



**SECOND AMENDMENT**  
**TO**  
**DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS**  
**AND EASEMENTS FOR**  
**NORTHGATE RESIDENTIAL PROPERTIES**

THIS SECOND AMENDMENT is made this 8<sup>TH</sup> day of October, 1999 by PICOLAN, INC., a Colorado corporation ("Declarant"). This Second Amendment amends that certain Declaration of Covenants, Conditions, Restrictions and Easements for Northgate Residential Properties (the "Declaration"), dated July 8, 1997 and recorded July 10, 1997 under Reception No. 097079216 of the records of El Paso County, Colorado.

Declarant is the owner of the real property described as Lots 24 and 25 in Trail Ridge at Northgate Filing No. 6, in the City of Colorado Springs, County of El Paso and State of Colorado (the "Second Additional Property"), which is part of the Expansion Property defined in the Declaration.

1. Inclusion of Second Additional Property. The purpose of this Second Amendment is to extend the Declaration to the Second Additional Property. The Declarant has the right, power and authority to amend the Declaration as provided herein. Accordingly, pursuant to Section 10.2 of the Declaration, the Declaration is hereby amended to add the Second Additional Property to the area made subject to the Declaration. All of the terms, conditions and provisions of the Declaration shall apply to and be binding upon the Second Additional Property, and the Second Additional Property shall be subject to all of the terms, conditions and provisions of the Declaration.

2. Release of Prior Covenants. The Second Additional Property is subject to that certain Declaration of Covenants made by O.S. Properties and Northgate Development Company, dated March 17, 1987 and recorded April 3, 1987 in Book 5344 at Page 405 of the real property records of El Paso County, Colorado (the "Prior Covenants"). Declarant is the successor in interest

