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249662

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Reception No. HARRIET BEALS  
Protective Covenants for Highland Hills Subdivision  
No. 2 in the City of Colorado Springs, Colorado.

The covenants which follow shall apply to Highland Hills Subdivision No. 2 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) A single family dwelling not to exceed one and one-half stories in height; (except that two story houses may be erected on the following lots: Block 1, Lot 1; Block 4, Lots 24 through 50; and Block 6 - all lots).

(b) 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 two story houses - not less than 1200 square feet.

(b) For other houses - not less than 1400 square feet. (The basement level of tri level houses will not be counted).

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 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 Construction: Construction shall be of brick or stone unless otherwise agreed upon by the Architectural Control Committee.

A-7 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-8 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-9 Garbage and Refuse Disposal: Trash, garbage or other waste shall be kept in sanitary containers. All containers for storage or disposal of garbage and trash shall be kept in a clean, sanitary condition and within a closed area. No outdoor burning of trash, garbage or waste shall be permitted on the premises.

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.

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Date 6-17-15

By Chuck Broerman  
County Clerk & Recorder, El Paso County, CO  
Deputy



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 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.

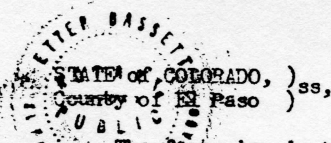
C-1 Terms: These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of 25 years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years unless an 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; In validation 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.

Dated at Colorado Springs, Colorado  
this 17th day of August, 1962.

*Cecil M. Verduft*  
*O. L. Clark*



The foregoing instrument was acknowledged before me this 17th day of August, 1962 by Cecil M. Ver Duft and O. L. Clark.

Witness my hand and official seal.

My commission expires March 19, 1966

*Etter Bassett* Notary Public