

272006  
Paid \$30.00

State of Colorado  
County of San Miguel. )

Filed for record: August 5, 1991. Time: 1:25 P.M. and du  
ss recorded in Book 480 Pages 872-877.

ORIGINAL

Gay Cappis-Recorder  
By *Katherine Ziller* Deputy

14/08/2/91

THE ALDASORO RANCH

BUILDING SITE BOUNDARY COVENANT  
(Filing 1)

A. WHEREAS Aldasoro LTD., a Colorado limited partnership, is the owner of the following described real property located in San Miguel County, Colorado:

Lots 1 through 7, 12 through 40, 42, 43, 46 through 52, The Aldasoro Ranch, Filing 1, a Planned Unit Development located in a portion of the Scott and McDonald, Bernice and Oneita Placers, M.S. 6809, Upper San Miguel Mining District, and a portion of the S $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 21, NW $\frac{1}{4}$  of Section 28 and the SE $\frac{1}{4}$ NE $\frac{1}{4}$  and E $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 29, all in Township 43 North, Range 9 West, N.M.P.M., according to the plat recorded in the office of the Clerk and Recorder in Plat Book 1 at pages 1153 to 1157.

B. WHEREAS, Aldasoro LTD., wishes to preserve and enhance the views, privacy, visual impact and values of the lots located in The Aldasoro Ranch and mitigate the impacts on wildlife by restricting the location of improvements on each lot.

NOW, THEREFORE, Aldasoro LTD., for itself, its successors and assigns covenants as follows:

1. Designation of Building Site Boundary. Subject to the covenants, conditions, easements and restrictions contained in (i) the General Declaration for The Aldasoro Ranch ("General Declaration"), recorded in the office of the San Miguel County Clerk and Recorder in Book 480 at page 817-63 and (ii) the final plat for The Aldasoro Ranch, Filing 1 recorded in Plat Book 1 at page 1153-1157, improvements may be constructed on only the following portions of the corresponding lots (collectively "Building Site Boundaries"):

1.1 Lot 1: That portion of Lot 1, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the northern most corner of Lot 1 of the Aldasoro Ranch Filing 1; thence S 28° 41' 22" W, 418.27 feet to said centerpoint.

1.2 Lot 2: That portion of Lot 2, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the south west corner of Lot 2 of the Aldasoro Ranch Filing 1; thence N 28° 46' 09" E, 412.33 feet to said centerpoint.

1.3 Lot 3: That portion of Lot 3, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the north east corner of Lot 3 of the Aldasoro Ranch Filing 1; thence S 83° 58' 20" W, 314.43 feet to said centerpoint.

1.4 Lot 4: That portion of Lot 4, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the south east corner of Lot 4 of the Aldasoro Ranch Filing 1; thence N 34° 57' 25" W, 124.69 feet to said centerpoint.

1.5 Lot 5: That portion of Lot 5, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the south east corner of Lot 5, of the Aldasoro Ranch Filing 1; thence N 13° 37' 07" E, 319.84 feet to said centerpoint.

1.6 Lot 6: That portion of Lot 6, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the north east corner of Lot 6, of the Aldasoro Ranch Filing 1; thence S 42° 45' 34" W, 342.49 feet to said centerpoint.

1.7 Lot 7: That portion of Lot 7, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the northern most corner of Lot 7, of the Aldasoro Ranch Filing 1; thence S 37° 32' 55" W, 397.17 feet to said centerpoint.

1.8 Lot 12: That portion of Lot 12, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the North East corner of Lot 12, of the Aldasoro Ranch Filing 1; thence S 18° 07' 07" W, 155.12 feet to said centerpoint.

1.9 Lot 13: That portion of Lot 13, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the North East corner of Lot 13, of the Aldasoro Ranch Filing 1; thence S 36° 52' 22" W, 214.19 feet to said centerpoint.

1.10 Lot 14: That portion of Lot 14, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the South East corner of Lot 14, of the Aldasoro Ranch Filing 1; thence N 61° 26' 12" W, 176.51 feet to said centerpoint.

1.11 Lot 15: That portion of Lot 15, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the Northern most corner of Lot 15, of the Aldasoro Ranch Filing 1; thence S 01° 09' 38" E, 192.50 feet to said centerpoint.

1.12 Lot 16: That portion of Lot 16, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the South East corner of Lot 16, of the Aldasoro Ranch Filing 1; thence N 03° 02' 58" W, 185.75 feet to said centerpoint.

1.13 Lot 17: That portion of Lot 17, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the South East corner of Lot 17, of the Aldasoro Ranch Filing 1; thence N 35° 16' 53" W, 265.25 feet to said centerpoint.

1.14 Lot 18: That portion of Lot 18, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the North East corner of Lot 18, of the Aldasoro Ranch Filing 1; thence S 74° 36' 57" W, 212.14 feet to said centerpoint.

