

USE AND BUILDING RESTRICTIONS
OF
COLUMBINE HEIGHTS, FIRST FILING
LITTLETON, COLORADO

BOOK 1014 PAGE 339

May 7, 1957

Undersigned is the owner of the following described real estate located in Arapahoe County, Colorado:

Plots 2 and 3 of Block 1, All of Blocks 2 and 3, Columbine Heights, First Filing, a part of S $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 19, Township 5 South, Range 68 West.

Said real estate has been surveyed and platted and the plat therein has been duly recorded according to law, in the records of the County Clerk and Recorder of Arapahoe County, Colorado, in Plat Book No. 13, at Page 21.

Therefore, the undersigned hereby declares to and for the benefit of all persons who may hereafter purchase and from time to time hold and own any of said property, that the same shall be subject to the following restrictions, covenants and conditions, all of which shall be deemed to run with the land and to inure to the benefit of and be binding upon the owner at any time of his said plots, his heirs and assigns, to-wit:

1. The lots and plots in Columbine Heights, First Filing, are subject to easements for utilities as shown on the recorded Map and Plat of said subdivision, designated by broken or dotted lines showing the location of easements for utilities, for poles, wires, pipes and conduits for heating, lighting, electricity, gas, telephone, sewer, water or any other public or quasi-public utility service with right of ingress and egress for the purpose of construction and repair.
2. **LAND USE AND BUILDING TYPES:**

All lots or plots in this tract shall be known and described as residential lots or plots, and shall be used only for residential purposes, except those areas that are designated for parks.

- (a) The principal dwelling shall have a minimum fully enclosed floor area devoted to living purposes, exclusive of porches, terraces, garage, guest house and servant quarters of 1600 square feet.
- (b) No structures shall be erected, altered, placed on any residential building plot other than one detached single family dwelling to be used solely and exclusively for residential purposes, and restricted to the use of not more than one family except servants of the household.
- (c) No obnoxious or offensive trade or activity shall be carried on or become an annoyance or nuisance in the neighborhood.

- (d) No tent, trailer, basement, shack, garage, barn or other out buildings erected in Columbine Heights shall at any time be used as a residence temporary or permanent, nor shall any structure of a temporary character be used as a residence. The work of constructing the dwelling shall be prosecuted diligently from the commencement thereof until completion.
- (e) The raising or housing of poultry, cows, horses or any other livestock is hereby prohibited.
- (f) All signs displayed to the public view on any site, pertaining to advertising the property for sale or rent, or signs used by a builder to advertise the property for sale during the construction and sales period to be approved by the Architectural Control Committee, hereinafter described.
- (g) No radio, short wave, or television antenna over 3 ft. above highest roof line of the individual residence shall be permitted unless approved by the Architectural Control Committee.
- (h) All homes must be equipped with garbage disposals. All homes must have enclosed service yard area of minimum 80 square feet located on north rear corner of property lines except those lots on north corners of subdivision, these lots to have service yards on south rear corners. Service yards to be enclosed with solid type board or grape stake fencing not to exceed 6 feet in height.
- (i) Only new construction is to be permitted, and no older buildings can be moved onto any site in this tract.
- (j) All homes constructed on this property are to conform with these restrictions. ~~_____~~
- (k) Exteriors of all homes must be either brick, brick veneer, stone, stone veneer, or combination of wood siding and brick, or wood siding and stone. No imitation brick siding, tar paper, asbestos shingle or concrete block houses shall be permitted. Any other types of construction are to be submitted to the Architectural Control Committee for their consideration of approval.
- (l) No elevated tanks of any kind shall be erected, placed or permitted upon the lots. Any tanks for use in connection with any residence on the lots, including tank for storage of gas, fuel oil, gasoline or oil, must be buried or kept screened by adequate planting to conceal them from neighboring lots or streets.
- (m) For the purpose of any general plantings within road area, and any other beautification features within Columbine Heights, for the general use, protection, and benefit of all lot owners, each and every lot owner

in accepting a deed or contract for any lot in Columbine Heights agrees to become a member of a mutual improvement and maintenance association which will be organized among Columbine Heights owners, either formally or informally; it being understood that any such association shall be operated and conducted on a strictly cooperative and non-profit basis.

3. BUILDING LOCATION:

- (a) On all streets running north and south, the set backs shall not be less than 45' from front property line.
- (b) On streets running east and west, the set backs shall not be less than 30' from property line.
- (c) All side yards on 150' sights or over to be 20' from property line to residence. On 125' or less sites, the side yards are to be 15' from property line to residence.
- (d) No garage doors shall face the street, unless prior approval of building plans is obtained under Paragraph 4 hereafter.
- (e) No building shall have finished grade in excess of 12 inches above existing natural grade at high side of lot. On Colonial, Early American or Ranch type houses the plate lines are not to exceed 9 feet 6 inches above finished grade line. Any other style must be approved by the Architectural Control Committee. In no case shall other styles exceed 20 feet in height from finished grade.

4. APPROVAL OF PLANS:

No building, fence, wall or other structure shall be commenced, erected or maintained, until the plans and specifications (styles for subdivision to be Colonial, Early American or Ranch. Other styles may be approved by presentation of preliminary drawings to the Architectural Control Committee for approval), showing the nature, kind, shape, height, materials, floor plans, exterior color scheme, location and approximate cost of such structure and the grading of the lot to be built upon shall have been submitted to and approved by the Architectural Control Committee, hereinafter described, and a copy thereof, as finally approved, lodged permanently with said Committee. The Committee shall have the right to refuse to approve any such plans or specifications or grading plan, which are not suitable or desirable in its opinion, for aesthetic or other reasons, and in so passing upon such plans, specifications and grading plans, it shall have the right to take into consideration the suitability of the proposed building or other structure, and of the materials of which it is to be built, to the site upon which it is proposed to erect the same, the harmony thereof with the surroundings and the effect of the building or other structure as planned, on the outlook from the adjacent or neighboring property. All subsequent additions to

or changes or alterations in any building, fence, wall or other structure, including exterior color scheme, shall be subject to the prior approval of the Architectural Control Committee.

5. ARCHITECTURAL CONTROL COMMITTEE:

The Architectural Control Committee shall be composed originally of three members selected by the subdivider, one of which shall be a licensed architect in the State of Colorado. In the event of death, incapacity or resignation of a member of the Committee, the remaining members shall have the full authority to designate a successor. The members of the Committee shall be entitled to compensation in the amount of \$25.00 for each application for approval of plans submitted for consideration, which said fee shall be paid at the time plans are received by said committee, said fee shall be for services performed under this covenant.

6. TERM OF COVENANTS AND RESTRICTIONS:

The aforesaid provisions, restrictions and covenants and each and all thereof, shall run with the land and every part thereof, and shall be binding on all the parties and all persons claiming under them until January 1, 2000 A. D., after which time they shall be automatically extended for a period of twenty-five years, unless an instrument signed by a majority of the then owners of the lots, has been recorded, agreeing to change the same in whole or in part.

7. ENFORCEMENT:

Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate the aforesaid provisions, restrictions and covenants, either to restrain violation or to recover damages, or both.

Invalidation of any one of these covenants by Judgment or Court order shall in no wise effect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 7th day of May, A. D. 1957.

George I. Hansen SEAL
George I. Hansen

STATE OF COLORADO)
CITY AND COUNTY OF DENVER) SS



Subscribed and sworn to before me this 7th day of May, 1957, by George I. Hansen.

Witness my hand and official seal.

My commission expires December 1, 1960.

Robert H. Close
Notary Public