### THIRTEENTH 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 Eleventh Supplemental Map of West Fork Village covering the property which is described in **Exhibit A** attached hereto.



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- 3. <u>Division Into Condominium Units.</u> 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. <u>Allocated Interests</u>. 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. <u>Certificate of Completion</u>. The Condominium Map contains a Certificate Of Completion as required by Section 38-33.3-201, C.R.S.

Dated this 4 day of March, 2004.

WEST FORK LLC

a Colorado limited liability company

By

Amy W. Smart, Manager

State of Colorado

) ss.

County of Weld

The foregoing Thirteenth 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 day of March, 2004.

Witness my hand and official seal.

My commission expires:

6.9.07

Notary Public



## EXHIBIT A TO TO THIRTEENTH 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 SOUTHWEST CORNER OF SAID TRACT 1; THENCE N00°24'12"W ALONG THE WEST LINE OF SAID TRACT 1 A DISTANCE OF 454.72 FEET TO THE POINT OF BEGINNING; THENCE N00°24'12"W CONTINUING ALONG THE WEST LINE OF SAID TRACT 1 A DISTANCE OF 226.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT 1; THENCE N89°36'47"E ALONG THE NORTH LINE OF SAID TRACT 1 A DISTANCE OF 128.33 FEET; THENCE S00°29'11"E A DISTANCE OF 44.40 FEET; THENCE N89°36'26"E A DISTANCE OF 113.31 FEET; THENCE S00°25'46"E A DISTANCE OF 181.66 FEET; THENCE S89°37'23"W A DISTANCE OF 241.79 FEET TO THE POINT OF BEGINNING:

SAID PARCEL CONTAINS 49,608 SQUARE FEET, 1.139 ACRES, MORE OR LESS.



# EXHIBIT B TO TO THIRTEENTH AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WEST FORK VILLAGE

Units Added to West Fork Village

Building No. 15

Also known as:

5775 West 29<sup>th</sup> Street Greeley, Colorado 80634

Unit 1501 Unit 1507
Unit 1502 Unit 1508
Unit 1503 Unit 1509
Unit 1504 Unit 1510
Unit 1505 Unit 1511
Unit 1506 Unit 1512



# EXHIBIT C TO TO THIRTEENTH AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WEST FORK VILLAGE

### Allocation of Interests and Voting

| uilding 1       | 12 Units   | 8.28% (rounded)  | 12 Votes                |
|-----------------|------------|--|-------------------------|
| 1               | 112        | .69%   | 11                      |
| 1               | 111        | .69%   | 1                       |
| 1               | 110        | .69%   | 1                       |
| 11              | 109        | .69%   | 1                       |
| 1               | 108        | .69%   | 1                       |
| 1               | 107        | .69%   | 1                       |
| 1               | 106        | .69%   | 1                       |
| 11              | 105        | .69%   | 1                       |
| 1               | 104        | .69%   | 1                       |
| 1               | 103        | .69%   | 1                       |
| 1               | 102        | .69%   | 1                       |
| 1               | 101        | .69%   | 1                       |
| BUILDING<br>NO. | G UNIT NO. | PERCENTAGE SHARE OF<br>OWNERSHIP IN COMMON<br>ELEMENTS AND COMMON<br>EXPENSE LIABILITY | VOTES IN<br>ASSOCIATION |



| 2          | 201                                   | .69%            | 1          |
|------------|---------------------------------------|-----------------|------------|
| 2          | 202                                   | .69%            | 1          |
| 2          | 203                                   | .69%            | 1          |
| 2          | 204                                   | .69%            | 1          |
| 2          | 205                                   | .69%            | 1          |
| 2          | 206                                   | .69%            | 1          |
| 2          | 207                                   | .69%            |            |
| 2          | 208                                   | .69%            | 1          |
| 2          | 209                                   | .69%            | 1          |
| 2          | 210                                   | .69%            | 1          |
| 2          | 211                                   | .69%            | 1          |
| 2          | 212                                   | .69%            | 1          |
| Building 2 | 12 Units                              | 8.28% (rounded) | 1 12 Votes |
| 3          | 301                                   | .69%            | 1          |
| 3          | 302                                   | .69%            | 1          |
| 3          | 303                                   | .69%            | 1          |
| 3          | 304                                   | .69%            | 1          |
| 3          | 305                                   | .69%            | 1          |
| 3          | 306                                   | .69%            | I          |
| 3          | 307                                   | .69%            | 1          |
| 3          | 308                                   | .69%            | I          |
| 3          | 309                                   | .69%            | 1          |
|            | · · · · · · · · · · · · · · · · · · · |                 | 1          |



