

After Recording, Return to:
Jonathan Hotaling
3327 Springridge Cir
Colorado Springs, CO 80906

**TERMINATION
OF
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
CUCHARA MOUNTAIN PARK ESTATES MASTER HOMEOWNERS ASSOCIATION,
HUERFANO COUNTY, COLORADO**

THIS TERMINATION OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CUCHARA MOUNTAIN PARK ESTATES MASTER HOMEOWNERS ASSOCIATION, HUERFANO COUNTY, COLORADO (“Termination”) is made by the undersigned Owners of Lots within the Cuchara Mountain Park Estates Master Homeowners Association, a Colorado nonprofit corporation (“Association”).

RECITALS

A. The Declaration of Covenants, Conditions and Restrictions for Cuchara Mountain Park Estates Master Homeowners Association, Huerfano County, Colorado was recorded on August 2, 1999 at Reception No. 340388 in the real property records of Huerfano County, State of Colorado (“Declaration”). Capitalized terms used but not defined herein shall have the same meanings set forth in the Declaration.

B. The Declaration refers to Exhibits A through D which were to identify the real property subject to the Declaration, additional real property that could be annexed to the Declaration, the Association Properties and the Common Area. The Declaration was recorded without any of the Exhibits attached thereto and, except for general reference to Cuchara Mountain Park Estates, the Declaration did not otherwise identify or provide the legal description of the real property initially subject to the Declaration, the additional property that could be annexed to the Declaration or any Association Properties or Common Area. Therefore, there is uncertainty whether the Declaration encumbers any portion of Cuchara Mountain Park Estates or properly establishes a common interest community.

C. Pursuant to Article IX, Section 4 of the Declaration, the Class A Members may terminate and extinguish the Declaration by written instrument executed by at least three-fourths (3/4) of the Class A Members, and pursuant to C.R.S. 38-33.3-218 a common interest community may be terminated only by agreement of unit owners of units to which at least sixty-seven percent (67%) of the votes in the association are allocated or any larger percentage the declaration specifies.

D. The terms, conditions and restrictions of that certain Warranty Deed from Cuchara Partners, LTD. to Cuchara Mountain Park Estates Master Homeowners Association dated July 22, 1999 and recorded at Reception No. 340385, County of Huerfano, State of Colorado (the "Deed") was intended to supplement the Declaration and as such the parties hereto desire to relinquish any and all right under the Deed in conjunction with this Termination.

E. The undersigned owners desire to terminate and extinguish the Declaration and constitute the Owners of Lots to which at least three-fourths of votes in the Association are allocated. This Termination constitutes the agreement of such Owners to terminate the Declaration in its entirety.

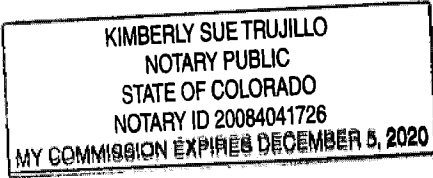
NOW, THEREFORE, the undersigned Owners hereby declare as follows:

1. The foregoing Recitals are incorporated herein by this reference.
2. Pursuant to C.R.S. 38-33.3-218 and Article IX, Section 4 of the Declaration, the Declaration and the common interest community created thereunder is hereby terminated and extinguished in its entirety. This Termination shall be effective upon the recording of this Termination in the real property records of Huerfano County, Colorado, and thereafter neither the Declaration nor the common interest community created thereunder shall have any further force or effect. This Termination shall be void unless it is executed and recorded on or before June 1, 2021.
3. The undersigned parties each hereby relinquish any and all rights of such parties to enforce the terms of the Deed, including, without limitation, any and all rights to enforce any restrictions on ownership or use of the property described in such deed and acknowledge such use restrictions shall be of no further force and effect.
4. Notwithstanding the termination of the Declaration as provided herein, all easements granted pursuant to the Declaration for roads, utilities and drainage, shall remain in full force and effect; provided, however that all easements and restrictions over L2 and L3 are hereby terminated by this Termination.

