragraph of Section 6.5 of the Declaration shall be amended to add at the end of such paragraph the following:

"Notwithstanding the foregoing, the Association may, from time to time, pursuant to Section 4.13 of the Declaration, enter into an agreement with the respective

Second Amendment to Restated Covenants, etc.  
Ironbridge  
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owners of the Private Amenities, on such terms and conditions as the Association deems reasonable, which agreement would, among other things, allow an Owner or Owners to use the Private Amenities. Copies of any such agreement(s) may but need not be recorded in the office of the Clerk and Recorder of Garfield County, Colorado.”

3. Section 11.2 of the Declaration shall be amended to add an additional sentence at the end of the section to read as follows:

“The Assessments may include fees charged to the Association for use of the Private Amenities in accordance with contract(s) entered into by the Association pursuant to Sections 4.13 and 6.5 of these Declarations.”

4. Section 11.4 of the Declaration shall be amended by the addition of the following at the end of the second sentence thereof:

“...; and expenses incurred by the Association, if any, pursuant to the provision of special services to the Owners by the Association as provided in Section 4.13 of this Declaration.”

5. This Amendment will be governed by and interpreted in accordance with the laws of the State of Colorado.

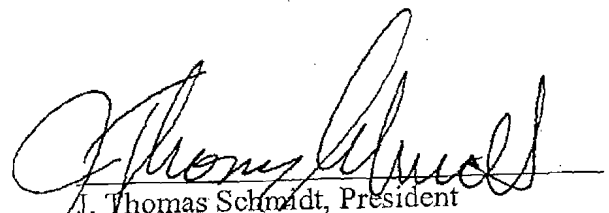
6. This Amendment hereby supersedes and controls over any contrary provision contained in the Declaration as adopted before this Amendment. In case of conflict between the Declaration as amended hereby and the Articles and the Bylaws of The Ironbridge Property Owners' Association, the Declaration, as amended, shall control.

7. Except as specifically set forth in this Amendment, the Declaration as adopted before this Amendment remains unchanged and in full force and effect. This Amendment to Declaration shall hereafter be interpreted for all purposes as part of the Declaration.

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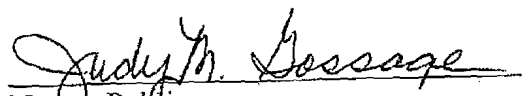
SIGNATURE PAGES FOLLOW

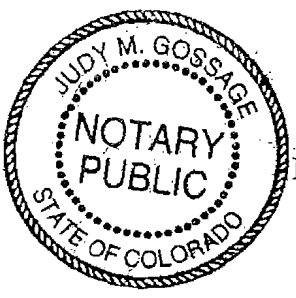
IN WITNESS WHEREOF, the undersigned as President of the Ironbridge Property Owner's Association, pursuant to Article XX of the Declaration, has executed this Amendment on the day and year first written above.

  
J. Thomas Schmidt, President  
Ironbridge Property Owner's Association

STATE OF COLORADO )  
COUNTY OF GARFIELD ) SS.

The foregoing Second Amendment to Restated Declaration of Covenants, Conditions, Restrictions and Easements for Ironbridge was acknowledged to before me this 8<sup>th</sup> day of May, 2007 by J. Thomas Schmidt, as President of the Ironbridge Property Owner's Association.

  
Notary Public



My Commission expires: 02-02-2008



**CERTIFICATION BY SECRETARY**

I, Eric E. Forerster, as Secretary of the Ironbridge Property Owner's Association, pursuant to Article XX of the Declaration and as required by the Colorado Common Interest Ownership Act certify that the foregoing Second Amendment to Restated Declaration of Covenants, Conditions, Restrictions and Easements for Ironbridge was submitted to the Owners as defined in the Declaration at a meeting called on the 19<sup>th</sup> day of April, 2007, for that purpose and received the approval of more than sixty-seven percent of the votes possible to be cast under this Declaration.

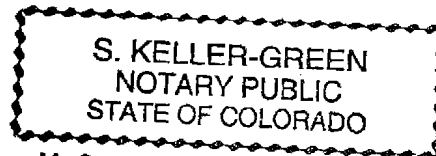
Eric E. Foerster, Secretary  
Ironbridge Property Owner's Association

STATE OF COLORADO    )  
COUNTY OF GARFIELD ) SS.

The foregoing Certification of Second Amendment to Restated Declaration of Covenants, Conditions, Restrictions and Easements for Ironbridge was acknowledged to before me this \_\_\_ day of May 3, 2007 by Eric E. Foerster, as Secretary of the Ironbridge Property Owner's Association.

  
Notary Public

My Commission expires: 10/2/09



My Commission Expires 10/02/2009



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**APPROVAL OF DECLARANT**

The undersigned Declarant consent, pursuant to Article XX of the Declaration and may be as required by the Colorado Common Interest Ownership Act to the terms and conditions of the foregoing Second Amendment to Restated Declaration of Covenants, Conditions, Restrictions and Easements for Ironbridge which consent is given on this 1 day of June, 2007.

DECLARANT:

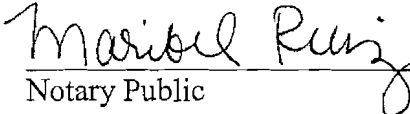
LB Rose Ranch LLC, a Delaware limited liability company

By: PAMI LLC, a Delaware limited liability company, its managing member

By:   
 Name: Marguerite M. Brogan  
 Title: Authorized Signatory

STATE OF NEW YORK )  
 COUNTY OF NEW YORK )SS

The foregoing instrument was acknowledged before me this 1 day of June 2007, by Marguerite M. Brogan, as Authorized Signatory of PAMI LLC, a Delaware limited liability company, as managing member of LB Rose Ranch LLC, a Delaware limited liability company.

  
 Notary Public

My commission expires: \_\_\_\_\_

MARIBEL RUIZ  
 Notary Public, State of New York  
 No. 01RU6081733  
 Qualified in County of New York  
 Commission Expires October 8, 2010