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Cheri Brunvand – Summit County Recorder

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SECOND AMENDMENT
TO
DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF
THE WELLINGTON NEIGHBORHOOD

This Second Amendment to the Declaration of Covenants, Conditions and Restrictions of The Wellington Neighborhood (“Second Amendment”) is made by Union Mill, Inc., a Colorado corporation, (“Successor Declarant”).

WHEREAS, the Declaration of Covenants, Conditions and Restrictions of The Wellington Neighborhood was recorded in the office of the Clerk and Recorder of Summit County, Colorado on September 28, 2000 at Reception No. 633819 (“Declaration”); and

WHEREAS, an Assignment of Declarant’s Rights, Special Declarant’s Rights and Expansion and Development Rights pursuant to the Declaration of Covenants, Conditions and Restrictions of The Wellington Neighborhood was recorded in the office of the Clerk and Recorder of Summit County, Colorado on September 22, 2006 at Reception No. 833732 (“Assignment”); and

WHEREAS, all of the Special Declarant’s Rights and Expansion and Development Rights of Wellington Neighborhood, LLC and Poplarhouse, LLC as the original Declarants of the Declaration were assigned to Successor Declarant by the Assignment; and

WHEREAS, the First Amendment to Declaration of Covenants, Conditions and Restrictions of the Wellington Neighbourhood was recorded on the office of the Clerk and Recorder of Summit County, Colorado on May 19, 2008 at Reception No. 887817 (“First Amendment”); and

WHEREAS, Successor Declarant is recording in connection with this Second Amendment a plat of Wellington 2, Filing 4, Block 9 in the office of the Clerk and Recorder of Summit County, Colorado (“W2, F4 Plat”).

NOW, THEREFORE, Successor Declarant hereby amends the Declaration as follows:

1. By the recording of the W2, F4 Plat and this Second Amendment, all of the real property described in the Owner’s Certificate thereof is hereby subjected to the Declaration and the First Amendment and all of the provisions, covenants, conditions and restrictions thereof, as amended.

2. All capitalized terms used herein, but not defined herein, shall be defined as provided for in the Declaration.

3. Except as provided for in this Second Amendment, all of the provisions, covenants, conditions and restrictions of the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, Successor Declarant has executed this Second Amendment to the Declaration of Covenants, Conditions and Restrictions of The Wellington Neighborhood this 18th day of November, 2008.

UNION MILL, INC.,
a Colorado corporation

By: [Signature]
David G. O'Neil, President

STATE OF COLORADO)
) ss.
COUNTY OF SUMMIT)

Subscribed and sworn to before me this 18th day of November, 2008 by David G. O'Neil as President of Union Mill, Inc., a Colorado corporation.

Witness my hand and official seal.

My commission expires: 3.31.2011

[Signature]
Notary Public

My Commission Expires
March 31, 2011

