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PAGE DOCUMENT

**THIRD AMENDMENT TO THE  
CONDOMINIUM DECLARATION OF  
BROOKWILLOW VILLAGE CONDOMINIUM I**

THIS THIRD AMENDMENT TO THE CONDOMINIUM DECLARATION OF BROOKWILLOW VILLAGE CONDOMINIUM I (hereinafter referred to as the "Condo II Supplement to the Condo I CCRs") is made this 17<sup>th</sup> day of March, 2009, by Grace Homes Real Estate & Construction, Inc., the Declarant.

**RECITALS.**

A. Declarant, and the owners of units in Brookwillow Village Condominium I ("Condo I") and the Brookwillow Village Condominium I Association, Inc. ("Condo I HOA"), caused the SECOND SUPPLEMENTAL AMENDMENT TO THE CONDOMINIUM DECLARATION OF BROOKWILLOW VILLAGE CONDOMINIUM I be recorded in the Mesa County, Colorado records on July 15, 2008, in Book 4697, Page 788, under Reception Number 2448640.

B. As provided in said Second Supplemental Amendment, Declarant, and the owners of the Condo I units, and the Condo I HOA contemplated that Declarant would construct ten additional condominium units, along with the appurtenant general and limited common elements, on what was described in the Second Supplemental Amending as the "Expansion Property," being Lot 96, Brookwillow Village Filing II, in the City of Grand Junction, Mesa County Colorado, and that said new structure, with the ten condominium units and appurtenant general and limited common elements, would be added to the Condo I Regime.

C. The construction of said ten additional units and the appurtenant general and limited common elements has been completed. Said additional units (being Units A through J), with the appurtenant general and limited common elements, are platted and described and depicted on the attached "Condominium Map of Brookwillow Village Condominium II," prepared by D H Surveys, Inc. ("Condo II"), recorded in Book 4822 page 466 of the records of the Mesa County Clerk and Recorder.

D. Declarant by this THIRD AMENDMENT TO THE CONDOMINIUM DECLARATION OF BROOKWILLOW VILLAGE CONDOMINIUM I ("Condo II Amendment") desires to, and does hereby, subject the Condo II structure and ten condominium units contained therein to the provisions of the Condominium Declaration of Brookwillow Village Condominium I, recorded in Book 4529 Page 739, as amended to the date hereof. The Condo II is part of Brookwillow Village Subdivision as re-platted and is also subject to the Covenants, Conditions and Restrictions for Brookwillow Village Subdivision recorded at Book 4135, Page 862, Mesa County records. Declarant desires to annex said Lot 96 (Expansion Property) to the condominium regime for Brookwillow Village Condominium I ("Condo I").

NOW THEREFORE, Declarant hereby modifies and amends the Condo I CCRs as set forth below.

1. The Condo I regime is expanded to include ten additional condominium units, labeled as Units A through J ("Condo II"), as shown on the attached Condominium

Map of Brookwillow Village Condominium II (the "Condo II Map"), located on Lot 96, Brookwillow Village, Filing II (Expansion Property);

2. Declarant hereby declares that the Condo II structure and the individual condominium units therein (being Units A through J), and all appurtenant general and limited common elements as shown on said Condo II Map, are herein annexed to and included within the Condo I Regime, and shall be held, sold and conveyed subject to the Condo I CCRs and all supplements thereto which shall run with the land and be binding on all parties and heirs, successors and assigns of parties having any right, title or interest in all or any part of the Condo I Regime.

3. Nothing herein shall serve to change or limit Declarant's right(s) to develop and create additional condominium units, with appurtenant general and limited common elements, and to annex any and/or all of such future condominium structures, units and general and common elements, to and into the Condo I Regime; further, Declarant may opt to create separate condominium regimes for one or more of such future condominium structures and units, all in accordance with the Declaration of Covenants, Conditions and Restrictions of Brookwillow Village Subdivision and the Condo I CCRs, and in accordance with the requirements of the City of Grand Junction, as applicable.

4. Nothing herein shall serve to limit or reduce Declarant's right(s) to convey: (a) said Units A through J to third parties; or (b) to convey and transfer the common elements (whether general or limited) created and shown on the Condo II Map to the Brookwillow Village Condominium I Association, Inc.

5. This Third Amendment implements and is authorized by Sections 2.2 and 2.2.1 of the Condo I CCRs;

6. (a) Section 3.3 of the Condo I CCRs is hereby amended to read: "The number of Units in the Condominium I Regime (the "Project") is twenty (20): Ten units in Brookwillow Village Condominium 1A and ten units in Brookwillow Village Condominium II."