|            | <del></del> |                 |          |
|------------|-------------|-----------------|----------|
| 3          | 310         | .69%            | 1        |
| 3          | 311         | .69%            | 1        |
| 33         | 312         | .69%            | 1        |
| Building 3 | 12 Units    | 8.28% (rounded) | 12 Votes |
| 4          | 401         | .69%            | 1        |
| 44         | 402         | .69%            | 1        |
| 4          | 403         | .69%            | 1        |
| 4          | 404         | .69%            | 1        |
| 4          | 405         | .69%            | 1        |
| 4          | 406         | .69%            | 1        |
| 4          | 407         | .69%            | 1        |
| 4          | 408         | .69%            | 1        |
| 4          | 409         | .69%            | 1        |
| 4          | 410         | .69%            | 1        |
| 4          | 411         | .69%            | 1        |
| 4          | 412         | .69%            | 1        |
| uilding 4  | 12 Units    | 8.28% (rounded) | 12 Votes |
| _5         | 501         | .69%            | 1        |
| 5          | 502         | .69%            | 1        |
| 5          | 503         | .69%            | 1        |
| 5          | 504         | .69%            | 1        |
| 5          | 505         | .69%            | 1        |



| ilding 6   | 12 Units | 8.28% (rounded) | 12 Votes |
|------------|----------|-----------------|----------|
| 6          | 612      | .69%            | 1        |
| 6          | 611      | .69%            | 1        |
| 6          | 610      | .69%            | 1        |
| 6          | 609      | .69%            | 1        |
| 6          | 608      | .69%            | 1        |
| 6          | 607      | .69%            | 1        |
| 6          | 606      | .69%            | 1        |
| 66         | 605      | .69%            | 1        |
| 6          | 604      | .69%            | 1        |
| 6          | 603      | .69%            | 1        |
| 6          | 602      | .69%            | 1        |
| 6          | 601      | .69%            | 1        |
| Building 5 | 12 Units | 8.28% (rounded) | 12 Votes |
| 5          | 512      | .69%            | 1        |
| 5          | 511      | .69%            | 1        |
| 5          | 510      | .69%            | 1        |
| 5          | 509      | .69%            | 1        |
| 5          | 508      | .69%            | 1        |
| 5          | 507      | .69%            | 1        |
| 5          | 506      | .69%            | 1        |



| 7          | 701      | .69%            | 1        |
|------------|----------|-----------------|----------|
| 7          | 702      | .69%            | 1        |
| 7          | 703      | .69%            | 1        |
| 7          | 704      | .69%            | 1        |
| 7          | 705      | .69%            | 1        |
| 7          | 706      | .69%            | 1        |
| 7          | 707      | .69%            | 1        |
| 7          | 708      | .69%            | 1        |
| 7          | 709      | .69%            | 1        |
| 7          | 710      | .69%            | 1        |
| 7          | 711      | .69%            | 1        |
| 7          | 712      | .69%            | 1        |
| Building 7 | 12 Units | 8.28% (rounded) | 12 Votes |
| 8          | 801      | .69%            | 1        |
| 8          | 802      | .69%            | 1        |
| 8          | 803      | .69%            | 1        |
| 8          | 804      | .69%            | 1        |
| 8          | 805      | .69%            |          |
| 8          | 806      | .69%            | 1        |
| 8          | 807      | .69%            | 1        |
|            | 900      |                 | 1        |
| 8          | 808      | .69%            | 1        |



