

**LIMITED AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR
WEST FORK VILLAGE
(a Common Interest Community)**

THIS AMENDMENT is made this 28 day of October, 2020.

RECITALS

A. West Fork LLC, a Colorado limited liability corporation, created the West Fork Village community ("Community") by recording a Declaration of Covenants, Conditions and Restrictions for West Fork Village, at Reception #2998232, on October 22, 2002, as amended including annexations ("Original Declaration").

B. The Original Declaration provides for and allows for this Amendment to the Original Declaration (the "Amendment") in Article 18, Section 18.2 which provides, in part, as follows:

This Declaration, or any provision of it, may be amended at any time by Owners holding not less than (a) sixty seven percent (67%) of the votes possible to be cast under this Declaration at a meeting of the Owners called for that purpose, [and]
(b) at least fifty percent (50%) of the Owners of West Fork Village Units...

C. C.R.S. §38-33.3-221 provides that "an agreement of two or more common interest communities to merge or consolidate pursuant to subsection (1) of this section must be evidenced by an agreement prepared, executed, recorded, and certified by the president of the association of each of the preexisting common interest communities following approval by owners of units to which are allocated the percentage of votes in each common interest community required to terminate that common interest community."

D. Article 18, Section 18.6 of the Original Declaration, as amended, further provides that the common interest community may be terminated by 67% of the total votes of the Owners in the Association.

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

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

G. The purpose of this Limited Amendment is to reallocate the allocated interests and votes pursuant to the merger of the Association with The Garages Owners Association, Inc.

H. The undersigned, being the President and Secretary of the Association, hereby certify that Owners representing at least 67% of the Association votes and 50% of the Owners have consented and agreed to the merger and, in conjunction, this Limited Amendment.

I. As amended by this Limited Amendment, this amendment shall become part of and incorporated into the "Declaration."

NOW THEREFORE,

I. **Amendment.** The Declaration is hereby amended as follows:

- (a) **Repeal and Restatement.** Sections 2.8, 2.9, 2.17, 2.14.5 and 2.35 of Article 2 are hereby repealed in their entirety and replaced with the following:

2.8 Auxiliary Garage Building or Garage Building. A building containing Garage Spaces located within the Property.

2.9 Auxiliary Garage Spaces or Garage Spaces. Each individual garage space located within an Auxiliary Garage Building on the Property.

2.17 Dwelling Unit. A Unit that is used for residential purposes only and is designated on the recorded Map or Supplemental Map and Exhibit A to this Declaration, as amended and supplemented.

2.14.5 Common Expense benefitting fewer than all the Units may, in the discretion of the Executive Board, be assessed exclusively against those Units benefitted. Notwithstanding the foregoing, any Common Expense that is solely for the benefit of the Garage Spaces, as determined by the Board, shall be allocated exclusively to the Garage Spaces in accordance with their allocated interest.

2.35 Unit. A physical portion of the common interest community which is designated for separate ownership or occupancy. Unit shall include both Dwelling Units and Garage Spaces unless otherwise stated in the Declaration.

- (b) **Repeal and Restatement.** Section 3.7 is hereby repealed in its entirety and the following Section 3.7 is substituted:

Section 3.7 *Allocation of Interests and Formulas for the Allocation of Interest.* The interest allocated to each Unit and the formulas for calculating the Allocation of Interest are as follows and as shown on **Exhibit B** to this Amendment:

3.7.1 Undivided Interest in the Common Elements. The formula used to establish the allocations of interest is the percentage equivalent to a fraction, the numerator of which is one (1) and the denominator of which is the total number of Units subject to this Declaration, or subject to this Declaration by supplemental expansion, merger or amendment.

3.7.2 Liability for the Common Expenses. Common Expenses shall be assessed against the Dwelling Units on the basis of the same formula used to establish the allocations of interest, except that the numerator shall be one (1) and the denominator shall be the total number of Dwelling Units.

For as long as there are Class Two Members, other than the Association, Common Expenses benefitting both Dwelling Units and Garage Spaces, as determined by the Board, shall be assessed against Dwelling Units and the Garage Spaces of Class Two Members on the basis of the same formula used to establish the allocations of interest, except that the numerator shall be one (1) and the denominator shall be the total number of Dwelling Units plus the total number of Garage Spaces owned by Class Two Members.

Common Expenses allocated solely to the Garage Spaces, as determined by the Board, shall be assessed against the Garage Spaces on the basis of the same formula used to establish the allocations of interest, except that the numerator shall be one (1) and the denominator shall be the total number of Garage Spaces.

