

**1100 Kit Carson Rd - Westcliffe, CO 81252 - Custer County- SE**

MLS: 2516710 - SFB - Active - \$585,000

**MLS #:** 2516710 **File #:**  
**Status:** Active **Status Changed:** 04/22/2024  
**List Price:** **\$585,000** **Org. List Price:** \$585,000  
**Listing Type:** For Sale **Property Type:** Single Family Building  
**Style:** 1 story above ground **Zoning:** Rural residential  
**Subtype:** CC&R's-Yes, Site Built, Resale Home, HOA-Yes  
**HOA/Month:** \$8.33/month -- Includes: Administrative

**General Listing Information:**

**Beds:** 2 **Sq Ft Total:** 960 **Acres:** 35.5  
**Full Baths:** 1 **Sq Ft Main:** 960 **Lot Sq Ft:** 1,546,380  
**1/2 Baths:** 0 **Sq Ft Upstairs:** 0 **Lot Dim:**  
**3/4 Baths:** 0 **Sq Ft Downstairs:** 0 **Frontage:**  
**# Garage:** 2 Attached, Auto Door(s), Remote O **Depth:**  
**Garage Sq. Ft.:** 720 **Sq Ft Other:** 0 **Yr Built:** 2016  
**# Carport:** 0 **Sq Ft Unfinished:** 0 **Yr Remodeled:**  
**# Levels:** 1 (1 above ground) **Sq Ft Source:** Assessor **Total Rooms:** 6  
**Finance Terms:** Cash, Conv. **Bsmt Type:** None **Main Bdrm Lvl:** Main

**Floorplan & Room Dimensions:**

Level	Name	Dims	Ceil.	Remarks	Level	Name	Dims	Ceil.	Remarks
Main	Bath Full	5x8.5			Main	Laundry	5x7.6		
Main	Bedroom	10.8x12			Main	Living	15.8x14.8		
Main	Kitchen	10x14.8			Main	Main Bedroom	10.8x10.6		

**Location Information:**

**Address:** 1100 Kit Carson Rd - Westcliffe, CO 81252 - #: 294 **Elem. School:** Custer County  
**Area:** Custer County- SE **Section:** **Middle School:** Custer County  
**County:** Custer **Range:** **Jr High School:** Custer County  
**Subdivision:** Centennial Ranch **Township:** **High School:** Custer County  
**Gate #:** **Tax APN #:** 0010236896, 1285720 **GPS:** N37° 56.113' W105° 18.751'  
**Legal Desc.:** LOT 294 CENTENNIAL RANCH LYING IN CUSTER CO CONT 1.38 AC M/L & LOT 294 CENTEN 37.93521290 -105.31251850  
**Directions:** From Westcliffe\* head South on HWY 69 approx 16 miles, left on Pass Peak Drive for 1 mi, gate at driveway at intersection of Pass Peak Dr and Kit Carson Rd.

**Construction Information:**

**Exterior Constr:** Frame, Siding-Steel **Roof Type:** Metal **Foundation:** Slab on Grade  
**Heating:** Electric, Wood Burn. Stove **Air Cond.:** None

**Comments/Remarks: Energy Efficient Home with Beautiful Open Mountain Views!**

**Public Remarks:** Welcome to Prepper's Paradise! A newer built, energy efficient, solar powered and generator capable home. Pulling up to this 35.5 acre property, you'll notice the gated drive, fully fenced and cross-fenced acreage. Down the long drive, you'll pull up to the front of the metal sided and roofed home with poured concrete, covered, wrapped porch. As you step out of your car, you can't help but admire the entire scope of the Sangre de Cristo range. Ever changing, gorgeous orange to brilliant red sunsets will be yours! As you enter the front door of the home, a very comfortable space welcomes you with an open living, dining and kitchen concept. Newer appliances in the kitchen, separate laundry room with entrance to the over-sized 2-car garage. Ample storage above the garage is double insulated. You'll appreciate the large storage room and stall area. Back inside, a new wood burning fireplace in the living room keeps you very cozy, and as an additional benefit a thermostat controlled propane vented wall heater is in the dining area. An on-demand water heater has been installed, and this two-bedroom, one-bath home has great potential to the right buyers! Schedule your showing today!

