

SECOND AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FLUKEY ESTATES HOMEOWNERS ASSOCIATION

RECITALS:

The purpose of this Second Amendment is to amend the Restatement of Declaration of Covenants, Conditions and Restrictions for the Flukey Estate Homeowners Association, recorded on August 29<sup>th</sup>, 2022, with Reception number 3042205, Mesa County, Colorado real property records.

In ARTICLE 3, Section 3.01 (d) PROPERTY RIGHTS IN THE LOTS AND COMMON ELEMENTS: MAINTENANCE

*The right of the Association to dedicate or transfer all or any part of the Common Elements to any public agency, authority or utility for such purposes and subject to such conditions as may be agreed to by the Members: no such dedication or transfer shall be effective unless an instrument in any number of counterparts signed by Members representing at least sixty-seven percent (67%) of the voting rights of the Members has been recorded, agreeing to such dedication or transfer, and provided written notice of the proposed action is sent to every Member no less than thirty (30) days nor more than fifty (50) days in advance;*

THEREFORE, Flukey Estates Homeowners Association makes the following amendment of the Declaration upon unanimous vote among the members:

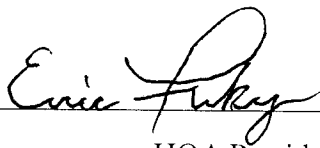
In ARTICLE 3, Section 3.01 (d) PROPERTY RIGHTS IN THE LOTS AND COMMON ELEMENTS: MAINTENANCE

*The right of the Association to dedicate or transfer all or any part of the Common Elements to any public agency, authority or utility for such purposes and subject to such conditions as may be agreed to by the Members: no such dedication or transfer shall be effective unless an instrument in any number of counterparts signed by Members representing at least eighty percent (80%) of the voting rights of the Members has been recorded, agreeing to such dedication or transfer, and provided written notice of the proposed action is sent to every Member no less than thirty (30) days nor more than fifty (50) days in advance;*

In all other respects, the Declaration is to remain as previously recorded.

IN WITNESS WHEREOF, Declarant has hereunto set its hand and seal as of the day and year first above written.

Flukey Estates Homeowners Association

  
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HOA President

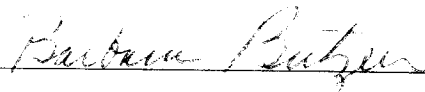
STATE OF COLORADO )  
                                  ) ss.  
COUNTY OF MESA   )

The foregoing instrument was acknowledged before me this 21 day of July 2023 by Eric Flukey, the President of the Flukey Estates Homeowners Association.

Witnessed my hand and official seal:

My commission expires: 12-19-2024

Barbara Butzen  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20164047707  
MY COMMISSION EXPIRES December 19 2024

  
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Barbara Butzen, Notary Public