- (c) **Repeal and Restatement.** Sections 4.3 and 4.4 of Article 4 are hereby repealed in their entirety and replaced with the following:

4.3 Membership. The Association shall have two (2) classes of membership as follows:

Class One: Class One membership shall consist of all Owners who own a Dwelling Unit or a Dwelling Unit and a Garage Space.

Class Two: Class Two shall consist of Owners of Garage Spaces only, who do not own a Dwelling Unit, including any Association owned Garage Spaces. Membership in Class Two shall terminate 1) upon the conveyance or transfer of the Garage Space to another Person; or 2) when the Owner of the Garage Space acquires a Dwelling Unit.

The voting rights of each member are set forth in Section 4.4 of this Declaration. Each Owner is subject to all the rights and duties assigned to Owners under the Association Documents.

4.4 *Voting*. Class One Members shall be given one vote per Dwelling Unit, but no votes for Garage Spaces. No votes are allocated to Class Two Members.

- (d) **Repeal and Restatement**. Section 4.10 of Article 4 is hereby repealed in its entirety and replaced with the following:

4.10 *Garage Buildings*. The Association may own Garage Spaces within the Garage Buildings and may sell, lease or assign such Garage Spaces to an Owner or Tenant of the Dwelling Units. All other Garage Spaces not owned by the Association must be owned by an Owner of a Dwelling Unit. Any sale of a Garage Space must be to an Owner of a Dwelling Unit or to the Association. No Garage Space may be leased or used by anyone who is not an Owner, Tenant or resident of a Dwelling Unit. The Association may adopt Rules and Regulations regarding the use of the Garage Spaces.

Notwithstanding the forgoing, the Owners of Garage Spaces who do not own a Dwelling Unit as of the effective date of this Limited Amendment shall be considered Class Two Members and may continue to own and use their Garage Spaces in a manner otherwise consistent with the Declaration until such membership is terminated as provided for in Section 4.3. Any conveyance or transfer of these Garage Spaces after the effective date of this Limited Amendment must be to an Owner of a Dwelling Unit or the Association.

- (e) **Addition**. The following new sections are hereby added to Article 15:

15.16. *Electricity*. Unless otherwise provided by Rules and Regulations adopted by the Executive Board, the electricity provided to the Garage Spaces shall only be used on an intermittent basis, such as the operation of electric tools; and may not be used on a long term or continuous basis, such as in the use of heaters, engine block heaters, refrigerators or freezers. The Executive Board may adopt Rules and Regulations concerning continuous and other uses and the amount of assessment for any electricity costs.

- (f) **Annexation of Property**. The property described in **Exhibit A**, attached hereto and incorporated herein by this reference, is hereby annexed into West Fork Village. The property described in **Exhibit A** is now subject to the terms and provisions of the Declaration, as amended.

- (g) **Repeal and Restatement.** Exhibit C to the 16th Amendment to the Original Declaration is hereby repealed in its entirety and the attached **Exhibit B** to this Amendment 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.

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

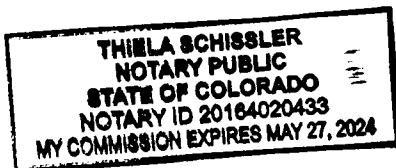
**WEST FORK VILLAGE OWNERS'
ASSOCIATION, INC.,** a Colorado nonprofit
corporation

By: Matthew J. Shewmon
President
By: Dottie M. DeMark
Secretary

STATE OF COLORADO)
) ss.
COUNTY OF Weld)

The foregoing was acknowledged before me this 28th day of October, 2020, by Matthew Shewmon, President of West Fork Village Owners' Association, Inc.

Witness my hand and official seal.
My commission expires: 5-27-2024



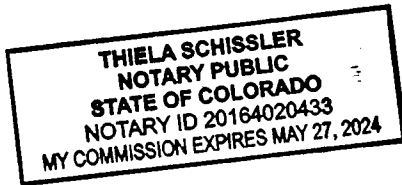
Thiela Schissler
Notary Public

STATE OF COLORADO)
) ss.
COUNTY OF Weld)

The foregoing was acknowledged before me this 28th day of October,
2020, by Dottie M DeMark, Secretary of West Fork Village Owners'
Association, Inc.

Witness my hand and official seal.

