

**FIFTH AMENDMENT
TO THE
DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
WEST FORK VILLAGE**

THIS AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS for West Fork Village ("Declaration") is made on the date hereinafter set forth by West Fork LLC, a Colorado limited liability company ("Declarant").

RECITALS

A. Declarant as the owner of certain real estate in the County of Weld, State of Colorado, executed and recorded that certain Declaration of Covenants, Conditions and Restrictions for West Fork Village on October 22, 2002 at Reception No.2998232, of the records of the Clerk and Recorder of Weld County, Colorado (the "Declaration").

B. The Declaration has been amended by instruments recorded with the Clerk and Recorder of Weld County, Colorado.

C. Article XVII of the Declaration provides for the annexation of property.

D. Exhibit C of the Declaration provides a legal description of property which Declarant may annex to West Fork Village (the "Expansion Property").

E. Declarant is the owner of the property described on **Exhibit A** attached hereto, which property is a portion of the Expansion Property. Declarant desires to annex a portion of the Expansion Property to West Fork Village pursuant to the Declaration and to establish twelve (12) condominium units.

Declarant hereby declares as follows:

1. Annexation of Property. Pursuant to the Declaration and a Supplemental Map, the property described in **Exhibit A** attached hereto and incorporated herein by this reference is hereby annexed to West Fork Village. The property described in **Exhibit A** is now subject to the terms and provisions of the Declaration.
2. Condominium Map. Pursuant to the Declaration, Declarant has prepared and will record, in the records of the Office of the Clerk and Recorder of Weld County, Colorado, a Third Supplemental Map of West Fork Village covering the property which is described in **Exhibit A** attached hereto.

- 3. Division Into Condominium Units. Declarant hereby establishes and annexes Condominium Units to West Fork Village, which Condominium Units are identified in **Exhibit B**, attached hereto and incorporated herein by this reference.
- 4. Allocated Interests. The Ownership Interest, Common Expense Liability and Votes in the Association allocated to each Unit shall be as set forth on **Exhibit C**, attached hereto and incorporated herein by this reference.
- 5. Certificate of Completion. The Condominium Map contains a Certificate Of Completion as required by Section 38-33.3-201, C.R.S.

Dated this 16th day of May, 2003.

WEST FORK LLC
a Colorado limited liability company

By: *Amy W. Smart*
Amy W. Smart, Manager

State of Colorado)
) ss.
County of Weld)

The foregoing Fifth Amendment To The Declaration Of Covenants, Conditions And Restrictions For West Fork Village was acknowledged before me by Amy W. Smart, as Manager of West Fork LLC, a Colorado limited liability company, on this 6th day of May, 2003.

Witness my hand and official seal.

My commission expires:

6-9-03



Sharon L. Barber
Notary Public



**EXHIBIT A
TO
FIFTH AMENDMENT TO THE
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FOR WEST FORK VILLAGE**

Description of Real Estate Annexed to West Fork Village

A parcel of land located in Tract 1, Block 9, First Replat of Tracts 1, 2 and 3, West T-Bone Ranch Subdivision First Filing; situated in the Northwest Quarter of Section 22, Township 5 North, Range 66 West of the Sixth Principal Meridian, City of Greeley, County of Weld, State of Colorado more particularly described as follows:

Commencing at the southeast corner of said Tract 1; thence N15°55'51"W along the east line of said Tract 1 a distance of 507.95 feet to the northeast corner of said Tract 1; thence S89°36'47"W along the north line of said Tract 1 a distance of 102.18 feet; thence S00°21'26"E a distance of 44.28 feet; thence S89°38'34"W a distance of 105.03 feet to the point of beginning; thence S16°17'12"E a distance of 222.66 feet; thence S82°45'13"W a distance of 23.00 feet; thence S07°35'01"E a distance of 18.17 feet; thence S81°58'18"W a distance of 114.21 feet; thence N50°24'43"W a distance of 40.86 feet to a point of non-tangency; thence along a non-tangent curve to the left with a radius of 50.00 feet, a central angle of 31°26'43", an arc length of 27.44 feet, and a chord bearing N15°26'46"E a distance of 27.10 feet to a point of non-tangency; thence N00°11'01"W a distance of 197.66 feet; thence N89°32'22"E a distance of 95.97 feet to the point of beginning.

**EXHIBIT B
TO
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FOR WEST FORK VILLAGE**

Units Added to West Fork Village

Building No. 4

Also known as: 5775 West 29th Street
Greeley, Colorado 80634

Unit 401	Unit 407
Unit 402	Unit 408
Unit 403	Unit 409
Unit 404	Unit 410
Unit 405	Unit 411
Unit 406	Unit 412

**EXHIBIT C
 TO
 FIFTH AMENDMENT TO THE
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 WEST FORK VILLAGE**

Allocation of Interests and Voting

BUILDING NO.	UNIT NO.	PERCENTAGE SHARE OF OWNERSHIP IN COMMON ELEMENTS AND COMMON EXPENSE LIABILITY	VOTES IN ASSOCIATION
1	101	2.08%	1
1	102	2.08%	1
1	103	2.08%	1
1	104	2.08%	1
1	105	2.08%	1
1	106	2.08%	1
1	107	2.08%	1
1	108	2.08%	1
1	109	2.08%	1
1	110	2.08%	1
1	111	2.08%	1
1	112	2.08%	1
Building 1	12 Units	25% (rounded)	12 Votes

2	201	2.08%	1
2	202	2.08%	1
2	203	2.08%	1
2	204	2.08%	1
2	205	2.08%	1
2	206	2.08%	1
2	207	2.08%	1
2	208	2.08%	1
2	209	2.08%	1
2	210	2.08%	1
2	211	2.08%	1
2	212	2.08%	1
Building 2	12 Units	25% (rounded)	12 Votes
3	301	2.08%	1
3	302	2.08%	1
3	303	2.08%	1
3	304	2.08%	1
3	305	2.08%	1
3	306	2.08%	1
3	307	2.08%	1
3	308	2.08%	1
3	309	2.08%	1

3	310	2.08%	1
3	311	2.08%	1
3	312	2.08%	1
Building 3	12 Units	25% (rounded)	12 Votes
4	401	2.08%	1
4	402	2.08%	1
4	403	2.08%	1
4	404	2.08%	1
4	405	2.08%	1
4	406	2.08%	1
4	407	2.08%	1
4	408	2.08%	1
4	409	2.08%	1
4	410	2.08%	1
4	411	2.08%	1
4	412	2.08%	1
Building 4	12 Units	25% (rounded)	12 Votes
TOTAL	48 UNITS	100% (ROUNDED)	48 VOTES

Building No. 1 Address: 5775 West 29th Street
 Greeley, Colorado 80634



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8 of 8 R 41.00 D 0.00 Steve Moreno Clerk & Recorder

Building No. 2 Address: 5775 West 29th Street
Greeley, Colorado 80634

Building No. 3 Address: 5775 West 29th Street
Greeley, Colorado 80634

Building No. 4 Address: 5775 West 29th Street
Greeley, Colorado 80634