

**FIRST AMENDMENT TO THE AMENDED AND RESTATED
DECLARATION FOR ALQUEZAR HOMEOWNER'S ASSOCIATION TO
CHANGE NAME TO THE ALCAZAR HOMEOWNERS ASSOCIATION**

WITNESSETH

THIS FIRST AMENDMENT TO AMENDED AND RESTATED DECLARATION FOR ALQUEZAR HOMEOWNER'S ASSOCIATION TO CHANGE NAME TO THE ALCAZAR HOMEOWNERS ASSOCIATION ("Association") has been executed this _____ day of _____, 202_ and shall be effective when recorded of record with the Eagle County Clerk and Recorder as required by the Colorado Common Interest Ownership Act codified at C.R.S. 38-33.3-101 et seq. (the "**Act**").

RECITALS

A. Alquezar is created by virtue of and is subject to the following documents: (1) Amended and Restated Declaration for Alquezar Homeowner's Association recorded of record with the Eagle County Clerk and Recorder at Reception No. 200901701 on February 4, 2009 ("**Declaration**"); and (2) Final Plat of Alcazar Villas, Phase I recorded on October 4, 1001 in Book 564 at Page 84 ("Phase I Final Plat") of the real estate records of Eagle County, Colorado; the Final Plat of Alcazar Villas, Phase II, a Resubdivision of Tract C, Alcazar Villas Phase II, recorded in Book 564 at Page 85 of the real estate records of Eagle County, Colorado ("Phase II Final Plat"); the Phase III Final Plat of Alcazar Villas, Phase III, a Resubdivision of Tracts C and D, Alcazar Villas Phase II, ("Phase III Final Plat") recorded on January 29, 1992 in Book 571 at Page 692 of the real estate records of Eagle County, Colorado; the Amended Final Plat of Alcazar Villas Phases I and II, a Resubdivision of Lots 2, 3, 4, 6 and 8, recorded on October 18, 1994 in Book 652 at Page 840 of the real estate records of Eagle County, Colorado; the Amended Final Plat, Alcazar Villas, Phase III, a Subdivision of Lots 17, 19 and 21 recorded December 6, 2004 in Book 656 at Page 663 according to the of the real estate records of Eagle County, Colorado (collectively referred as the "**Map**").

B. Article 12 of the Declaration allows for amendment to the Declaration upon approval of Owners holding not less than sixty-seven percent (67%) of the votes possible to be cast under the Declaration. The requisite percentage of Owners has approved this First Amendment to the Declaration, as established by the records held in the offices of the Association, and thus this Amendment to the Declaration is binding and effective as of the date of its recordation with the Eagle County Clerk and Recorder. First Mortgagee approval was obtained in compliance with C.R.S. 38-33.3-217(1) (b).

C. The Association and the Owners wish to amend the Declaration to change the name of the Association to the Alcazar Homeowners Association as provided for herein. This First Amendment to the Declaration shall govern in all respects the matters provided for herein with all other provisions of the Declaration not modified by this Amendment to remain in full force and effect. In the event of a conflict between the Declaration and this Amendment, this Amendment shall govern.

D. Upon the effective date of this First Amendment to the Declaration, the Association shall be referred to as the Alcazar Homeowners Association.

E. All capitalized terms not defined herein shall have the meaning provided for the same in the Declaration.

NOW, THEREFORE, the Association does hereby publish and declare that the following terms, covenants, conditions, easements, restrictions, uses, reservations, limitations and obligations shall be deemed to run with the land encompassing the Property and shall be deemed a burden and a benefit to the Association and its Owners, and any person acquiring or owning an interest in the Property and the improvement thereon subject to this the Declaration and this Amendment thereto, their grantees, successors, heirs, executors, administrators, devisees and assigns.

1. **DEFINITIONS.** Section 1.03 Names of the Common Interest Community and the Association is amended as follows:

Section 1.03: Names of the Common Interest Community and the Association. The name of the common interest community which is the subject of this Document is “Alcazar.” The name of the unit owners association organized to govern and administer the common interest community which is the subject of this Document is the “Alcazar Homeowners Association,” a Colorado nonprofit corporation. Upon recordation of this First Amendment to the Declaration, the Association shall be referred to and known as the Alcazar Homeowners Association.

IN WITNESS THEREOF, the undersigned, being the President and Secretary of the Board of Directors of Alquezar Homeowner’s Association, a Colorado Not for Profit Corporation has executed this First Amendment to the Amended and Restated Declaration for Alquezar Homeowner’s Association on the day and the date first written above.

Alquezar Homeowner’s Association, a Colorado Not for Profit Corporation

By: _____
Its: President of the Board of Directors

STATE OF COLORADO)
) SS.
COUNTY OF EAGLE)

The foregoing instrument was acknowledged before me this _____ day of _____, 202-, by: _____ as President of the Board of Directors of Alquezar Homeowner’s Association, A Colorado Not for Profit Corporation.

My commission expires: _____
[SEAL]

Notary Public

CERTIFICATE OF SECRETARY

I, _____, as Secretary of the Board of Directors of Alquezar Homeowner's Association, a Colorado Not for Profit Corporation, hereby certify that the Association has received the approval of Owners holding not less than sixty-seven percent (67%) of the votes possible to be cast under the Declaration per C.R.S. 38-33.3-217 (a), has met all requirements for Amendment of the Declaration under the Governing Documents as modified by the Act, and has complied with the requirements of C.R.S. 38-33.3-217(b) in regard to notification of first lienholders and no objections have been received within the requisite timeframe. Records of the same are available to review at the Association offices.

By: _____, Secretary

STATE OF COLORADO)
) SS.
COUNTY OF EAGLE)

The foregoing instrument was acknowledged before me this ____ day of _____, 202_ by: _____ as Secretary of the Board of Directors of Alquezar Homeowner's Association, a Colorado Not for Profit Corporation.

My commission expires: _____
[SEAL]

Notary Public