My commission expires: 5-27-2020



Thiel Schissler
Notary Public

AFTER RECORDING RETURN TO:
Altitude Community Law P.C.
555 Zang Street, Suite 100
Lakewood, CO 80228
Attn: MMG

**EXHIBIT A
TO
THE LIMITED AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR WEST FORK VILLAGE**
(Legal Description of the Property Annexed into West Fork Village)

A parcel of land located in Tract 1, Block 9, FIRST REPLAT OF TRACTS 1, 2 and 3, WEST TBONE 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 North 15°55'51" West along the East line of said Tract 1 a distance of 507.95 feet to the Northeast corner of said Tract 1; Thence South 89°36'47" West along the North line of said Tract 1 a distance of 102.18 feet to the Point of Beginning; Thence South 00°21'26" East a distance of 44.28 feet; Thence South 89°38'34" West a distance of 105.03 feet; Thence South 89°32'22" West a distance of 95.97 feet; Thence South 89°36'26" West a distance of 541.55 feet; Thence North 00°29' 11" West a distance of 44.40 feet to a point on the North line of said Tract 1; Thence North 89°36'47" East along the North line of said Tract 1 a distance of 742.66 feet to the Point of Beginning.

Also referred to as:

Units A 1, A2, A3, A4, A5, A6, and A7, Building A;
Units B 1, B2, B3, B4, B5, B6, B7, B8, B9, B10, B11, and B12, Building B;
Units C1, C2, C3, C4, C5, C6, C7, C8, C9, C10, C11, and C12, Building C;
Units D 1, D2, D3, D4, D5, D6, D7, D8, D9, D10, D 11, and D12, Building D;
Units E 1, E2, E3, E4, E5, E6, E7, E8, E9, E10, E 11, and E12, Building E.
THE GARAGES, according to the Condominium Map thereof recorded at Reception No. 3445385 in the records of the Clerk and Recorder of the County of Weld, State of Colorado.

EXHIBIT B

To be attached

Exhibit B**Allocation of Interests and Voting**

Building No.	Unit No.	Percentage Share of Ownership in Common Elements	Percentage Share of Ownership in Common Expense*	Percentage Share of Ownership in Common Expense allocated Exclusively to Garage Spaces	Votes
1	101	0.426%	0.555	0	1
1	102	0.426%	0.555	0	1
1	103	0.426%	0.555	0	1
1	104	0.426%	0.555	0	1
1	105	0.426%	0.555	0	1
1	106	0.426%	0.555	0	1
1	107	0.426%	0.555	0	1
1	108	0.426%	0.555	0	1
1	109	0.426%	0.555	0	1
1	110	0.426%	0.555	0	1
1	111	0.426%	0.555	0	1
1	112	0.426%	0.555	0	1
2	201	0.426%	0.555	0	1
2	202	0.426%	0.555	0	1
2	203	0.426%	0.555	0	1
2	204	0.426%	0.555	0	1
2	205	0.426%	0.555	0	1
2	206	0.426%	0.555	0	1
2	207	0.426%	0.555	0	1
2	208	0.426%	0.555	0	1
2	209	0.426%	0.555	0	1
2	210	0.426%	0.555	0	1
2	211	0.426%	0.555	0	1
2	212	0.426%	0.555	0	1
3	301	0.426%	0.555	0	1
3	302	0.426%	0.555	0	1
3	303	0.426%	0.555	0	1
3	304	0.426%	0.555	0	1
3	305	0.426%	0.555	0	1
3	306	0.426%	0.555	0	1
3	307	0.426%	0.555	0	1
3	308	0.426%	0.555	0	1
3	309	0.426%	0.555	0	1
3	310	0.426%	0.555	0	1
3	311	0.426%	0.555	0	1
3	312	0.426%	0.555	0	1
4	401	0.426%	0.555	0	1

Building No.	Unit No.	Percentage Share of Ownership in Common Elements	Percentage Share of Ownership in Common Expense*	Percentage Share of Ownership in Common Expense allocated Exclusively to Garage Spaces	Votes
4	402	0.426%	0.555	0	1
4	403	0.426%	0.555	0	1
4	404	0.426%	0.555	0	1
4	405	0.426%	0.555	0	1
4	406	0.426%	0.555	0	1
4	407	0.426%	0.555	0	1
4	408	0.426%	0.555	0	1
4	409	0.426%	0.555	0	1
4	410	0.426%	0.555	0	1
4	411	0.426%	0.555	0	1
4	412	0.426%	0.555	0	1
5	501	0.426%	0.555	0	1
5	502	0.426%	0.555	0	1
5	503	0.426%	0.555	0	1
5	504	0.426%	0.555	0	1
5	505	0.426%	0.555	0	1
5	506	0.426%	0.555	0	1
5	507	0.426%	0.555	0	1
5	508	0.426%	0.555	0	1
5	509	0.426%	0.555	0	1
5	510	0.426%	0.555	0	1
5	511	0.426%	0.555	0	1
5	512	0.426%	0.555	0	1
6	601	0.426%	0.555	0	1
6	602	0.426%	0.555	0	1
6	603	0.426%	0.555	0	1
6	604	0.426%	0.555	0	1
6	605	0.426%	0.555	0	1
6	606	0.426%	0.555	0	1
6	607	0.426%	0.555	0	1
6	608	0.426%	0.555	0	1
6	609	0.426%	0.555	0	1
6	610	0.426%	0.555	0	1
6	611	0.426%	0.555	0	1
6	612	0.426%	0.555	0	1
7	701	0.426%	0.555	0	1
7	702	0.426%	0.555	0	1
7	703	0.426%	0.555	0	1
7	704	0.426%	0.555	0	1
7	705	0.426%	0.555	0	1
7	706	0.426%	0.555	0	1
7	707	0.426%	0.555	0	1

