

Received at 2:14 o'clock P.M., APR 5 1962

BOOK 1904 PAGE 699

Reception No. 230369 HARRIET BEALS

Protective Covenants for Highland Hills
Subdivision in the City of Colorado Springs,
Colorado.

The covenants which follow in their entirety shall apply to all
of Highland Hills Subdivision in the City of Colorado Springs, Colorado.

- A-1 Land Use and Dwelling Type: No lot shall be used except for residential uses. No building shall be erected, altered, placed or permitted to remain on any lot other than a single family dwelling not to exceed one and one-half stories in height, and a private garage not to exceed the three-car type, except with approval of the Architectural Control Committee.
- A-2 Architectural Control: No building shall be erected, placed, or altered on any lot until the construction plans and specifications and plans showing the location of the structure shall have been approved by the Architectural Control Committee, as to quality and workmanship of materials, harmony of external design with existing structures and as to location with respect to topography and finish grade elevation. Approval shall be as provided in Part B.
- A-3 Dwelling size: The ground floor area of the main structure, exclusive of open porches and garages, shall be:
 - (a) For story and one-half houses - not less than 1260 square feet.
 - (b) For tri-level houses - not less than 1260 square feet; and only the top and main floor levels may be counted.
 - (c) For other houses - not less than 1400 square feet.
- A-4 Building Location: All buildings shall conform to the R-2 Residential Zone as specified by the City of Colorado Springs, except that for the main structure the minimum side yard set back shall be 10 feet.
- A-5 ~~A-5~~ General: All buildings shall conform to existing zoning and subdivision regulations as applied by local authorities wherever the same are more restricted than the requirements set forth by these covenants.
- A-6 Nuisances: No noxious or offensive activity shall be carried on, on any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
- A-7 Temporary Structures: No structures of a temporary nature, trailer, basement, tent, shack, garage, barn, or any other out-building shall be used on any lot at any time as a residence either temporarily or permanently.
- A-8 Construction: Construction shall be of brick or stone unless otherwise agreed upon by the Architectural Control Committee.
- A-9 The houses already existing on Lots 11 and 12 in Block 1 are considered to comply with these covenants.

Office of County Clerk and Recorder
El Paso County, State of Colorado
certified to be a full, true and correct
copy of record in my office.
230369 Book 1904 Page 699
Date 6-17-15
BY *Chuck Broerman* Deputy
County Clerk & Recorder, El Paso County, CO



- B-1 Membership of Architectural Control Committee: The Architectural Control Committee is composed of John Selby Young, Cecil M. Ver Duft and O. L. Clark, all of Colorado Springs, Colorado. The committee may designate a representative or representatives to act for it. In the event of death or resignation of a member of the committee the remaining members shall have full authority to designate a successor. At any time, the then record owners of a majority of the lots shall have authority through a duly recorded written instrument to change the membership of the committee or to withdraw from the committee or restore to it any of its power and duties.
- B-2 Procedure: The Committee's approval or disapproval as required in these covenants shall be in writing. In the event the committee or its designated representatives, fail to approve or disapprove within 30 days after plans and specifications have been submitted to it, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related covenants shall be deemed to have been complied with.
- C-1 Terms: These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of 25 years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.
- C-2 Enforcement: Enforcement shall be at proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.
- C-3 Severability: Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

John Selby Young

O. L. Clark

Cecil M. Verduft

Mary Katherine Verduft
Mary Katherine Ver Duft

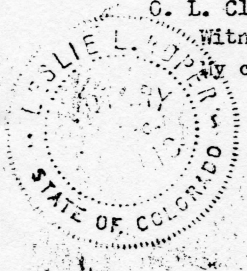
STATE OF COLORADO,) ss,
County of El Paso)

The foregoing instrument was acknowledged before me this 28th day of March, 1962 by John Selby Young, Cecil M. Ver Duft, and

