

RECORDED AT 1:30 O'CLOCK *P* AUG 10 1960
RECEPTION NO. 108937 *C. A. Present* RECORDER.

133
174
AMENDMENT TO DECLARATION OF AGREEMENT ESTABLISHING BUILDING
RESTRICTIONS IN PLUM VALLEY, DOUGLAS COUNTY, STATE OF COLORADO

KNOW ALL MEN BY THESE PRESENTS: That

WHEREAS, the undersigned, MAURICE H. FISHER, ELEANOR
G. FISHER and ANTHONY F. ZARLENGO, on January 28, 1958, did
enter into a Declaration of Agreement Establishing Building Re-
strictions in Plum Valley, Douglas County, Colorado, which said
Declaration was recorded in the office of the County Clerk and
Recorder of Douglas County on January 28, 1958 in Book 123 at
Page 258 of the said County records, and

WHEREAS, the property affected by said Declaration
and described therein is located in Douglas County, Colorado
and is more particularly described as follows:

PLUM VALLEY SUBDIVISION, excepting Lots 27, 28
and 30 in the North $\frac{1}{4}$ of the NE $\frac{1}{4}$, Township 6
South, Range 68 West of the 6th P.M., and

WHEREAS, said Declaration provides inter alia that:

"All restrictions and covenants herein set
forth shall continue and be binding upon the
sellers, his heirs and assigns and all persons
claiming by, thru or under them, until January
1, 1960, at which time said 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 the
plots shown on the recorded plat it is agreed to
release, change or amend said restrictions and
covenants in whole or in part by executing and
acknowledging an appropriate agreement or agree-
ments in writing for such purpose and filing the
same for record in the manner then required for
the recording of land instruments." and,

WHEREAS, the undersigned, MAURICE H. FISHER, ELEANOR
G. FISHER, ANTHONY F. ZARLENGO, JOHN LINDSEY
and ROY HAMILTON OTT, JR., and ELIZABETH MARIE OTT are the
owners in fee simple of all the plots in said Plum Valley
Subdivision affected by said Declaration, and

WHEREAS, on the 18th day of January, 1960, the City

Council of the City of Englewood in regular session as provided by law found and determined that certain water rights and property including a portion of the property hereinabove described was necessary and essential for the construction of a water storage reservoir as a public improvement constituting a part of the municipal water works existing of said City of Englewood, and did authorize the acquisition of said property by negotiation and in the event of failure of negotiations by eminent domain and,

WHEREAS, it is the desire of the undersigned as the owners in fee simple of all of the property in Plum Valley Subdivision affected by said Declaration to release, change and amend the restrictions and covenants contained in said Declaration. Therefore, it is the agreement of the undersigned and each of them that said Declaration be amended by removing from the provisions of said Declaration all of the property in the Plum Valley Subdivision affected by said Declaration save and except Plots 1 to 6 both inclusive, 42 to 45 inclusive and 7 to 16 inclusive. That as to these plots the terms and conditions of said Declaration shall remain in full force and effect.

Elizabeth M. Dancy

Maurice A. Loh

Edgar M. S. Smith

Roy Hamilton Clark

John D. Smith

Anthony J. Zarlingo

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RECORDED AT 1:28 PM
SECTION NO. 102402

DECLARATION OF FORECLOSURE ESTABLISHING
PLUM VALLEY
DOUGLAS COUNTY, STATE OF COLORADO

KNOW ALL MEN BY THESE PRESENTS, That whereas the undersigned Maurice H. Fisher, Eleanor G. Fisher and Anthony F. Zarlengo are the owners of the following described real estate located in Douglas County, State of Colorado, to-wit:

PLUM VALLEY SUBDIVISION, excepting lots 27, 28,
and 30 in the Western 1/4 of the NE 1/4 Township 6
South, Range 68 West of the 6th principal meridian

and

WHEREAS, the undersigned have caused said real estate to be surveyed and platted under the name and style of PLUM VALLEY, and have caused the same to be subdivided into lots, drives, lanes and public ways in compliance with and pursuant to the resolutions of the Board of County Commissioners of Douglas County, and the plat therein has been duly recorded according to law in the records of the County Clerk and Recorder of the County of Douglas, in plat book number 98341, Reception File, on the seventh day of April, A. D. 1967,

and

WHEREAS, the undersigned are the owners of all the plots described in said plat of PLUM VALLEY, except plots 27, 28 and 30,

and

WHEREAS, the said Maurice H. Fisher, Eleanor G. Fisher and Anthony F. Zarlengo now desire to place certain restrictions on said plots shown on said plat for the use and benefit of the present owners and for themselves and for their grantees, in order to establish or maintain PLUM VALLEY as a substantial residence subdivision.

NOW, THEREFORE, in consideration of the premises, the said Maurice H. Fisher, Eleanor G. Fisher and Anthony F. Zarlengo for themselves, their successors and assigns, and for themselves and their grantees, do hereby publish, acknowledge, declare and agree with, to and with their heirs, assigns and assigns who may hereafter purchase and from time to time hold and own any of the plots in said PLUM VALLEY, 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:

F. Definitions

- (a) Sellers, when used herein, shall mean Maurice H. Fisher, Eleanor G. Fisher and Anthony F. Zarlengo.
- (b) A border plot is one that abuts on more than one lane or drive.
- (c) Any word residential or building plot as used herein is intended to mean a single place or parcel of land consisting of not less than one full plotted plot or an area substantially equivalent thereto.
- (d) An "unbuilding" as the word is used in this statement is intended to mean an enclosed, covered structure not directly attached to the residence which it serves.
- (e) The words drive and lane as used herein shall include any driveway, easement, boulevard, road, path-way, terrace or court or much on the recorded plat.
- (f) All plots shall be residential plots unless otherwise designated on the plat.

