

**SECOND AMENDMENT
TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF
SUNPOINTE AT LAKEWOOD ESTATES CONDOMINIUMS II**

THIS AMENDMENT is made this 23 day of August, 2016.

RECITALS

A. The Amended and Restated Declaration of Covenants, Conditions and Restrictions of Sunpointe at Lakewood Estates Condominiums II was approved and recorded with the Jefferson County Clerk and Recorder's office on May 20, 2013 at Reception No. 2013059698 ("Amended and Restated Declaration")

B. The Amended and Restated Declaration provides for and allows for this Second Amendment (the "Amendment") in Article 13, Section 13.5, which provides, in pertinent part, as follows:

Except as otherwise provided in this Declaration, any provision, covenant, condition, restriction or equitable servitude contained in this Declaration may be amended, revised, removed or repealed, and new provisions, covenants, conditions, restrictions or equitable servitudes may be added, at any time and from time to time upon approval of Owners holding at least 67% of the eligible Association vote and 51% of Eligible Mortgage Holders.

C. At the time this Amendment was prepared and sent out for Owner approval, there were no Eligible Mortgage Holders as that term is defined in the Original Declaration.

D. All Owners are aware of the provisions of the Amended and Restated Declaration allowing for amendment, by virtue of the record notice of the Amended and Restated Declaration, by acts and disclosures, newsletters or notices of the Association and by other means.

E. This Amendment has been prepared and determined by the Association and by the Owners that have approved this Amendment to be reasonable and not burdensome.

F. The purpose of this Amendment is to change the assessment allocations appurtenant to each Unit.

G. The undersigned, being the President and Secretary of the Association, hereby certify that 67% of the Owners have consented and agreed to this Amendment.

H. As amended by this Amendment, the amended and restated Declaration is referred to as the "Declaration."

NOW THEREFORE,

I. Amendments. The Original Declaration is hereby amended as follows:

(a) Repeal and Restatement. Article I, Section 1.1(c) is hereby repealed in its entirety and the following Article I, Section 1.1(c) is substituted:

Section 1.1(c) "Assessment" shall include all Common Expense Assessments and any other expense levied upon a Unit pursuant to this Declaration or the Act, including reserve assessments, interest, late fees, attorney fees, fines and costs.

(b) Repeal and Restatement. Article III, Section 3.6 is hereby repealed in its entirety and the following Article III, Section 3.6 is substituted:

Section 3.6. Allocated Interests. The Ownership interest, Common Expense liability, and votes in the Association allocated to each Unit are set as follows:

(a) the percentage of ownership of the Common Elements: as set forth in Exhibit B of this Declaration;

(b) the percentage of liability for Common Expenses, other than Common Expenses paid to the reserve account: as set forth in Exhibit B of this Declaration;

(c) the percentage of liability for Common Expenses paid to the reserve account: equal; and

(d) the number of votes in the Association: equal, with one vote per Unit.

(c) Repeal. Article VI, Section 6.1 is amended by repealing the last two sentences of that Section.

(d) Repeal and Restatement. Article VI, Section 6.3 is hereby repealed in its entirety and the following Article VI, Section 6.3 is substituted:

Section 6.3. Annual Assessment. Common Expense Assessments shall be allocated equally among all Units in the Association and shall be due and payable in monthly, quarterly, or annual installments, or in any other manner, as determined by the Board of Directors. The omission or failure of the Board of Directors to levy the Assessment for any period shall not be deemed a waiver, modification or a release of the Owners from their obligation to pay. Any portion of Common Expense Assessments dedicated to the Association's reserve account shall be allocated as set forth in Exhibit B.

(f) Amendment. Article VI, Section 6.4 is hereby amended by the addition of the following sentence at the end of that section:

Special Assessments shall be allocated equally among all Units in the Association.

(g) Repeal and Restatement. Exhibit B is hereby repealed in its entirety and the attached Exhibit B is substituted.

II. **No Other Amendments.** Except as amended by the terms of this Amendment and previous amendments, the Declaration shall remain in full force and effect.

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IN WITNESS WHEREOF, this Amendment is executed by the undersigned.

