

**FIFTH AMENDMENT  
TO  
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS  
FOR 2534 MASTER ASSOCIATION**

This Fifth Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for 2534 Master Association ("Fifth Amendment") is made effective as of the date recorded with the Clerk and Recorder of Larimer County, Colorado ("Clerk and Recorder").

**Recitals**

A. The Declaration of Covenants, Conditions, Restrictions and Easements for 2534 Master Association was recorded with the Clerk and Recorder on June 16, 2005 at Reception No. 2005-0049299, and amended by the First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for 2534 Master Association recorded with the Clerk and Recorder on July 24, 2013 at Reception No. 20130056387, the Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for 2534 Master Association recorded with the Clerk and Recorder on February 9, 2016, at Reception No. 20160007751, the Third Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for 2534 Master Association recorded with the Clerk and Recorder on April 22, 2016 at Reception No. 20160024641, the Fourth Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for 2534 Master Association recorded with the Clerk and Recorder on February 3, 2016 at Reception No. 20160006218, the First Declaration of Annexation to 2534 Master Association recorded with the Clerk and Recorder on April 22, 2008 at Reception No. 20080024774, and the Second Declaration of Annexation to 2534 Master Association recorded with the Clerk and Recorder on March 25, 2009 at Reception No. 20090017944 (collectively, the "Declaration").

B. Article 21.4 of the Declaration provides that it may be amended upon approval of the amendment by vote of Members of the 2534 Master Association, a Colorado nonprofit corporation ("Association") holding at least 67% of the voting power of the Association present in person or by proxy at a duly constituted meeting of the Members.

C. As certified by the Association's President and Secretary on the Certification page attached to this Fifth Amendment, this Fifth Amendment has been approved by Association Members holding at least 67% of the voting power of the Association present in person or by proxy at a duly constituted meeting of the Members.

**Fifth Amendment**

1. The first sentence of Article 2.7 (Definition of Common Element) is amended and restated to read in its entirety as follows:

"Common Element" shall mean and refer to any real estate, easements or other real estate interests within 2534, other than a Lot, which is owned or leased by either the Thompson Crossing Metropolitan District No. 2, a quasi-municipal corporation and subdivision of the State of Colorado ("Metro District") or the Master Association.

2. The first sentence of Article 3.1 (Association Authority and Power) is amended and restated to read in its entirety as follows:

Subject to the rights and obligations of Declarants as set forth in the Act (to the extent applicable) and in this Declaration, and the rights and obligations of the Members and Owners, the Master Association shall be responsible for the administration, management, use, operation, maintenance, repair and replacement of the Common Element and Improvements.

3. Article 3.2 (Common Element/Improvements) is amended and restated to read in its entirety as follows:

3.2 Common Element/Improvements. All tracts constituting the Common Element, together with all Improvements (including, without limitation, Landscaping) located on the Common Element, have been conveyed to, and are owned by, the Metro District, subject to this Declaration.

4. The first sentence of Article 12.3 (Purpose of Assessments) is amended and restated to read in its entirety as follows:

The Assessments levied by the Master Association through its Executive Board shall be used exclusively for the development, management, operation, maintenance, repair and replacement of the Common Element, and for any other obligations or common services which may be deemed prudent or necessary for the Master Association for the common benefit of its Members and Owners, or the maintenance of property values, or for the payment of expenses which may be incurred by virtue of an agreement with or requirement of any association or municipal, county, state or public entity or utility.


5. Unless otherwise defined, capitalized words and phrases used in this Fifth Amendment are as defined in the Declaration.

6. Except as amended by this Fifth Amendment, all provisions of the Declaration remain in full force and effect.

*[Signature pages follow]*

Dated: August 30<sup>th</sup>, 2019

2534 Master Association, a Colorado nonprofit corporation


By:   
Todd Williams, President

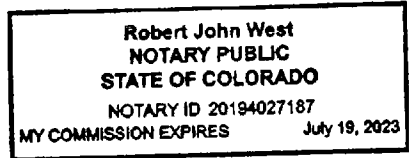
ATTEST:  
  
Nathan Gerrard, Secretary

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF LARIMER    )

This record was acknowledged before me this 30<sup>th</sup> day of August, 2019, by Todd Williams, as President of 2534 Master Association, a Colorado nonprofit corporation.

Witness my hand and official seal.  
My commission expires: July 19<sup>th</sup>, 2023


  
Notary Public

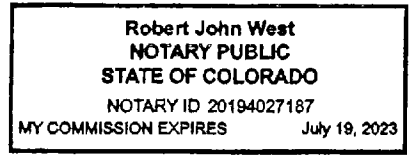


STATE OF COLORADO     )  
  ) ss.  
COUNTY OF LARIMER    )

This record was acknowledged before me this 30<sup>th</sup> day of August, 2019, by Nathan Gerrard, as Secretary of 2534 Master Association, a Colorado nonprofit corporation.

Witness my hand and official seal.  
My commission expires: July 19<sup>th</sup> 2023

  
Notary Public



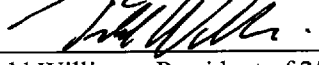
**CERTIFICATION**


The undersigned, being the President and Secretary of 2534 Master Association, a Colorado nonprofit corporation ("Association"), certify as follows:

1. Members of the Association holding at least 67% of the voting power of the Association have voted to amend the Declaration as set forth in the foregoing Fifth Amendment.

2. Todd Williams is the duly elected and acting President and Nathan Gerrard is the duly elected and acting Secretary of the Association. By proper corporate action of the Association, Todd Williams and Nathan Gerrard have been authorized to execute the foregoing Fifth Amendment.

Dated: August 30<sup>th</sup>, 2019

  
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Todd Williams, President of 2534 Master Association, a Colorado nonprofit corporation

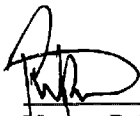
  
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Nathan Gerrard, Secretary of 2534 Master Association, a Colorado nonprofit corporation

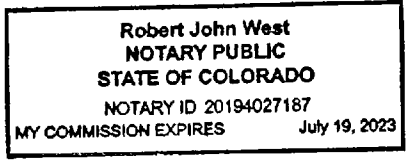
STATE OF COLORADO    )  
  ) ss.  
COUNTY OF LARIMER    )

This record was subscribed and sworn to before me this 30<sup>th</sup> day of August, 2019 by Todd Williams, as President of 2534 Master Association, a Colorado nonprofit corporation.

Witness my hand and official seal.

My commission expires: July 19<sup>th</sup>, 2023

  
\_\_\_\_\_  
Notary Public



STATE OF COLORADO    )  
  ) ss.  
COUNTY OF LARIMER    )

This record was subscribed and sworn to before me this 30<sup>th</sup> day of August, 2019 by Nathan Gerrard, as Secretary of 2534 Master Association, a Colorado nonprofit corporation.

Witness my hand and official seal.

My commission expires: July 19<sup>th</sup>, 2023

  
\_\_\_\_\_  
Notary Public

