

**FIFTH AMENDMENT TO
THE AMENDED CONDOMINIUM DECLARATION -
3001 CONDOMINIUM**

This Fifth Amendment of the Amended Condominium Declaration – 3001 Condominiums (the Fifth Amendment), is made pursuant to Article XVII of the Amended Condominium Declaration – 3001 Condominiums (the Declaration) originally recorded in Book 928, at Page 923 of the records of the Mesa County Clerk and Recorder (the Clerk), as amended by the First Amendment recorded in Book 961, at Page 252 in the Clerk's records, the Second Amendment recorded in Book 985, at Page 123 in the Clerk's records, the Third Amendment (erroneously entitled "Second Amendment") recorded in Book 1568, at Page 367 of the Clerk's records, and the Fourth Amendment recorded in Book 1859, at Page 952, in the Clerk's records (collectively, the Declaration), and C.R.S. §§ 38-33.3-120 and 217, and is effective upon the date of recording in the Clerk's records.

RECITALS

The undersigned, representing nine (9) of the eleven (11) Units in the Association, as those terms are defined in the Declaration, as amended, and represent eighty-two percent (82%) of the aggregate ownership interests, desire to approve and accept this Fifth Amendment.

THEREFORE, there being sufficient support in the community, the Declaration is hereby amended, pursuant to Article XVII of the Declaration and C.R.S. § 38-33.3-120 and 217, as follows:

1. A new section, 11.2½ shall be added to the Declaration, reading as follows:

"Use of Limited Common Elements. All motor vehicles shall be parked, kept or stored in the areas described in section 5.2(a), above, and nowhere else upon the Real Property. In addition, only vehicles incidental to residential family use will be permitted to park or remain upon the Real Property. No vehicles, trailers, boats, campers motor homes or coaches, snowmobiles, all terrain vehicles or any other recreational vehicles, devices or equipment, or vehicles used for business or commercial purposes (other than typical passenger-type vehicles) shall be allowed to park or remain within the Real Property at any time; provided, however, that such vehicles may be parked or remain upon the Real Property for a period of not more than twenty-four (24) hours during the loading or unloading of such vehicles or as may be specifically approved in writing by the Association."

2. Except as amended here, all provisions of the Declaration, as amended, remain in full force and effect.

DATED as of this 22nd day of December, 2010.

Robert G. Beverly
Robert G. Beverly, Unit 1

Vivian P. Beverly
Vivian P. Beverly, Unit 1

Gerald K. Geske
Gerald K. Geske, Unit 2

Judith Ann Geske
Judith Ann Geske, Unit 2

Connie P. Miller-Jones
Connie P. Miller-Jones, Unit 3

David W. Rea
David W. Rea, Unit 7

x Phillip M. Karly
Phillip M. Karly, Unit 4

Deceased
Verna L. Karly, Unit 4

John D. VanderHoof
John D. VanderHoof, Unit 5

Neva Ruth VanderHoof
Neva Ruth VanderHoof, Unit 5

John W. Burnes
John W. Burnes, Unit 6

Jeanne G. Burnes
Jeanne G. Burnes, Unit 6

Ella C. Stephens
Ella C. Stephens, Unit 8

Virginia R. Wyatt
Virginia R. Wyatt, Unit 10

x Alex L. Coren
Alex L. Coren, Unit 11

x Norma J. Coren
Norma J. Coren, Unit 11

BJS Family Trust

By: Merritt C. Schumann, II *MC*
Merritt C. Schumann, II, trustee, Unit 9