# 

BEING A PORTION OF THE SW# OF THE SW# OF SECTION 35, TOWNSHIP I SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN BOULDER COUNTY, COLORADO

The undersigned, being the owner of the real property hereby platted. for himself, his heirs, grantees, successors and assigns covenants as follows:

1. That these covenants are to run with the land and shall be binding on fall persons and parties claiming thru the undersigned until January 1, 1974 at which time they shall automatically terminate unless extended by a majority of the then owners of lots in said subdivision.

2. That the residential area covenants shall apply to all lots in Block I in this subdivision.

3. That all lots in Block I in this subdivision are presently zoned Residential one. In the event that the area or any part of the area is re-zoned by the Board of Commissioners, Boulder County, Colorado, such action shall take precedence over this covenant. No structure shall be erected, altered, placed or permitted to remain on any lot other than one single-family dwelling not to exceed one and one-half stories in height, except that two-family dwellings not to exceed one and one-half stories in height may be erected, altered, placed or permitted to remain on any building site having a width at the front building set back line of not less than 60 feet nor an area of not less than 1,400 square feet. Other buildings incidental to residential use may be erected, altered, placed or permitted to remain on any lot having a dwelling unit thereon.

4. No single family dwelling shall be erected, altered, placed or permitted to remain with a ground floor area of the main structure, exclusive of one-story open porches and garages, of less than 950 square feet. No two-family dwelling 'shall be erected, altered, placed or permitted to remain with a ground floor area of the main structure, exclusive of one story open porches and garages. of less than 850 square feet for each living unit.

5 UTILITIES EASEMENT

BLOCK COMMERCIAL

YRACT

TRACT 3

SOUTHWEST CORNER OF SEC. 35, T.IS. R. 69 W.

N 89°48' V

5.No structure shall be located nearer to the front lot line than 30 feet, nor nearer than 7 feet to any side line in the case of a one-family of 7 feet in the case of a two family dwelling, except that on corner 4/ lots no structure shall be located nearer than 25 feet to the

6. No noxious or offensive trade or activity shall be conducted on any lot nor shall anything be done thereon which may be or become an annoyance or a nuisance to the neighborhood,

PROTECTIVE COVENANTS

7. No trailer, basement, tent, garage, barn or other outbuildings erected or placed in this development shall at any time be used as a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence, except that a garage house or basement house may be used as a residence for a period not to exceed two years.

8. All sewage shall be disposed of by public sewers where and when available and until such become available for any lot, sewage from such lots shall be disposed of by septic tank and cesspool or field drain of type approved by the Colorado State Board of Health, none of which septic tanks, cesspools or field drains shall be located nearer than 20 feet to any side lot line.

9. If any party claiming by or thru the undersigned or his heirs or assigns shall violate or attempt to violate any of these covenants herein, if shall be lawfull for any person or persons owning real estate in this subdivision to prosecute any proceedings at law, or in equity against the person or persons violating or attemping to violate any such covenant and either restrain him or them from so doing or recover damages for such violation.

80.004

126.36

S' MORE OR LESS ----

TRACT

UNPLATTED

N 9° 29' 18" E ... 43.58

80.00#

N 89° 48′ W

. 1953 by Hixon M. Elliott.

---- SOUTH LINE OF SUBDIVISION

80.00'

LANE

-81.65 N 82 40 -- N 82

BLOCK

80.00'

State of Colorado County of Boulder )