1.15 Lot 19: That portion of Lot 19, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the Northern most corner of Lot 19, of the Aldasoro Ranch Filing 1; thence S 34° 39' 52" W, 174.35 feet to said centerpoint.

1.16 Lot 20: That portion of Lot 20, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the South East corner of Lot 20, of the Aldasoro Ranch Filing 1; thence S 72° 49' 27" E, 210.75 feet to said centerpoint.

1.17 Lot 21: That portion of Lot 21, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the North West corner of Lot 21, of the Aldasoro Ranch Filing 1; thence S 64° 46' 07" E, 324.01 feet to said centerpoint.

1.18 Lot 22: That portion of Lot 22, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the Northern most corner of Lot 22, of the Aldasoro Ranch Filing 1; thence S 00° 01' 42" E, 275.81 feet to said centerpoint.

1.19 Lot 23: That portion of Lot 23, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the Northern most corner of Lot 23, of the Aldasoro Ranch Filing 1; thence S 20° 30' 16" W, 208.40 feet to said centerpoint.

1.20 Lot 24: That portion of Lot 24, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the Northern most corner of Lot 24, of the Aldasoro Ranch Filing 1; thence S 22° 17' 37" E, 147.40 feet to said centerpoint.

1.21 Lot 25: That portion of Lot 25, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the Northern most corner of Lot 25, of the Aldasoro Ranch Filing 1; thence S 13° 16' 00" W, 185.20 feet to said centerpoint.

1.22 Lot 26: That portion of Lot 26, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the North West corner of Lot 26, of the Aldasoro Ranch Filing 1; thence S 58° 15' 04" E, 126.00 feet to said centerpoint.

1.23 Lot 27: That portion of Lot 27, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the North East corner of Lot 27, of the Aldasoro Ranch Filing 1; thence S 28° 15' 00" W, 278.34 feet to said centerpoint.

1.24 Lot 28: That portion of Lot 28, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the North East corner of Lot 28, of the Aldasoro Ranch Filing 1; thence S 28° 52' 33" W, 321.67 feet to said centerpoint.

1.25 Lot 29: That portion of Lot 29, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the Southern most corner of Lot 29, of the Aldasoro Ranch Filing 1; thence N 19° 16' 02" W, 163.14 feet to said centerpoint.

1.26 Lot 30: That portion of Lot 30, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the North East corner of Lot 30, of the Aldasoro Ranch Filing 1; thence S 32° 26' 50" W, 328.16 feet to said centerpoint.

1.27 Lot 31: That portion of Lot 31, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the North West corner of Lot 31, of the Aldasoro Ranch Filing 1; thence S 49° 46' 56" E, 384.46 feet to said centerpoint.

1.28 Lot 32: That portion of Lot 32, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the Northern most corner of Lot 32, of the Aldasoro Ranch Filing 1; thence S 20° 52' 28" W, 298.91 feet to said centerpoint.

1.29 Lot 33: That portion of Lot 33, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the North East corner of Lot 33, of the Aldasoro Ranch Filing 1; thence S 57° 15' 37" W, 256.10 feet to said centerpoint.

1.30 Lot 34: That portion of Lot 34, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the Southern most corner of Lot 34, of the Aldasoro Ranch Filing 1; thence N 14° 33' 43" W, 145.12 feet to said centerpoint.

1.31 Lot 35: That portion of Lot 35, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the Northern most corner of Lot 35, of the Aldasoro Ranch Filing 1; thence S 04° 46' 44" E, 224.83 feet to said centerpoint.

1.32 Lot 36: That portion of Lot 36, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the North East corner of Lot 36, of the Aldasoro Ranch Filing 1; thence S 52° 28' 16" W, 575.92 feet to said centerpoint.

1.33 Lot 37: That portion of Lot 37, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the North West corner of Lot 37, of the Aldasoro Ranch Filing 1; thence S 65° 01' 40" E, 235.83 feet to said centerpoint.

1.34 Lot 38: That portion of Lot 38, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the North West corner of Lot 38, of the Aldasoro Ranch Filing 1; thence S 40° 50' 14" E, 242.92 feet to said centerpoint.

1.35 Lot 39: That portion of Lot 39, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the North West corner of Lot 39, of the Aldasoro Ranch Filing 1; thence S 59° 55' 44" E, 465.41 feet to said centerpoint.

1.36 Lot 40: That portion of Lot 40, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the North West corner of Lot 40, of the Aldasoro Ranch Filing 1; thence S 65° 38' 34" E, 473.97 feet to said centerpoint.

1.37 Lot 42: That portion of Lot 42, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the North West corner of Lot 42, of the Aldasoro Ranch Filing 1; thence S 74° 23' 07" E, 449.41 feet to said centerpoint.

1.38 Lot 43: That portion of Lot 43, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the North East corner of Lot 43, of the Aldasoro Ranch Filing 1; thence S 70° 51' 52" W, 175.76 feet to said centerpoint.

1.39 Lot 46: That portion of Lot 46, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the Northern most corner of Lot 46, of the Aldasoro Ranch Filing 1; thence S 33° 08' 32" E, 577.24 feet to said centerpoint.