[signature pages follow]

[signature page]

IN WITNESS WHEREOF, the undersigned Owners have executed this Termination of Declaration of Covenants, Conditions and Restrictions for Cuchara Mountain Park Estates Master Homeowners Association, Huerfano County, Colorado.



Cuchara Mountain Resort Investors, LLC
a Colorado limited liability company

By: [Signature]
A. Bruce Cantrell, Manager

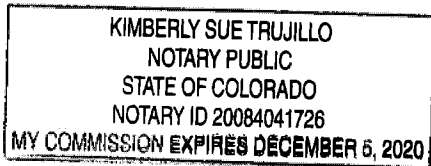
STATE OF COLORADO)
) ss.
COUNTY OF Huerfano)

The foregoing instrument was acknowledged before me this 23rd day of May, 2020, by A. Bruce Cantrell, as Manager of Cuchara Mountain Resort Investors, LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 12-5-2020

[Signature]
Notary Public



[signature page]

Purgatoire Properties, L.L.C.
a Colorado limited liability company

By: [Signature]
Merrill R. Jacobson, Member

STATE OF COLORADO)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 28th day of May, 2020,
by Merrill R. Jacobson, as Member of Purgatoire Properties, L.L.C., a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: _____

[Signature]
Notary Public

LUANN F. KIRSCH
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 1987407709
MY COMMISSION EXPIRES 02/09/2024

[signature page]

Jean Okerman
JEAN OKERMAN

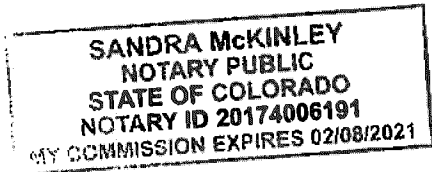
Date: 6/30/2020

STATE OF COLORADO)
) ss.
COUNTY OF Arapahoe)

The foregoing instrument was acknowledged before me this 30 day of June, 2020, by Jean Okerman.


Witness my hand and official seal.

My commission expires: 02/08/2021



Sandra McKinley
Notary Public

[signature page]


JONATHAN HOTALING


JENNIFER HOTALING

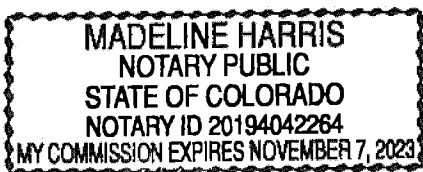
Date: July 7, 2020

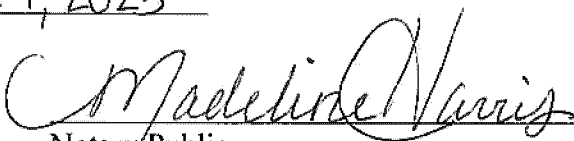
STATE OF COLORADO)
) ss.
COUNTY OF El Paso)

The foregoing instrument was acknowledged before me this 7th day of July,
2020, by Jonathan Hotaling.

Witness my hand and official seal.

My commission expires: NOV. 7, 2023



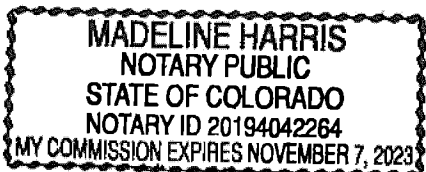

Notary Public

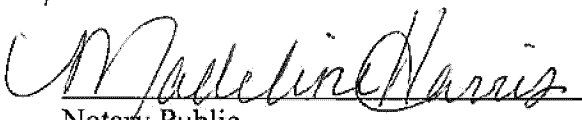
STATE OF COLORADO)
) ss.
COUNTY OF El Paso)

The foregoing instrument was acknowledged before me this 7th day of July,
2020, by Jennifer Hotaling.

Witness my hand and official seal.

My commission expires: NOV. 7, 2023




Notary Public