RESIDENTIAL ONE

EMERALD

----- BLOCK 3 ---

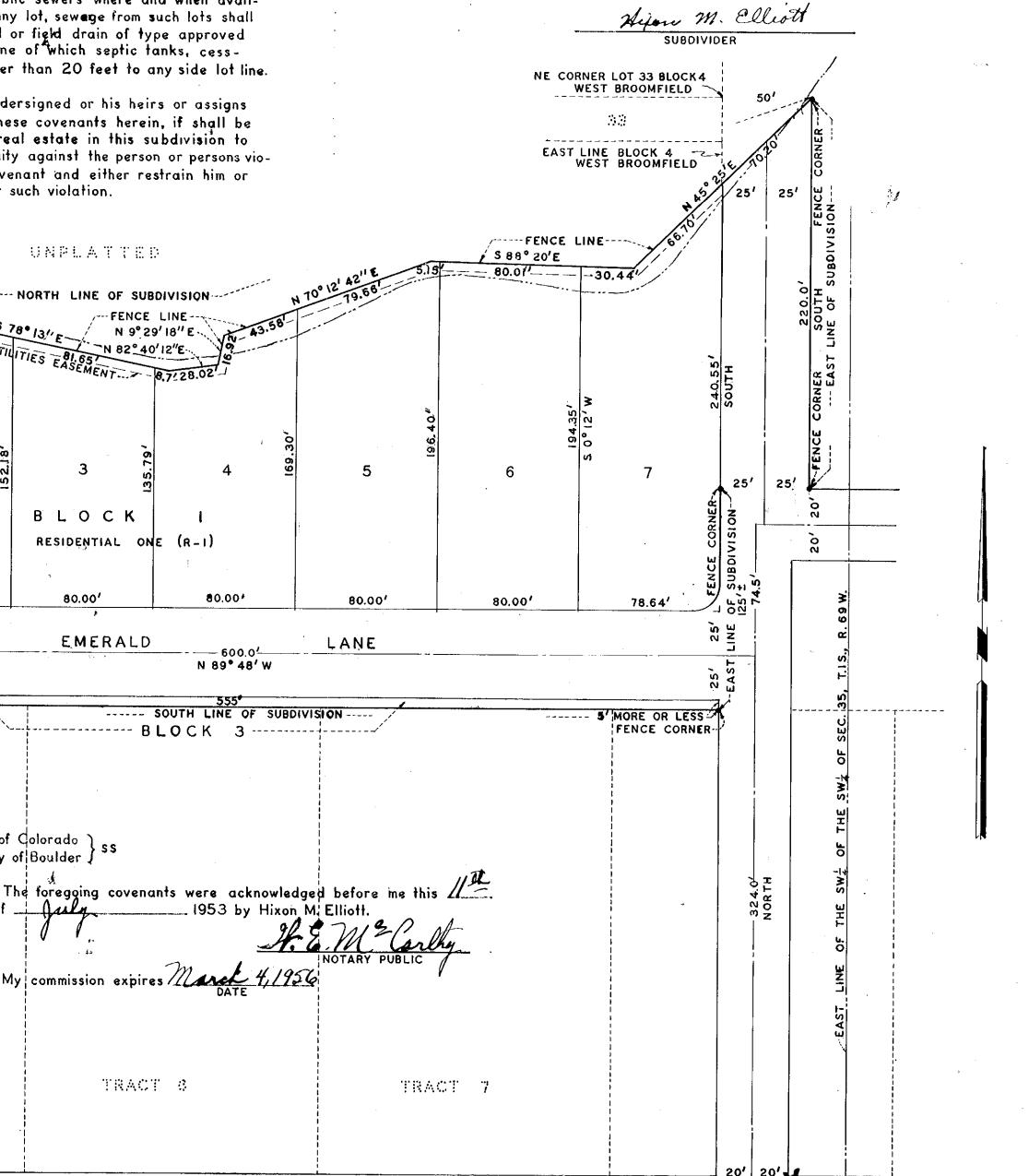
My commission expires March 4,19.

TRACT 8

10. There is reserved to and for the use of all present and future owners of lots in this subdivision an easement over and across said lots at locations shown on the accompanying plat for the construction, maintence and operation of utilities.

11. None of the foregoing shall be construed as conflicting with any terms or regulations of the Boulder County Zoning Resolutions.