**Utilities Services:**

**Utilities:** Legal Access: Yes, Phone: Cell Service, Power Source: Generator, Power Source: Solar, Power: 220 volt, Propane: Hooked-up, Septic: Has Permit, Septic: Has Tank, Water: Private Well (Drilled)

**Features:**

**Features Prop.:** Access- All Year, Fenced- Full, Garden Area, Horse Property, Out Buildings, Porch, View of Mountains  
**Features Int.:** Ceiling Fans, Flooring: Carpet, Flooring: Laminate/Vinyl, Flooring: Wood (Hardwood), Wood Burning Stove  
**Appliances:** Microwave, Oven/Range, Refrigerator, W/D Hookups, Washer & Dryer, Water Heater

Listed By: Raven Thacker - Summit &amp; Main Realty Group

For more information contact: Summit &amp; Main Realty Group - Office: (719) 792-9108



**MLS #: 2516710 continued...**

If you have any questions or would like more information about this listing or any other listings in the MLS, please contact:



**Summit & Main Realty Group**  
95 Main Street Suite A, PO Box 867  
Westcliffe, CO 81252

Office: (719) 792-9108  
[www.summitandmain.com](http://www.summitandmain.com)

Trinidad Office  
 412 Benedicta Ave.  
 Trinidad, CO 81082  
 (719) 846-2213; Fax: (719) 846-4472



Walsenburg Office  
 119 East Fifth Street  
 Walsenburg, CO 81089  
 (719) 738-2650; Fax: (719) 738-2653

# 416

**APPLICATION AND PERMIT FOR  
 ON-SITE WASTEWATER TREATMENT SYSTEMS**

Mileage: \_\_\_\_\_  
 Zone: \_\_\_\_\_

Date Paid: 9/19/16  
 Receipt #: 071013

Property Owner John + Pam Thayer  
 Current Address \_\_\_\_\_  
 Agent \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_  
 Address of Site 1100 Kit Carson Rd Westcliffe, Co 81252  
 Legal Description of Site lot 299 Centennial Ranch  
 Size of Property 35 acres Water Supply: ( ) (Private Well) ( ) Public \_\_\_\_\_  
 Type of Structure ( ) Single Family Dwelling X ( ) # of Bedrooms 2 ( ) Other \_\_\_\_\_  
 Plumbing Fixtures in Structure: Water Closets 0 Lavatories 1 Bathtubs 1  
 Showers 1 Sinks 2 Automatic Washers 1 Dishwashers \_\_\_\_\_  
 Other \_\_\_\_\_ # of Anticipated Users \_\_\_\_\_

**AN ACCURATE PLOT PLAN AS DESCRIBED ON PAGE 3 MUST ACCOMPANY  
 THIS APPLICATION  
 THIS PERMIT WILL EXPIRE ONE (1) YEAR FROM DATE OF ISSUE  
 REACTIVATION FEE WILL BE \$200.00  
 PAYMENT DUE PRIOR TO COMPLETION OF SEPTIC SYSTEM**

Application for an individual sewage disposal system permit is hereby submitted, together with the plans, specification, and the required fee. All fees are non-refundable and are subject to change.

- Five hundred twenty-five dollars (\$525) New System
- Two hundred dollars (\$200) Remodeling Permit
- Two hundred dollars (\$200) Existing Septic System (hook-up/search)

The undersigned does hereby agree to comply with all Las Animas-Huerfano Counties District Health Department stipulation, the provisions of Regulation VIII, and all applicable State Laws and Regulations (please read reverse side).

**THE HEALTH DEPARTMENT WILL NOT BE HELD RESPONSIBLE FOR ANY  
 SEPTIC SYSTEM FAILURE!!!**

Signature of Owner or Agent John E. Thayer Date 9-19-16  
 \*\*\*\*\*

(THIS AREA FOR HEALTH DEPARTMENT USE ONLY)

Percolation Test: Date: \_\_\_\_\_ By Whom: \_\_\_\_\_ Date: \_\_\_\_\_ Min/Inch \_\_\_\_\_  
 Soil Profile: Depth to Water Table \_\_\_\_\_ Depth to Bedrock \_\_\_\_\_  
 Other Terrain Features of Soil Conditions \_\_\_\_\_  
 Installed by: S. J. WAS

Minimum Requirements: 1000 Gal. Septic Tank  
150 Sq. Ft. Leach Lines  
 \_\_\_\_\_ Sq. Ft. Leaching Bed

Comments and/or stipulations: Must Maintain all Minimum Distances (See Chart on Reverse Side)

Las Animas-Huerfano Counties District Health Department ( ) Denied  Approved  
 By: [Signature] Date: 9-28-16  
 Expiration Date: 9-17

Equal Housing Opportunity: All listings are offered in compliance with the Federal Fair Housing Act. The accuracy of this information is not guaranteed. It is not to be relied upon and should be verified by the buyer.



