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To

08/14/2012 02:08:55 PM 8 Page(s) Jefferson County, Colorado

Protective Covenants for

Hiwan Hills - Block 1



Pursuant to Paragraph 12 of the protective covenants filed in the Office of the Clerk and Recorder of Jefferson County, State of Colorado, and recorded on December 19, 1949 in Book 8 at Page 65 and on March 22, 1955 in Book 911 at Page 244 the majority of the voting owners of Hiwan Hills – Block 1 by this instrument do hereby change and alter in part the Protective Covenants by the addition of the following paragraph.

15. Short term rentals (defined as a period of less than 30 consecutive days) of any house within Hiwan Hills - Block 1 are hereby prohibited. No part of this Amendment to the covenants shall be construed to prohibit the rental of a house for a period of 30 days or greater, recognized as traditional house rentals.

Except as modified by this Amendment, the Protective Covenants remain in full force and effect. Any violation of this provision shall warrant the Hiwan Hills Improvement Association or any other Hiwan Hills - Block 1 lot owner to apply to any court of law or equity having jurisdiction thereof for an injunction or proper relief to enforce same in any court, and, in its discretion, may award the plaintiff(s) court costs and reasonable attorney's fees. No delay on the part of the declarant or any other person in the exercising of any right, power, or remedy contained herein shall be construed as a waiver thereof or an acquiescence therein.

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 lots in the Hiwan Hills – Block 1 and their successors and assigns; provided, however, that the owners of the majority of the lots in Hiwan Hills – Block 1 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.

Gary MacFarquhar, President	jary Wantaget	Date 6/26/12
Joe Gerlach, Vice President	Till	Date 6/27/12
Eric Wilhelm, Treasurer & Secretary	Englisholm	Date 6 22 2012
Jim Dollard, Member	J.F. Sollard	Date 7/13/12
Robert Durham, Member	The Comment	Date 7/25/12
Kim Levine, Member	aul8n	Date July 8, 2012
Nan Rickey, Member	Nave Niller	Date 6/28 2012
Shane Smith, Member	Als And	Date 7-18-2012
Lee Wolff, Member	Der Wolff	Date 6/27/12

To

# Protective Covenants for

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#### Hiwan Hills – Block 2

Pursuant to Paragraph 10 of the protective covenants filed in the Office of the Clerk and Recorder of Jefferson County, State of Colorado, and recorded on November 16, 1954 in Book 13 at Page 46 the majority of the voting owners of Hiwan Hills – Block 2 by this instrument do hereby change and alter in part the Protective Covenants by the addition of the following paragraph.

13. Short term rentals (defined as a period of less than 30 consecutive days) of any house within Hiwan Hills - Block 2 are hereby prohibited. No part of this Amendment to the covenants shall be construed to prohibit the rental of a house for a period of 30 days or greater, recognized as traditional house rentals.

Except as modified by this Amendment, the Protective Covenants remain in full force and effect. Any violation of this provision shall warrant the Hiwan Hills Improvement Association or any other Hiwan Hills - Block 2 lot owner to apply to any court of law or equity having jurisdiction thereof for an injunction or proper relief to enforce same in any court, and, in its discretion, may award the plaintiff(s) court costs and reasonable attorney's fees. No delay on the part of the declarant or any other person in the exercising of any right, power, or remedy contained herein shall be construed as a waiver thereof or an acquiescence therein.

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 lots in the Hiwan Hills – Block 2 and their successors and assigns; provided, however, that the owners of the majority of the lots in Hiwan Hills – Block 2 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.

