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## **AMENDMENT**

TO

## PROTECTIVE COVENANTS

FOR

## HIWAN HILLS - BLOCK 5

Pursuant to Paragraph 18 of the protective covenants (the "Protective Covenants") filed in the Office of the Clerk and Recorder of Jefferson County, State of Colorado, and recorded on December 16, 1975, in Book 2800 at page 503, the undersigned, constituting the owners of a majority of the lots in Hiwan Hills - Block 5, by this instrument do hereby change and alter in part the Protective Covenants by revoking Paragraph 1 of the Protective Covenants in its entirety and substituting the following as Paragraph 1:

No lot shall be subdivided. No structure shall be placed, erected, or altered on any lot other than one detached, single-family dwelling not to exceed two stories or a maximum of 35 feet in height, a private garage for not more than 3 cars, and other outbuildings incidental to residential use of any lot. In the event any legal proceeding is commenced by one or more of the owners of lots in Hiwan Hills - Block 5 to enforce, or recover damages for any violation or threatened violation of, this Paragraph 1, if the lot owner(s) commencing such legal proceeding shall prevail such lot owner(s) shall be entitled to recover in such legal proceeding their costs and expenses incurred in connection with such legal proceeding, including reasonable attorney's fees, from the lot owner violating or threatening to violate this Paragraph 1. Further, in the event any legal proceeding is commenced by one or more of the owners of lots in Hiwan Hills - Block 5 to declare invalid this Paragraph 1, or any part thereof, such lot owner(s) successfully defending such legal proceeding shall be entitled to recover in such legal proceeding their costs and expenses incurred in connection with such legal proceeding, including reasonable attorneys' fees, from the lot owner(s) commencing such legal proceeding.

Except as modified by this Amendment, the Protective Covenants remain in full force and effect. In the case of any violation of the above Protective Covenants, the owner or owners of any lot in Hiwan Hills - Block 5 may, in addition to other remedies at law or in equity including action for damages, have such violations perpetually enjoined or, in the case of the erection or maintenance of any building, structure or thing in violation of any of the above Protective Covenants, may have such building, structure or thing removed by proper legal

proceedings. The above Protective Covenants shall be covenants running with the land and shall inure to the benefit of and be binding upon all owners of the lots in Hiwan Hills - Block 5 and their successors and assigns; provided, however, that the owners of the majority of the lots in Hiwan Hills - Block 5 may by instrument in writing duly signed, acknowledged and recorded in the Office of the Clerk and Recorder of Jefferson County, change, revoke or alter the above Protective Covenants in whole or in part.

This Amendment to Protective Covenants may be executed in any number of counterparts, all of which taken together shall constitute one and the same instrument, and any lot owner(s) may execute this Amendment by signing any such counterpart.

Executed by the owners of a majority of the lots in Hiwan Hills - Block 5, to be effective as of the date this Amendment to Protective Covenants for Hiwan Hills - Block 5 is recorded with the Clerk and Recorder of Jefferson County, Colorado.

Elizabeth askley
Elizabeth Ashby Lot #217
STATE OF COLORADO )
COUNTY OF DENVER ) ss.  Occurred
The foregoing instrument was acknowledged before me this 3 day of November, 1994, by Elizabeth Ashby.
WITNESS MY HAND and official seal.  My commission expires: 3/17/99
Kinac K Mesch Notary Public
Robert H. Durham, Ir. Lot #218
STATE OF COLORADO )
COUNTY OF JEFFERSON ) ss.
The foregoing instrument was acknowledged before me this 5th day of November, 1994, by Robert H. Durham, Jr.
WITNESS MY HAND and official seal.  My commission expires: 3/17/98
Rinai K. Misch Notary Public
Policy Schulthess Robert Schulthess Lot #219
STATE OF COLORADO )
COUNTY OF JEFFERSON )
The foregoing instrument was acknowledged before me this day of November, 1994, by Robert Schulthess.
WITNESS MY HAND and official seal.  My commission expires:    Strat   Moccond

