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SCOTT DOYLE, RECORDER, LARIMER COUNTY CO
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**SECOND AMENDMENT TO
AMENDED AND RESTATED DECLARATION OF ESTABLISHMENT
OF PROTECTIVE COVENANTS, CONDITIONS, AND RESTRICTIONS
AND GRANTS OF EASEMENT
(HARMONY MARKET)**

RECEIVED OCT 8 2003

This Second Amendment to the Amended and Restated Declaration of Establishment of Protective Covenants, Conditions, and Restrictions and Grants of Easement is made effective as of the date recorded with the Clerk and Recorder of Larimer County, Colorado.

Recitals

A. The Amended and Restated Declaration of Establishment of Protective Covenants, Conditions, and Restrictions and Grants of Easement was recorded with the Clerk and Recorder of Larimer County, Colorado on December 7, 1992 at Reception No. 92078372.

B. The Amendment to Amended and Restated Declaration of Establishment of Protective Covenants, Conditions, and Restrictions and Grants of Easement was recorded with the Clerk and Recorder of Larimer County, Colorado on March 1, 1994 at Reception No. 94018270. The Amended and Restated Declaration referenced in Paragraph A above and the Amendment referenced in this Paragraph B are collectively referred to as the "Declaration."

C. The Declaration may be amended, as provided in Section 9.2, by 80% of the votes entitled to be cast by the Members as set forth in Section 6.2 of the Declaration.

D. Members holding at least 80% of the votes entitled to be cast by the Members under the Declaration have approved of this Second Amendment.

Second Amendment

1. Section 6.3 of the Declaration is amended to read in its entirety as follows:

6.3 Board of Directors. The initial Board of Directors elected by the Members following the effective date of this Section 6.3 shall be three persons. Thereafter, the Board of Directors of the Association shall be composed of such number of persons (not less than three nor more than seven) as may be determined from time to time by resolution of the Board. The Board of Directors shall act on behalf of the Association in the administration, interpretation and enforcement of this Declaration.

2. Definitions. Unless otherwise defined, capitalized words and phrases in this Second Amendment are as defined in the Declaration.

After recording return to: Richard S. Gast, Myatt Brandes & Gast PC, 323 S. College Ave., Suite 1
Fort Collins, CO 80524

