

**ASPEN MESA ESTATES  
EAGLE COUNTY, COLORADO**

**3<sup>rd</sup> AMENDMENT TO  
DEED RESTRICTIONS**

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THIRD AMENDMENT TO REORGANIZATION AND AMENDMENT  
OF DEED RESTRICTIONS FOR ASPEN MESA ESTATES

KNOW ALL MEN BY THESE PRESENTS THAT:

WHEREAS, Aspen Mesa Estates, First Filing, and Aspen Mesa Estates, Unit II, have been duly created, and the plats and other documents evidencing the existence of Aspen Mesa Estates have been recorded in the office of the Clerk and Recorder of Eagle County, Colorado; and

WHEREAS, the Deed Restrictions relating to Aspen Mesa Estates, and the amendments thereto, have been reorganized, and a Reorganization and Amendment of Deed Restrictions for Aspen Mesa Estates has been duly recorded in Book 371 at Page 47 in the office of said Clerk and Recorder; and

WHEREAS, a First Amendment to Reorganization and Amendment of Deed Restrictions for Aspen Mesa Estates has been duly recorded in Book 411 at Page 229 in the office of said Clerk and Recorder; and

WHEREAS, a Second Amendment to Reorganization of Deed Restrictions for Aspen Mesa Estates has been duly recorded in Book 411 at Page 861 in the office of said Clerk and Recorder; and

WHEREAS, by the terms of those Deed Restrictions, as reorganized and amended, Paragraph 25 contained therein may be amended by a majority of the members voting; and

WHEREAS, in accordance with those Deed Restrictions, as reorganized and amended, and the Bylaws for the Aspen Mesa Home Owners Association, those Deed Restrictions are hereby amended as indicated herein.

NOW, THEREFORE, the Board of Directors of the Aspen Mesa Home Owners Association, being duly authorized and directed following a majority vote of the lot owners entitled to vote, a quorum existing, hereby amends the Reorganization and Amendment of Deed Restrictions for Aspen Mesa Estates to read as follows:

1. Paragraph 13B of the Reorganization of Amendment of Deed Restrictions for Aspen Mesa Estates is hereby replaced and amended to read as follows:

13. Aspen Mesa Home Owners Association.

B. Water Supply System: Restrictions and Conditions on Use of Water. With respect to the water supply system, the Association shall specifically, but without limitation, have the right to own, lease, operate, regulate, manage and maintain any and all water rights, well permits and rights, water transmission lines, wells, storage tanks, pumps, mains, hydrants and the like within Aspen Mesa Estates and to do all things necessary, includ-

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ing the laying of tap fees, assessments and other charges on members, to support such activities in connection with such supply of water. Each owner shall be required to obtain all domestic water from the Association, and no water from any other source shall be allowed without the written consent of the Board of Directors of the Association first being obtained. Association water supplies shall be restricted for ordinary household uses within one single family residence on each lot, fire protection, domestic animals, up to two (2) horses per lot as further restricted herein, and the irrigation or watering of not more than 2,500 square feet of lawns and gardens. Association water shall not be used for irrigation of pastures, open spaces or lawns in excess of said square footage per lot. The provisions hereof shall apply to all lots within the subdivision without exception or exemption. A violation of this provision shall be grounds for a termination or suspension of water service to any lot, in addition to any other remedy for breach of these covenants, restrictions and conditions.

2. Paragraph 12 of the Reorganization of Amendment of Deed Restrictions for Aspen Mesa Estates is hereby replaced and amended to read follows:


12. Greenbelt and Equestrian Easements.

All areas designated "green areas" or "equestrian easement" on the recorded plat of Aspen Mesa Estates - First Filing or any amended plat thereof are hereby abolished as exclusive public domain, and are authorized for approved use by individual homeowners. Homeowners seeking approval shall follow procedures set forth herein for review by the Architectural Control Authority.

3. Except as amended above, the provisions of the Reorganization and Amendment of Deed Restriction for Aspen Mesa Estates, as modified by said First and Second Amendments, are hereby reaffirmed and remain in full force and effect.

Dated: 12/30, 1989.

ASPEN MESA HOMEOWNERS ASSOCIATION

By:   
Stephen B. Cook, President

ACKNOWLEDGEMENT

STATE OF COLORADO    )  
                                  ) ss.  
COUNTY OF PITKIN     )

The foregoing Third Amendment to Reorganization and Amendment of Deed Restrictions for Aspen Mesa Estates was acknowledged before me by Stephen Briggs as President of the Aspen Mesa Homeowners Association on December 30, 1989.

Witness my hand and official seal.

My commission expires: 09/08/91.

*Sandra L. Thole*  
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Notary Public



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