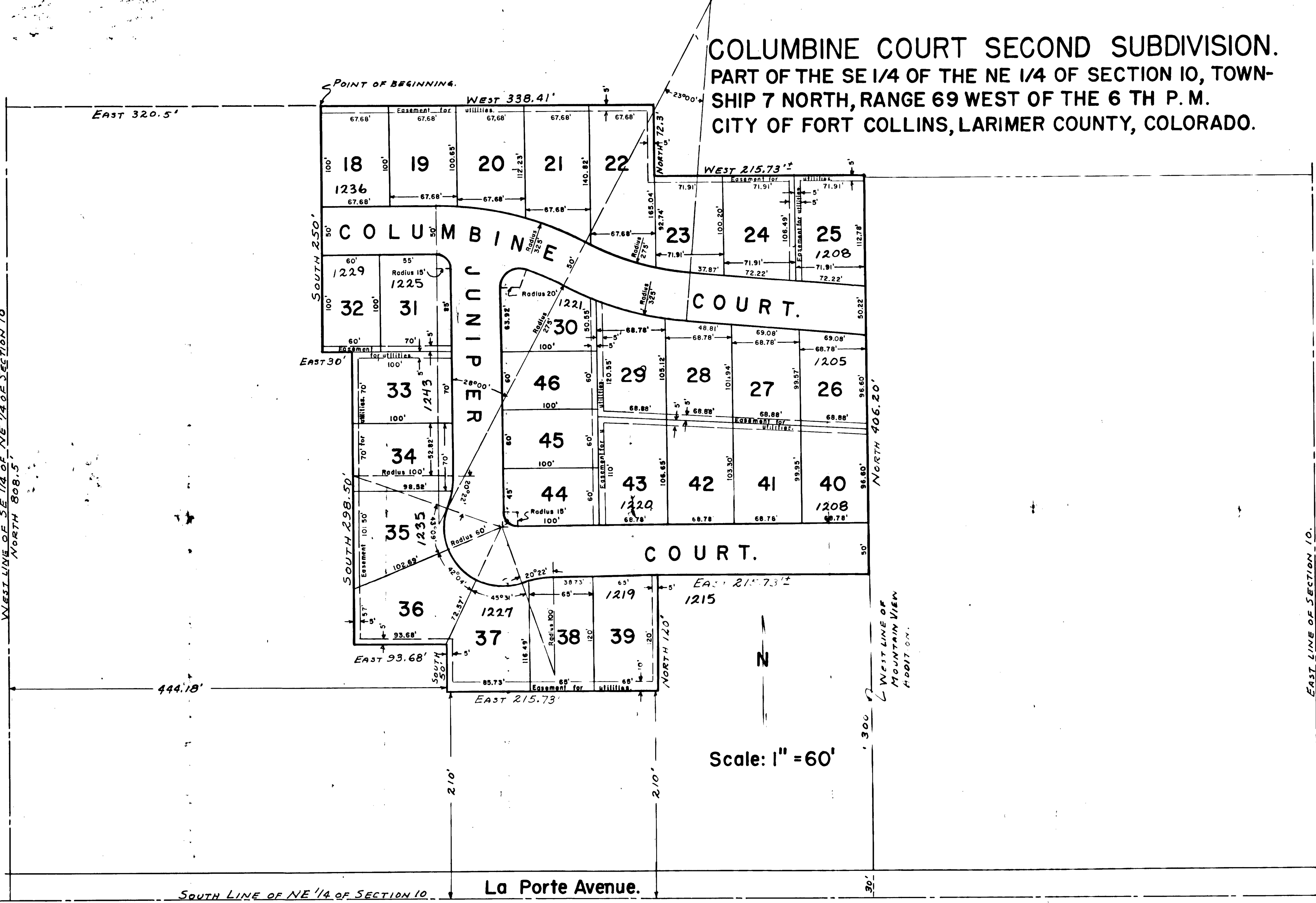


**COLUMBINE COURT SECOND SUBDIVISION.**  
 PART OF THE SE 1/4 OF THE NE 1/4 OF SECTION 10, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE 6 TH P.M.  
 CITY OF FORT COLLINS, LARIMER COUNTY, COLORADO.