| 8          | 810      | .69%            | 1          |
|------------|----------|-----------------|------------|
| 8          | 811      | .69%            | 1          |
| 8          | 812      | .69%            | 1          |
| Building 8 | 12 Units | 8.28% (rounded) | 12 Votes   |
| 9          | 901      | .69%            | 1          |
| 9          | 902      | .69%            | I          |
| 9          | 903      | .69%            | 1          |
| 9          | 904      | .69%            | 1          |
| 9          | 905      | .69%            | 1          |
| 9          | 906      | .69%            | 1          |
| 9          | 907      | .69%            | 1          |
| 9          | 908      | .69%            | 1          |
| 9          | 909      | .69%            | 1          |
| 9          | 910      | .69%            | 1          |
| 9          | 911      | .69%            |            |
| 9          | 912      | .69%            | 1          |
| ilding 9   | 12 Units | 8.28% (rounded) | 1 12 Votes |
| 10         | 1001     | .69%            | 1          |
| 10         | 1002     | .69%            | I          |
| 10         | 1003     | .69%            |            |
| 10         | 1004     | .69%            | 1          |



|             | T -      |                 |          |
|-------------|----------|-----------------|----------|
| 10          | 1005     | .69%            | 1        |
| 10          | 1006     | .69%            | 1        |
| 10          | 1007     | .69%            | 1        |
| 10          | 1008     | .69%            | 1        |
| 10          | 1009     | .69%            | 1        |
| 10          | 1010     | .69%            | 1        |
| 10          | 1011     | .69%            | 1        |
| 10          | 1012     | .69%            | 1        |
| Building 10 | 12 Units | 8.28% (rounded) | 12 Votes |
| 11          | 1101     | .69%            | 1        |
| 11          | 1102     | .69%            | 1        |
| 11          | 1103     | .69%            | 1        |
|             | 1104     | .69%            | 1        |
|             | 1105     | .69%            | 1        |
|             | 1106     | .69%            | 1        |
|             | 1107     | .69%            | 1        |
|             | 1108     | .69%            | 1        |
|             | 1109     | .69%            | 1        |
| 11          | 1110     | .69%            | 1        |
| 11          | 1111     | .69%            | 1        |



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| 11          | 1112      | .69%            | 1         |
|-------------|-----------|-----------------|-----------|
| Building 11 | 12 Units  | 8.28% (rounded) | 12 Votes  |
| 15          | 1501      | .69%            | 1         |
| 15          | 1502      | .69%            | 1         |
| 15          | 1503      | .69%            | 1         |
| 15          | 1504      | .69%            | 1         |
| 15          | 1505      | .69%            | 1         |
| 15          | 1506      | .69%            | 1         |
| 15          | 1507      | .69%            | 1         |
| 15          | 1508      | .69%            | 1         |
| 15          | 1509      | .69%            | 1         |
| 15          | 1510      | .69%            | 1         |
| 15          | 1511      | .69%            | 1         |
| 15          | 1512      | .69%            | 1         |
| uilding 15  | 12 Units  | 8.28% (rounded) | 12 Votes  |
| TOTAL       | 144 UNITS | 100% (ROUNDED)  | 144 VOTES |

Building No. 1 Address:

5775 West 29<sup>th</sup> Street

Greeley, Colorado 80634

Building No. 2 Address:

5775 West 29<sup>th</sup> Street

Greeley, Colorado 80634

Building No. 3 Address:

5775 West 29th Street

Greeley, Colorado 80634

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Building No. 4 Address: 5775 West 29<sup>th</sup> Street

Greeley, Colorado 80634

Building No. 5 Address: 5775 West 29<sup>th</sup> Street

Greeley, Colorado 80634

Building No. 6 Address: 5775 West 29th Street

Greeley, Colorado 80634

Building No. 7 Address: 5775 West 29<sup>th</sup> Street

Greeley, Colorado 80634

Building No. 8 Address: 5775 West 29th Street

Greeley, Colorado 80634

Building No. 9 Address: 5775 West 29<sup>th</sup> Street

Greeley, Colorado 80634

Building No. 10 Address: 5775 West 29th Street

Greeley, Colorado 80634

Building No. 11 Address: 5775 West 29th Street

Greeley, Colorado 80634

Building No. 15 Address: 5775 West 29th Street

Greeley, Colorado 80634