

Recorder.
By: June Pilori, Sp. Deputy

ELTON L. JARDON, Commissioner of Deeds of Gunnison County,

STATE DOCUMENTARY FEE
DATE 6/11/76
No Fee

whose address is City of Gunnison
County of Gunnison, State of

Colorado, for the consideration of ONE (\$1.00) DOLLAR

dollars in hand paid, hereby sell(s) and convey(s) to

STEVEN GLAZER, a single person,

whose address is County of

Gunnison, and State of Colorado the following real property in the

County of Gunnison, and State of Colorado, to wit:

Parcel # 1. Beginning at a point on the West Section Line of the Southwest Quarter of the Southwest Quarter of Section 27, Township 13 South, Range 86 West of the Sixth Principal Meridian, from whence the Southwest Corner of said Section (a brass cap marker) bears S1°10'E, a distance of 460 feet; thence along said Section Line N1°10'W a distance of 202.04 feet; thence East a distance of 217.70 feet; thence South a distance of 202.00 feet; thence West a distance of 213.59 feet to the point of beginning, and containing 1.00 Acres more or less.

Parcel # 2. An undivided one-sixth (1/6) interest in and to that parcel of property described in the attached Exhibit "A," which Exhibit "A" is incorporated herein by reference.

with all its appurtenances, and warrant(s) the title to the same, subject to that Declaration of Protective Covenants Restricting Use of Land in the Southwest Quarter of the Southwest Quarter (SW¼ SW¼), Section Twenty-Seven (27), Township Thirteen (13) South, Range Eighty-Six (86) West, Sixth Principal Meridian, Gunnison County, Colorado, a copy of which is attached hereto as Exhibit "B" and incorporated herein by reference.

Signed this 11th day of June, 1976.

COMMISSIONER OF DEEDS FOR GUNNISON COUNTY, COLORADO

Elton L. Jardon
ELTON L. JARDON

STATE OF COLORADO, }
County of Gunnison. } ss.

The foregoing instrument was acknowledged before me this 11th day of June, 1976, by Elton L. Jardon, Commissioner of Deeds for Gunnison County, Colorado.

My commission expires Oct. 24, 1976
Witness my hand and official seal.

Miller J. D. [Signature]
Notary Public
STATE OF COLORADO

Township 13 South, Range 86 West, 6th P.M.Section 27: SW $\frac{1}{2}$ SW $\frac{1}{2}$,

Consisting of 40 acres, less the following described six (6) parcels:

Parcel #1 (Montrose)

Beginning at a point on the West Section Line of the Southwest Quarter of the Southwest Quarter of Section 27, Township 13 South, Range 86 West of the Sixth Principal Meridian, from whence the Southwest Corner of said Section (a brass cap marker) bears S1°10'E, a distance of 725.00 feet; thence along said Section Line N1°10'W a distance of 205.04 feet; thence East 214.57 feet; thence South a distance of 205.00 feet; thence West a distance of 210.40 feet to the point of beginning. Containing 1.00 Acres more or less.

Parcel #2 (Glazer)

Beginning at a point on the West Section Line of the Southwest Quarter of the Southwest Quarter of Section 27, Township 13 South, Range 86 West of the Sixth Principal Meridian, from whence the Southwest Corner of said Section (a brass cap marker) bears S1°10'E, a distance of 460 feet; thence along said Section Line N1°10'W a distance of 202.04 feet; thence East a distance of 217.70 feet; thence South a distance of 202.00 feet; thence West a distance of 213.59 feet to the point of beginning. Contiguous with Parcel Number 3 in same said SW $\frac{1}{2}$ SW $\frac{1}{2}$ and containing 1.00 Acres more or less.

Parcel #3 (Ross)

Beginning at a point in the Southwest Quarter of the Southwest Quarter of Section 27, Township 13 South, Range 86 West of the Sixth Principal Meridian, from whence the Southwest Corner of said Section (a brass cap marker) bears S35°09'46"W, a distance of 354.61 feet; thence North a distance of 272.25 feet; thence East a distance of 160.0 feet; thence South a distance of 272.25 feet; thence West a distance of 160.0 Feet to the point of beginning. Contiguous with parcels #2, 4 & 5 in same said SW $\frac{1}{2}$ SW $\frac{1}{2}$ and containing 1.00 Acres more or less.

Parcel #4 (Benjamin)

Beginning at a point in the Southwest Quarter of the Southwest Quarter of Section 27, Township 13 South, Range 86 West of the Sixth Principal Meridian, from whence the Southwest Corner of said Section (a brass cap marker) bears S39°56'44"W a distance of 567.27 feet; thence North a distance of 189.41 feet; thence East a distance of 230.00 feet; thence South a distance of 189.41 feet; thence West a distance of 230.00 feet to the point of beginning. Contiguous with parcel #3 in same said SW $\frac{1}{2}$ SW $\frac{1}{2}$ and containing 1.00 Acres more or less.