**DECLARATION OF PROTECTIVE COVENANTS.**

The undersigned, William J. Boehnke, Ida R. Boehnke, Frank M. Richard, Ellie M. Richard, Marie Sill and Peter Sill, being the owners of all of the land in COLUMBINE COURT SECOND SUBDIVISION, as shown on the within plat and described in the statement hereon, do hereby make this declaration of Protective Covenants applicable to all of the lots in COLUMBINE COURT SECOND SUBDIVISION.

1. No lot shall be used except for residential purposes, and no building shall be erected, altered, placed or permitted to remain on any lot, other than a one family dwelling, not to exceed two (2) stories in height and a private garage for not more than two cars.
2. No building shall be erected, placed or altered on any lot until the construction plans and specifications and a plot plan have been approved by the Architectural Control Committee as to the quality of materials and workmanship, harmony of exterior design with existing structures, and location with respect to topography and finished grade elevations.
3. No dwelling shall be permitted on any lot, in which the ground floor area of the main structure, exclusive of open porches, and garages, is less than 500 square feet for a one-story dwelling, or less than 500 square feet of ground floor area for a two-story dwelling.
4. No building shall be located on any lot nearer than 30 feet to the front lot line, nearer than 15 feet to a side street line or nearer than 5 feet to an interior lot line, except that no side yard shall be required for a garage or other permitted accessory building located 75 feet or more from the front lot line. No dwelling shall be located on any interior lot nearer than 25 feet to the rear lot line. For the purpose of this covenant, eaves, steps, and open porches shall not be considered as part of a building, provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot or an easement reserved for the construction and maintenance of utilities.
5. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or a nuisance to the neighborhood.
6. No trailer, basement, tent, shack, garage, barn or other outbuilding erected on any lot shall at any time be used as a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence, nor shall any house trailer be permitted to remain on any lot.
7. No person shall be allowed to keep, breed or raise chickens, turkeys, horses, cows, cattle, sheep or domestic farm animals on any lot or erect thereon any building designed to house the same. This restriction shall not prohibit any person from keeping cats, dogs or other household pets on any lot, provided they are not kept, bred or raised for any commercial purpose.
8. The Architectural Control Committee is composed of the following persons: William J. Boehnke, Albert P. Fischer and Howard E. Evans, all of Fort Collins, Colorado. A majority of the committee may designate a representative to act for it. In the event of the death or resignation of any member of the committee, the remaining members shall have full authority to designate a successor. Neither the members of the committee or their designated representative shall be entitled to any compensation for services performed pursuant to these covenants. At any time, the then owners of a majority of the lots shall have the power, through a duly recorded written instrument, to change the membership of the committee or to withdraw from the committee or to restore to it any of its powers or duties.
9. The committee's approval or disapproval, as required by these covenants, shall be in writing. In the event the committee fails to approve or disapprove, within 30 days after plans and specifications have been submitted to it, or, in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related covenant shall be deemed to have been fully complied with.
10. These covenants are to run with the land and shall be binding on all persons claiming under them for a period of 30 years from the date they are recorded, after which time they shall be automatically extended for successive periods of 10 years, unless an instrument signed by the then owners of a majority of the lots, has been recorded, changing said covenants in whole or in part.
11. In the event that any one shall violate any of these covenants, it shall be lawful for any owner of a lot to maintain an action in Law or in Equity against the person or persons so violating these covenants to restrain such violation and enforce the covenants or to recover damages for the violation thereof.
12. Invalidation of any one of these covenants by Judgment or court order shall in no wise affect any of the other covenants, which shall remain in full force and effect.

