



SCOTT DOYLE, CLERK  
LARIMER COUNTY CO

RCPTN# 2005-0048492

06/14/2005

PAGES - 3 FEE \$16.00 DOC \$0.00

12:04:00

#478605

**SECOND AMENDMENT  
TO  
EASEMENTS, COVENANTS AND RESTRICTIONS  
HARMONY VILLAGE  
FORT COLLINS, COLORADO**

THIS SECOND AMENDMENT to the Easements, Covenants and Restrictions for Harmony Village, Fort Collins, Colorado (the "Second Amendment"), is made and entered into this 8th day of May, 2005, by the Harmony Village Property Owners' Association, a Colorado non-profit corporation (the "Association").

WITNESSETH:

WHEREAS, the Easements, Covenants and Restrictions, Harmony Village, Fort Collins, Colorado (the "Declaration") was filed with the Clerk and Recorder of Larimer County, State of Colorado, under Reception No. 99070508 on the 6th day of August, 1999; and

WHEREAS, Section 9.8 of Article IX of the Declaration provides that the Declaration may be altered or amended at any time by the consent of Owners holding at least seventy-five percent (75%) of the votes entitled to be cast at meetings of the Association at the time of such amendment, including the Owners and Tenants of Lots 2 and 10, through a duly written and recorded instrument; and

WHEREAS, the Association seeks to amend the Declaration to delete the restriction appearing in Section 3.2 of Article III thereof stating that Lot 9 shall be used for a commercially operated assisted living facility.

WHEREAS, Lot 9 has since been subdivided into what are now known as Lots 1, 2, 3, 4 and 5, as depicted on the Plat of Harmony Village P.U.D., Replat No. 2, a Replat of Lot 9, Harmony Village P.U.D., being a portion of the northeast quarter of Section 6, Township 6 North, Range 68 West, of the 6th P.M., City of Fort Collins, County of Larimer, State of Colorado, filed with the Clerk and Recorder of Larimer County, State of Colorado on the 4th day of April, 2001 under Reception No. 2001024717.

NOW, THEREFORE, the Declaration is amended, as follows:

1. Section 3.2 of Article III of the Declaration is hereby amended to provide as follows:

3.2 All Lots shall be used for commercial purposes of the type normally found in a retail shopping center, including, without limitation, financial institutions, convenience stores (including fuel and food sales and car wash facilities), service shops, fast food and sit-down restaurants, offices and retail stores. Lot 9 shall be used for office/medical uses as shown on the Site Plan form Harmony Village dated April 15, 2005 and attached hereto as Exhibit "A".

2. The Capitalized terms used in this Second Amendment shall have the same meaning as ascribed in the Declaration.

3. Except as amended hereby, the original Declaration remains in full force and effect.



FC 25055152

Return to: Donna M.

IN WITNESS WHEREOF, the Association has caused this Second Amendment to the Declaration to be executed by the Association's President as of the day and year first above written.

HARMONY VILLAGE PROPERTY OWNERS' ASSOCIATION, a Colorado non-profit corporation:

By: *Robert Siechta*  
Its: President, ~~Bob~~ Siechta  
*Robert*

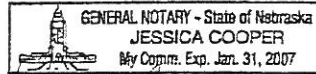
STATE OF COLORADO

COUNTY OF LARIMER

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 8<sup>th</sup> day of June, 2005, by Robert Siechta, as President of Harmony Village Property Owners' Association, a Colorado non-profit corporation.

WITNESS my hand and official seal.