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Gary MacFarquhar, President	fact blan figles	Date 6/26/12
Joe Gerlach, Vice President	Schol	Date 4/29/12
Eric Wilhelm, Treasurer & Secretary	Lei f Willelm	Date 6 22 2012
Jim Dollard, Member	L. Allard	Date 7/13/12
Robert Durham, Member	Thete Dul	Date 7/25/12
Kim Levine, Member	aubri	Date July 8, 2012
Nan Rickey, Member	Nou Nicken	Date 6/28/2012
Shane Smith, Member	A. Amile	Date 7-18-2012
Lee Wolff, Member	Jer Wolff	Date $6/27/12$

#### Protective Covenants for

# Hiwan Hills – Block 3

Pursuant to Paragraph 18 of the protective covenants filed in the Office of the Clerk and Recorder of Jefferson County, State of Colorado, and recorded on May 3, 1979 as Reception Number 79038674 the majority of the voting owners of Hiwan Hills – Block 3 by this instrument do hereby change and alter in part the Protective Covenants by the addition of the following paragraph.

20. Short term rentals (defined as a period of less than 30 consecutive days) of any house within Hiwan Hills - Block 3 are hereby prohibited. No part of this Amendment to the covenants shall be construed to prohibit the rental of a house for a period of 30 days or greater, recognized as traditional house rentals.

Except as modified by this Amendment, the Protective Covenants remain in full force and effect. Any violation of this provision shall warrant the Hiwan Hills Improvement Association or any other Hiwan Hills - Block 3 lot owner to apply to any court of law or equity having jurisdiction thereof for an injunction or proper relief to enforce same in any court, and, in its discretion, may award the plaintiff(s) court costs and reasonable attorney's fees. No delay on the part of the declarant or any other person in the exercising of any right, power, or remedy contained herein shall be construed as a waiver thereof or an acquiescence therein.

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 lots in the Hiwan Hills – Block 3 and their successors and assigns; provided, however, that the owners of the majority of the lots in Hiwan Hills – Block 3 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.

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Gary MacFarquhar, President	jan life y to	Date 6/26//z
Joe Gerlach, Vice President	THE	Date 6/27/12
Eric Wilhelm, Treasurer & Secretary	Singhallelm	Date 6 22 2012
Jim Dollard, Member	Halland	Date 7/13/12
Robert Durham, Member	The Duc	Date
Kim Levine, Member	alphi	Date _ 7-8-12
Nan Rickey, Member	- Man Recleer	Date <u>4/28/2</u> 0(2
Shane Smith, Member	Definith	Date <u>7-13-2012</u>
Lee Wolff, Member	Les Wolfe	Date 6/27/12

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#### Protective Covenants for

# Hiwan Hills - Block 4

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Pursuant to Paragraph 10 of the protective covenants filed in the Office of the Clerk and Recorder of Jefferson County, State of Colorado, and recorded on August 3, 1955 in Book 15 at Page 7, Reception Number 55616195 the majority of the voting owners of Hiwan Hills – Block 4 by this instrument do hereby change and alter in part the Protective Covenants by the addition of the following paragraph.

13. Short term rentals (defined as a period of less than 30 consecutive days) of any house within Hiwan Hills - Block 4 are hereby prohibited. No part of this Amendment to the covenants shall be construed to prohibit the rental of a house for a period of 30 days or greater, recognized as traditional house rentals.

Except as modified by this Amendment, the Protective Covenants remain in full force and effect. Any violation of this provision shall warrant the Hiwan Hills Improvement Association or any other Hiwan Hills - Block 4 lot owner to apply to any court of law or equity having jurisdiction thereof for an injunction or proper relief to enforce same in any court, and, in its discretion, may award the plaintiff(s) court costs and reasonable attorney's fees. No delay on the part of the declarant or any other person in the exercising of any right, power, or remedy contained herein shall be construed as a waiver thereof or an acquiescence therein.

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 lots in the Hiwan Hills – Block 4 and their successors and assigns; provided, however, that the owners of the majority of the lots in Hiwan Hills – Block 4 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.

