COUNTY OF LARKER

STATE OF COLORADO

## LIMITED PROTECTIVE COVENANT

The undersigned, Rex S. Miller and Bruce E. Miller ("Owners"), being the owners of the land described on Exhibit A incorporated herein by this reference (the "Property"), do hereby make the following limited protective covenant for the benefit of said owners, their grantees, successors and assigns and for the Town of Estes Park.

- 1. Limitation of Use. The Property will not be used for any purpose other than for further expansion of The Lewiston Townhouse Condominiums in accordance with the Condominium Declaration for The Lewiston Townhouse Condominiums recorded on November 13, 1979 in Book 2004 at Page 274 of the Larimer County, Colorado records, without the written consent of the Town of Estes Park.
- 2. Enforcement. If the Owners shall violate or attempt to violate this limited protective covenant, it shall be lawful for any person or persons owning real property in The Lewiston Townhouse Condominium project or for the Town of Estes Park to institute proceedings at law or in equity to enforce the provisions of this instrument, to restrain the person violating or threatening to violate said provisions, and to recover damages, actual and punitive, for such violations, including reasonable attorney's fees.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 302 day of July, 1980,

Rex 8. Miller

Swae Wille

STATE OF COLORADO ) ss.

COUNTY OF LARIMER )

The foregoing instrument was acknowledged before me this 30% day of July, 1980, by Rex S. Miller and Bruce E. Miller.

Witness my hand and official seal.

My commission expires 3-16-83

Notary Public

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7 I BC.004.00

## EXHIBIT A TO LIMITED PROTECTIVE COVENANT

A portion of Lots 7, 8, 24 and 25 of Block 10, Second Amended Plat of the Town of Estes Park, Colorado described as follows:

- 1. All of Lct 7 EXCEPT a small triangular shaped area in the NE corner conveyed to the Town of Estes Park for street right-of-way described as follows: Beginning at a point on the North line of Lot 7 that is South 89°32' East (EAST) 259.96 feet from the NW lot corner; thence Southeasterly on a curve to the right whose radius is 28.9 feet a distance of 34.06 feet (chord South 33°18' East 32.13 feet) to the East lot line; thence North 00°28' East 26.62 feet to the NE lot corner; thence along the North lot line North 89°32' West 17.8 feet to the Point of Beginning.
- 2. All of Lot 8 EXCEPT: Beginning at the SW corner of Lot 6 which is also the corner of the North and East lines of Lot 8 extended across Big Horn Drive Street; thence North 89°32' West along the North line of Lot 8 a distance of 82.0 feet; thence South 00°37'04" West, parallel to the East line of Lot 8, 158.46 feet; thence South 89°32' East 82.0 feet to the East lot line; thence North 00°37'04" East (NORTH) 158.46 feet to the Point of Beginning.
- 3. A portion of Lot 25 described as follows: Beginning at the NW corner of the lot; thence South 89°32' East along the lot line (assumed East in original plotting) 323.96 feet to the NE corner; thence South 00°37'04" West 136.5 feet; thence North 87°09' West (North 87°37' West assuming platted lines as due East and West) 321.46 feet; thence North 00°39'37" West 123.14 feet to the Point of Beginning.
- 4. A portion of Lot 24 described as follows: Beginning at the NW lot corner; thence along the West lot line South 00°37'04" West 136.5 feet; thence South 87°09' East 95.02 feet to the Westerly right-of-way of Prospect Drive city street as set by resolution by the Town of Estes Park Board of Trustees on May 19, 1947; thence Northeasterly along the street right-of-way on a curve to the right whose radius is 255.0 feet a distance of 32.14 feet (resultant chord North 43°05'24" East 32.11 feet); thence leaving the street right-of-way North 87°09' West 19.28 feet; thence North 21°37' West 125.2 feet to the South line of Lot 9, Block 10; thence along this line North 89°32' West 50.0 feet to the Point of Beginning.

NOTE: On the recorded Second Amended Plat of the Town of Estes Park major lot lines were assumed North-South and East-West as no other bearings were shown. Later surveys by the U.S. General Land Office designate the North line of the platted Town as being South 89°32' East (True Bearing). The descriptions of the above tracts are based on True Bearings.

EXCEPT THOSE PORTIONS OF THE ABOVE-DESCRIBED GROUND COVERED BY THE LEWISTON TOWNHOUSE CONDOMINIUMS (ORIGINAL DECLARATION, FIRST SUPPLEMENT AND SECOND SUPPLEMENT).

All of the above-described land is in the County of Larimer, State of Colorado.