## THIRD AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SHOCK HILL OVERLOOK

This Third Amendment to the Declaration of Covenants, Conditions and Restrictions of Shock Hill Overlook ("Third Amendment") is made and entered as of the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the Owners of Shock Hill Overlook Property Owners Association, Inc.

### RECITALS

WHEREAS the Declaration of Covenants, Conditions and Restrictions of Shock Hill Overlook (the "Original Declaration") was recorded in the records of Summit County on April 19, 2016, at Reception No. 1108945;

WHEREAS, the First Amendment to the Declaration of Covenants, Conditions and Restrictions of Shock Hill Overlook (the "First Amendment") was recorded in the records of Summit County on November 1, 2017, at Reception No. 1155962;

WHEREAS, the Second Amendment to the Declaration of Covenants, Conditions and Restrictions of Shock Hill Overlook (the "Second Amendment") was recorded in the records of Summit County on August 16, 2018, at Reception No. 1177547;

WHEREAS, the Original Declaration with the First and Second Amendments shall be referred to collectively herein as the "Declaration";

WHEREAS, the Declaration provides, in Section 14.2 that the Declaration may be amended by an instrument signed by Owners holding not less than sixty-seven percent (67%) of the votes possible to be cast under the Declaration; and

WHEREAS, the Owners wish to amend the Declaration, as more particularly set forth herein.

#### AMENDMENT

NOW THEREFORE, the Declaration is hereby amended as follows:

1. Section 5.5 is amended by deleting it in its entirety and is replaced with the following paragraph:

5.5 <u>Master Association Votes</u>. The Property has 20 votes to be voted in the Master Association, which equates to one vote per Lot within the Property. The Association shall cast all votes in all Master Association matters as directed by the Members. The Association shall call

and conduct such regular and special meetings as may be necessary in order for the Members to vote on how the Association should vote on Master Association matters. There shall be no block voting, and each vote shall be cast in the Master Association in the same manner as each Member votes (*i.e.*, for or against the proposed item). The President of the Association shall be designated as the individual to cast said votes, pursuant to the vote of the Members.

2. Section 15.7 is amended by deleting it in its entirety and is replaced with the following paragraph:

15.7 <u>Prohibition of Timeshare Ownership</u>. No Owner of any Lot within any portion of the Property shall dedicate or submit such Owner's Lot to a timeshare or similar arrangement.

3. All capitalized terms used in this Amendment that are not defined herein have the meanings ascribed to them in the Declaration.

4. All other terms and provisions of the Declaration shall remain in full force and effect.

# SHOCK HILL OVERLOOK PROPERTY OWNERS ASSOCIATION,

**INC.**, a Colorado nonprofit corporation

By:\_\_\_\_\_

\_\_\_\_\_, President

STATE OF \_\_\_\_\_ ) ) ss. COUNTY OF )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2023 by \_\_\_\_\_\_, as President of Shock Hill Overlook Property Owners Association, Inc., a Colorado non-profit corporation.

Witness my hand and official seal. My Commission Expires: \_\_\_\_\_

Notary Public

### CERTIFICATION

The Secretary of Shock Hill Overlook Property Owners Association, Inc., by his or her signature below, hereby certifies, affirms and attests that this Third Amendment to the Declaration of Covenants, Conditions and Restrictions of Shock Hill Overlook has been approved and adopted by the Owners holding not less than sixty-seven percent (67%) of the votes possible to be cast under the Declaration, and that such signatures are on file in the office of Shock Hill Overlook Property Owners Association, Inc.

# SHOCK HILL OVERLOOK **PROPERTY OWNERS ASSOCIATION, INC.**, a Colorado nonprofit corporation

By: \_\_\_\_\_\_, Secretary

Date:\_\_\_\_\_