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Gary MacFarquhar, President	jary Wan Tylon	Date 6/26/12
Joe Gerlach, Vice President	- Heller	Date 5/21/12
Eric Wilhelm, Treasurer & Secretary	Grif hillsh	Date 6/22/2012
Jim Dollard, Member	H. Sollard	Date 7/13/12
Robert Durham, Member	What Hickory	Date 7/25/12
Kim Levine, Member	Diffe	Date 7-8-12
Nan Rickey, Member	Nau Recleer	Date 6/28/2012
Shane Smith, Member	All South	Date 7-18-20/2
Lee Wolff, Member	Le Wolf	Date 6/27/12

To

# Protective Covenants for

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# Hiwan Hills - Block 5

Pursuant to Paragraph 18 of 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, Reception Number 75753001 the majority of the voting owners of Hiwan Hills – Block 5 by this instrument do hereby change and alter in part the Protective Covenants by the addition of the following paragraph.

19. Short term rentals (defined as a period of less than 30 consecutive days) of any house within Hiwan Hills - Block 5 are hereby prohibited. No part of this Amendment to the covenants shall be construed to prohibit the rental of a house for a period of 30 days or greater, recognized as traditional house rentals.

Except as modified by this Amendment, the Protective Covenants remain in full force and effect. Any violation of this provision shall warrant the Hiwan Hills Improvement Association or any other Hiwan Hills - Block 5 lot owner to apply to any court of law or equity having jurisdiction thereof for an injunction or proper relief to enforce same in any court, and, in its discretion, may award the plaintiff(s) court costs and reasonable attorney's fees. No delay on the part of the declarant or any other person in the exercising of any right, power, or remedy contained herein shall be construed as a waiver thereof or an acquiescence therein.

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 lots in the 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.

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Gary MacFarquhar, President	Jary Man Tolo	Date 6/26/12
Joe Gerlach, Vice President	The Contract of the Contract o	Date 4/27/12
Eric Wilhelm, Treasurer & Secretary	Bei & Willelin	Date 6 22 2012
Jim Dollard, Member	J. Sollard	Date 7/13/12
Robert Durham, Member	This The	Date 7/25/12
Kim Levine, Member	akm	Date 7-8-12
Nan Rickey, Member	Nou Reclean	Date 6/28/2012
Shane Smith, Member	Allane	Date 7-18-2012
Lee Wolff, Member	Der Wolff	Date <u>le/27/12</u>

#### Protective Covenants for

#### Hiwan Hills – Block 6

Pursuant to Paragraph 18 of the protective covenants filed in the Office of the Clerk and Recorder of Jefferson County, State of Colorado, and recorded on January 7, 1976 in Book 2806 at Page 769, Reception Number 76756808 the majority of the voting owners of Hiwan Hills – Block 6 by this instrument do hereby change and alter in part the Protective Covenants by the addition of the following paragraph.

19. Short term rentals (defined as a period of less than 30 consecutive days) of any house within Hiwan Hills - Block 6 are hereby prohibited. No part of this Amendment to the covenants shall be construed to prohibit the rental of a house for a period of 30 days or greater, recognized as traditional house rentals.

Except as modified by this Amendment, the Protective Covenants remain in full force and effect. Any violation of this provision shall warrant the Hiwan Hills Improvement Association or any other Hiwan Hills - Block 6 lot owner to apply to any court of law or equity having jurisdiction thereof for an injunction or proper relief to enforce same in any court, and, in its discretion, may award the plaintiff(s) court costs and reasonable attorney's fees. No delay on the part of the declarant or any other person in the exercising of any right, power, or remedy contained herein shall be construed as a waiver thereof or an acquiescence therein.

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 lots in the Hiwan Hills – Block 6 and their successors and assigns; provided, however, that the owners of the majority of the lots in Hiwan Hills – Block 6 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.

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Gary MacFarquhar, President	jan litet your	Date 6/26/12
Joe Gerlach, Vice President	Malex	Date 6/21/12
Eric Wilhelm, Treasurer & Secretary	Ling Wille	Date 6/22/2012
Jim Dollard, Member	II Adland	Date 7/13/12
Robert Durham, Member	They real	Date 7/25/12
Kim Levine, Member	alsti	Date
Nan Rickey, Member	Non Neckey	Date 6/28/201 =
Shane Smith, Member	All Amer	Date <u>7-18-2</u> 012
Lee Wolff, Member	Tee Wolf	Date 6/27/12
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# Protective Covenants for

# Hiwan Hills – Block 7

The protective covenants filed in the Office of the Clerk and Recorder of Jefferson County, State of Colorado, and recorded on May 14, 1974 in Book 2622 at Page 796, Reception Number 74639502 are amended with the following by the majority of the voting owners of Hiwan Hills – Block 7 by this instrument to hereby change and alter in part the Protective Covenants by the addition of the following paragraph.

