

070

**NINTH 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 Seventh 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 14th day of October, 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 Ninth 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 14th day of October, 2003.

Witness my hand and official seal.

My commission expires:

6-9-07



Sharon L. Barber
Notary Public

**EXHIBIT A
TO
NINTH AMENDMENT TO THE
DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
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 ALONG THE SOUTH BOUNDARY OF SAID TRACT 1 ALONG A CURVE TO THE LEFT WITH A RADIUS OF 1235.00 FEET, AN ARC LENGTH OF 220.91 FEET, A CENTRAL ANGLE OF 10°14'56", AND A CHORD BEARING S77°58'58"W A DISTANCE OF 220.62 FEET; THENCE S72°51'30"W CONTINUING ALONG THE SOUTH BOUNDARY OF SAID TRACT 1 A DISTANCE OF 248.83 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE SOUTH BOUNDARY OF SAID TRACT 1 THE FOLLOWING TWO (2) COURSES;

- 1) THENCE S72°51'30"W A DISTANCE OF 86.17 FEET;
- 2) THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 1165.00 FEET, AN ARC LENGTH OF 125.53 FEET, A CENTRAL ANGLE OF 06°10'26", AND A CHORD BEARING S75°56'43"W A DISTANCE OF 125.47 FEET;

THENCE N03°15'16"W A DISTANCE OF 82.70 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 380.00 FEET, AN ARC LENGTH OF 55.56 FEET, A CENTRAL ANGLE OF 08°22'36", AND A CHORD BEARING N07°26'34"W A DISTANCE OF 55.51 FEET THENCE N11°37'52"W A DISTANCE OF 27.35 FEET; THENCE N78°22'01"E A DISTANCE OF 212.58 FEET; THENCE S05°00'08"E A DISTANCE OF 151.97 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS 33,311 SQUARE FEET, 0.745 ACRES, MORE OR LESS.



**EXHIBIT B
TO
NINTH AMENDMENT TO THE
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FOR WEST FORK VILLAGE**

Units Added to West Fork Village

Building No. 8

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

- | | |
|----------|----------|
| Unit 801 | Unit 807 |
| Unit 802 | Unit 808 |
| Unit 803 | Unit 809 |
| Unit 804 | Unit 810 |
| Unit 805 | Unit 811 |
| Unit 806 | Unit 812 |

**EXHIBIT C
 TO
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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	1.04%	1
1	102	1.04%	1
1	103	1.04%	1
1	104	1.04%	1
1	105	1.04%	1
1	106	1.04%	1
1	107	1.04%	1
1	108	1.04%	1
1	109	1.04%	1
1	110	1.04%	1
1	111	1.04%	1
1	112	1.04%	1
Building 1	12 Units	12.48% (rounded)	12 Votes



2	201	1.04%	1
2	202	1.04%	1
2	203	1.04%	1
2	204	1.04%	1
2	205	1.04%	1
2	206	1.04%	1
2	207	1.04%	1
2	208	1.04%	1
2	209	1.04%	1
2	210	1.04%	1
2	211	1.04%	1
2	212	1.04%	1
Building 2	12 Units	12.48% (rounded)	12 Votes
3	301	1.04%	1
3	302	1.04%	1
3	303	1.04%	1
3	304	1.04%	1
3	305	1.04%	1
3	306	1.04%	1
3	307	1.04%	1
3	308	1.04%	1
3	309	1.04%	1

3	310	1.04%	1
3	311	1.04%	1
3	312	1.04%	1
Building 3	12 Units	12.48% (rounded)	12 Votes
4	401	1.04%	1
4	402	1.04%	1
4	403	1.04%	1
4	404	1.04%	1
4	405	1.04%	1
4	406	1.04%	1
4	407	1.04%	1
4	408	1.04%	1
4	409	1.04%	1
4	410	1.04%	1
4	411	1.04%	1
4	412	1.04%	1
Building 4	12 Units	12.48% (rounded)	12 Votes
5	501	1.04%	1
5	502	1.04%	1
5	503	1.04%	1
5	504	1.04%	1
5	505	1.04%	1

5	506	1.04%	1
5	507	1.04%	1
5	508	1.04%	1
5	509	1.04%	1
5	510	1.04%	1
5	511	1.04%	1
5	512	1.04%	1
Building 5	12 Units	12.48% (rounded)	12 Votes
6	601	1.04%	1
6	602	1.04%	1
6	603	1.04%	1
6	604	1.04%	1
6	605	1.04%	1
6	606	1.04%	1
6	607	1.04%	1
6	608	1.04%	1
6	609	1.04%	1
6	610	1.04%	1
6	611	1.04%	1
6	612	1.04%	1
Building 6	12 Units	12.48% (rounded)	12 Votes

7	701	1.04%	1
7	702	1.04%	1
7	703	1.04%	1
7	704	1.04%	1
7	705	1.04%	1
7	706	1.04%	1
7	707	1.04%	1
7	708	1.04%	1
7	709	1.04%	1
7	710	1.04%	1
7	711	1.04%	1
7	712	1.04%	1
Building 7	12 Units	12.48% (rounded)	12 Votes
8	801	1.04%	1
8	802	1.04%	1
8	803	1.04%	1
8	804	1.04%	1
8	805	1.04%	1
8	806	1.04%	1
8	807	1.04%	1
8	808	1.04%	1
8	809	1.04%	1



8	810	1.04%	1
8	811	1.04%	1
8	812	1.04%	1
Building 8	12 Units	12.48% (rounded)	12 Votes
TOTAL	96 UNITS	100% (ROUNDED)	96 VOTES

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

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

Building No. 5 Address: 5775 West 29th Street
 Greeley, Colorado 80634

Building No. 6 Address: 5775 West 29th Street
 Greeley, Colorado 80634

Building No. 7 Address: 5775 West 29th Street
 Greeley, Colorado 80634

Building No. 8 Address: 5775 West 29th Street
 Greeley, Colorado 80634