O. L. Clark, and Mary Katherine Ver Duft
Witness my hand and official seal.

My commission expires 3/10/65

Leslie L. Roper
Notary Public



Received at 2 o'clock M., MAR 21 1963
Reception No. 280931 HARRIET BEALS

BOOK 1950 PAGE 634

AMENDMENT TO PROTECTIVE COVENANTS

WHEREAS, on April 5, 1962 there was recorded in the office of the Clerk and Recorder of the County of El Paso a certain instrument executed by John Selby Young and others, denominated "Protective Covenants for Highland Hills Subdivision in the City of Colorado Springs, Colorado", in Book 1904 at Page 699, to be effective to all land in Highland Hills Subdivision in the City of Colorado Springs, Colorado, and

WHEREAS, said protective covenants run with the land and are binding upon all parties having interest therein, and

WHEREAS, it has been concluded that Paragraph A-4 of said protective covenants should be amended to provide a minimum side yard set-back of 9 feet on Lots 2 and 3 in Block 1, and

WHEREAS, the undersigned constitute all record owners of the property.

NOW, THEREFORE, the undersigned as owners of all land embraced within Highland Hills Subdivision in the City of Colorado Springs, Colorado, including the makers of said protective covenants do hereby, by these presents, amend Paragraph A-4 of said protective covenants to read as follows:

"A-4 Building Location: All buildings shall conform to the R-2 Residential Zone as specified by the City of Colorado Springs, except that for the main structure the minimum side yard set-back shall be 10 feet, and except that on Lots 2 and 3 in Block 1 the minimum side yard set-back shall be 9 feet."

IN WITNESS WHEREOF, we have hereunto subscribed our names this 20th day of March, A.D. 1963.

Office of County Clerk and Recorder
El Paso County, State of Colorado
Certified to be a full, true and correct copy of record in my office.
280931 Book 1950 Page 634
Date 4-8-63
Chuck Broerman
County Clerk & Recorder El Paso County, CO
By [Signature] Deputy



John Selby Young
John Selby Young

Cecil M. Ver Duff
Cecil M. Ver Duff

Mary Katherine Ver Duff
Mary Katherine Ver Duff

Clayton O. Blandin
Clayton O. Blandin

Elnora R. Blandin
Elnora R. Blandin

John M. Burnside
John M. Burnside

Rose D. Burnside
Rose D. Burnside

James H. Curry
James H. Curry

Donna L. Curry
Donna L. Curry

Robert S. Grimes
Robert S. Grimes

Carol L. Grimes
Carol L. Grimes

Regis V. Wichman
Regis V. Wichman

Viola M. Wichman
Viola M. Wichman

James R. Tarter
James R. Tarter

Mary Rita Tarter
Mary Rita Tarter

Leo Santerre
Leo Santerre

Hazel Santerre
Hazel Santerre

COLLIER BUILT HOMES INC.

By: T.M. Collier, Jr.
T.M. Collier, Jr.
President



Betty L. Collier
Betty L. Collier
Secretary

Roland A. Aplin
Roland A. Aplin

Jean M. Aplin
Jean M. Aplin

STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me
this 20th day of March, A.D. 1963 by John Selby Young, Cecil
M. Ver Duft, Mary Katherine Ver Duft, Clayton O. Blandin,
Elnora R. Blandin, John M. Burnside, Rose D. Burnside, James
H. Curry, Donna L. Curry, Robert S. Grimes, Carol L. Grimes,
Regis V. Wichman, Viola M. Wichman, James E. Tarter, Mary Rita
Tarter, Leo Santerre, Hazel Santerre, Collier Built Homes Inc.
by T.M. Collier, Jr. and Betty L. Collier, President and Secre-
tary respectively of Collier Built Homes Inc., Roland A. Aplin
and Jean M. Aplin.

WITNESS my hand and official seal.



Henry A. Lachute, Jr.
Notary Public

My commission expires January 19, 1967

