

Recorded with the Clerk and Recorder of Eagle County, Colorado on August 1, 1980 in Book 306 at Page 423.

**AMENDMENT  
OF THE SUPPLEMENTAL DECLARATION OF  
LAND USE RESTRICTIONS**

**Pertaining to Tracts F, L & J (Block 1)  
Beaver Creek Subdivision**

WHEREAS, Vail Associates, Inc., a Colorado corporation (hereinafter referred to as "VAI"), recorded Supplemental Declaration of Land Use Restrictions Pertaining to Tracts F, L & J (Block 1), Beaver Creek Subdivision on December 7, 1979, in Book 295 at Page 615 of the records of the County Clerk and Recorder of Eagle County, Colorado (the "Supplemental Declaration");

WHEREAS, VAI is the Owner of all of the sites in the Affected Property (as defined in the Supplemental Declaration) listed on Exhibit A attached hereto, being more than one-half of the Sites within the Affected Property; and

WHEREAS, as the Owner of the sites listed in Exhibit A, VAI is entitled to amend the Supplemental Declaration pursuant to Section 6.2 thereof; and

WHEREAS, VAI owns all of the sites within Tract L of the Affected Property and has determined (a) that the Supplemental Declaration should be amended by making certain revisions thereto insofar as such Supplemental Declaration affects the sites within Tract L, and (b) in order to avoid inconvenience to the Owners of the lots in Tract F & J (Block 1), it is desirable to remove the lots in Tract L from the application of the Supplemental Declaration.

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

1. The title of the Supplemental Declaration shall be:

**"SUPPLEMENTAL DECLARATION OF LAND USE RESTRICTIONS  
Pertaining To Tracts F and J (Block 1)  
Beaver Creek Subdivision"**

2. Section 1.1 is amended to read in its entirety:

"1.1 This Supplemental Declaration (a) is filed pursuant to paragraph 7.2 of the General Declaration for Beaver Creek recorded February 22, 1979 in Book 282 at Page 360 of the Real Property records of Eagle County, Colorado, as amended (the "Declaration"), and (b) affects only Tracts F and J (Block 1) of Beaver Creek Subdivision, Second Filing, according to the recorded plat thereof and any amendments thereto (the 'Affected Property')."

3. Section 3.1 is amended to read in its entirety:

"3.1 Lots 1 through 20, Tract F and Lots 1 through 29, Tract J (Block 1) may not contain any building improvements except:

"(1) A Single Family Structure; or

"(2) A Primary/Secondary Structure; plus

"(3) A garage of a size and at a location approved in writing by the Review Board, which may be within or without the Building Envelope for such lot; and

"(4) Such enclosed service areas for garbage, trash, utilities, clothes lines and other maintenance facilities as may be approved in writing by the Review Board; and

"(5) Such fences, walls, driveways and parking areas as may be approved in writing by the Review Board; and

"(6) Landscaping improvements approved in writing by the Review Board; and

“(7) Swimming pools, hot tubs, tennis courts, solar devices and greenhouses approved in writing by the Review Board.”

4. Paragraph 4.1(a) is amended to read in its entirety:

“4.1(a) Lot F-21 and Lots J (Block 1)-30 and 32, each of which may be used for road right-of-way purposes and customary accessory uses;”

5. Paragraph 4.1(c) is deleted in its entirety.

Except as herein specified, all provisions, restrictions, covenants and conditions contained in the Supplemental Declaration shall remain in full force and effect; provided that in the event the provisions of this Amendment shall in any way conflict with said Supplemental Declaration, the provisions of this Amendment shall control.

EXECUTED this 31st day of July, 1980.

ATTEST:

/s/ Larry E. Lichliter  
Assistant Secretary

VAIL ASSOCIATES, INC.,  
a Colorado corporation

By: /s/ Jack Marshall  
President

ATTEST:

/s/ Leslie J. Allen  
Secretary

BEAVER CREEK RESORT  
COMPANY, a Colorado  
non-profit corporation

By: /s/ Brian W. Rapp  
President

ATTEST:

/s/ Leslie J. Allen  
Secretary

BEAVER CREEK METROPOLITAN  
DISTRICT  
a quasi-municipal corporation

By: /s/ Larry E. Lichliter  
President

STATE OF COLORADO )  
 ) ss.  
COUNTY OF EAGLE )

The foregoing instrument was acknowledged before me this 31st day of July, 1980, by Jack Marshall, as \_\_\_\_\_ President and Larry E. Lichliter, as Assistant Secretary of VAIL ASSOCIATES, INC., a Colorado corporation.

Witness my hand and official seal.

My commission expires: January 2, 1984.

/s/ Jean A. Dennison  
Notary Public

STATE OF COLORADO )  
 ) ss.  
COUNTY OF EAGLE )

The foregoing instrument was acknowledged before me this 31st day of July, 1980, by Brian W. Rapp, as \_\_\_\_\_ President and Leslie J. Allen, as \_\_\_\_\_ Secretary of BEAVER CREEK RESORT COMPANY, a Colorado non-profit corporation.

Witness my hand and official seal.

My commission expires January 2, 1984.

/s/ Janie Jones  
Notary Public

