

DECLARATION OF PROTECTIVE COVENANTS
OF
CHIPETA MEADOWS SUBDIVISION
(Amended)

THIS DECLARATION OF PROTECTIVE COVENANTS is made this 4th day of January, 1995 by DONNA R. COUPLAND, LARRY H. HUGHES and MARY B. POLK, hereinafter referred to as "Declarants".

ARTICLE I
PURPOSES AND EFFECT OF PROTECTIVE COVENANTS

1. Purposes: This Declaration is made for the purpose of establishing and maintaining the property as a residential area of the highest possible quality and value and for the purpose of enhancing and protecting its value, desirability and attractiveness.
2. Benefits of Declaration: This Declaration is made for the benefit of Declarants and all subsequent owners of the property or portions thereof.
3. Burden of Title: the covenants, conditions and restrictions herein contained shall be a burden upon and shall run with the title to the property located within the subdivision.

ARTICLE II
USES OF THE PROPERTY

1. Division of the Property into Parcels: the property known as Chipeta Meadows, a subdivision within the city limits of the city of Salida, Chaffee County, Colorado, has been divided by Declarants into parcels as shown on a plat which is to be recorded in the office of the County Clerk and Recorder of Chaffee County.
2. Use of Parcels: the subdivision shall be used for residential purposes only. However, a sales and construction office may be maintained by the developers or their agents during development of the subdivision. the existing doublewide may remain up to two years as residence and office on Lot No. 6.
3. Structures Permitted: no buildings or structures shall be placed, erected, altered or permitted to remain on any parcel other than the following:
 - A. One Single Family Dwelling House;
 - B. One Two-Family Dwelling which is a detached residential building containing two dwelling units designed for occupancy by not more than two families;
 - C. One Attached Double Car Garage for each lot;
 - D. One other outbuilding as provided below.

The single family dwelling house shall have no less than 1,200 square feet, exclusive of porches,

terraces and garages, and a minimum pitch of four-twelfths (4/12ths). The Two Family Dwelling shall have no less than 1,000 square feet for each dwelling unit for a one story building, exclusive of porches, terraces and garages, and a minimum pitch of four-twelfths (4/12ths). No mobile homes, modular homes or manufactured homes will be permitted on any parcel. All homes shall be constructed on the premises. All residential dwellings shall not exceed one story in height. Any garage built on the premises shall be connected to the main dwelling unit. The garage shall have the same exterior finish as the single family dwelling house. There may be a maximum of one other outbuilding (in addition to the home and the garage) which can be used as a shop or for storage. All outbuildings will have the same exterior as the main dwelling house or the exterior may be of wood as approved by the Covenants Control Committee. Siding must be approved by the Covenants Control Committee. All structures shall have finished exterior walls which are constructed of masonry, stone, stucco, approved wood siding, brick, rock, log or a combination thereof. All exterior wood walls shall be painted, stained or preserved and all materials shall have a finished appearance. the finished exterior shall be of approved colors complementing the natural surroundings and landscaping.

4. Subdivision of Lots: No lot within the subdivision may be subdivided in any way except for a lot where a two-family dwelling is to be erected. In the event a lot owner wishes to erect a two-family dwelling (duplex), the owner may divide the lot into two parts which are equal in size as near as practicable in accordance with a description furnished by a registered land surveyor, in which case the owner of the lot so subdivided will designate the two parcels as "A" and "B" in addition to the appropriate lot number. With each subdivided lot for a two-family dwelling, each dwelling unit will be entitled to one garage not to exceed a two-car garage and one additional outbuilding as provided by Paragraph 3 above. Each lot that is subdivided for a two-family dwelling will have a minimum of 3,500 square feet for each parcel of any subdivided lot so that each unit in the two-family dwellings will have a lot with the minimum size of 3,500 square feet.

5. Restricted Activities: No noxious or offensive activities shall be carried on upon any lot which may become an annoyance or a nuisance to the neighborhood. Further, no commercial livestock, kennels, poultry feeding or processing operation shall be carried out upon any lot. Cats, dogs, or other pets may be kept, provided that any animals so kept upon the premises shall not be kept, bred, or maintained for any commercial purpose. All animals and birds shall be kept within a fenced area including cats. There shall be no more than two adult dogs or cats or birds or a combination thereof kept on the premises. Except as hereinabove provided, no other animals or birds shall be kept on any lot.

6. All clothesline equipment, service yards, wood piles or storage piles shall be screened so as to conceal them from the view of the neighboring lots or streets.

7. No trash burning shall be permitted on any lot. All rubbish and trash shall be promptly removed from the lots and shall not be burned in the subdivision.

8. Each owner of a lot shall be responsible for keeping grass, shrubs, trees and other plantings on such site in an attractive condition.

9. No waste or materials of any kind may be stored on a lot except for a reasonable term while a structure on said premises is under construction. Only vehicles and recreational vehicles of good

running condition which are currently licensed and registered are permitted upon any lot.

10. No temporary house, tent, mobile home, or trailer shall be allowed on any lot, EXCEPT during construction of permanent improvements not to exceed one (1) year in duration and during temporary use not to exceed one (1) month of continuous occupancy. No dwelling house shall be occupied in any manner prior to its completion. A motorhome, camper or trailer may be stored on the premises, provided that such vehicle, camper or trailer will be located in the garage or will be shielded from street view by an appropriate fence.

11. Each lot at all time shall be kept in a clean, sightly, and wholesome condition. No trash, litter, junk, boxes, containers, bottles, cans, lumber, or other building materials shall be permitted to remain exposed upon any lot so they are visible from any neighboring lot or street except as is necessary during the period of construction. In the event any structure is destroyed either wholly or partially by fire or any other casualty, said structure shall be promptly rebuilt or remodeled to conform with this Declaration; or if the structure is not to be rebuilt, all remaining portions of the structure, including the foundations and all debris, shall be promptly removed from the property. No garbage or trash cans or receptacles shall be maintained in an exposed or unsightly manner. All lots and premises shall be kept in a clean and sanitary condition at all times.

12. Three separate agreements known as "Common Use and Occupancy Agreement, Common Use Sewer Agreement, and Privacy Fence Agreement, coincide with these covenants and shall be enforced hereunder and shall be executed by each lot owner.

**ARTICLE III
COVENANTS CONTROL COMMITTEE**

There is hereby established a Covenants Control Committee composed of DONNA R. COUPLAND, LARRY H. HUGHES, AND MARY B. POLK, who shall serve until all lots have a dwelling constructed thereon, or until a successor is duly appointed and qualified.

**ARTICLE IV
COVENANT CONTROL COMMITTEE REQUIREMENTS**

1. General Requirements: The Committee shall require that all construction, landscape improvements and alterations within the property, including the visual design, materials, color, site location, heights, topography, driveway, grade, and finished ground and foundation elevation be complimentary to the natural surroundings and existing structures. All construction on the same lot shall be of the same type materials, color, and design, except fenced. Boundary fences may be erected only from the front set back line as defined by city ordinances, to the rear of the lot and across the back of the lot. All such fences will be constructed of wood and will not be more than six (6) feet high. All wood fences will not be painted but can be stained in a natural wood color. No front fences will be permitted.

2. Preliminary Approvals: Parties who anticipate construction improvements within the property or who own or contemplate the purchase of a lot may submit a preliminary design of the improvements to the Committee for informal review. The Committee shall not be committed or bound by any informal review until complete plans are submitted and approved or disapproved.