Building No.	Unit No.	Percentage Share of Ownership in Common Elements	Percentage Share of Ownership in Common Expense*	Percentage Share of Ownership in Common Expense allocated Exclusively to Garage Spaces	Votes
7	708	0.426%	0.555	0	1
7	709	0.426%	0.555	0	1
7	710	0.426%	0.555	0	1
7	711	0.426%	0.555	0	1
7	712	0.426%	0.555	0	1
8	801	0.426%	0.555	0	1
8	802	0.426%	0.555	0	1
8	803	0.426%	0.555	0	1
8	804	0.426%	0.555	0	1
8	805	0.426%	0.555	0	1
8	806	0.426%	0.555	0	1
8	807	0.426%	0.555	0	1
8	808	0.426%	0.555	0	1
8	809	0.426%	0.555	0	1
8	810	0.426%	0.555	0	1
8	811	0.426%	0.555	0	1
8	812	0.426%	0.555	0	1
9	901	0.426%	0.555	0	1
9	902	0.426%	0.555	0	1
9	903	0.426%	0.555	0	1
9	904	0.426%	0.555	0	1
9	905	0.426%	0.555	0	1
9	906	0.426%	0.555	0	1
9	907	0.426%	0.555	0	1
9	908	0.426%	0.555	0	1
9	909	0.426%	0.555	0	1
9	910	0.426%	0.555	0	1
9	911	0.426%	0.555	0	1
9	912	0.426%	0.555	0	1
10	1001	0.426%	0.555	0	1
10	1002	0.426%	0.555	0	1
10	1003	0.426%	0.555	0	1
10	1004	0.426%	0.555	0	1
10	1005	0.426%	0.555	0	1
10	1006	0.426%	0.555	0	1
10	1007	0.426%	0.555	0	1
10	1008	0.426%	0.555	0	1
10	1009	0.426%	0.555	0	1
10	1010	0.426%	0.555	0	1
10	1011	0.426%	0.555	0	1
10	1012	0.426%	0.555	0	1
11	1101	0.426%	0.555	0	1
11	1102	0.426%	0.555	0	1

Building No.	Unit No.	Percentage Share of Ownership in Common Elements	Percentage Share of Ownership in Common Expense*	Percentage Share of Ownership in Common Expense allocated Exclusively to Garage Spaces	Votes
11	1103	0.426%	0.555	0	1
11	1104	0.426%	0.555	0	1
11	1105	0.426%	0.555	0	1
11	1106	0.426%	0.555	0	1
11	1107	0.426%	0.555	0	1
11	1108	0.426%	0.555	0	1
11	1109	0.426%	0.555	0	1
11	1110	0.426%	0.555	0	1
11	1111	0.426%	0.555	0	1
11	1112	0.426%	0.555	0	1
12	1201	0.426%	0.555	0	1
12	1202	0.426%	0.555	0	1
12	1203	0.426%	0.555	0	1
12	1204	0.426%	0.555	0	1
12	1205	0.426%	0.555	0	1
12	1206	0.426%	0.555	0	1
12	1207	0.426%	0.555	0	1
12	1208	0.426%	0.555	0	1
12	1209	0.426%	0.555	0	1
12	1210	0.426%	0.555	0	1
12	1211	0.426%	0.555	0	1
12	1212	0.426%	0.555	0	1
13	1301	0.426%	0.555	0	1
13	1302	0.426%	0.555	0	1
13	1303	0.426%	0.555	0	1
13	1304	0.426%	0.555	0	1
13	1305	0.426%	0.555	0	1
13	1306	0.426%	0.555	0	1
13	1307	0.426%	0.555	0	1
13	1308	0.426%	0.555	0	1
13	1309	0.426%	0.555	0	1
13	1310	0.426%	0.555	0	1
13	1311	0.426%	0.555	0	1
13	1312	0.426%	0.555	0	1
14	1401	0.426%	0.555	0	1
14	1402	0.426%	0.555	0	1
14	1403	0.426%	0.555	0	1
14	1404	0.426%	0.555	0	1
14	1405	0.426%	0.555	0	1
14	1406	0.426%	0.555	0	1
14	1407	0.426%	0.555	0	1
14	1408	0.426%	0.555	0	1

