

DECLARATION OF PROTECTIVE COVENANTS

OF

HIDDEN VILLAGE SUBDIVISION, FILING NO. 6

1. ALL LOTS AND ALL BLOCKS IN SAID SUBDIVISION SHALL BE KNOWN AND DESCRIBED AS RESIDENTIAL LOTS AND WILL BE RESTRICTED BY ALL THE COVENANTS CONTAINED HEREIN.
2. No TRACT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES AND NO BUSINESS OF ANY NATURE SHALL BE ADVERTISED OR OPERATED ON THE PREMISES. No BUILDING SHALL BE ERECTED, ALTERED, PLACED, OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE DETACHED, SINGLE FAMILY DWELLING WITH NECESSARY GARAGE AND OUT-BUILDINGS. ALL BUILDINGS SHALL BE OF NEW CONSTRUCTION. NECESSARY BUILDINGS, CORRALS, WATER FACILITIES AND OTHER STRUCTURES FOR THE PURPOSE OF KEEPING LIVESTOCK FOR FAMILY RECREATION, WILL BE PERMITTED ON ANY TRACT. EVERY EFFORT SHALL BE MADE TO KEEP SUCH STRUCTURES ATTRACTIVE AND PAINTED AND CONCEALED FROM GENERAL VIEW TO THE EXTENT POSSIBLE. ALL METAL BUILDINGS OR METAL ROOFS MUST BE KEPT PAINTED IN A NON-GLARE FINISH IN SUCH A MANNER THAT THEY BLEND WITH THE SURROUNDINGS.
3. An ARCHITECTURAL CONTROL COMMITTEE FOR HIDDEN VILLAGE IS CONSTITUTED. THIS COMMITTEE IS COMPOSED OF THE CURRENT VILLAGE BOARD. A MAJORITY OF THE COMMITTEE MAY DESIGNATE A REPRESENTATIVE TO ACT FOR IT. IN THE EVENT OF THE DEATH OR RESIGNATION OF ANY MEMBER, THE REMAINING MEMBERS SHALL HAVE FULL AUTHORITY TO DESIGNATE A SUCCESSOR. NEITHER THE MEMBERS OF THE COMMITTEE NOR ITS DESIGNATED REPRESENTATIVE SHALL BE ENTITLED TO ANY COMPENSATION OF ANY KIND FOR SERVICES PERFORMED PURSUANT TO THIS COVENANT. ALL PROPOSED PLANS SHALL BE SUBMITTED TO THE VILLAGE BOARD.
4. No BUILDING SHALL BE ERECTED, PLACED, OR ALTERED ON ANY RESIDENTIAL LOT UNTIL THE CONSTRUCTION PLANS AND SPECIFICATIONS AND A PLAN SHOWING THE LOCATION OF THE STRUCTURE HAS BEEN APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE. IN THE EVENT THE COMMITTEE OR ITS DESIGNATED REPRESENTATIVE FAILS TO APPROVE OR DISAPPROVE WITHIN THIRTY 30 DAYS AFTER PLANS, SPECIFICATIONS AND PLOT PLANS HAVE BEEN SUBMITTED, OR IN THE EVENT NO SUIT TO ENJOIN THE CONSTRUCTION HAS BEEN COMMENCED PRIOR TO THE COMPLETION THEREOF, APPROVAL WILL NOT BE REQUIRED AND THE RELATED COVENANTS SHALL BE DEEMED TO HAVE FULLY COMPLIED WITH.
5. No STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUT-BUILDING SHALL BE USED ON ANY LOT AS A FAMILY DWELLING, WHETHER TEMPORARILY OR PERMANENTLY.
6. THE PRINCIPAL DWELLING SHALL HAVE A MINIMUM, FULLY ENCLOSED, MAIN FLOOR AREA DEVOTED TO LIVING PURPOSES, EXCLUSIVE OF PORCHES, TERRACES AND GARAGE, 1,200 SQUARE FEET, EXCEPT THAT WHERE THE SAID PRINCIPAL DWELLING IS A ONE AND ONE-HALF OR TWO STORY DWELLING, THE MINIMUM MAY BE REDUCED TO 1,000 SQUARE FEET OF MAIN FLOOR AREA, PROVIDED THAT THE TOTAL LIVING AREA OF THE ONE AND ONE-HALF OR TWO STORY DWELLING IS NOT LESS THAN 1,400 SQUARE FEET.
7. No MORE THAN ONE RESIDENCE IS PERMITTED ON ANY LOT AS A PRINCIPAL USE. No LOT SHALL BE RE-SUBDIVIDED. No ANIMAL SHALL RUN AT LARGE.
8. No BUILDING SHALL BE LOCATED ON ANY LOT NEARER THAN THIRTY 30 FEET OF THE FRONT LINE.
9. No FENCE OR WALL SHALL BE ERECTED ON ANY BUILDING PLOT NEARER TO ANY STREET THAN THE STREET RIGHT OF WAY LINES.