Angela M. Schulthess Lot #219
STATE OF COLORADO )
COUNTY OF JEFFERSON ) ss.
The foregoing instrument was acknowledged before me this 5 day of November, 1994, by Angeia M. Schulthess.
WITNESS MY HAND and official seal. My commission expires: 3/17/98
Renau K-Mesel Notary Public
Constance J. Thorson Lot #220
STATE OF COLORADO )
COUNTY OF JEFFERSON ) ss.
The foregoing instrument was acknowledged before me thisday of November, 1994, by Constance J. Thorson.
WITNESS MY HAND and official seal.  My commission expires: 3/11/98
Renae L. Mesch Notary Public
Robert d. work
Robert D. Cook Lot #221
STATE OF COLORADO )
) ss. COUNTY OF JEFFERSON )
The foregoing instrument was acknowledged before me this 5th day of November 1994, by Robert D. Cook.
WITNESS MY HAND and official seal.  My commission expires: 3/17/98
Renae K Mesel Notary Public

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Mary D. Francis Lot #221
STATE OF COLORADO )
COUNTY OF JEFFERSON ) ss.
The foregoing instrument was acknowledged before me this 5 day of November, 1994, by Mary D. Francis.
WITNESS MY HAND and official seal.  My commission expires:    3/17/98
Jane Ann O'Reilly Lot #222
STATE OF COLORADO )
COUNTY OF DENVER )
The foregoing instrument was acknowledged before me this day of November, 1994, by Jane Ann O'Reilly.
WITNESS MY HAND and official seal.  My commission expires:    Amai K. Muscl_   Notary Public
The Church of the Transfiguration, a Colorado non-profit corporation
By: Lot #223
STATE OF COLORADO )
) ss. COUNTY OF JEFFERSON )
The foregoing instrument was acknowledged before me this day of November, 1994, by
WITNESS MY HAND and official seal. My commission expires:
Notary Public

The Rose Rappaport Living Trust	
By: Rize Registery	
Lot #224	
STATE OF COLORADO )	
COUNTY OF JEFFERSON ) ss.	
The foregoing instrument was acknowledged before me this state day of November, 1994, b	у
WITNESS MY HAND and official seal.  My commission expires: 3/17/94	
Renae K. Mesal Notary Public	
1m 2. loon	
Bruce D. Cooper Lot #225 & Tracts C & D	
STATE OF COLORADO )	
COUNTY OF JEFFERSON ) ss.	
The foregoing instrument was acknowledged before me this 5 day of November, 1994, by Bruce D. Cooper.	y
WITNESS MY HAND and official seal. My commission expires: 3/17/98	
Renau K. Meset Notary Public	
James / Hanell	
James T. Harrell  Lot #226 and part of Lot #225	
STATE OF COLORADO )	
COUNTY OF JEFFERSON )	
The foregoing instrument was acknowledged before me this day of November, 1994, by James T. Harrell.	
WITNESS MY HAND and official seal.  My commission expires: 3/17/98	
My commission expires: 3/17/98  Renac K. Mesel	
Notary Public	

$A \cap A \cap A \cap A$
Barbara J. Harrell
Lot #226 and part of Lot #225
STATE OF COLORADO )
COUNTY OF JEFFERSON ) ss.
The foregoing instrument was acknowledged before me thisday of November, 1994, by Barbara J. Harrell.
WITNESS MY HAND and official seal.  My commission expires: 3/17/91
Renar K. Mesch Notary Public
John C. Hugger Lot #227
STATE OF COLORADO )
) ss. COUNTY OF JEFFERSON )
The foregoing instrument was acknowledged before me this day of November, 1994, by John C. Hugger.
WITNESS MY HAND and official seal.  My commission expires:
######################################
Notary Public
일을 취임하는 것이 되었다. 그 이 전에 가장하는 것이 있는 것이 되었다. 그는 사람들은 것이 있다는 것이 하는 것이다. 위한 경기를 받는 것이 되었다. 그는 것이 하는 것이 하는 것이라고 있다. 그는 것이 되었다는 것이 되었다. 그것이 되었다.
Margaret A. Hugger Lot #227
STATE OF COLORADO )
COUNTY OF JEFFERSON )
The foregoing instrument was acknowledged before me this day of November, 1994, by Margaret A. Hugger.
WITNESS MY HAND and official seal.  My commission expires:
Notary Public

