

Valley-Hi Ranch Estates

DECLARATION AND AGREEMENT ESTABLISHING PROTECTIVE COVENANTS IN VALLEY-HI RANCH ESTATES - FILING NO. 1 & 2 JEFFERSON COUNTY, COLORADO, AS SHOWN ON RECORDED PLAT Amended 2/1/2000

WHEREAS, Valley-Hi Ranch Estates Homeowners Association, Inc., a Colorado corporation, is hereinafter referred to as the Association of homeowners of the following described real property situated in County of Jefferson, State of Colorado. The said association is the governing body for enforcement of these covenants.

All lots and blocks described in plat of Valley-Hi Ranch Estates - Filing No. 1 & 2 and,

WHEREAS, it is desired by the owners that said property shall be maintained as a carefully protected subdivision and community.

NOW, THEREFORE, the owners of the above described land, for the use and benefit of it's successors, grantees and assigns, and all persons claiming by, through or under them, do hereby declare, agree, restrict and covenant that the use, enjoyment, and ownership of the lands herein, are hereby restricted, limited, conditioned and protected for the purpose of providing a high standard of construction, maintenance and use as follows:

(1) LAND USE AND BUILDING TYPES: All lots in this tract shall be known and described as residential lots and shall be used only for residential use. No residential buildings shall be erected, altered, placed or permitted to remain on any lot other than one detached, single family dwelling not to exceed two stories and a private garage for not more than three cars and not less than two cars. Only new construction is to be permitted and no older buildings can be moved onto any site in this tract. Guest houses on a site are permitted only by written permission of the Board. No "A frame" buildings shall be allowed. All structures erected or improved on these sites are to conform with applicable codes established by Jefferson County.

(2) DWELLING SIZE: The ground floor area of the main structure shall be not less than 1800 square feet for a one story dwelling exclusive of garages and shall be not less than 1000 square feet of living area on the first floor of a one and one half story dwelling exclusive of garages.

(3) BUILDING LOCATION: No residential building or barns shall be located on any site nearer than fifty feet to any road right of way or nearer than forty feet to any side exterior site line except on corner lots whereon buildings may be constructed to within forty feet of the street side lot line. Variance is possible by written application and approval by the Board.

Valley-Hi Ranch Estates

(4) TEMPORARY STRUCTURES: No structure of a temporary character e.g. trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any site at any time as a residence either temporarily or permanently. All residences must be completed in accordance with the submitted plans and specifications, before occupancy. All construction once begun must be pursued to completion within eighteen months.

(5) SIGNS: No commercial signs of any kind shall be displayed to the public view except as follows: one sign of not more than five square feet advertising the property for sale or rent. All construction signs shall be removed upon occupancy.

(6) LIVESTOCK: No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any site except that dogs, cats, or other household pets may be kept provided they are not kept, bred, or maintained for any commercial purposes. One horse is permitted per lot and no stallions are permitted. Corrals are encouraged for horses due to the damaging effects of livestock on vegetation.

(7) OIL AND MINING OPERATIONS: No oil drilling, oil development operations, or mining operations of any kind shall be permitted upon or in any site.

(8) OBSTRUCTION TO VIEW: No wall, fence, or other structure shall be erected and no hedge, shrubbery or other growth shall be maintained in such location as to cause a traffic hazard or reduce road intersection visibility.

(9) NUISANCES: No obnoxious, loud or offensive activity shall be carried on upon any site, either as a hobby or as a business, nor shall anything be done which may be or become an annoyance or a nuisance to the neighborhood. No business or other activities shall be allowed if such activities create traffic or noise problems as determined by the Board of Directors. Garbage and trash containers shall be hidden from view from any direction by means of hedges plantings or construction consistent with the design of the dwelling. All garbage on the property or at roadside shall be kept in covered sanitary containers. Roadside containers shall be promptly removed after collection. Property owners shall be responsible for elimination of plant materials listed by the County as noxious weeds. Yard and driveway lights shall be positioned in such a manner so as not to create glare to neighbors, pedestrians or cars on the roadway.

(10) TREE REMOVAL: Trees may be removed for the erection of houses, garages and other structures and necessary access but the land may not be cleared of more than ten healthy trees larger than six inch diameter until such time as the Board gives approval. Trees within ten feet of any chimney are to be removed. Removal of trees and slash piles closer than ten feet from structures is encouraged for fire safety.

Valley-Hi Ranch Estates

(11) EASEMENTS: There shall be a five foot easement on each side of all site lines separating building sites to permit ingress and egress, and the erection, construction, and maintenance of utility lines, and surface water drainage.

(12) EXTERIORS: The exterior of all structures must be either brick, brick veneer, stone, stone veneer, stucco, wood siding or log siding. No imitation brick siding, metal siding, tar paper, asbestos shingle, or concrete block structures will be permitted. Any other types of construction are to be approved in writing by the Board. House colors shall be approved by the Board to ensure compatibility with the community.

(13) CHIMNEYS AND FIREPLACES: All chimneys and fireplaces shall be equipped with a device to prevent any burning particles from escaping said chimney.

(14) GARAGES: No garage shall have a door which faces a public street, except by reason of practical difficulty due to exceptional shape or topography of a particular building site.

(15) ANTENNAS: No radio, short wave, or television antenna over three feet above the highest roof line of the individual residence shall be permitted unless approved by the Board. No satellite dishes over 39 inches shall be visible.

(16) OVERNIGHT PARKING: No street parking over three days is permitted except for hazardous driveway situations.

(17) STORAGE TANKS: No elevated tanks of any kind shall be erected, placed or permitted upon a building site. Any tank for use in connection with any residence on the lots, including tanks for storage of heating fuel must be buried or screened to conceal them from neighboring lots and streets.

(18) STORED ITEMS: Any stored items including recreational vehicles, trailers, boats, equipment and woodpiles shall be screened as much as possible from view as determined by the Board. Unlicensed vehicles are not permitted unless screened from view.

(19) FENCES: The plans and specifications for all fences shall be submitted to the Board for approval prior to construction. Solid wood fences facing street property lines are prohibited. Chain link shall not be used as a perimeter fence, but can be used for animal enclosures. In no event shall barbed wire fences be allowed.

(20) ARCHITECTURAL CONTROL: No building shall be erected, placed, or altered on any site until the construction plans, specifications and a plan showing the location of the structure have been approved in writing by the Board as to quality, workmanship and material. To be approved the Board will consider the harmony

Valley-Hi Ranch Estates

of exterior design with existing structures and the location with respect to topography and finished grade elevation.

(21) AUXILIARY BUILDINGS: Storage sheds shall be placed at the rear or side of property as much as possible. Construction materials shall conform to paragraph 12, "Exteriors". Dog kennels and runs, playground equipment, and tree houses shall be placed at the rear or side of property, and screened from view. Variance is possible by written application and approval by the Board.

(22) APPLICATION AND REVISION OF COVENANTS: This document supersedes all previous covenants filed for the Valley-Hi Ranch Estates Filing 1 & 2. These covenants are binding on all homeowners and lot owners. Revisions to the covenants are by agreement of a simple majority of the homeowners or lot owners. Each homeowner or lot owner shall have two votes. Families are limited to a total of two votes.

(23) VARIANCES: Any homeowner may make application for variance of any covenant in writing to the Board of Directors of the Association which then must be approved by a majority vote of said Board.

(24) ENFORCEMENT: Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages. It will not be considered a violation of these covenants if the condition existed prior to these revised covenants; unless said condition was a violation of previous covenants and it is also a violation of these revised covenants.

(25) SEVERABILITY: Invalidation of any of these covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.