

**SIXTH AMENDMENT  
TO THE AMENDED AND RESTATED DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR RIVER GLEN SUBDIVISION**

THIS AMENDMENT is made this 17<sup>th</sup> day of January, 2019.

**RECITALS**

A. On June 12, 2014, the River Glen Homeowners' Association ("Association") recorded an Amended and Restated Declaration of Covenants, Conditions and Restrictions for River Glen Subdivision, in the real property records of the County of Larimer, State of Colorado, at Reception No. 20140030765 (the "Declaration").

B. The Declaration provides for and allows for this Limited Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for River Glen (the "Amendment") in Article VII, Section c, which provides as follows:

This Declaration may be amended at any time upon proper notice, by the affirmative approval of 66% of all the Members in good standing or under any authorized procedure to amend covenants set forth in the Act, as amended. Members in good standing means Members that have not had voting privileges suspended for failure to timely pay Assessments.

C. All Owners are aware of the provisions of the Declaration allowing for amendment, by virtue of the record notice of the Declaration, by acts and disclosures, newsletters or notices of the Association and by other means.

D. This Amendment has been prepared and determined by the Association and by the Owners that have approved this Amendment to be reasonable and not burdensome.

E. The purpose of this Amendment is to clarify that while oil and mining activities are prohibited on the surface of the property, such activity conducted solely underground and well beyond the surface of the Lot is permitted.

F. The undersigned, being the President and Secretary of the Association, hereby certify that the Association has obtained the affirmative approval of 66% of all the Members in good standing.

NOW, THEREFORE, the Association hereby approves and adopts the following:

I. Amendment. The Declaration is hereby amended as follows:

- (a) **Repeal and Restatement.** Article VI, Section m. is repealed in its entirety and the following Article VI, Section m. is hereby substituted:

**Section m. Oil and Mining Activities.** No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any Lot, nor shall oil wells, tanks, or mining excavations be permitted upon or in any Lot. No derrick or other structures designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any Lot. Oil or mining activity that occurs solely underground and well beyond the surface of the Lot, however, is permissible.

II. No Other Amendments. Except as amended by the terms of this Amendment and previous amendments, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, this Amendment is executed by the undersigned.

**RIVER GLEN HOMEOWNERS'  
ASSOCIATION,**  
a Colorado nonprofit corporation

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

President

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

Secretary

STATE OF COLORADO )  
COUNTY OF Larimer ) ss.

The foregoing was acknowledged before me this 31<sup>st</sup> day of December, 2018, by Jack Shaw, President of the River Glen Homeowners' Association, a Colorado nonprofit corporation.

Witness my hand and official seal.

My commission expires: 06/15/2022.

**BRYANNA K. ORTIZ**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
NOTARY ID #20184025162  
MY COMMISSION EXPIRES 06/15/2022

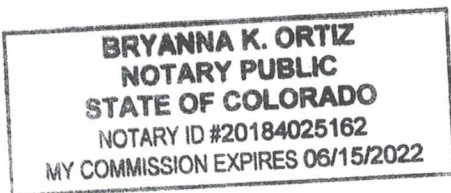
BKO  
Notary Public

STATE OF COLORADO )  
 ) ss.  
COUNTY OF Larimer )

The foregoing was acknowledged before me this 28 day of December,  
2018, by Naomi Fung, Secretary of the River Glen Homeowners'  
Association, Colorado nonprofit corporation.

Witness my hand and official seal.

My commission expires: 06/15/2022.



BKO  
Notary Public