Parcel #5 (Newberry)

Beginning at a point on the South Section Line of the Southwest Quarter of the Southwest Quarter of Section 27, Township 13 South, Range 86 West of the Sixth Principal Meridian, from whence the Southwest corner of said Section (a brass cap marker) bears S88 15'W a distance of 265.00 feet; thence North a distance of 281.81 feet; thence East a distance of 155.9 feet; thence South a distance of 276.92 feet; thence along said Section Line S88 15'W a distance of 155.97 feet to the point of beginning. Contiguous with parcels #3 & 6 in same said SW $\frac{1}{2}$ SW $\frac{1}{2}$ and containing 1.00 Acres more or less.

Parcel #6 (Muller)

Beginning at a point on the South Section Line of the Southwest Quarter of the Southwest Quarter of Section 27, Township 13 South, Range 86 West of the Sixth Principal Meridian, from whence the Southwest corner of said Section (a brass cap marker) bears S88 15'W a distance of 420.97 feet; thence North a distance of 274.70 feet; thence East a distance of 160.00 feet; thence South a distance of 269.81 feet; thence along said Section Line S88 15' W a distance of 160.07 feet to the point of beginning. Contiguous with parcel #5 in same said SW $\frac{1}{2}$ SW $\frac{1}{2}$ and containing 1.00 Acres more or less.

EXHIBIT "B"

DECLARATION OF PROTECTIVE COVENANTS RESTRICTING USE OF LAND IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$ SW $\frac{1}{4}$), SECTION TWENTY-SEVEN (27), TOWNSHIP THIRTEEN (13) SOUTH, RANGE EIGHTY-SIX (86) WEST, SIXTH PRINCIPAL MERIDIAN, GUNNISON COUNTY, COLORADO.

WHEREAS, Anthony Muller, Richard Montrose, Eric Ross, Steve Glazer, John Benjamin and John J. Newberry III, grantors, are the owners of the southwest quarter of the southwest quarter, Section 27, Township 13 South, Range 86 West, 6th Principal Meridian, Gunnison County, Colorado; and

WHEREAS, on the 1st day of December, 1975, the Gunnison County Commissioners did grant to the grantors a resolution exempting said property from the subdivision regulations and allowing each of the grantors to own one individual acre as set forth on Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, the owners are desirous of restricting the uses of the entire property in the manner that best provides for an attractive, beneficial and desirable residential use; and

WHEREAS, the same will be for the mutual benefit and protection of all of the grantors and owners of said property;

NOW, THEREFORE, Anthony Muller, Richard Montrose, Eric Ross, Steve Glazer, John Benjamin and John J. Newberry III, for themselves, their heirs, executors, administrators, successors and assigns do hereby covenant, declare, subject and bind said property to the following conditions herein contained, to-wit:

- I. Land Use. All of the one acre parcels as shown on attached Exhibit A shall be used exclusively for private residential purposes. Only one private dwelling designed for occupancy by single families shall be erected, placed or permitted to remain upon any single parcel. The balance of said real property consisting of approximately 34 acres shall be reserved for the use and benefit of all owners of the said parcels. The maintenance of said 34 acres shall be the duty of all of the six parcel owners as described in attached Exhibit A. The use of said common area may not be changed from its present use without the written, duly acknowledged consent of five of the six parcel owners.
- II. Temporary Buildings. No mobile trailer home, shack, or any type of temporary building shall be allowed on any of the six parcels.
- III. Utilities. All utilities including, but not limited to, electric, telephone, gas and other utilities, shall be installed underground. There shall be no utilities such as telephones or electric poles or wires above ground that are not attached to a building.
- IV. Mineral Rights. It is agreed that the mineral rights may at no time be severed from the surface in any portion of either the parcels or the common land.
- V. Size of Residence. Each residence must contain a minimum of 600 square feet and shall not contain more than 7,000 square feet.

VI. Common Land. It is agreed that each of the owners of the parcels shall continue to have an undivided one-sixth interest in and to the common land. Said one-sixth interest may not be separated from the interest in and to the parcel of land owned by each of the grantors.

VII. Road. It is agreed that the unanimous consent of all grantors, their heirs or assigns is necessary for the construction of any road across the above-described real property.

VIII. Term. These covenants and restrictions shall run with the land and shall be of perpetual duration; provided, however, that except as otherwise herein provided, the terms and conditions of these restrictions and covenants may be amended and modified or altered by a written instrument signed and executed by 5/6th of the then lot owners and duly recorded in the office of the Clerk and Recorder of Gunnison County, Colorado.

IX. Enforcement. Any person having any right, title or interest in any lot or property shall have the right to prevent or enjoin any violation or attempted violation of these covenants and restrictions by injunction or other lawful procedure and to recover any damage resulting from such violation.

In Witness Whereof, Anthony Muller, Richard Montrose, Eric Ross, Steve Glazer, John Benjamin and John J. Newberry III have hereunto set their hands and seals this ____ day of _____, 1976.

Anthony Muller
Anthony Muller

Richard Montrose
Richard Montrose

Eric Ross
Eric Ross

Steve Glazer
Steve Glazer

John Benjamin
John Benjamin

John J. Newberry III
John J. Newberry III

STATE OF COLORADO)
County of Gunnison) ss.

The foregoing instrument was acknowledged before me this 16 day of March, 1976, by Anthony Muller, Richard Montrose, Eric Ross, Steve Glazer, John Benjamin and John J. Newberry III.

Witness my hand and official seal.

Thomas Cox
Notary Public

My Commission expires: _____