- (k) Neighborhood as used herein shall mean "PRIME VALLEY".
- (h) The word "lot" as used on the recorded plat, herein referred to, shall have the same meaning as the word "plots" as used herein.

2. Use of Land

- (a) No structure shall be erected, altered or placed on any residential building plot other than one detached single family dwelling plus outbuildings, the 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.
- (b) No obnoxious or offensive trade or activity shall be carried on on any plot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
- (c) No tent, trailer, basement, shack, garage, barn or other outbuildings erected in PRIME VALLEY shall at any time be used as a residence, temporary or permanent, nor shall a structure of a temporary character be used as a residence.
- (d) The raising or housing of horses shall be limited to owners having a minimum plot size of ten acres, shall not exceed three horses and the owner must provide his horses and household pets with suitable housing and adequate fencing to prevent their trespass upon plots in the neighborhood. The raising or housing of pigs is hereby prohibited. The raising or housing of poultry, cows, sheep, or more than three horses shall be limited to plots 14, 18, 19, 20, 21 and then only by the owner of a minimum of three adjoining plots.
- (e) Any residence constructed on any of the plots shall be located so that no part of the structure shall be closer than thirty feet from any of the property lines of the plot upon which it is constructed as presently platted or as replatted from time to time.
- (f) The construction of any building shall be confined to platted plots. No building shall be erected on less than one plot as shown on the recorded plat, or any replat thereof, or an area substantially equivalent thereto.

3. Approval of Plans

- (a) No building, fence, wall or other structure shall be commenced, erected, maintained or altered on this subdivision until the building plans, specifications and plot plan including all shrubs and trees, have been approved in writing by the sellers. In passing upon such plans, specifications and other requirements, the seller shall take into consideration the conformity and harmony of external design with the proposed structures in the subdivision, and the location of the building, fences, shrubs and trees and other structures with respect to topography, view and finished ground elevation. All outbuildings erected on any of the residential plots shall conform in style and architecture to the residence to which they are appurtenant.
- (b) No residence erected wholly or partially on any of the plots or part of any thereof as hereby restricted, shall have an area of less than 10,000 square feet, unless special permission is first obtained in writing from the sellers to erect a residence of an area less than said 10,000 square feet.

4. Easements Reserved

Easements and rights of way are hereby reserved on, over and under, all of the plots in this subdivision except Plots 27, 28, 29 and plots 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 and plots 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200 and plots 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300 and plots 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400 and plots 401, 402, 403, 404, 405, 406, 407, 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604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700 and plots 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800 and plots 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900 and plots 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000 and plots 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100 and plots 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200 and plots 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300 and plots 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400 and plots 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500 and plots 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600 and plots 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700 and plots 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800 and plots 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900 and plots 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000 and plots 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099,

(a) All signs, billboards or other advertising matter are prohibited on any residential building plot except those belonging to the sellers or their duly authorized agents.

All restrictions and covenants herein set forth shall continue and be binding upon the sellers, his heirs and assigns and all persons claiming by, thru or under them, until January 1, 1960, at which time said 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 the plots shown on the recorded plat it is agreed to release, change or amend said restrictions and covenants in whole or in part by executing and acknowledging an appropriate instrument or agreements in writing for such purpose and filing the same for record in the manner then required for the recording of land instruments.

The restrictions and covenants herein set forth shall run with the land and bind the seller, his successors and assigns and all persons claiming by, thru or under them and shall be taken to hold, agree and covenant with them and their heirs, and assigns in title and with each of them to conform to and observe all restrictions and covenants as to the use of said plots and the construction of improvements thereon, but no restrictions or covenants herein set forth shall be personally binding upon the seller or any corporation, person or persons except in respect to breaches committed during his or their season of or title to said land and the owner or owners of any of the above land shall have the right to sue for and obtain an injunction, prohibitive or mandatory, to prevent the breach of or to enforce the observance of the restrictions and covenants herein set forth in addition to the ordinary legal action for damages and failure of the seller or the owner or owners of any other plot of plots shown on the recorded plat to enforce any of the restrictions or covenants herein set forth at the time of its violation, which is no event shall be deemed to be a waiver of the right to do so at any time thereafter.

The seller, by appropriate instrument, may assign or convey to any persons, organization, association or corporation any or all of the right easements, reservations and privileges herein reserved by them and upon such assignments or conveyance to their heirs or assigns or grantees may at their option exercise, transfer or assign such rights, reservations, easements and privileges or any one or more of them at any time or times in the same way and manner as though directly reserved by him or them in all instances, provided, however, that if the seller shall cease to own any of the said plots during the existence of the restrictions, covenants, conditions and easements hereinbefore reserved to it, then all of such rights, reservations, easements and privileges as have not been assigned or conveyed shall, upon the termination of the seller's ownership of any of said plots, pass to and vest in the then owners of all of the plots in said PLAT VALLEY, to be held, exercised and enforced for the protection of the rights of all parties hereto. And provided further, that any action taken in the exercise and enforcement of such rights reserved, easements and privileges by said owners shall be sufficient if taken by the owners at that time of a majority of the fee simple title to the plots shown on the recorded plat.

IN WITNESS WHEREOF, Maurice H. Fisher
Eleanor G. Fisher have caused their

seal to be hereunto affixed this 14 day of June 1954.

Maurice H. Fisher

Eleanor G. Fisher

STATE OF COLORADO

CITY AND COUNTY OF DENVER

The foregoing instrument was acknowledged before me this

29th day of January, 1958, by Maurice H.

Fisher, Eleanor G. Fisher and Anthony V. Zarlengo.

Witness my hand and notarial seal.

My commission expires Feb. 20, 1961



Garrett H. Hight
Notary Public

ORIGINAL DOCUMENT ILLEGIBLE