Roland A. Lohnert Lot #228		
STATE OF COLORADO		
COUNTY OF JEFFERSON	) ss. )	
The foregoing instrum Roland A. Lohnert.	ent was acknowledged before me this	day of November, 1994, by
WITNESS MY HANI My commission expire	O and official seal. es:	
	Notary Public	
Rosemarie A. Lohnert Lot #228		
STATE OF COLORADO COUNTY OF JEFFERSON	) ss. )	
The foregoing instrume Rosemarie A. Lohnert.	ent was acknowledged before me this	day of November, 1994, by
WITNESS MY HAND My commission expire		
	Notary Public	
Jiel Ulus Berenbeim Lot #229	2.	
STATE OF COLORADO	) ) ss.	
COUNTY OF JEFFERSON	)	
The foregoing instrume oel Alan Berenbeim.	nt was acknowledged before me this 5	day of November, 1994, by
WITNESS MY HAND My commission expires	:: <u> </u>	
	Renae K. Ma	<u> </u>

	Susan Marie Berenbeim Lot #229
	STATE OF COLORADO )
	COUNTY OF JEFFERSON ) ss.
	The foregoing instrument was acknowledged before me this day of November, 1994, by Susan Marie Berenbeim.
	WITNESS MY HAND and official seal. My commission expires:
ĺ	Notary Public  Notary Public  David J. Mallak  Lot #230
	STATE OF COLORADO )
	COUNTY OF JEFFERSON ) ss.
	The foregoing instrument was acknowledged before me this 3 day of November, 1994, by David J. Mallak.
	WITNESS MY HAND and official seal.  My commission expires: 3/17/98
	Renac K. Mesch Notary Public
	Karen A. Mallak Lot #230
	STATE OF COLORADO )
,	COUNTY OF JEFFERSON ) ss.
	The foregoing instrument was acknowledged before me this 3 day of November, 1994, by Karen A. Mallak.
	WITNESS MY HAND and official seal.  My commission expires:  Renal K. Mesol  Notary Public

CC
David W. Klaus Lot #231
STATE OF COLORADO )
COUNTY OF JEFFERSON ) ss.
The foregoing instrument was acknowledged before me this J day of November, 1994, by David W. Klaus.
WITNESS MY HAND and official seal.  My commission expires: 3/17/98
Rinac K. Mesel Notary Public
Ramona R. Klaus Lot #231
STATE OF COLORADO ) ) ss. COUNTY OF JEFFERSON )
The foregoing instrument was acknowledged before me this 3 day of November, 1994, by Ramona R. Klaus.
WITNESS MY HAND and official seal.  My commission expires:  S/17/98  Lenae K- Misch  Notary Public
alle B. Lloyd Lot #232
STATE OF COLORADO )
) ss. COUNTY OF DENVER )
The foregoing instrument was acknowledged before me this day of November, 1994, by Adele B. Lloyd.
WITNESS MY HAND and official seal.  My commission expires: 3/17/98
Notary Public K. Mesch

Donald John McBride Lot #233	
STATE OF COLORADO )	
COUNTY OF JEFFERSON )	
The foregoing instrument was acknowledged before re Donald John McBride.	me this day of November, 1994, by
WITNESS MY HAND and official seal. My commission expires:	
Notary Public	
Jean T. McBride Lot #233	
STATE OF COLORADO ) ) ss. COUNTY OF JEFFERSON )	
The foregoing instrument was acknowledged before mean T. McBride.	ne this day of November, 1994, by
WITNESS MY HAND and official seal. My commission expires:	
Notary Public	
Sterling E. Nelson, Trustee	
Sterling E. Nelson, Trustee Lot #234	
STATE OF COLORADO ) ss.	
COUNTY OF JEFFERSON )	
The foregoing instrument was acknowledged before m Sterling E. Nelson, Trustee	e this 5 day of November, 1994, by
WITNESS MY HAND and official seal.  My commission expires: 3/17/98	
Remar K-1	Neset

DeRen
David Rodriguez Lot #238
STATE OF COLORADO )
COUNTY OF JEFFERSON ) ss.
The foregoing instrument was acknowledged before me this day of November, 1994, by David Rodriguez.
WITNESS MY HAND and official seal.  My commission expires: 3/17/98
Renae Mesch Notary Public
Billier 29. Wiels, Excerta Estate Of June E. Hicks, Decessed Lot #239
STATE OF COLORADO ) ) ss. COUNTY OF JEFFERSON )
The foregoing instrument was acknowledged before me this st day of November, 1994, by June E. Hicks. Richard 6. Hick, Executo istale of June & Hicks, Decease.
WITNESS MY HAND and official seal.  My commission expires: 3/17/98
Ronac K. Mesch Notary Public
Marion F. Bugher Lov#240
STATE OF COLORADO )
COUNTY OF JEFFERSON )
The foregoing instrument was acknowledged before me this day of November, 1994, by Marion F. Bugher.
WITNESS MY HAND and official seal.  My commission expires: 3/17/98
Kenae K. Mesch Notary Public