**STATEMENT.**

KNOW ALL MEN BY THESE PRESENTS:- That William J. Boehnke, Ida R. Boehnke, Frank M. Richard, Ellie M. Richard, Marie Sill and Peter Sill, being the owners of the following described land, located in the City of Fort Collins, Colorado, to wit:- Part of the SE 1/4 of the NE 1/4 of Section 10, Township 7 North, Range 69 West of the 6th P.M. contained within boundary lines which begin at a point which is 808.50 feet North of the South line of the NE 1/4 of said Section and 320.50 feet East of the West line of the SE 1/4 of the NE 1/4 of said Section and run thence South 250.00 feet, parallel to the West line of the SE 1/4 of the NE 1/4 of said Section, thence East 30.00 feet, parallel to the South line of the NE 1/4 of said Section, thence South 298.50 feet, parallel to the West line of the SE 1/4 of the NE 1/4 of said Section, thence East 93.68 feet, parallel to the South line of the NE 1/4 of said Section, thence South 50.00 feet, parallel to the West line of the SE 1/4 of the NE 1/4 of said Section, thence East 215.73 feet, parallel to the South line of the NE 1/4 of said Section, thence North 120.00 feet, parallel to the West line of the SE 1/4 of the NE 1/4 of said Section, thence East 215.73 feet, more or less, parallel to the South line of the NE 1/4 of said Section to the West line of the Mountain View Addition, according to the plat dated February 7, A.D. 1922, thence North 406.20 feet, along the West line of said Mountain View Addition, thence West 215.73 feet, parallel to the South line of the NE 1/4 of said Section, thence North 72.30 feet, parallel to the West line of the SE 1/4 of the NE 1/4 of said Section, and thence West 338.41 feet, more or less to the point of beginning; have caused the same to be surveyed and subdivided into lots, as laid out and designated on the above plat, which lots are subject to the terms and provisions of the Protective Covenants, shown hereon, to be known as COLUMBINE COURT SECOND SUBDIVISION; do hereby dedicate and convey to and for Public use forever hereafter the streets as laid out and designated on said plat and do also reserve perpetual easements for the purpose of constructing and maintaining utilities, as are also laid out and designated on said plat.

Howard E. Evans, being first duly sworn on his oath, deposes and says, that he is a professional engineer, under the laws of the State of Colorado, that the survey and the plat of COLUMBINE COURT SECOND SUBDIVISION were made by him, that such survey is accurately represented on said plat, that he has read the statements thereon and the same are true on his own knowledge.

Witness our hands and seals this 21st day of August, A.D. 1954.  
 STATE OF COLORADO } S.S.  
 COUNTY OF LARIMER }  
 William J. Boehnke L.S.  
 Ida R. Boehnke L.S.  
 Marie Sill L.S.  
 Frank M. Richard L.S.  
 Peter Sill L.S.  
 Ellie M. Richard L.S.  
 The foregoing instrument was acknowledged before me this 21st day of August, A.D. 1954, by William J. Boehnke, Ida R. Boehnke, Frank M. Richard, Ellie M. Richard, Marie Sill and Peter Sill, for the purposes therein set forth.  
 My commission expires September 6, 1954.  
 Arthur S. March  
 Notary Public.

Howard E. Evans,  
 Professional Engineer.  
 Subscribed and sworn to before me this 21st day of August, A.D. 1954.  
 My commission expires September 6, 1954.  
 Arthur S. March  
 Notary Public.

IN WITNESS WHEREOF the undersigned have affixed their hands and seals this 21st day of August, A.D. 1954.  
 William J. Boehnke, L.S.  
 Ida R. Boehnke, L.S.  
 Marie Sill, L.S.  
 Frank M. Richard, L.S.  
 Ellie M. Richard, L.S.  
 STATE OF COLORADO } S.S.  
 COUNTY OF LARIMER }  
 The foregoing Declaration of Protective Covenants was acknowledged before me this 21st day of August, A.D. 1954, by William J. Boehnke, Ida R. Boehnke, Frank M. Richard, Marie Sill and Peter Sill.  
 My commission expires September 6, 1954.  
 Arthur S. March  
 Notary Public.