**Sunpointe at Lakewood Estates II
Condominium Association, Inc.**
a Colorado nonprofit corporation

By: *Jan C. Langie*
President

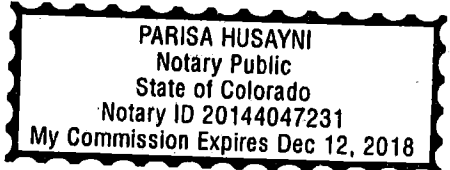
By: *Ronald R. Fischer*
Secretary

STATE OF COLORADO)
) ss.
COUNTY OF Denver)

The foregoing was acknowledged before me this 23 day of August, 2016, by *Jan C. Langie*, as President of Sunpointe at Lakewood Estates II Condominium Association, Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.
My commission expires: 12-12-18

Parisa Husayni
Notary Public



STATE OF COLORADO)
) ss.
COUNTY OF Denver)

The foregoing was acknowledged before me this 23 day of August, 2016, by *Ronald R. Fischer*, as Secretary of Sunpointe at Lakewood Estates II Condominium Association, Inc., a Colorado nonprofit corporation.

Witness my hand and official seal.
My commission expires: 12-12-18

Parisa Husayni
Notary Public

EXHIBIT B**SUNPOINTE AT LAKEWOOD ESTATES CONDOMINIUMS II**

Building Number	Unit Address	Unit Number	Unit Type	Square Footage	% of Undivided Interest In Common Elements
21	5702 W. Atlantic Pl.	101	6	2040	.00755
21	5704 W. Atlantic Pl.	102	5	1797	.00665
21	5706 W. Atlantic Pl.	103	3	1505	.00557
21	5708 W. Atlantic Pl.	104	4	1536	.00568
21	5710 W. Atlantic Pl.	105	3	1505	.00557
21	5712 W. Atlantic Pl.	106	5	1797	.00665
21	5714 W. Atlantic Pl.	107	6	2040	.00755
20	5716 W. Atlantic Pl.	107	6	2040	.00755
20	5718 W. Atlantic Pl.	106	5	1797	.00665
20	5720 W. Atlantic Pl.	105	3	1505	.00557
20	5722 W. Atlantic Pl.	104	4	1536	.00568
20	5724 W. Atlantic Pl.	103	3	1505	.00557
20	5726 W. Atlantic Pl.	102	5	1797	.00665
20	5728 W. Atlantic Pl.	101	6	2040	.00755
16	5730 W. Atlantic Pl.	101	2	1813	.00671
16	5732 W. Atlantic Pl.	102	2a	1813	.00671
16	5734 W. Atlantic Pl.	103	1	1692	.00626
16	5736 W. Atlantic Pl.	104	1	1692	.00626
16	5738 W. Atlantic Pl.	105	1	1692	.00626
16	5740 W. Atlantic Pl.	106	2a	1813	.00671
16	5742 W. Atlantic Pl.	107	2	1813	.00671
17	5744 W. Atlantic Pl.	101	2	1813	.00671
17	5746 W. Atlantic Pl.	102	2a	1813	.00671
17	5748 W. Atlantic Pl.	103	1	1692	.00626
17	5750 W. Atlantic Pl.	104	1	1692	.00626
15	5752 W. Atlantic Pl.	101	6	2040	.00755
15	5754 W. Atlantic Pl.	102	5	1797	.00665
15	5756 W. Atlantic Pl.	103	3	1505	.00557
15	5758 W. Atlantic Pl.	104	5	1797	.00665
15	5760 W. Atlantic Pl.	105	6	2040	.00755
19	5822 W. Atlantic Pl.	105	6	2040	.00755
19	5824 W. Atlantic Pl.	104	5	1797	.00665
19	5826 W. Atlantic Pl.	103	3	1505	.00557
19	5828 W. Atlantic Pl.	102	5	1797	.00665
19	5830 W. Atlantic Pl.	101	6	2040	.00755
18	5832 W. Atlantic Pl.	107	2	1813	.00671
18	5834 W. Atlantic Pl.	106	2a	1813	.00671
18	5836 W. Atlantic Pl.	105	1	1692	.00626
18	5838 W. Atlantic Pl.	104	1	1692	.00626
18	5840 W. Atlantic Pl.	103	1	1692	.00626
18	5842 W. Atlantic Pl.	102	2a	1813	.00671
18	5844 W. Atlantic Pl.	101	2	1813	.00671
6	5821 W. Atlantic Pl.	106	6	2040	.00755
6	5823 W. Atlantic Pl.	105	5	1797	.00665
6	5825 W. Atlantic Pl.	104	4	1536	.00568
6	5827 W. Atlantic Pl.	103	3	1505	.00557
6	5829 W. Atlantic Pl.	102	5	1797	.00665
6	5831 W. Atlantic Pl.	101	6	2040	.00755