George Krauss Lot #241	
STATE OF COLORADO )	뭐 네 맛 보면 나왔다.
COUNTY OF JEFFERSON ) ss.	
The foregoing instrument was acknowledged before George Krauss.	e me this day of November, 1994, by
WITNESS MY HAND and official seal. My commission expires:	
Notary Public	
Ruth A. Krauss Lot #241	
STATE OF COLORADO ) ) ss. COUNTY OF JEFFERSON )	
The foregoing instrument was acknowledged before Ruth A. Krauss.	e me this day of November, 1994, by
WITNESS MY HAND and official seal. My commission expires:	
Notary Public	
Alan E. Johnston  Lot #242	
STATE OF COLORADO ) ) ss. COUNTY OF JEFFERSON )	
The foregoing instrument was acknowledged before Alan E. Johnston.	me this 5th day of November, 1994, by
WITNESS MY HAND and official seal.  My commission expires: 3/17/98	
Kinai Notary Public	K Musch.

Charlotte D. Johnston
Charlotte D. Johnston  Lot #242
STATE OF COLORADO )
COUNTY OF JEFFERSON ) ss.
The foregoing instrument was acknowledged before me this day of November, 1994, by Charlotte D. Johnston.
WITNESS MY HAND and official seal.  My commission expires:  S/17/98  Renau K. Musel  Notary Public
Gene P. Younger Lot #243
STATE OF COLORADO )
) ss. COUNTY OF JEFFERSON )
The foregoing instrument was acknowledged before me this day of November, 1994, by Gene P. Younger.
WITNESS MY HAND and official seal. My commission expires:
원 경기 사용하다 하다가 <u>다 하는 사이트를 하다고 하다. 이</u> 번 가능하는 사람
Notary Public
Marcia A. Younger Lot #243
STATE OF COLORADO )
) ss. COUNTY OF JEFFERSON )
The foregoing instrument was acknowledged before me this day of November, 1994, by Marcia A. Younger.
WITNESS MY HAND and official seal.  My commission expires:
Notary Public

Chester B. Stone, Jr. Lot #244 & Tracts A,B,E & F		
STATE OF COLORADO ) ss.		
COUNTY OF JEFFERSON )		
The foregoing instrument was ac Chester B. Stone, Jr.	knowledged before me this _	day of November, 1994, by
WITNESS MY HAND and office My commission expires:	ial seal.	
$ar{m{q}}$	Notary Public	
Camilla W. Stone		
Lot #244 & Tracts A,B,E & F		
STATE OF COLORADO ) ) ss. COUNTY OF JEFFERSON )		
The foregoing instrument was ack Camilla W. Stone.	knowledged before me this	day of November, 1994, by
WITNESS MY HAND and offici My commission expires:	al seal.	
$\overline{\overline{\mathbf{N}}}$	otary Public	
Nan V. Rickey Lot #245		
STATE OF COLORADO )		
) ss. COUNTY OF JEFFERSON )		
The foregoing instrument was ack Nan V. Rickey.	nowledged before me this	day of November, 1994, by
WITNESS MY HAND and official My commission expires:	al seal.	
No	otary Public	

Murray Moulding
Murray Moulding Lot #246
STATE OF COLORADO )
COUNTY OF JEFFERSON ) ss.
The foregoing instrument was acknowledged before me this day of November, 1994, by Murray Moulding.
WITNESS MY HAND and official seal.  My commission expires:  S/17/98  Runal K. Muscl  Notary Public
Judoll Howdorg  Judith Moulding  Lot #246
STATE OF COLORADO ) ss. COUNTY OF JEFFERSON )
The foregoing instrument was acknowledged before me this day of November, 1994, by Judith Moulding.
WITNESS MY HAND and official seal.  My commission expires: 3/17/99
Notary Public  Notary Public
Fern E. Bengtson Lot #247
STATE OF COLORADO )
COUNTY OF JEFFERSON )
The foregoing instrument was acknowledged before me this 5 day of November, 1994, by Fern E. Bengtson.
WITNESS MY HAND and official seal. My commission expires:  Renae K Musch
Notary Public