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ADDENDUM TO DECLARATION OF PROTECTIVE COVENANTS
LAND USE, RESTRICTIONS AND REGULATIONS
FOR
THE DOT SUBDIVISION

This Addendum to Declaration of Protective Covenants, Land Use, Restrictions and Regulations made this 26th day of September, 1977, by EVERITT ENTERPRISES, INC., a Colorado corporation, herein-after called the "Declarant";

WITNESSETH:

WHEREAS, the Declarant is the owner of a tract of land situate in the County of Summit, State of Colorado, more particularly described as follows, to-wit:

A tract of land situate in the DOT PLACER, M. S. No. 13358 in portions of Sections 30 and 31, Township 7 South, Range 77 West of the Sixth P.M., in the Town of Blue River, County of Summit, State of Colorado, to-wit:

Beginning at Corner No. 3 of said DOT PLACER being a 4" x 4" wooden post, thence N. 67°59'48" W. along the 3-4 line of said DOT PLACER a distance of 1839.76 feet to a point on the Easterly right of way line of Colorado State Highway No. 9 being a steel pin; thence along said Easterly right of way line for the following five (5) courses:

- (1) N. 21°53'04" E. a distance of 229.48 feet to a point of curvature being a steel pin;
- (2) 169.77 feet along the arc of a curve to the right having a central angle of 11°46'09" and a radius of 826.52 feet to a point of tangency being a steel pin;
- (3) N 33°39'13" E. a distance of 658.44 feet to a point of curvature being a steel pin;
- (4) 319.03 feet along the arc of a curve to the left having a central angle of 03°24'23" and a radius of 5366.29 feet to a point of tangency being a steel pin;
- (5) N. 30°14'50" E. a distance of 817.40 feet to a point on the 1-2 line of said DOT PLACER being a steel pin;

Thence S. 72°36'00" E. along said 1-2 line a distance of 1146.55 feet to Corner No. 2 of DOT PLACER being a 4" x 4" wooden post; thence S. 12°34'21" W. a distance of 2289.07 feet to the point of beginning; EXCEPT Tracts "A" and "B" of THE DOT SUBDIVISION as shown on the recorded plat thereof and ALSO EXCEPT a portion of said DOT SUBDIVISION the boundary lines of said exception being more particularly described as beginning at a point which bears S. 71°54'59" W. 821.88 feet from Corner No. 2 of the DOT PLACER and running thence

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along the arc of a 444.62 foot radius curve to the right a distance of 232.07 feet; thence along the arc of a 244.41 foot radius curve to the right a distance of 45.53 feet; thence N. 13°39'59" E. 125.47 feet; thence N. 74°07'45" E. 179.32 feet; thence S. 28°05'10" E. 5.15 feet; thence N. 47°42'41" E. 156.09 feet; thence S. 57°19'11" E. 5.71 feet; thence N. 16°05'02" E. 172.52 feet; thence S. 76°24'58" E. 53.40 feet; thence along the arc of a 37.50 foot radius curve to the right a distance of 145.97 feet; thence S. 76°24'58" E. 10.33 feet; thence along the arc of a 444.62 foot radius curve to the right a distance of 444.45 feet to the point of beginning; AND ALSO EXCEPT a portion of said DOT SUBDIVISION, the boundary lines of said exception being more particularly described as beginning at a point which bears S. 84°38'42" W. 1067.13 feet from Corner No. 2 of the DOT PLACER and run thence S. 13°39'59" W. 160.00 feet; thence N. 72°24' W. 131.43 feet; thence N. 13°39'59" E. 160.00 feet; thence S. 72°24' E. 131.43 feet to the point of beginning. The net area of that portion of the DOT SUBDIVISION being resubdivided hereon is 58.7342 acres, more or less;

WHEREAS, Declarant is the sole owner of the above described real property; and

WHEREAS, a Declaration of Protective Covenants was recorded on October 10, 1973, in Book 244 at Page 444 in the office of the Clerk and Recorder of Summit County, Colorado; and

WHEREAS, the City Council of the Town of Blue River has requested Declarant to amend its original Plat of which said Declaration of Covenants was a part, and to provide for single-family lots, duplex lots and fourplex lots, as well as condominium areas; and

WHEREAS, Declarant desires to add to said Declaration of Covenants recorded October 10, 1973;

NOW THEREFORE, Declarant hereby declares that the above described real property shall be held, sold, transferred, conveyed, and occupied subject to the covenants, restrictions, conditions, easements and liens which shall be deemed to run with the land, and shall be a burden and benefit appurtenant to the land, as contained in the Declaration of Covenants recorded October 10, 1973 and as hereinafter set forth:

ARTICLE I. The Declaration of Covenants recorded October 10, 1973 in Book 244 at Page 444 of the records in the office of the Clerk and Recorder of Summit County, Colorado, are made a part hereof as though fully set forth herein.

ARTICLE II. In addition to said Covenants recorded October 10, 1973, Declarant hereby adds the following restrictions, Protective Covenants and provisions for land use:

A. All single-family residences and duplex residences shall have a set-back from the front and back lot line of not less than 25 feet, and from the side lot line of not less than 15 feet;

B. No trees shall be cut within the set-back areas except dead or fallen trees or those necessary to provide for utilities and access to dwellings.

C. The Architectural Committee, as provided in the Declaration of Covenants recorded October 10, 1973, shall locate each single-family dwelling or duplex dwelling on a lot in such manner that the maximum number of trees in existence are saved;