

201512

Drawer 1
Card 520A

DECLARATION OF PROTECTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS, That Frederick H. Von Schleinitz also known as Fred Von Schleinitz, being the owner in fee simple at the time of platting of all of that tract of land constituting Trout Haven Estates - First Filing, Teller County, Colorado, in accordance with certain plat thereof recorded in Plat Book B at Page 36 of the records of Teller County, Colorado, for the purpose of continuing said real property as desirable residential property and to protect the value thereof, does hereby declare the following protective covenants and restrictions on the use of said Trout Haven Estates - First Filing, as follows:

1. All tracts in the sub-division shall be known and described as residential tracts and shall be used only for residential homes and in no event for any business or commercial purpose whatsoever.
2. No dwelling shall be permitted on any building lot with a ground floor area of less than 400 square feet, exclusive of porches and garages.
3. No outside toilets or privies shall be permitted on any tract in this sub-division. All toilet facilities must be a part of the residence or garage and shall be of a modern flush type and connected with a proper septic tank system.
4. No structure of a temporary character, trailer, mobile home, basement, tent, shack, garage, barn or other out building shall be used on any lot at any time as a residence either temporarily or permanently.
5. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot except that dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purpose.
6. All structures on the premises shall be finished with an approved siding material and specifically there shall be no tar paper, roll roofing or complete cinder block

201512

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construction. All construction started on the premises shall be completed within twelve (12) months from the initial date of construction.

7. A 15 foot easement is granted along all property lines for utilities.

These covenants and restrictions are to run with the land and they shall be a part of all contracts or other instruments of conveyance for any and all lots and property in the sub-division and shall be binding on all parties and all persons claiming under them for a period of twenty-five (25) years, at which time such covenants and restrictions shall terminate; provided, however, they may be extended for additional period of ten (10) years by agreement of two-thirds (2/3) of the then property owners in the sub-division.

If any owner of a tract in said sub-division or any person shall violate or attempt to violate any of the covenants or restrictions herein set forth, it shall be lawful for any owner of property in this sub-division to prosecute proceedings at law or in equity against such tract owner or person either to prevent the violation or to recover damages for such violation.

DATED this 19th day of July, 1965.

Fredrick H. von Schleinitz

FREDERICK H. VON SCHLEINITZ also
known as FRED VON SCHLEINITZ

STATE OF COLORADO)

) ss.

COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this 14th day of April, 1969, by Frederick H. Von Schleinitz also known as Fred Von Schleinitz.

Witness my hand and official seal.

My commission expires: *7-18-71*

[Signature]
Notary Public