

Reception No. 209854
Filed 4/27/76

AMENDMENT TO PROTECTIVE COVENANTS OF
THE PINES"

WHEREAS, The Pines, LTD., a Colorado Partnership (hereinafter referred to as "TPL"), as the then owner of the real property duly platted as The Pines, a subdivision in Elbert County, Colorado, made and declared in a document recorded October 3, 1973, as reception # 200435, limitations, restrictions and uses upon the property as restrictive and protective covenants to bind and inure to the benefit of TPL and its successors and assigns and of all future owners of any part of the said property (these protective covenants are hereinafter referred to as "Original Protective Covenants"), and

WHEREAS, the original protective covenants provided in paragraph 3 of Article VIII thereof that said protective covenants could be amended as follows:

"3. AMENDMENT. The conditions, restrictions, stipulations, agreements and covenants contained herein shall not be waived, abandoned, terminated or amended except by written consent of the owners of 2/3 of the Lots."

and

WHEREAS, under date of May 20, 1974, TPL conveyed to C & C Investment Company, a Joint Venture, the real property duly platted The Pines, a subdivision in Elbert County, Colorado by general warranty deeds recorded in Book 292, Page 2 and Book 292, Page 4 of the records of the Clerk and Recorder, County of Elbert, State of Colorado, and

WHEREAS, as of the date of this instrument, C & C Investment Company is the record owner of more than two-thirds (2/3) of the lots which compose the real property known as THE PINES, a subdivision in Elbert County, Colorado and

WHEREAS, C & C Investment Company, pursuant to the authority granted in the Original Protective Covenants and as owner of the real property known as THE PINES, a subdivision, in Elbert County, Colorado, desires to amend the protective covenants as hereinafter set forth.

NOW, THEREFORE:

1. Paragraph 5 of Article V of the Original Protective Covenants is hereby deleted and the following is substituted in lieu thereof:

"5. Animals. No animals will be reared or bred on any Lot for commercial purposes, and:

A. Household pets will be allowed. However, no more than two of any one kind of animal will be allowed without approval of the Committee.

B. No more than four horses per Lot will be allowed without the approval of the Committee, with the exception of Lot 1 on which no more than five horses will be allowed without the approval of the Committee, and all horses on each Lot shall be kept corralled in an area not exceeding one acre. Horses may be allowed to graze and pasture on a Lot for grass and weed control, but all horses must be fed supplementarily and kept corralled, because this type land requires at least 15 acres per year to feed each horse and the Subdivision is not capable of supporting extended grazing without damage to the natural grass and vegetation.

C. Pigs goats and stallions are expressly prohibited in the Subdivision.

D. Other animals will be allowed only with the approval of the Committee."

2. Paragraph 9 of Article V of the Original Protective Covenant is hereby deleted and the following is substituted in lieu thereof:

"9. Utility Lines. All water, gas, electric, telephone and other utility lines within the limits of the Subdivision may be underground or above ground."

3. Except as modified by this first Amendment the Original Protective Covenants recorded October 3, 1973, as reception #200435 remain in full force and effect.

Executed as of April 21, 1976.

C & C INVESTMENT COMPANY

/s/

/s/

NOTARY SEAL
4/22/76