My commission expires: Jan. 31, 2007



*Jessica Cooper*  
Notary Public

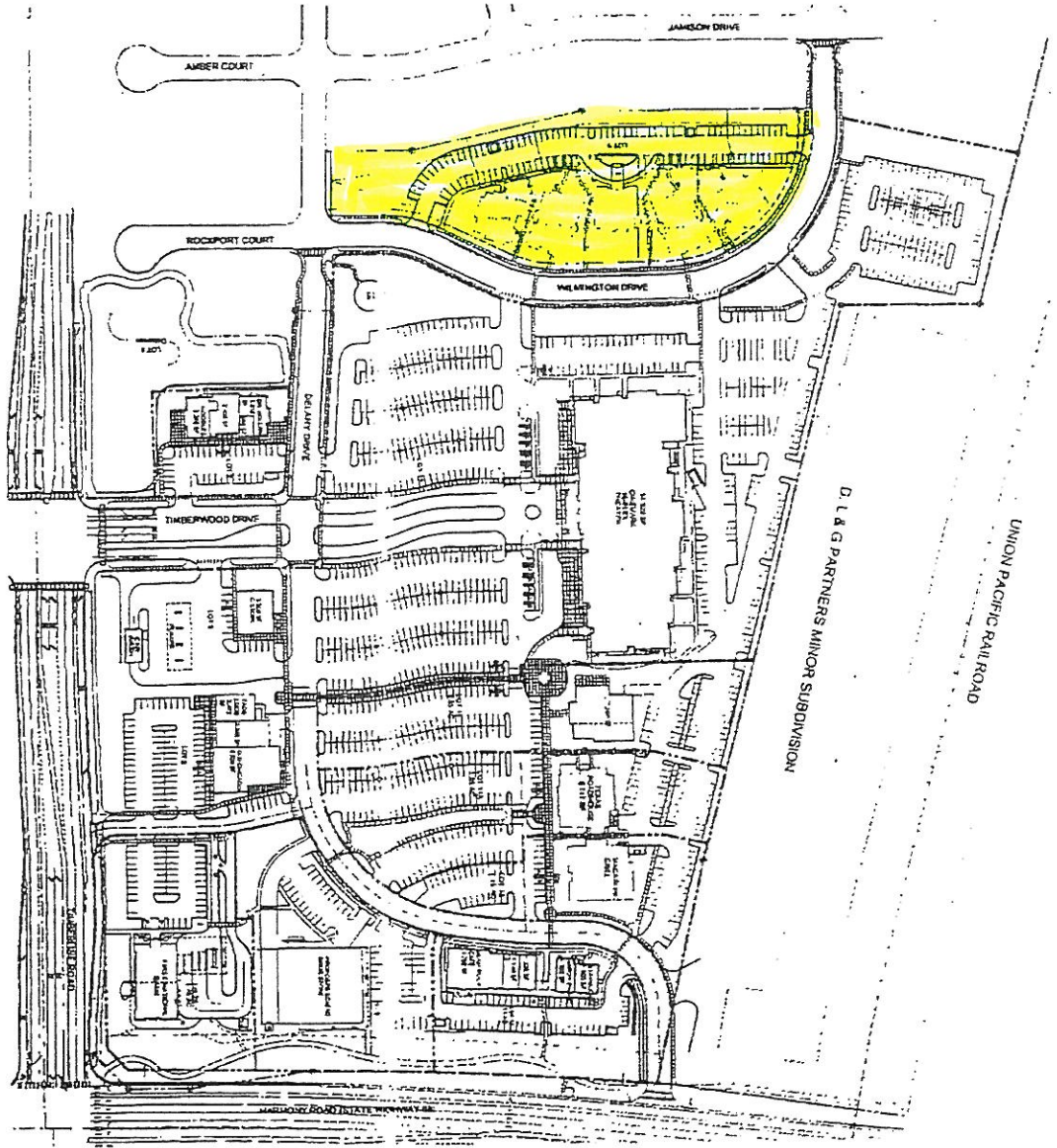
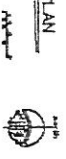
92/3

Developed & Leased By  
**Dial**  
Properties

100% Completed  
Construction  
1997  
1998  
1999  
2000  
2001  
2002  
2003  
2004  
2005  
2006  
2007  
2008  
2009  
2010  
2011  
2012  
2013  
2014  
2015  
2016  
2017  
2018  
2019  
2020  
2021  
2022  
2023  
2024  
2025  
2026  
2027  
2028  
2029  
2030  
2031  
2032  
2033  
2034  
2035  
2036  
2037  
2038  
2039  
2040  
2041  
2042  
2043  
2044  
2045  
2046  
2047  
2048  
2049  
2050  
2051  
2052  
2053  
2054  
2055  
2056  
2057  
2058  
2059  
2060  
2061  
2062  
2063  
2064  
2065  
2066  
2067  
2068  
2069  
2070  
2071  
2072  
2073  
2074  
2075  
2076  
2077  
2078  
2079  
2080  
2081  
2082  
2083  
2084  
2085  
2086  
2087  
2088  
2089  
2090  
2091  
2092  
2093  
2094  
2095  
2096  
2097  
2098  
2099  
2100

**HARMONY VILLAGE**  
FORT COLLINS, COLORADO

SITE PLAN



777 North  
Foothills Parkway  
Suite 200  
Fort Collins, CO 80504  
Phone: 970.221.1111  
Fax: 970.221.1112  
www.dialproperties.com