

ANNEXATION OF PROPERTY AND SUPPLEMENTAL DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS

THIS ANNEXATION OF PROPERTY AND SUPPLEMENTAL TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made this 9th day of June, 1994, by GAME TRAIL COMPANY, a Colorado limited partnership (hereinafter referred to as "Game Trail").

RECITALS:

1. Game Trail is the record owner of a certain real property located in Chaffee County, Colorado, known as Game Trail Subdivision (the "Property"), and more particularly described in the plats thereof recorded in the Office of the Chaffee County Clerk and Recorder.

2. Game Trail's predecessor as Declarant has recorded a Declaration of Covenants, Conditions and Restrictions in Book 480 at Page 168 in the Chaffee County Clerk and Recorder's office (hereinafter referred to as the "Master Declaration"), which Master Declaration provided in paragraph 23 thereof that additional property may be annexed to an included under the Master Declaration.

3. In addition to the covenants, conditions and restrictions contained in the Master Declaration, Game Trail desires to subject Game Trail Subdivision Filing Nos. 8, 9 and 10 to certain additional and supplemental covenants which related more directly to the use of such property.

NOW THEREFORE, Game Trail declares that the Property within Filing Nos. 8, 9 and 10 of Game Trail Subdivision, as described in the plats thereof, shall be held, transferred, sold, conveyed, leased and occupied subject to the covenants, conditions, restrictions, easements, charges, liens and rights contained in the Master Declaration and the additional covenants set forth below, all of which shall run with the land and shall inure to the benefit of and be binding upon the owners, their heirs, successors and assigns.

A. As it affects Game Trail Subdivision Filing Nos. 8, 9 and 10 the Master Declaration is hereby supplemented as follows:

(1) The following language is added to Paragraph 1:

No building or structure shall be placed or allowed to remain on any residential tract other than one detached single family dwelling house and an attached or detached garage.

(2) Paragraph 1 is further supplemented by adding the following language:

Among these requirements shall be the use of roofing materials on all building structures consisting of wooden shake shingles, simulated shake shingles of appropriate dimension and weight, colored standing seam

metal, or other materials of quality comparable to or greater than the foregoing materials, subject to the architectural approval of Game Trail. Corrugated sheet metal or fiberglass and preformed metal panel roofing materials are specifically disallowed. Additional architectural requirements are set forth in a separate printed statement known as the "Game Trail Architectural Review Policy", copies of which are available to property owners. In the event any of the foregoing requirements are inconsistent with those in the Game Trail Architectural Review Policy, the latter shall control.

(3) Paragraph 15 of the Master Declaration is supplemented by adding the following language:

At such time as a sufficient number of tracts have been sold, this determination to be made solely by Game Trail, however, in any event, promptly upon the sale of two-thirds of the tracts shown in the Game Trail Master Plan on record with Chaffee County, there will be organized a nonprofit corporation known as "Game Trail Association, Inc.", which will have as its function the maintenance of roads, easements, water systems, utility system, and common areas within the Property which are conveyed to it by Game Trail.

(4) Paragraph 17 of the Master Declaration is supplemented by adding after the last sentence in said paragraph the following:

Because fences can be a hindrance and a danger to wildlife, it is the general policy of Game Trail to prohibit fences except in special situations approved by Game Trail and in particular specified areas. In any case, where a fence is permitted, its specifications will be governed by current wildlife management practices as determined by Game Trail in consultation with Colorado Division of Wildlife.

(5) Paragraph 21 of the Master Declaration is supplemented by adding after the last sentence in said paragraph the following:

Nothing herein shall be construed to relieve any owner of the subject tracts from compliance with all federal, state and county laws, rules and regulations which are applicable to the ownership and use of such tract.

B. To the extent any of the supplemental language set forth above is inconsistent with the Master Declaration, the supplemental language shall control.

C. The Master Declaration is in full force and effect as supplemented.

