

**AMENDMENT TO THE  
AMENDED AND RESTATED PROTECTIVE COVENANTS  
FOR  
KINGS ROW SUBDIVISION  
(Covenant 23 – Criteria for Architectural Control)**

THIS AMENDMENT to the Amended and Restated Protective Covenants for Kings Row Subdivision (“Amendment”) is made this 23<sup>rd</sup> day of June 2025 by the Kings Row Homeowners Association, Inc. (the “Association”), a Colorado non-profit corporation.

**W I T N E S S E T H:**

WHEREAS, Kings Row is a subdivision located in Garfield County and Eagle County, Colorado, as shown on the final plat thereof, recorded in the public records of Garfield County, Colorado on April 20, 1976 at Reception No. 272247 and on August 24, 1978 at Reception No. 287943 and in the public records of Eagle County, Colorado on September 6, 1977 at Reception No. 155774 and on March 16, 1979 at Reception No 179414;

WHEREAS, the Amended and Restated Protective Covenants for Kings Row Subdivision (the “Covenants”) was recorded in the public records of Garfield County, Colorado on October 29, 2009 at Reception No. 776995 and in public records of Eagle County Colorado on November 12, 2009 at Reception No. 200924362 and amended by:

- Amendment to the Amended and Restated Protective Covenants for Kings Row Subdivision recorded in the public records of Garfield County, Colorado on December 6, 2021 at Reception No. 967675 and in public records of Eagle County, Colorado on December 6, 2021 at Reception No 2021127083;
- Amendment to the Amended and Restated Protective Covenants for Kings Row Subdivision recorded in the public records of Garfield County, Colorado on March 2, 2023 at Reception No. 983887 and in the public records of Eagle County, Colorado on March 2, 2023 at Reception No. 202302545.

WHEREAS, the Covenants presently prohibit modular, manufactured, prefabricated or any similar types of construction in Kings Row; however, based on new modular construction methods, such types of construction may now be appropriate for new homes in Kings Row;

WHEREAS, the purpose of this Amendment is to amend the Covenants to allow for modular, manufactured, prefabricated or similar types of construction to be considered by the Architectural Control Authority if in accordance with the Architectural Control Criteria;

WHEREAS, this Amendment does not require the consent of a mortgage or trust deed holder; and

WHEREAS, this was approved by the affirmative vote or agreement of Owners to which more than fifty percent (50%) of the votes in the Association are allocated, as certified and attested by the President of the Association below.

NOW THEREFORE, the Covenants are hereby amended as set forth below:

1. Recitals. The foregoing recitals are incorporated herein.
2. Section 23 – Criteria for Architectural Control. Section 23 of the Covenants is hereby to amended by deleting the ~~striketrough~~ language and adding the **bold, underlined** language, as follows:

23. Criteria for Architectural Control: The Homeowners Association or the Architectural Control Authority shall use reasonable discretion in determining whether to approve or disapprove structures. This discretion shall be exercised with the following objectives in mind.

- a. To direct the positioning, elevation, profile and surface treatment of all structures so as to minimize their obstruction or diminution of the principal views from each site.
  - b. To preserve or enhance existing natural features such as trees, shrubs, topography and unconfined openness or transition between areas.
  - c. To promote the location and design of structures so that their site, form and surface treatment harmonizes with the natural setting and with other structures on adjacent property.
  - d. To promote the use of landscape materials that are indigenous to or existing in the area and which have low maintenance requirements so that natural and landscaped areas are not sharply contrasted and so that well maintained and poorly maintained areas are not sharply contrasted.
  - e. To promote the use of structural materials that have minimum maintenance requirements so as to assure a better appearing area under all conditions.
  - f. To promote the design and construction of improvements that incorporate the best visual, functional and material quality elements possible so that each parcel will serve its owner better and enhance the value of adjacent property by its presence.
  - g. The Architectural Control Authority **will** ~~not~~ consider the following structures for approval **in accordance with Architectural Control criteria**: modular, manufactured, prefabricated or any similar types of construction.
3. Force and Effect. This Amendment hereby supersedes and controls over any provision contained in the Covenants as adopted before this Amendment. Except as amended by the terms of this Amendment and previous amendments, if any, the Covenants shall remain in full force and effect. This Amendment shall be effective upon recordation.

IN WITNESS WHEREOF, the undersigned executed this Amendment as of the date written above.

*~ Signature Page Follows ~*

KINGS ROW HOMEOWNERS ASSOCIATION,  
a Colorado non-profit corporation.

By: Valene Oken Valene Oken  
President VAL OKEN

STATE OF Colorado,  
COUNTY OF Eagle ss.

This Amendment was acknowledged before me on 6/23/25 by  
Valene L Oken, as President of the Kings Row Homeowners  
Association, a Colorado non-profit corporation.

A. Mendoza  
Notary Public