12. Invalidation of any one of these covenants by judgement or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.



.52.36' - W 1319.36'

SOUTHEAST CORNER OF

THE SWA OF THE SWA OF SEC. 35, T.IS. R. 69 W.

KNOW ALL MEN BY THESE PRESENTS: That I, Hixon M. Elliott, owner of that parcel of land lying in the SW\$ of the SW\$ of Section 35, Township I South, Range 69 West of the 6th Principal Meridian, in Boulder County, Colorado, more particularly described as follows: Beginning at the S.W. corner of Tract 3, as filed under the name of BROOMFIELD SUBDIVISION, which corner is 362) feet East and 30.0 feet North of the S.W. corner of Sec. 35, T.I S., R.69 W., thence North along the West line of said Tract 3 a distance of 264.0 feet to the N. W. corner of said Tract 3; thence North 74° 20' East along an existing fence a distance of 200. feet to a fence corner; thence North-easterly along the existing, irregular fence which closely parallels the ZANG DITCH a distance of 885 feet more or less to a fence corner which lies 50 feet East of the North-east corner of Lot 33. Block 4, WEST BROOMFIED; thence South along a fence and parallel with the East line of Block 4, WEST BROOMFIELD; a distance of 220 feet to a fence corner; thence West and parallel with the South line of Section 35, T.IS. R.69W., a distance of 50 feet to a fence corner: which point is also on the East line of Block 4, WEST BROOMFIELD; thence South along the East line of said Block 4 a distance of \$20 feet more or less to a fence corner; thence West and parallel with the South line of Section 35, T.I.S., R.69W. a distance of 555 feet corner, which corner is also the North-east corner of Tract 4, WEST BROOMFIELD, thence South along the East line of said Tract 4 a distance of 264 feet to the South-east corner of said Tract 4; thence West along the South line of said Tract 4 and the South line of Tract 3, WEST BROOMFIELD; a distance of 330 feet to the Point of Beginning, have laid out, subdivided and platted into lots and streets as hereon shown, under the name and style of ELLIOTT SUBDIVISION and do by these presents, grant and dedicate to Boulder County, Colorado infee simple all such streets.

There is reserved to and for the use of all present and future owners of lots in this subdivision an easement 

State of Colorado } ss County of Boulder

The above and foregoing map and dedication of ELLIOTT SUBDIVISION was acknowledged before me this \_\_\_\_\_\_\_, 1953, by Hixon M. Elliott.

My commission expires March 4, 1956

## \_AND SURVEYOR'S CERTIFICATE

I, Lee M. Robinson, a Registered Land Surveyor in the State of Colorado, do hereby certify that the survey of ELLIOTT SUBDIVISION was made under my supervision and the accompanying map accurately and properly shows said subdivision.

Edna M. Easton

State of Colorado City and County of Denver

The foregoing Land Surveyor's Certificate was acknowledged before me this 30 day of

My commission expires Hebruary 23, 1954

The foregoing plat is approved for filing and conveyance of the public way roads and streets shown thereon is accepted by the County of Boulder, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_ 1953. Subject to the following condition: The county shall undertake maintence of any such way road or street only after construction of such public way, road or street has been satisfactorily completed by the subdivider.

BOARD OF COUNTY COMMISSIONERS

## APPROVAI

Approved by the Boulder County Planning Commission this

SECRETARY

### RECEPTION No. 531504

STATE of COLORADO) 55 I hereby certify that this map of The ELLIOTT SUBDIVISION was filed for record in the office of the Clerk and Recorder of Boulder County at Boulder, Colorado this 10th day of September , 1953, at 1:25 P.M., and is duly recorded in Plat Book 5 page 80.

TO THE SOUTHEAST CORNER OF

THE SW OF SEC. 35, T. IS. R. 69 W.

FEE: \$6.00 pd.

I. RADII AT STREET INTERSECTIONS ARE 15 FEET. 2. DEMENSIONS AT ROUNDED CORNERS ARE TO THE LO LINES EXTENDED.

SCALE: 1" = 50"