DECLARATION OF PROTECTIVE COVENANTS

UNIT 14

THIS DECLARATION, made this 23rd day of January, 1968, by COLORADO CITY DEVELOPMENT COMPANY, a Colorado corporation, having its principal place of business in Colorado City, Pueblo County, Colorado, hereinafter referred to as the "Declarant".

WHEREAS, the Declarant is the owner of all of that real property shown as Unit 15 of the plat entitled Colorado City, filed of record on December 28, 1967, under Reception No. 356818, in Book 1627, pages 310 to 315 inclusive, with the County Clerk and Recorder of Pueblo County, Colorado, and

WHEREAS, the Declarant is about to sell, dispose of or convey the lots in said property above described, and desires to subject the same to certain protective covenants, conditions, restrictions and reservations, hereinafter referred to as "Conditions" between it and the acquirers of the lots in said property.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That Declarant hereby certifies and declares that it has established and does hereby establish a general plan for the protection, maintenance, development and improvement of said property and that

THIS DECLARATION is designed for the mutual benefit of the lots in said tract, and Declarant has fixed and does hereby fix the protective Conditions upon which all lots, parcels and portions of said tract shall be hold, leased or sold, and/or conveyed by them as such owners, each and all of which is and are for the mutual benefit of the lots in said tract and of each owner thereof, and shall run with the land and inure to and pass with said tract and each and every parcel of land therein, and shall apply to and bind the respective successors in interest thereof, and are and each thereof is imposed upon said tract as a mutual, equitable servitude in favor of each and every parcel of land therein as the dominant tenement or tenements.

SAID CONDITIONS are as follows:

1. That all of the lots of, said tract, unless, otherwise designated, shall be single family residential lots and may be improved, used and occupied for single family residence purposes together with such accessory buildings as approved by the Architectural Committee.
2. That no raising or breeding, nor keeping or maintaining of pets, rabbits, poultry, dogs or livestock of any kind be permitted, with the exception that for each dwelling unit the occupant may keep for his personal use not more than three pets, such as dogs, cats or other generally accepted household pets. *Exceptions:* (1) This condition shall not apply to birds and fish that are maintained within the home; (2) This condition shall not apply to single family ranch estate lots.
3. That no activity noxious or offensive to the neighborhood shall be conducted within any building or on any portion of any lot or building site in said tract herein designated as a residential lot.
4. That no lots in this tract shall be re-subdivided or split.
5. That all television, radio antennas or masts of unusual height or configuration must be approved by the Architectural Committee.
6. That refuse cans and/or clotheslines shall be shielded from view at all times within fenced service yards.
7. That any building erected upon any of said lots shall be approved prior to construction by an Architectural Committee appointed by Declarant, or successors appointed by them, in Colorado City, Colorado, or at such other place as may be designated by the Declarant. The Architectural Committee, in passing on any requests for approval, shall consider the location, form, texture, color and exterior appurtenances of the proposed structure. Tentative plans should be brought to the Committee for approval before commencing working drawings. Working drawings submitted for approval shall include complete elevations and plot and site development plans. Upon commencement of construction of any building, the work on the structure shall be diligently pursued in a workmanlike manner. No construction shall commence until a building permit for said construction has been obtained from the County of Pueblo Building Department.

8. That no accessory buildings, trailers, mobile homes, barns or other structures not conforming to these covenants shall be maintained on any lot.
9. That no signs, advertisements, billboards or advertising structures may be erected or maintained on any of the residential lots without the,- consent in writing of the Architectural Committee. Exception: one for sale or for rent sign limited to three (3) square, feet in area may be placed on any residential lot.
10. That all exterior wood shall be maintained with oil, stain or paint. All exterior stucco, concrete or concrete block shall have interior color added or be painted.
11. Owners of lots 51 to 55, 56 to 60, 237 to 240, 288 to 294, and 385 and 386, inclusive, shall have no rights to vehicular access whatever to Mount Shavano Street or Poncha Springs Road, as such, except the general easement of travel which belongs to the general public.

Single Family 1000 Sq. Ft. Building Restriction

As to lots numbered 46 to 85, 150 to 278, 316 to 348, and 358 to 362, inclusive of Unit 15:

1. No main structure shall be permitted whose area under roof is less than 1000 square feet.
2. The Architectural Committee shall determine the required set back, based on site conditions and neighboring developments, when plans are submitted as provided hereinabove.

