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ARDIS W. SCHMIDT
El Paso County Clerk & Recorder

BOOK 3664 PAGE 945

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SECOND AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS

This Amended Declaration of Covenants, Conditions and Restrictions is made this 19th day of October, 1982 by the undersigned.

WITNESSETH:

WHEREAS, The Skiland Corporation, a Colorado corporation, as Declarant, did cause to be recorded a Declaration of Covenants, Conditions, and Restrictions in Book 2568 at Page 49 of the records of the County of El Paso, State of Colorado; and

WHEREAS, at the time of recordation, Declarant was the owner of certain property in the County of El Paso, State of Colorado, which is more particularly described as:

Club Villa Townhouses, El Paso County, according to the plat recorded in Plat Book, X-2 at Page 74 of the records of El Paso County, Colorado; and

WHEREAS, Declarant was to convey said properties, except Tract A thereof, subject to certain protective covenants, conditions, restrictions, reservations, liens and charges as were set forth in the Declaration of Covenants, Conditions, and Restrictions hereinabove described; and

WHEREAS, the successors in interest to The Skiland Corporation caused to be recorded an "Amended Declaration of Covenants, Conditions, and Restrictions" in Book 2809 at Page 615 of the records of the County of El Paso, State of Colorado; and

WHEREAS, there exists a certain ambiguity as to whether or not it was the intention of the parties to include that portion of land described below in the Amended Declaration of Covenants, Conditions, and Restrictions

A part of Lot 1, Block 18, DONALA SUBDIVISION FILING NO. 2, El Paso County, State of Colorado, more particularly described as follows:

Beginning at the Northeasterly corner of said Lot 1, said corner being on the right of way line of Donala Drive; thence S. 03° 54' 02" W. and along said right of way line 14.53 feet to a point of curve; thence along said right of way line and along a curve to the left having a radius of 443.858 feet, a central angle of 73° 12' 45", an arc length of 567.16 feet; thence S. 46° 11' 17" W., 261.58 feet; thence N. 48° 28' 49" W., 164.36 feet; thence S. 78° 55' 07" W., 278.98 feet;

thence S. 11° 04' 53" E., 169.72 feet; then N. 78° 46' 27" E., 37.78 feet; thence S. 53° 46' 27" W., 144.50 feet to a point on the boundary line of said Lot 1; thence along said boundary on the following courses:

N. 19° 43' 33" W., 33.00 feet to a point of curve; thence along a curve to the left having a radius of 130.00 feet, a central angle of 78° 40' 49" an arc length of 178.52 feet; thence N. 07° 43' 43" E., 115.02 feet; thence N. 52° 07' 30" W., 125.43 feet; thence N. 21° 00' 00" E., 157.00 feet; thence N. 54° 12' 13" E., 282.39 feet; thence N. 42° 08' 32" E., 291.66 feet; thence S. 87° 29' 59" E., 102.59 feet to the true point of beginning: / containing 7.286 acres more or less, according to the plat thereof, recorded in Plat Book W-2 at Page 42, El Paso County, Colorado. and;

WHEREAS, the undersigned desire to clarify the ambiguity and clearly state that the parcel described above is not bound by the "Amended Declaration of Covenants, Conditions, and Restrictions"; and

WHEREAS, the undersigned are the owners of more than 90% of the Lots originally platted and more than 75% of the first mortgages in compliance with the procedure for Amendment contained in Article XIV Section 3 of the Amended Declaration of Covenants, Conditions, and Restrictions.

NOW, THEREFORE, the undersigned declare that that certain Amended Declaration of Covenants, Conditions, and Restrictions recorded in Book 2809 at Page 615, El Paso County, Colorado records, is hereby amended to clearly reflect that none of the previously recorded Declarations of Covenants, Conditions, and Restrictions apply to that portion of land described below:

A part of Lot 1, Block 18, DONALA SUBDIVISION FILING NO. 2, El Paso County, State of Colorado, more particularly described as follows:

Beginning at the Northeasterly corner of said Lot 1, said corner being on the right of way line of Donala Drive; thence S. 03° 54' 02" W. and along said right of way line 14.53 feet to a point of curve; thence along said right of way line and along a curve to the left having a radius of 443.858 feet, a central angle of 73° 12' 45", an arc length of 567.16 feet; thence S. 46° 11' 17" W., 261.58 feet; thence N. 48° 28' 49" W., 164.36 feet; thence S. 78° 55' 07" W., 278.98 feet; thence S. 11° 04' 53" E., 169.72 feet; then N. 78° 46' 27" E., 37.78 feet; thence S. 53° 46' 27" W., 144.50 feet to a point on the boundary line of said Lot 1; thence along said boundary on the following courses:

N. 19° 43' 33" W., 33.00 feet to a point of curve; thence along a curve to the left having a radius of 130.00 feet, a central angle of 78° 40' 49" an arc length of 178.52 feet; thence N. 07° 43' 43" E., 115.02 feet; thence N. 52° 07' 30" W., 125.43 feet; thence N. 21° 00' 00" E., 157.00 feet; thence N. 54° 12' 13" E., 282.39 feet; thence N. 42° 08' 32" E., 291.66 feet; thence S. 87° 29' 59" E., 102.59 feet to the true point of beginning: / containing 7.286 acres more or less, according to the plat thereof, recorded in Plat Book W-2 at Page 42, El Paso County, Colorado. and;

In Witness Whereof, the undersigned have hereunto set their hands and seals this 19 day of OCT, 1982.

