

**SECOND AMENDMENT TO THE
AMENDED AND RESTATED DECLARATION
OF COVENANTS, CONDITIONS, AND RESTRICTIONS
OF
BONNER PEAK LANDOWNERS' ASSOCIATION**

This Second Amendment to the Amended and Restated Declaration of Covenants, Conditions, And Restrictions of Bonner Peak Landowners' Association (the "Second Amendment") is made and adopted by a vote of the Owners of 67% or more of the Lots within Bonner Peak Landowners' Association.

WITNESSETH:

WHEREAS, the Amended and Restated Declaration of Covenants, Conditions, and Restrictions of Bonner Peak Landowners' Association was recorded on February 9, 2005 at Reception No. 2005-0011113 and re-recorded February 27, 2006 at Reception No. 2006-0013982 of the Larimer County, Colorado records (the "Amended and Restated Covenants").

WHEREAS, the Amended and Restated Covenants were amended by the First Amendment to Declaration of Covenants, Conditions, and Restrictions of Bonner Peak Landowners' Association dated October 14, 2011 and recorded October 14, 2011 at Reception No. 20110062801 of the Larimer County, Colorado records (the "First Amendment").

WHEREAS, the Amended and Restated Covenants and the First Amendment are referred to collectively as the "Restated Declaration."

WHEREAS, the real property described in and subject to the Restated Declaration is described on Exhibit A attached hereto and incorporated herein by reference ("the Property").

WHEREAS, Article XI, Section 6 of the Amended and Restated Declaration provides that the Restated Declaration may be altered or amended in whole or in part at any time by a vote of the then record Owners of 67% or more of the Lots.

WHEREAS, Article XI, Section 6 of the Amended and Restated Declaration states that the approval of the amendment shall be effective upon the recording in the office of the Clerk and Recorder of Larimer County, Colorado, of a certificate executed by the appropriate officer of the Association setting forth the amendment or repeal that has been approved by 67% of the Owners.

WHEREAS, the Owners of 67% or more of the Lots have voted in favor of this Second Amendment.

WHEREAS capitalized terms used in this Second Amendment shall have the meaning given in the Restated Declaration.

NOW, THEREFORE, the Restated Declaration shall be and is hereby amended as follows:

1. Article IX, Section 2.1 of the Restated Declaration shall be amended and restated in its entirety as follows:

Section 2.1 General Provisions.

A. Except as otherwise provided herein, no building shall be erected, altered, placed, or permitted to remain on any Lot other than single-family residential dwellings with attached or unattached garages; unattached pump houses; one (1) residential guest-house; and non-residential outbuildings and structures such as barns, stables or corrals for use specifically in connection with the care of livestock, as permitted under these covenants, or the maintenance of equipment. No residential dwelling shall be erected, altered, or permitted to remain on any Lot unless the ground floor area thereof, exclusive of basement, open porches, and garages, shall be not less than One Thousand Two Hundred (1,200) square feet for a one-story dwelling. The minimum square footage for two-story and other multi-level dwellings shall be determined on a case-by-case basis by the Architectural Control Committee. The Architectural Control Committee may grant relief from these provisions for good cause.

B. Short-term (less than one month) rental of any of the building types listed in Section 2.1.A above, is strictly prohibited. Short-term (less than one month) rental of any other type building, camping unit, tent, platform tent, recreational vehicle, or unit that could be constructed as usable for occupancy is strictly prohibited.

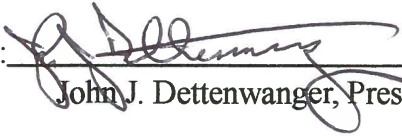
2. Except as expressly amended or modified herein, all of the terms and provisions of the Restated Declaration shall be binding upon and inure to the benefit of all parties having any right, title or interest in or to the Property or any portion thereof and their heirs, personal representatives, successor and assigns.

CERTIFICATION

By execution of this Second Amendment to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions of Bonner Peak Landowners' Association, the President of the Association hereby certifies that the foregoing Second Amendment to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Bonner Peak Landowners' Association was adopted by vote of Owners of 67% or more of the Lots.

IN WITNESS WHEREOF, John J. Dettenwanger as President of the Association has executed this Second Amendment this 18 day of February 2020.


BONNER PEAK LANDOWNERS' ASSOCIATION

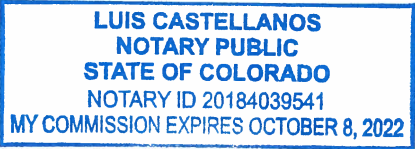
By: 
John J. Dettenwanger, President

STATE OF COLORADO)
)ss:
COUNTY OF LARIMER)

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 18 day of February 2020, by JOHN J. DETTENWANGER, President of BONNER PEAK LANDOWNERS' ASSOCIATION, a Colorado nonprofit corporation.

Witness my hand and official seal.
My Commission Expires: 10/08/2022


Notary Public



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EXHIBIT A
ATTACHED TO AND MADE A PART OF THE
SECOND AMENDMENT TO THE
AMENDED AND RESTATED DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF BONNER PEAK LANDOWNERS' ASSOCIATION

Legal Description

Township 9 North, Range 70 West of the 6th P.M.

- Section 3: SE ¼;
- Section 10: SW ¼ NE ¼, W ½ SE ¼;
- Section 11: All;
- Section 13: All
- Section 14: NE ¼, N ½ NW ¼, SE ¼ NW ¼, E ½ SE ¼, SW ¼ SE ¼,
N ½ SW ¼, SE ¼ SW ¼;
- Section 15: NE ¼ NE ¼, E ½ SE ¼;
- Section 21: E ½ SE ¼;
- Section 22: E ½ NE ¼, NW ¼ SE ¼, S ½ SE ¼, SW ¼;
- Section 23: N ½, SE ¼, NE ¼ SW ¼, S ½ SW ¼.

Township 9 North, Range 69 West of the 6th P.M.

- Section 18: Beginning at the Northwest corner of Section 18, thence South 89° 50' East 365.2 feet to center of County Road (*Highway 287*), thence South along the center of said road 4426.6 feet; thence South 15° 21' West along road 876.7 feet to Section line; thence North 89° 43' West on Section line 134.5 feet to Southwest corner of said Section; thence North 0° 09' East along West Section line 5272.5 feet to place of beginning; EXCEPT parcel conveyed by deed recorded in Book 1379, Page 171, EXCEPT access rights conveyed by deed recorded in Book 1379, Page 173, and EXCEPT parcel conveyed by deed recorded in Book 593, Page 319.

Larimer County, Colorado.