5	3833 W. Atlantic Pl.	107	6	2040	.00755
5	5835 W. Atlantic Pl.	106	5	1797	.00665
5	5837 W. Atlantic Pl.	105	3	1505	.00557
5	3839 W. Atlantic Pl.	104	4	1536	.00568
5	5841 W. Atlantic Pl.	103	3	1505	.00557
5	5843 W. Atlantic Pl.	102	5	1797	.00665
5	5845 W. Atlantic Pl.	101	6	2040	.00755
4	5853 W. Atlantic Pl.	106	6	2040	.00755
4	5855 W. Atlantic Pl.	105	5	1797	.00665
4	5857 W. Atlantic Pl.	104	4	1536	.00568
4	5859 W. Atlantic Pl.	103	3	1505	.00557
4	5861 W. Atlantic Pl.	102	5	1797	.00665
4	5863 W. Atlantic Pl.	101	6	2040	.00755
3	5865 W. Atlantic Pl.	106	6	2040	.00755
3	5867 W. Atlantic Pl.	105	5	1797	.00665
3	5869 W. Atlantic Pl.	104	3	1505	.00557
3	5871 W. Atlantic Pl.	103	4	1536	.00568
3	5873 W. Atlantic Pl.	102	5	1797	.00665
3	5875 W. Atlantic Pl.	101	6	2040	.00755
2	5877 W. Atlantic Pl.	105	6	2040	.00755
2	5979 W. Atlantic Pl.	104	5	1791	.00665
2	5881 W. Atlantic Pl.	103	3	1505	.00557
2	5883 W. Atlantic Pl.	102	5	1797	.00665
2	5885 W. Atlantic Pl.	101	6	2040	.00755
1	5887 W. Atlantic Pl.	107	6	2040	.00755
1	5889 W. Atlantic Pl.	106	5	1797	.00665
1	5891 W. Atlantic Pl.	105	3	1505	.00557
1	5893 W. Atlantic Pl.	104	4	1536	.00568
1	5895 W. Atlantic Pl.	103	3	1505	.00557
1	5897 W. Atlantic Pl.	102	5	1797	.00665
1	5899 W. Atlantic Pl.	101	6	2040	.00755
28	5857 W. Asbury Pl.	107	2	1813	.00671
28	5859 W. Asbury Pl.	106	2a	1813	.00671
28	5861 W. Asbury Pl.	105	1	1692	.00626
20	5863 W. Asbury Pl.	104	1	1692	.00626
28	5865 W. Asbury Pl.	103	1	1692	.00626
28	5867 W. Asbury Pl.	102	2a	1813	.00671
28	5869 W. Asbury Pl.	101	2	1813	.00671
27	5671 W. Asbury Pl.	104	6	2040	.00755
27	5873 W. Asbury Pl.	103	5	1797	.00665
27	5875 W. Asbury Pl.	102	3	1505	.00557
27	5877 W. Asbury Pl.	101	4	1536	.00568
33	5888 W. Asbury Pl.	101	7	1402	.00518
33	5890 W. Asbury Pl.	102	8	1592	.00589
33	5992 W. Asbury Pl.	103	9	1555	.00575
33	5896 W. Asbury Pl.	104	9	1555	.00575
33	5898 W. Asbury Pl.	105	7a	1562	.00578
34	5870 W. Asbury Pl.	101	7a	1562	.00578
34	5872 W. Asbury Pl.	102	9	1555	.00575
34	5876 W. Asbury Pl.	103	9	1555	.00575
34	5878 W. Asbury Pl.	104	7a	1562	.00578
35	5858 W. Asbury Pl.	101	7	1402	.00518
35	5860 W. Asbury Pl.	102	8	1592	.00589
35	5862 W. Asbury Pl.	103	9	1555	.00575
35	5866 W. Asbury Pl.	104	9	1555	.00575
35	5868 W. Asbury Pl.	105	7a	1562	.00578
36	5846 W. Asbury Pl.	101	7a	1562	.00578
36	5848 W. Asbury Pl.	102	9	1555	.00575
36	5850 W. Asbury Pl.	103	9	1555	.00575

