



May 7, 2013

Dear Fellow Home Owners,

I'm happy to report that during the month of April, Park County received several inches of heavy wet snow. The snow has continued into the month of May. So much in fact that the decision to drain Antero Reservoir is no longer an issue. At least for now we can breathe a sigh of relief. We will continue to monitor the situation as we head into a beautiful summer.

FISH

We have ordered fish for our pond. They will be delivered before Memorial Day. I would encourage all of you anglers to bring your families up for the weekend. The fishing should be pretty good. Included in this letter will be a sticker for your car indicating you are authorized to fish in the pond. Please put it on the drivers-side, top corner of your windshield.

SIGNS

We have purchased new signs to mark the entrances to our sub-division. They are hand-picked stone and will be placed into concrete foundations. Our old signs had served for many years and were in need of being replaced. I know you will enjoy our new signs. I have included a photo of the finished signs.

WEB-PAGE/PIN #

The Board in keeping with our promise to be transparent is removing the need to use pin numbers to sign in on our web-page. The information contained on the page is public information, so there was no real purpose to having password protected codes to enter our site. This also allows individuals to review records, by-laws, covenants, or recent news. It permits real estate agents to access our site and obtain the required information for the sale or purchase property without the need or delay to contact a person. This should be an advantage to both sellers and prospective buyers. We will work to attach links to the page so anyone can check on news, fire-bans or other important information.

PROPOSED CHANGES THE COVENANTS, BY-LAWS AND ANNUAL MEETING

The documents committee provided the Board with suggested changes to our by-laws. We will present those recommendations to everyone at our annual meeting on **Saturday August 3rd**. I will include a copy for everyone to review those proposed changes. It is important that all of you attend the meeting and exercise your right to vote. The meeting will be held at the Park County Fair Barn and will begin at **10:00am**. Jeanine Snyder will be putting on the best BBQ in Park County. We are asking everyone to bring a side-dish and drinks to the meeting. We will discuss a date for the trash pick-up day at our annual meeting.

After the meeting we can go to the pond for our annual fishing derby with prizes for all the kids.

CLOSING THOUGHTS

I would encourage all of you to be responsible owners and work together to keep your lots clean, please keep unsightly trailers or vehicles hidden from view. Lets work together to be good neighbors.

I also wanted to acknowledge Allyn Moser, our book-keeper, my fellow Board Members and volunteers. They have done an incredible job!

I look forward to seeing all of you at the meeting and eating some BBQ. For those who can not attend **please send a proxy with the designated person you want to vote for you**. That way we can conduct business. See ya in August!

Sincerely and Respectfully,



Monte Gore. President

**AMENDMENT TO THE DECLARATION OF COVENANTS,
RESTRICTIONS, EASEMENTS, CHARGES AND LIENS FOR FOXTAIL PINES**

The Declaration of Covenants, Restrictions, Easements, Charges and Liens for Foxtail Pines is hereby amended as follows:

1. Paragraph 14 is amended to read: "CLEARING OF TREES: There shall be no removal of living trees from any tract except that which must be removed in connection with construction on the property, landscaping, fire mitigation, or that which is consistent with generally recognized conservation or forest management practices."
2. Paragraph 20 is amended to read: "RECREATIONAL VEHICLES AND CAMPERS: Recreational vehicles, campers, or camping trailers shall be allowed on any lot in the subdivision provided the lot owner complies with all of the following: (A) Placement on any lot shall be such as to reasonably minimize the negative visual impact on neighboring lots (sheltered from view as much as possible). (B) For lots developed with a residential structure, recreational vehicles, campers, or camping trailers shall be allowed year round. (C) For lots with a residential structure actively under construction, recreational vehicles, campers, or camping trailers shall be allowed during construction. (D) For lots not developed with a residential structure, recreational vehicles, campers, or camping trailers shall be allowed a maximum of 180 days per calendar year and must be removed for the other portion of that calendar year."
3. The following Paragraph 28 is hereby added: "28. SOLAR. The use of solar energy by lot owners is encouraged. However, all solar panels and related equipment must be placed in a location on the lot such as to reasonably minimized the negative visual impact on neighboring lots; must meet improvement set-back requirements, and must be used primarily to furnish energy to that lot. Reserve metering for excess energy shall be permitted."
4. The following Paragraph 18(a) is hereby added: "18(a). LIEN PRIORITY. The lien of the Association under this Section is prior to all other liens and encumbrances on a lot except: (1) liens and encumbrances recorded before the recordation of the Declaration; (2) a first lien security interest on the lot (except as allowed by the Act with regard to the limited lien priority allowed by the Association); and (3) liens for real estate taxes and other governmental assessments or charges against the lot. This Section does not affect the priority of mechanics' or materialmen's liens. The lien of the Association under this Article is not subject to the provision of any homestead exemption as allowed by state or federal law. Sale or transfer of any lot shall not affect the lien for said assessments or charges except that sale or transfer of any lot pursuant to foreclosure of any first lien security interest, or any proceeding in lieu thereof, including deed in lieu of foreclosure, or cancellation or

forfeiture shall only extinguish the lien of assessment charges as provided by applicable state law. No such sale, transfer, foreclosure, nor cancellation or forfeiture shall relieve any lot from continuing liability for any assessment charges thereafter becoming due, nor from the lien thereof.”

5. The following Paragraph 18(b) is hereby added: "18(b). SUPPLEMENTAL ASSESSMENTS. The Association shall have the right to add to any owner’s assessment as provided in the Section the following: (a) Those amounts expended by the Association for the benefit of any individual lot or any occupant thereof, including but not limited to, improvements, repair, replacement or maintenance specific to a lot; (b) Improvement, repair, replacement or maintenance caused by the negligent or willful acts of any owner, his or her guest, employee, licensee, lessee, or invitee as set forth in this Declaration; (c) All fines and costs assessed against an owner pursuant to the Declaration, Bylaws, Articles of Incorporation, or rules and regulations of the Association; and (d) Any other expenditures or charges which the Board, in its sole discretion, chooses to allocate to a lot and are reasonably determined to be allocable to a particular lot.”
6. Motorized vehicles are prohibited in any common area except at the designated parking lot at the pond. Additionally, and in accordance with Park County regulations, off highway vehicles are not allowed on any county road.
7. Except as amended by this Amendment and previous amendments, the Declaration shall remain in full force and effect.

In witness whereof, this Amendment has been duly authorized and made in accordance with Paragraph 23 of the Declaration.

FOXTAIL PINES OWNERS ASSOCIATION, a Colorado nonprofit corporation

By _____, President

By _____, Secretary



Foxtail PINES

A COVENANT CONTROLLED COMMUNITY
Please Respect Private Property

- No Hunting
- No Racing
- No Weapons
- No ATVs or Unlicensed Vehicles

Foxtail
PINES

