

Secretary of

for

10:40 A.
Oct 20 1970

A.

RECORDED

123

21-22

DEPARTMENT OF REVENUE

Richard C. Tucker

KNOW ALL MEN BY THESE PRESENTS:

That the Greater Colorado Corporation, being the owner or agent of all the following described premises, situated within the County of Archuleta, State of Colorado, to-wit:

Lots Nine (9) through Eighteen (18), Pagosa Pinea Subdivision, Unit TWO, a subdivision in Archuleta County, Colorado, according to the plat thereof filed for record in the office of the County Clerk and Recorder, under reception 73453 of Archuleta County, Colorado on 10-20-70.

and desiring to establish the nature of the use and enjoyment thereof does hereby declare said premises subject to the following express covenants, stipulations and restrictions as to the use and enjoyment thereof, all of which are to be construed as restrictive covenants running with the title to said premises and with each part and parcel thereof, to-wit:

1. All parcels nine (9) through eighteen (18), inclusive shall be designated as residential only, not more than one (1) mobile home, residence (single family) or trailer may be placed on any parcel, except that vehicles commonly known as camping trailers, owned by the parcel owners, temporarily parked on a parcel shall not be considered in violation of these restrictions.
2. All mobile homes and trailers together with additions and dwellings (single family) shall be erected having at least six hundred (600) square feet of living area, exclusive of attached garage or carport, porches or terraces. All materials must be new or approved.
3. All dwellings, including mobile homes, trailers or residences, used for residential purposes, unless they are of the self contained mobile home type, shall install water flush toilets and all bathroom toilets or sanitary conveniences shall be inside the mobile home or buildings permitted hereunder.
4. All bathrooms, toilets or sanitary conveniences shall be connected to septic tanks or other disposal plants constructed in accordance with requirements and standards of county and state laws.
5. No parcels shall be subdivided into parcels of smaller than one and one-half acres.
6. The owners of all parcels shall keep the same clean of all debris, garbage and trash at all times and if any owners fail to keep their parcels cleaned of such debris, garbage and trash, the developers may cause the same to be cleaned, if necessary, and charge cost of same to the owners of said parcels.
7. Livestock, with the exception of pigs, may be maintained on any parcel for personal use only, so long as normal sanitary and fencing conditions are maintained at all times.
8. Nothing contained herein shall prevent the dedication or conveyance of portions of parcels for public utilities.
9. All parcels subject to irrigation ditches and right-of-way easements for said ditches.
10. There shall be no indiscriminate use of firearms anywhere within the unit.
11. Failure to enforce any of the restrictions, rights, reservations and limitations contained herein shall not in any event be construed to be a waiver thereof or consent to any further or succeeding breach or violation thereof. Upon the breach of any of said restrictions, anyone owning land in said development may bring a proper action in the proper court to enjoin or restrain said violation, or to collect damages or other dues in account thereof.

The foregoing restrictions and covenants run with the land and shall be binding on all persons owning parcels until January 1, 1983, and automatically renewed thereafter for periods of ten (10) years unless changed by action of 51% of the property owners in said subdivision at said date and evidenced by the recording of said amendments in the Office of the County Clerk and Recorder of Archuleta County, Colorado.

GREATER COLORADO CORPORATION, INC.
By Richard C. Tucker
Richard C. Tucker, Vice-Pres.

Attest:

Mildred Tucker
Secretary-Treasurer

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Pagosa Pinea
136 7877
Pagosa Pinea, Colo

In accordance with the Declaration of Restrictions, Patosa Pines, Unit One, Recorded in Book 123, Page 20, and Declaration of Restrictions, Patosa Pines Unit Two, Recorded in Book 123, Page 22, Archuleta County Records, subject restrictions shall be amended as follows, by a 53% vote of the Property Owners, effective after January 1, 1980:

1. All parcels one (1) through eight (8) and nine (9) through eighteen (18) inclusive shall be designated as residential only. Not more than one (1) residence (single family) is permitted. No mobile homes or trailers may be placed on any parcel, except that vehicles commonly known as camping trailers, owned by the parcel owners, temporarily and not exceeding seven (7) month parked on a parcel, shall not be considered in violation of these restrictions.
2. All permanent residences, together with additions, shall have at least six hundred (600) square feet of living area, exclusive of attached garage or carport, porches, or terraces; all materials and structures must be new or newly constructed and approved.
3. All residences, unless they are of the self-contained camping trailer type, shall have installed water flush toilets, and all bathroom toilets or sanitary conveniences shall be inside the buildings permitted hereunder.

Paragraphs number four (4) through eleven (11) shall remain unchanged.

In witness whereof, 53% of the Property Owners have hereunto set their hands and seals as evidenced by the attached instruments.

STATE OF COLORADO
ARCHULETA COUNTY

102302

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I hereby certify that this instrument was filed
for Record in my office at 8:49 o'clock A M

12-19-80 and is duly
recorded in Book 176 Page 828-837

MARY ANN GALLAN

Recorder

BOOK 176 PAGE 828