

SECOND AMENDMENT TO CONDOMINIUM DECLARATION OF PENNY FLATS

This Second Amendment to Condominium Declaration of Penny Flats ("Declaration") is made effective the 20<sup>th</sup> day of May, 2009.

RECITALS

Whereas, on October 24, 2008 the Condominium Declaration of Penny Flats was recorded at Reception number 20080067128 in the offices of the Clerk and Recorder in Larimer County, Colorado; and

Whereas, on October 31, 2008, the First Amendment To Condominium Declaration of Penny Flats was recorded at Reception number 20080068227 in the offices of the Clerk and Recorder in Larimer County, Colorado; and

Whereas the Declarant desires to amend the Condominium Declarations of Penny Flats.

Now Therefore, the undersigned, hereby amend the Declaration as follows:

- 1. With regard to section 1.26, It shall hereby be added that the following balconies have a maximum weight limit of 3500 lbs:

202, 203, 204, 302, 303, 304, 402 and 403.

Except as modified herein, the Declaration shall remain in full force and effect.

In Witness Whereof the undersigned Owner has set its hand and seal on the day and year first set forth above.

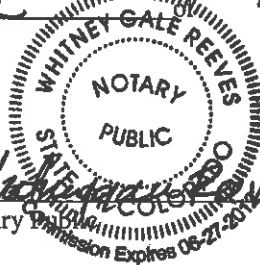
Penny Flats, LLC

By: \_\_\_\_\_

STATE OF COLORADO )  
 ) ss.  
COUNTY OF Boulder )

The foregoing instrument was acknowledged before me this 20 day of May, 2009, by John A. Kahl as Manager Penny Flats, LLC.

Witness my hand and official seal.  
My commission expires: 4/27/2012



Whitney Gale Reeves  
Notary Public  
Commission Expires 08-27-2010



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