Building No.	Unit No.	Percentage Share of Ownership in Common Elements	Percentage Share of Ownership in Common Expense*	Percentage Share of Ownership in Common Expense allocated Exclusively to Garage Spaces	Votes
14	1409	0.426%	0.555	0	1
14	1410	0.426%	0.555	0	1
14	1411	0.426%	0.555	0	1
14	1412	0.426%	0.555	0	1
15	1501	0.426%	0.555	0	1
15	1502	0.426%	0.555	0	1
15	1503	0.426%	0.555	0	1
15	1504	0.426%	0.555	0	1
15	1505	0.426%	0.555	0	1
15	1506	0.426%	0.555	0	1
15	1507	0.426%	0.555	0	1
15	1508	0.426%	0.555	0	1
15	1509	0.426%	0.555	0	1
15	1510	0.426%	0.555	0	1
15	1511	0.426%	0.555	0	1
15	1512	0.426%	0.555	0	1
A	A1	0.426%	0	1.82	0
A	A2	0.426%	0	1.82	0
A	A3	0.426%	0	1.82	0
A	A4	0.426%	0	1.82	0
A	A5	0.426%	0	1.82	0
A	A6	0.426%	0	1.82	0
A	A7	0.426%	0	1.82	0
B	B1	0.426%	0	1.82	0
B	B2	0.426%	0	1.82	0
B	B3	0.426%	0	1.82	0
B	B4	0.426%	0	1.82	0
B	B5	0.426%	0	1.82	0
B	B6	0.426%	0	1.82	0
B	B7	0.426%	0	1.82	0
B	B8	0.426%	0	1.82	0
B	B9	0.426%	0	1.82	0
B	B10	0.426%	0	1.82	0
B	B11	0.426%	0	1.82	0
B	B12	0.426%	0	1.82	0
C	C1	0.426%	0	1.82	0
C	C2	0.426%	0	1.82	0

Building No.	Unit No.	Percentage Share of Ownership in Common Elements	Percentage Share of Ownership in Common Expense*	Percentage Share of Ownership in Common Expense allocated Exclusively to Garage Spaces	Votes
C	C3	0.426%	0	1.82	0
C	C4	0.426%	0	1.82	0
C	C5	0.426%	0	1.82	0
C	C6	0.426%	0	1.82	0
C	C7	0.426%	0	1.82	0
C	C8	0.426%	0	1.82	0
C	C9	0.426%	0	1.82	0
C	C10	0.426%	0	1.82	0
C	C11	0.426%	0	1.82	0
C	C12	0.426%	0	1.82	0
D	D1	0.426%	0	1.82	0
D	D2	0.426%	0	1.82	0
D	D3	0.426%	0	1.82	0
D	D4	0.426%	0	1.82	0
D	D5	0.426%	0	1.82	0
D	D6	0.426%	0	1.82	0
D	D7	0.426%	0	1.82	0
D	D8	0.426%	0	1.82	0
D	D9	0.426%	0	1.82	0
D	D10	0.426%	0	1.82	0
D	D11	0.426%	0	1.82	0
D	D12	0.426%	0	1.82	0
E	E1	0.426%	0	1.82	0
E	E2	0.426%	0	1.82	0
E	E3	0.426%	0	1.82	0
E	E4	0.426%	0	1.82	0
E	E5	0.426%	0	1.82	0
E	E6	0.426%	0	1.82	0
E	E7	0.426%	0	1.82	0
E	E8	0.426%	0	1.82	0
E	E9	0.426%	0	1.82	0
E	E10	0.426%	0	1.82	0
E	E11	0.426%	0	1.82	0
E	E12	0.426%	0	1.82	0
TOTAL	235	100%	100%	100%	180

***For as long as there are Class Two Members, other than the Association, the share of Common Expenses that benefit both Dwelling Units and Garage Spaces shall be based on the formula allocated in Section 3.7.2. Otherwise, the percentages herein shall apply.**