1.40 Lot 47: That portion of Lot 47, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the North East corner of Lot 47, of the Aldasoro Ranch Filing 1; thence S 43° 20' 00" W, 485.30 feet to said centerpoint.

1.41 Lot 48: That portion of Lot 48, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the Southern most corner of Lot 48, of the Aldasoro Ranch Filing 1; thence N 31° 09' 52" E, 216.95 feet to said centerpoint.

1.42 Lot 49: That portion of Lot 49, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the North West corner of Lot 49, of the Aldasoro Ranch Filing 1; thence S 46° 34' 17" E, 374.95 feet to said centerpoint.

1.43 Lot 50: That portion of Lot 50, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the South West corner of Lot 50, of the Aldasoro Ranch Filing 1; thence N 18° 14' 59" E, 408.96 feet to said centerpoint.

1.44 Lot 51: That portion of Lot 51, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the South West corner of Lot 51, of the Aldasoro Ranch Filing 1; thence N 34° 38' 23" E, 419.72 feet to said centerpoint.

1.45 Lot 52: That portion of Lot 52, the Aldasoro Ranch which is located within a circle whose radius is 60 feet and whose centerpoint is described as follows: Commencing at the North East corner of Lot 52, of the Aldasoro Ranch Filing 1; thence S 63° 14' 32" W, 396.10 feet to said centerpoint.

2. Restriction on Construction and Location. Improvements. including but not limited to excavations, buildings, decks, patios, roof overhangs, play areas, swimming pools, tennis courts, and enclosed parking areas may not be located or constructed on a respective lot outside of the corresponding Building Site Boundary. In extremely extraordinary circumstances that would impose a substantial hardship on an applicant, the Design Review Board of The Aldasoro Ranch Homeowners Company ("DRB"), in its sole discretion, may grant limited exception to this covenant; however, the DRB shall exercise its discretion cautiously. Except in extremely extraordinary circumstances, it is anticipated that only driveways, underground utilities, limited surface parking and landscaping will be allowed outside of the Building Site Boundary. The DRB's consent may include but is not limited to, the expansion or relocation of a Building Site Boundary. Nothing in this paragraph shall be construed to authorize the construction of any improvement, including but not limited to excavations, buildings or landscaping within a Building Site Boundary without the prior written approval of the DRB pursuant to the Design Regulations.

3. Burden on Land. This covenant shall be deemed to be a covenant running to the benefit of all Owners of Sites in The Aldasoro Ranch and the Homeowners Company and shall be deemed to be a burden that touches, concerns and runs with the title to the real property described in paragraph A above.

*Amended  
in  
Amendment  
#1*

4. Attorney's Fees. If any Owner or the Homeowners Company initiates any action or suit to enforce the terms of this covenant, then the prevailing party shall receive, in any such action or suit, as damages, in addition to any other damages or remedies rewarded, all costs, fees and attorney's fees which the prevailing party incurs with respect to this covenant.

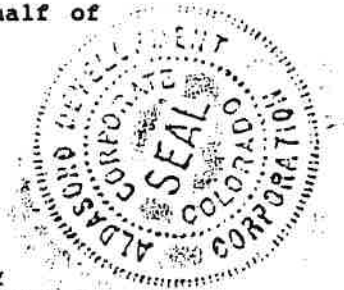
5. Amendment or Termination. Aldasoro LTD. may amend, delete or terminate any or all portions of this covenant at any time. Any amendment shall be in furtherance of the purposes set forth in paragraph B above and the applicable provisions of the General Declarations. Any amendment to, deletion of or termination of this covenant shall only become effective upon the recording of such amendment, deletion or termination in the real property records of the office of the San Miguel County Clerk and Recorder. Nothing to the contrary withstanding, at any time on or before August 1, 2001 and upon receipt of approval from the owner of the affected lot, Aldasoro LTD., in its sole discretion, may expand or relocate a Building Site Boundary.

6. Liquidated Damages. Any Owner who is adjudged by a court of competition jurisdiction to be in violation of this covenant shall be subject to the liquidated damages provisions of paragraph 9.4 of the General Declaration.

DATED: \_\_\_\_\_, 1991

ALDASORO LTD., a Colorado limited partnership, by ALDASORO DEVELOPMENT CORPORATION, the sole general partner on behalf of ALDASORO LTD.

By Albert J. Aldasoro  
Albert J. Aldasoro, President



STATE OF COLORADO )  
                                  ) ss.  
COUNTY OF SAN MIGUEL )

Acknowledged, subscribed and sworn to before me this 1st day of August, 1991, by Albert J. Aldasoro as President for Aldasoro LTD., a Colorado limited partnership, by Aldasoro Development Corporation, its sole general partner.

Witness my hand and official seal.  
My commission expires: 02/24/95

Cristine Aldasoro  
Notary Public

SEAL

c:build.loc  
f:H1.4.1