33. Short term rentals (defined as a period of less than 30 consecutive days) of any house within Hiwan Hills - Block 7 are hereby prohibited. No part of this Amendment to the covenants shall be construed to prohibit the rental of a house for a period of 30 days or greater, recognized as traditional house rentals.

Except as modified by this Amendment, the Protective Covenants remain in full force and effect. Any violation of this provision shall warrant the Hiwan Hills Improvement Association or any other Hiwan Hills - Block 7 lot owner to apply to any court of law or equity having jurisdiction thereof for an injunction or proper relief to enforce same in any court, and, in its discretion, may award the plaintiff(s) court costs and reasonable attorney's fees. No delay on the part of the declarant or any other person in the exercising of any right, power, or remedy contained herein shall be construed as a waiver thereof or an acquiescence therein.

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 lots in the Hiwan Hills – Block 7 and their successors and assigns; provided, however, that the owners of the majority of the lots in Hiwan Hills – Block 7 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.

	/n/c/	, [
Gary MacFarquhar, President	jan blantylar	_Date <u>6/26/12</u>
Joe Gerlach, Vice President	The C	Date 4/27/12
Eric Wilhelm, Treasurer & Secretary	in flith	Date 6 22 2012
Jim Dollard, Member	It. Solland	Date 7/13/12
Robert Durham, Member	Thetet fine	Date 7/25/12
Kim Levine, Member	algui	Date 7-8-12
Nan Rickey, Member	Nou Redee	Date 6/28/2012
Shane Smith, Member	Mank	Date 7-18-2012
Lee Wolff, Member	- Le Wolff	Date <u>6/27/,2</u>

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#### Protective Covenants for

# Hiwan Hills – Block 8

The protective covenants filed in the Office of the Clerk and Recorder of Jefferson County, State of Colorado, and recorded on May 21, 1982, Reception Number 82034431 are amended with the following by the majority of the voting owners of Hiwan Hills – Block 8 by this instrument to hereby change and alter in part the Protective Covenants by the addition of the following paragraph.

35. Short term rentals (defined as a period of less than 30 consecutive days) of any house within Hiwan Hills - Block 8 are hereby prohibited. No part of this Amendment to the covenants shall be construed to prohibit the rental of a house for a period of 30 days or greater, recognized as traditional house rentals.

Except as modified by this Amendment, the Protective Covenants remain in full force and effect. Any violation of this provision shall warrant the Hiwan Hills Improvement Association or any other Hiwan Hills - Block 8 lot owner to apply to any court of law or equity having jurisdiction thereof for an injunction or proper relief to enforce same in any court, and, in its discretion, may award the plaintiff(s) court costs and reasonable attorney's fees. No delay on the part of the declarant or any other person in the exercising of any right, power, or remedy contained herein shall be construed as a waiver thereof or an acquiescence therein.

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 lots in the Hiwan Hills – Block 8 and their successors and assigns; provided, however, that the owners of the majority of the lots in Hiwan Hills – Block 8 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.

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Gary MacFarquhar, President	jary Mary Lar	Date 6/26/12
Joe Gerlach, Vice President	I de la companya della companya dell	Date C/z1/12
Eric Wilhelm, Treasurer & Secretary	Ini Willel	Date 6 22 2012
Jim Dollard, Member	J. Jolland	Date 13/12
Robert Durham, Member	This Dealman	_ Date <u> </u>
Kim Levine, Member	Dulgtini	Date 17-8-12
Nan Rickey, Member	Nou Richa	Date 6/28/2012
Shane Smith, Member	dflowe-	Date 7-/8-2012
Lee Wolff, Member	Der Wolff	Date 6/27/12

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