36	5854 W. Asbury Pl.	104	8	1592	.00589
36	5856 W. Asbury Pl.	105	7a	1562	.00578
37	5762 W. Asbury Pl.	101	7b	2012	.00743
37	5764 W. Asbury Pl.	102	9	1555	.00575
37	5768 W. Asbury Pl.	103	9	1555	.00575
37	5770 W. Asbury Pl.	104	7a	1562	.00578
38	5754 W. Asbury Pl.	101	7a	1562	.00578
38	5756 W. Asbury Pl.	102	9	1555	.00575
38	5758 W. Asbury Pl.	103	9	1555	.00575
38	5760 W. Asbury Pl.	104	7b	2012	.00743
45	5714 W. Asbury Pl.	101	7a	1562	.00578
45	5716 W. Asbury Pl.	102	9	1555	.00575
45	5720 W. Asbury Pl.	103	9	1555	.00575
45	5722 W. Asbury Pl.	104	7a	1562	.00578
44	5724 W. Asbury Pl.	101	7	1402	.00518
44	5726 W. Asbury Pl.	102	8	1592	.00589
44	5728 W. Asbury Pl.	103	9	1555	.00575
44	5730 W. Asbury Pl.	104	9	1555	.00575
44	5734 W. Asbury Pl.	105	7a	1562	.00578
39	5744 W. Asbury Pl.	101	7a	1562	.00578
39	5746 W. Asbury Pl.	102	9	1555	.00575
39	5750 W. Asbury Pl.	103	9	1555	.00575
39	5752 W. Asbury Pl.	104	7a	1562	.00578
40	5736 W. Asbury Pl.	101	7a	1562	.00578
40	5738 W. Asbury Pl.	102	8	1592	.00589
40	5740 W. Asbury Pl.	103	8	1592	.00589
40	5742 W. Asbury Pl.	104	7a	1562	.00578
29	5743 W. Asbury Pl.	101	10	1370	.00506
29	5745 W. Asbury Pl.	102	10	1370	.00506
29	5747 W. Asbury Pl.	103	10	1370	.00506
29	5749 W. Asbury Pl.	104	10	1370	.00506
29	5751 W. Asbury Pl.	105	10	1370	.00506
29	5753 W. Asbury Pl.	106	10	1370	.00506
29	5755 W. Asbury Pl.	107	10	1370	.00506
30	5735 W. Asbury Pl.	101	10	1370	.00506
30	5737 W. Asbury Pl.	102	10	1370	.00506
30	5739 W. Asbury Pl.	103	10	1370	.00506
30	5741 W. Asbury Pl.	104	10	1370	.00506
31	5725 W. Asbury Pl.	101	7a	1562	.00578
31	5727 W. Asbury Pl.	102	9	1555	.00575
31	5731 W. Asbury Pl.	103	9	1555	.00575
31	5733 W. Asbury Pl.	104	7a	1562	.00578
26	5713 W. Asbury Pl.	101	7a	1562	.00578
26	5715 W. Asbury Pl.	102	8	1592	.00589
26	5717 W. Asbury Pl.	103	9	1555	.00575
26	5721 W. Asbury Pl.	104	9	1555	.00575
26	5723 W. Asbury Pl.	105	7a	1562	.00578
25	5703 W. Asbury Pl.	101	7a	1562	.00578
25	5705 W. Asbury Pl.	102	9	1555	.00575
25	5709 W. Asbury Pl.	103	9	1555	.00575
25	5711 W. Asbury Pl.	104	7a	1562	.00578
32	5880 W. Asbury Pl.	101	7a	1562	.00578
32	5882 W. Asbury Pl.	102	8	1592	.00589
32	5884 W. Asbury Pl.	103	8	1592	.00589
32	5886 W. Asbury Pl.	104	7a	1562	.00578
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