10. ALL DRIVEWAYS AND LOT ACCESS ROADS MUST FRONT ON ONE OF THE STREETS WITHIN THE SUBDIVISION. NO STREET OPENING WILL BE ALLOWED ON HILLTOP ROAD.

11. NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND SHALL BE RAISED, BRED OR KEPT FOR ANY COMMERCIAL PURPOSE ON ANY TRACT. STALLIONS, GOATS, AND SWINE ARE EXPRESSLY FORBIDDEN AND NONE SHALL BE KEPT AT ANY TIME ON ANY TRACT FOR ANY PURPOSE. IN ORDER TO PREVENT OVERGRAZING, LIVESTOCK SHALL BE KEPT IN A SMALL CORRAL NOT TO EXCEED 12,000 SQUARE FEET IN SIZE AND ONLY OCCASIONALLY ALLOWED TO GRAZE THE REMAINING NATIVE GRASS AREA OWNED AND FENCED BY THE OWNER. A FAMILY GARDEN PLOT NOT TO EXCEED 625 SQUARE FEET IS PERMISSIBLE, BUT NO ADDITIONAL GROUND SHALL BE BROKEN FOR FARMING PURPOSES. THE ARCHITECTURAL CONTROL COMMITTEE'S APPROVAL IS EXPRESSLY REQUIRED FOR THE ERECTION AND MAINTENANCE OF BUILDINGS FOR LIVESTOCK.

12. NO PORTION OF THE PROPERTY SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH, TRASH, GARBAGE AND OTHER WASTES. TRASH, GARBAGE AND OTHER WASTES SHALL BE KEPT IN SANITARY CONTAINERS. ALL INCINERATORS AND EQUIPMENT FOR STORAGE AND DISPOSAL OF SUCH MATERIAL SHALL BE KEPT CLEAN AND SANITARY.

13. NO TREES SHALL BE CUT OR REMOVED EXCEPT THOSE WHICH MUST BE REMOVED FOR ACCESS TO THE PROPERTY, FOR THE ERECTION OF BUILDINGS OR THOSE WHICH BECOME DISEASED OR DEAD OR REQUIRE THINNING TO MAINTAIN GOOD GROWTH.

14. NO OPEN FIRES WILL BE PERMITTED.

15. HUNTING WITHIN THE SUBDIVISION IS PROHIBITED.

16. DURING CONSTRUCTION OF BUILDINGS, DRIVEWAYS, AND ETC., ALL EXCAVATION SHALL BE KEPT TO MINIMUM. ALL DISTURBED AREAS SHALL BE REPAIRED TO PREVENT SOIL EROSION ON EACH TRACT AND ALONG DRAINAGE WAYS. EACH TRACT OWNER SHALL COMPLY WITH THE MASTER EROSION CONTROL GUIDELINES FOR HIDDEN VILLAGE FILING No. 6 ON FILE AT THE DOUGLAS COUNTY SOIL CONSERVATION DISTRICT OFFICE.

EASEMENTS AND RIGHTS OF WAY AS SHOWN ON THE RECORDED PLAT ARE HEREBY RESERVED IN THIS SUBDIVISION FOR POLES, WIRES, PIPES, AND CONDUITS FOR HEATING, LIGHTING, ELECTRICITY, GAS, TELEPHONES, SEWER, WATER OR ANY OTHER PUBLIC OR QUASI PUBLIC UTILITY SERVICE PURPOSE TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS AT ANY TIME FOR THE PURPOSE OF CONSTRUCTION AND REPAIR.

THESE COVENANTS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM FOR PERIOD OF 25 YEARS FROM THE DATE THESE COVENANTS ARE RECORDED. AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS UNLESS AN INSTRUMENT SIGNED BY A MAJORITY OF THE THEN OWNERS OF THE LOTS OR PLOTS HAS BEEN RECORDED AGREEING TO CHANGE SAID COVENANTS IN WHOLE OR IN PART.

ENFORCEMENT SHALL BE BY PROCEEDING AT LAW OR IN EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE THE AFORESAID PROVISIONS, RESTRICTIONS AND COVENANTS, EITHER TO RESTRAIN VIOLATIONS OR RECOVER DAMAGES, OR BOTH.

INVALIDATION OF ANY ONE OF THESE RESTRICTIONS BY JUDGEMENT OR COURT ORDER SHALL IN NO WISE EFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, THE UNDERSIGNED, BEING THE RECORD OWNERS OF ALL PRIVATE LANDS WITHIN HIDDEN VILLAGE, FILING No. 6, HAVE HEREUNTO SET THEIR HANDS AND SEALS THIS 20TH DAY OF OCTOBER, 1977.

D. H. Hamilton
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