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FOURTH AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS FOR BUFFALO CREEK SUBDIVISION AT WELLINGTON
(a Common Interest Limited Expense Planned Community)

THIS FOURTH AMENDMENT to Declaration of Protective Covenants, Conditions and Restrictions for Buffalo Creek Subdivision at Wellington ("Fourth Amendment") is made and entered into this 28th day of July, 2005; by TIMBERLINE DEVELOPMENT GROUP, INC., a Colorado Corporation (the "Declarant").

WITNESSETH:

WHEREAS, the Declaration of Protective Covenants, Conditions and Restrictions for Buffalo Creek Subdivision at Wellington (the "Initial Declaration") was filed with the Clerk and Recorder of Larimer County, State of Colorado, under Reception No. 152760 on the 20th day of May, 2003; and

WHEREAS, the First Amendment to Declaration of Protective Covenants, Conditions and Restrictions for Buffalo Creek Subdivision at Wellington (the "First Amendment") was filed with the Clerk and Recorder of Larimer County, State of Colorado, under Reception No. 242429 on the 28th day of October, 2003; and

WHEREAS, the Second Amendment to Declaration of Protective Covenants, Conditions and Restrictions for Buffalo Creek Subdivision at Wellington (the "Second Amendment") was filed with the Clerk and Recorder of Larimer County, State of Colorado, under Reception No. 2004-0048841 on the 21st day of May, 2004; and

WHEREAS, the Third Amendment to Declaration of Protective Covenants, Conditions and Restrictions for Buffalo Creek Subdivision at Wellington (the "Third Amendment") was filed with the Clerk and Recorder of Larimer County, State of Colorado, under Reception No. 2005-0000055 on the 3rd day of January, 2005; and

WHEREAS, the Initial Declaration, the First Amendment, the Second Amendment, and the Third Amendment are collectively referred to hereinafter as the "Declaration"; and

WHEREAS, Section 1(g) of Article XII of the Declaration reserves the right for the Declarant to add some or all of the Expansion Property identified on Exhibit "B" to the Property; and

WHEREAS, Section 1(f)(i) of Article XII of the Declaration allows the Declarant to amend the Declaration to add some or all of the Expansion Property to the Property; and

WHEREAS, Section 1(i) of Article XII of the Declaration provides that the Declarant shall, upon adding some or all of the Expansion Property to the Property, record an amendment

