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**CITY OF LITTLETON, COLORADO**

**Resolution No. 07**

**Series, 2015**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
LITTLETON, COLORADO, APPROVING THE SECOND AMENDMENT  
TO DECLARATION OF AGREEMENT ESTABLISHING BUILDING  
RESTRICTIONS IN PLUM VALLEY, DOUGLAS COUNTY, STATE OF  
COLORADO**

**WHEREAS**, a plat establishing the Plum Valley Subdivision was recorded in the Douglas County Clerk and Recorder's Office on April 7, 1956 in Plat Book Number 983441, Reception File;

**WHEREAS**, a Declaration of Agreement Establishing Building Restrictions in Plum Valley, Douglas County, State of Colorado dated January 28, 1958 was recorded in the Douglas County Clerk and Recorder's Office on January 31, 1958 in Book 123, Page 258, to establish certain restrictions, covenants and conditions on the use of the lots in the Plum Valley Subdivision;

**WHEREAS**, an Amendment to Declaration of Agreement Establishing Building Restrictions in Plum Valley, Douglas County, State of Colorado, was recorded in the Douglas County Clerk and Recorder's Office on August 10, 1960 in Book 133, Page 174, to remove all of the property in the Plum Valley Subdivision from the provisions of the Declaration, except lots 1 to 6 inclusive, lots 42 to 45 inclusive and lots 7 to 16 inclusive, leaving a total of twenty (20) lots remaining subject to the Declaration;

**WHEREAS**, the Declaration provides that all of its restrictions and covenants shall continue and be binding upon the owners of the lots in Plum Valley Subdivision until January 1, 1960, at which time said restrictions and covenants shall be automatically extended for successive periods of ten (10) years unless by vote of a majority of the then owners of the fee simple title to such lots agree to release, change or amend said restrictions and covenants in whole or in part;

**WHEREAS**, the City of Littleton owns the fee simple title to lots 1 to 6 inclusive and the Elizabeth Marie Jones Charitable Trust owns the fee simple title to lots 7 to 16 inclusive, being a total of sixteen (16) of the twenty (20) lots remaining subject to the Declaration; and

**WHEREAS**, the City of Littleton and the Elizabeth Marie Jones Charitable Trust desire to remove their respective lots from the provisions of the Declaration through the execution and recordation of a second amendment to the Declaration;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LITTLETON, COLORADO, THAT:**

The Second Amendment to the Declaration of Agreement Establishing Building

Restrictions in Plum Valley, Douglas County, State of Colorado, is hereby approved.

INTRODUCED, READ AND ADOPTED at a regularly scheduled meeting of the

City Council of the City of Littleton, Colorado, on the 6<sup>th</sup> day of January, 2015, at 6:30 p.m. at

the Littleton Center, 2255 West Berry Avenue, Littleton, Colorado.

ATTEST:

\_\_\_\_\_  
Colleen L. Norton  
ACTING CITY CLERK

\_\_\_\_\_  
Phil Cernanec  
PRESIDENT OF CITY COUNCIL

APPROVED AS TO FORM:

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Kristin Schledorn  
CITY ATTORNEY