Marshall Roth 10/19 Martha R. Roth 10/19

Greg Investment Co 10/19 Robert J. Kueg

John J. Rodden 10/19 Brian A. Rodden 10/19

Carl E. Jensen 10/19 Kathleen A. Jensen 10/19

William A. Garner 10/19 Bernice Garner 10/19

Ann B. Kavis 10/19 Philip E. Kavis 10/19

Phyllis M. Wildman 10/19 Walter W. Wildman 10/19

W. J. Smith 10/19 Maugh Fernest 10/19

La Noye 10/19 Frank S. Noye 10/19

Lucretia 10/19

Mike Guarus 10/19

Chas. Mickel 10/19

Ed N. Field 11-14

Carl N. Beckham 10/19

Kathryn S. Beckham 10/19

Charles R. Mehm 10/26

Grace E. Hilton 10/26

William J. Mehm 10/26

William J. Mehm 10/26

Everett Hillier 10/26

Robert J. Coatsdyke 10/26

Jean V. Coatsdyke 10/26

Robert V. Coatsdyke 10/26

Frank E. Coatsdyke 10/26

John Sembulus, Sr. 10/27

Maurice Gardner 11/15

William J. Coatsdyke 10/27

Mae E. Gardner 11/15

Harold Hillier 10/28

[Signature] 10/31/82

Mac Agnes H. May 11/1/82

Richard E. May 11/1/82

[Signature] 11/1/82

Janda M. Jackson 11/1/82

J. Ernst Paulsen 11/11/82 *Alma C. Paulsen* 11/11/82
 Northgate Associates Ltd.
 By: *J. Paulsen* 11/15/82

125183

STATE OF COLORADO)
)s.s.
COUNTY OF EL PASO)

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The above and foregoing Amendment was acknowledged before me by the parties named below, on the dates reflected as owners of the particular units.

<u>NAME</u>	<u>UNIT OWNED</u>	<u>DATE SIGNED</u>
Mary Wagner	Block 1, Lot 1	10/26/82
Winthrop Wildman and Phyllis Wildman	Block 1, Lot 2	10/19/82
Richard Day and Agnes Day	Block 1, Lot 3	11/1/82
Charles J. Melbuer and Esther M. Melbuer	Block 1, Lot 6	10/26/82
Roy McFarlane and Wanda McFarlane	Block 2, Lot 1	11/1/82
R.W. Naye and Mary Beth Naye	Block 2, Lot 2	10/19/82
William E. Gernert and Mary A. Gernert	Block 2, Lot 4	10/19/82
Robert J. Oostdyke and Joan V. Oostdyke	Block 3, Lot 1	10/26/82
Ruegg Investment Company by Robert Ruegg, President	Block 3, Lot 2	10/19/82
Theodore R. Milton and Grace E. Milton	Block 3, Lot 3	10/26/82
Kurt E. Kamis and Ann B. Kamis	Block 3, Lot 4	10/19/82
Edward J. Rogers, Jr. and Barbara A. Rogers	Block 4, Lot 1	10/19/82
Carl N. Beckham and Kathryn S. Beckham	Block 4, Lot 2	10/19/82
Karen L. Mack	Block 4, Lot 4	10/26/82
Edwin L. Mickel and Chreptal Mickel	Block 5, Lot 1	11/14/82 10/19/82

G. Forrest Paulsen and Agnes C. Paulsen	Block 5, Lot 3	11/19/82
William S. Garner and Bernice Garner	Block 5, Lot 4	10/19/82
Northgate Associates by James Robert Barash	Block 5, Lot 5	11/15/82
John Lambertus and Barbara J. Lambertus	Block 6, Lot 1	10/27/82
Miriam Millison	Block 6, Lot 2	10/28/82
Barbara Van Antiwerp	Block 6, Lot 3	10/26/82
Carl E. Swenson and Kasandra A. Swenson	Block 6, Lot 4	10/19/82
Tim R. Lincoln	Block 6, Lot 5	10/30/82
Marshall S. Roth and Martha R. Roth	Block 6, Lot 6	10/19/82
George H. Greaves and Ilse Greaves	Block 7, Lot 3	10/19/82
Marvin D. Gardner and Mae E. Gardner	Block 7, Lot 4	11/15/82

Witness my hand and official seal.

My commission expires: My Commission Expires Aug. 9, 1986.



Carol A. Swan

 Notary Public
 403 South Tejon Street
 Colorado Springs, CO 80903

Associates Capital Company, Inc., a Delaware Corporation, now known as Associates Commercial Corporation

By CW Staudenmayer SR. VICE-PRES.

ATTEST: Glen Greenwood

STATE OF ILLINOIS)
) s.s.
COUNTY OF COOK)

The foregoing instrument was acknowledged before me this 10TH day of December, 1982 by C.W. STAUDENMAYER, as SR. VICE-PRES., and GLEN GREENWOOD, as ASST. SECRETARY, now known as Associates Commercial Corporation, a Delaware Corporation, holder of first mortgages on 42 units.

Witness my hand and official seal.

My commission expires: 12/1/84

Dennis Salotti
Notary Public
Address: 10601 PARKSIDE
CHICAGO RIDGE, ILL.



Van Schaack & Company, a Colorado corporation


By: Robert D. Duff V.P.

ATTEST: _____

STATE OF COLORADO)
) s.s.
COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 24th day of January, 1983 by Robert Duff as V.P. Van Schaack & Co. and Walter Lukasik as Ass. Manager, Equity Invest. holder of first mortgages on more than 15 units.

I witness my hand and official seal.
My Commission expires:



Lisa Foreman

Notary Public
Address:

My Commission Expires Oct. 26, 1986
951 - 17th St., Suite 1260
Denver, Colorado 80202