(b) The identification of Units A through J in Brookwillow Village Condominium II is as shown on the Condo II Map.

7. Except as amended herein, all other provisions of the Condo I CCRs shall remain unchanged and in full force and effect.





**CONDOMINIUM MAP OF  
BROOKWILLOW VILLAGE CONDOMINIUM II  
A REPEAT OF THE C.C.E. (EXPANSION PROPERTY), BROOKWILLOW VILLAGE CONDOMINIUM I AS RECORDED IN BOOK 4697 AT PAGE 771 & 772**

**CERTIFICATION**

Great Plains Construction, Inc. and Great Plains Real Estate Construction, Inc. are the owners of the real estate shown on this plat. The plat is a true and correct copy of the original as recorded in the public records of the State of Colorado. The plat is subject to the provisions of the Colorado Condominium Act, C.R.S. 7-701-7-709. The plat is subject to the provisions of the Colorado Condominium Act, C.R.S. 7-701-7-709. The plat is subject to the provisions of the Colorado Condominium Act, C.R.S. 7-701-7-709.

Great Plains Real Estate Construction, Inc.

\_\_\_\_\_  
Terry Lawrence, President

STATE OF COLORADO  
County of Mesa

Witness my hand and official seal: \_\_\_\_\_  
Notary Public

**LANDING REQUIREMENTS OF PLAT**

The undersigned, having certified that it is a copy of a correct and true copy of the original as recorded in the public records of the State of Colorado, do hereby certify that the plat is a true and correct copy of the original as recorded in the public records of the State of Colorado.

For: \_\_\_\_\_  
TERRY LAWRENCE, President

STATE OF COLORADO  
County of Mesa

Witness my hand and official seal: \_\_\_\_\_  
Notary Public

**CITY APPROVAL**

The Land Title Department, City of Grand Junction, a 15th Amendment community, has reviewed the plat and has approved the plat for recording in the public records of the State of Colorado. The plat is subject to the provisions of the Colorado Condominium Act, C.R.S. 7-701-7-709. The plat is subject to the provisions of the Colorado Condominium Act, C.R.S. 7-701-7-709.

Date: \_\_\_\_\_

By: \_\_\_\_\_

**CITY APPROVAL**

This plat is approved for filing in the office of the Clerk and Recorder of Mesa County, Colorado, and is approved and recorded on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

CITY MANAGER \_\_\_\_\_

CITY CLERK \_\_\_\_\_

**CLERK AND RECORDER'S CERTIFICATE**

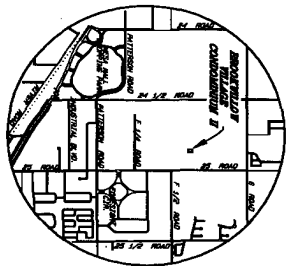
This plat was received for filing in the office of the Clerk and Recorder of Mesa County, Colorado, on \_\_\_\_\_ day of \_\_\_\_\_, 2009, and was recorded at \_\_\_\_\_ and \_\_\_\_\_.

CITY AND RECORDER \_\_\_\_\_

NOTARY \_\_\_\_\_

**CONDOMINIUM NOTES**

- 1.) The Condominium Declaration of Brookwillow Village Condominium I is recorded in Book 4697 Page 771 and 772.
- 2.) The Project Agreement is on file in the office of the Clerk and Recorder of Mesa County, Colorado.
- 3.) The plat is subject to the provisions of the Colorado Condominium Act, C.R.S. 7-701-7-709.
- 4.) All general common elements are subject to development rights.



VENUE MAP  
NOT TO SCALE

**SURVEYOR'S STATEMENT**  
I, Donald L. Dwyer, a Professional Land Surveyor, licensed in the State of Colorado, do hereby certify that I have surveyed and located the corners and boundaries of the above described property, and that the same are correctly shown on the attached plat. My commission expires on \_\_\_\_\_.

**BROOKWILLOW VILLAGE  
CONDOMINIUM II**  
LOCATED IN THE  
SW 1/4 NE 1/4, SEC. 4, T15S, R11E, U1M

**D H SURVEYS INC.**  
116 DURAY AVE - GRAND JUNCTION, CO  
(970) 848-9749

Recorded by: M.L.H.	Created by: M.L.H.	Job No.: 2009-0208
Drawn by: THS	Drawn by: MCH	Sheet: 1 of 2

**RECORDER NOTE: POOR QUALITY DOCUMENT  
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