Single Family - 250 Sq. Ft. Building Restriction

As to lots numbered 279, 280, 305 to 315, 357, 363 to 394, 430 to 458 and 463 to 577, inclusive of Unit 15:

1. No main structure shall be permitted whose area, under roof is less than 1250 square feet.
2. The Architectural Committee shall determine the required set back based on site conditions and neighboring developments, when plans are submitted as provided hereinabove.
3. Fences, walls or hedges or side yard property lines or rear property line shall be erected or planted only with the prior approval of the Architectural Committee.

   Fences shall not be permitted between the house and rear property line except as granted by variance by the Architectural Committee. Side yard fences shall not be permitted over three (3) feet high in the front yard setback or within twenty (20) feet of the rear property line.

Multiple Family Residential Lots

1. Lots numbered 281 to 304, 349 to 356, 415 to 439 and 579 to 593, inclusive of said tract shall be designated multiple-family residential lots, and may be developed to such density (No. of family units) as permitted by the Regulatory Agencies having Jurisdiction thereof.
2. The rear yard set back for living units shall be twenty-five (25) feet minimum.
3. Fences, wails or hedges on the side yard property lines or rear yard property lines shall be erected or planted only with the prior approval of the Architectural Committee.
4. At such time that the Colorado City water and Sanitation District, or other entity, installs sewer mains, these lots may be developed as multi-family lots to a density of one living unit per 1,500 feet of property with a maximum of eight (8) units per lot and may be improved, used and occupied for multiple-family residential purposes, together with such accessory buildings as approved by the Architectural Committee.

SINGLE-FAMILY RANCH ESTATES LOTS

1. Lots number 1 to 45, 86 to 149, 395 to 414, 459 to 462 and 594to 610, inclusive, of said tract shall be single-family residential lots and may be improved, used and occupied for single-family residence purposes, together with such accessory buildings as approved by the Architectural Committee.
2. No main structure shall be permitted whose area under roof is less than 1,500 square feet.
3. Fences and accessory buildings may be constructed on ranch estate properties. Accessory buildings shall not be constructed nearer than 20 feet to any property line or 50 feet from any existing residence, or from any proposed residence for which plans have been filed with the Colorado City Architectural Committee.

4. No pets or farm animals shall be kept or maintained on any of these lots as a commercial enterprise. For the purpose of these restrictive covenants activities such as 4-H project shall not be considered commercial projects. Not more than 3 horses may be maintained on any of these lots.

COMMERCIAL LOT

1. Lot 578 shall be reserved for commercial use as approved by The Colorado City Architectural Committee.

SCHOOL, PARK AND PUBLIC USE

1. Lot 611 is reserved for school and/or park site, or other public use.

PERMANENT OPEN SPACE AREA

Parcels A-G inclusive are designated as permanent open space property and title shall be held by the Colorado City Metropolitan Recreation District, or any proper assignee thereof. The residents of Colorado City shall have access to all open space lots in accordance with such rules and regulations as may be established from time to time by the said District.

These Conditions shall run with the land and shall be binding upon all parties and all persons claiming under them until twenty (20) years from the date thereof, at which time said Conditions shall be automatically extended for successive periods of ten (10) years, unless by vote of the owners of a majority of the lots in said tract it is agreed to change said Conditions in whole or in part.

Enforcement of these Conditions shall be by proceedings at law and/or in equity against any person or persons violating or attempting to violate any covenant to restrain violation and/or to recover damages. But the breach of any of the said Conditions shall not defeat or affect the lien of any mortgage or deed of trust made in good faith and for value upon said land, but such conditions shall be binding upon and effective against any owners of said premises whose title hereto is acquired by foreclosure, Trustee's sale or otherwise.

Provided, further, that if any paragraph, sentence or other portion of said Conditions herein contained shall he or become illegal, null or void for any reason, or shall be held by any court of competent jurisdiction to be so, the remaining portions shall remain in full force and effect.

IN WITNESS WHEREOF, COLORADO CITY DEVELOPMENT COMPANY has caused its seal and signatures to be affixed hereunto by its duly authorized officers on the day and date first stated hereinabove.