

FOR THE MUTUAL PROTECTION AND BENEFIT OF

PROPERTY OWNERS

P R O T E C T I V E C O V E N A N T S

KNOW ALL MEN BY THESE PRESENTS:

Great American Properties, Inc. (Declarant) is the owner of that certain property described as Wild Horse Mesa, Western Valley - Section C, Highland West - Section D, Highland West - Section E, and Highland East - Section F, as shown by the plats thereof recorded in the records of Costilla County, Colorado. Declarant intends to sell, dispose of and convey the parcels as set forth and delineated on such plats, and desires to subject all of said plats and the parcels comprising said plats to the protective covenants, conditions, restrictions and reservations hereinafter set forth and referred to as "covenants".

NOW THEREFORE, Declarant does hereby establish a general plan for the protection, maintenance, development and improvement of said land and such covenants are for the mutual benefit of all parcels now comprising said land, and Declarant does hereby establish the covenants upon said land for the mutual benefit of the parcels comprising said property and of each owner thereof, and such covenants shall run with the land and shall inure to and pass with each and every parcel therein, and shall apply to and bind the respective owners, their successors and assigns.

SAID COVENANTS ARE AS FOLLOWS:

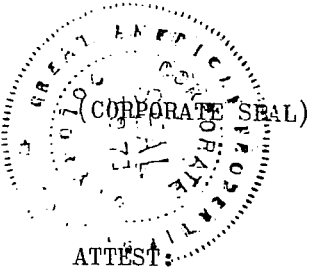
1. That no residence erected on the parcels hereinabove described shall be nearer than twenty-five (25) feet to the front property line, now twenty-five (25) feet to any side street line, nor ten (10) to any other side parcel line.
2. No main residential structure shall be permitted on any parcel, the habitable floor space of which exclusive of basements, porches, and garages is less than six hundred (600) square feet in the case of a one-story, one-family residential structure, and not less than eight hundred (800) square feet of habitable floor space in the case of a two-story dwelling structure. In case of a multiple dwelling, the habitable floor area of each family unit shall not be less than six hundred (600) square feet exclusive of basements, porches and garages.
3. Any building erected upon any of said parcels, which is constructed of wood, stucco, cement or metal shall be painted or stained on the exterior or shall have the color mixed in the final coat.
4. All residences shall have complete and approved plumbing installation prior to occupancy. Compliance with local and state health rules and regulations is required.
5. No noxious or offensive activity shall be carried on upon any portion of the property, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. Written permission of the Declarant shall be required for temporary habitation of any part of the property.
6. Household pets, horses and other livestock may be kept on any parcel provided that they are not kept, bred or maintained for any commercial purpose, except that no hogs, pigs or swine shall be permitted on any portion of the property.

7. Enforcement of these covenants shall be by proceedings at law or in equity to restrain violations or to recover damages against any person or persons violating or attempting to violate any covenants.

8. All zoning and other laws, rules and regulations of any government of competent jurisdiction are considered to be a part hereof and all owners of the land described above shall be bound hereunder by such laws, rules, and regulations.

9. No improvement shall be placed or constructed upon any parcel until such improvements shall have been approved in writing by the Architectural Control Committee; however, such approval shall not be unreasonably withheld.

IN WITNESS WHEREOF the Declarant has caused its name and seal to be affixed hereon this 14 day of February, 1972.



GREAT AMERICAN PROPERTIES, INC.

By Jack H. York
Jack H. York, President

ATTEST:

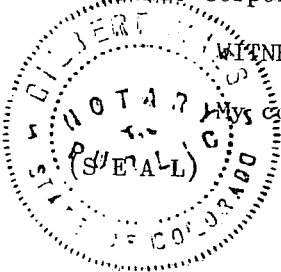
Tom E. Purvis, Jr.
Tom E. Purvis, Jr., Secretary

STATE OF COLORADO)
) ss
COUNTY OF COSTILLA)

The foregoing instrument was acknowledged before me this 14th day of February, 1972, by Jack H. York, as President and Tom E. Purvis, Jr., as Secretary of Great American Properties, Inc., a Colorado Corporation.

WITNESS my hand and official seal.

My commission expires 2/8/73.



Richard M. ...
Notary Public