# APPLICATION FOR ON-SITE WASTE WATER SYSTEM PERMIT

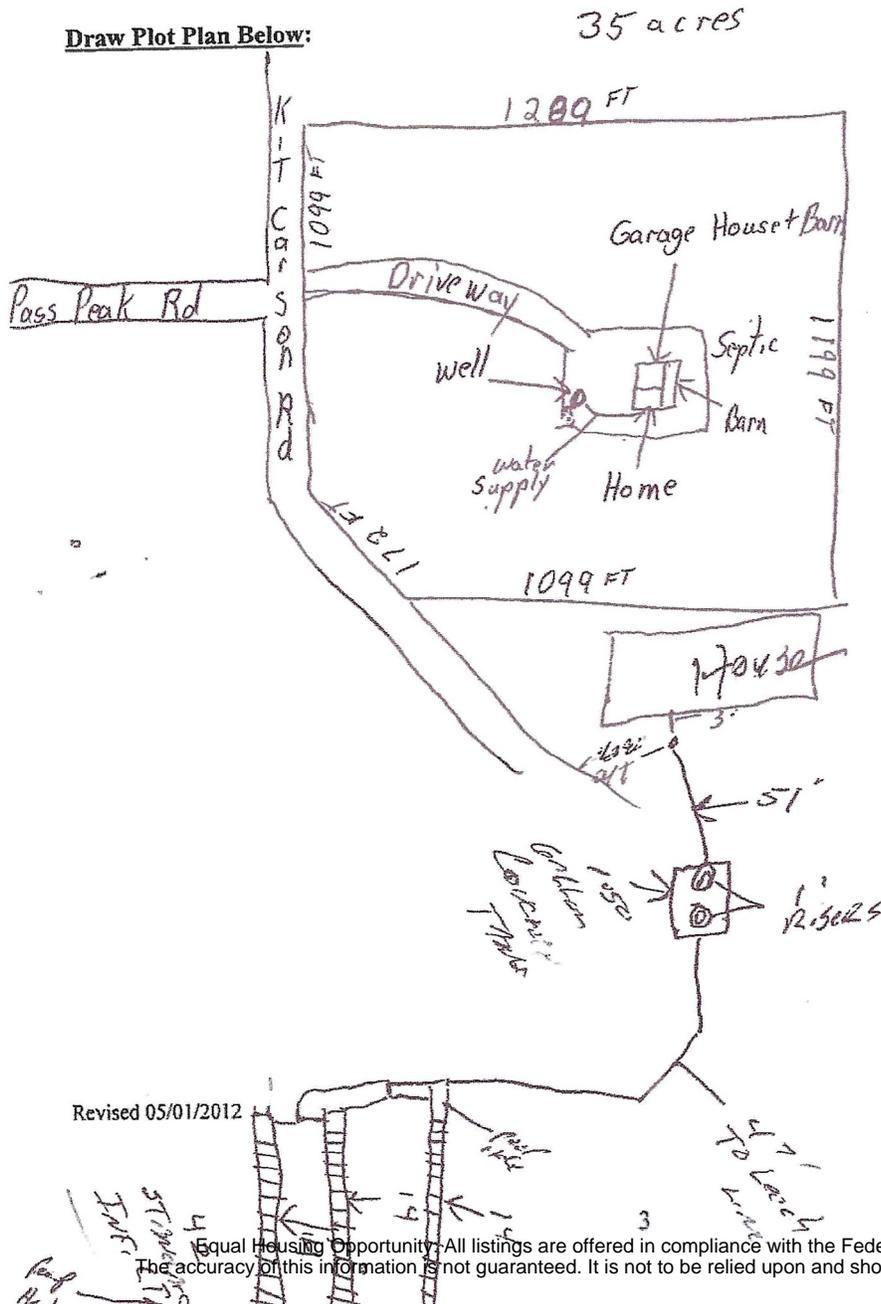
**Plot Plan Must Include the Following:**

(All locations must be indicated by measured distances)

1. Accurate property dimensions and size of property. (survey preferred)
2. Proposed location of sewage disposal system and alternate area.
3. Location of streams, lakes, ditches and drainage areas on and within 50 feet of property.
4. Location of water supply line to the dwelling and any out buildings.
5. Accurate location of ALL WELLS existing or proposed on and within 150 feet of the property.
6. Location of proposed and existing buildings.
7. Type of buildings by use.
8. Such additional information as may be required by the Health Officer.

**An incomplete plot plan will cause delays in issuance of the permit.**

**Draw Plot Plan Below:**



# Soil Analysis Report

**Site Evaluator:**

David Nequette  
Nequette Drilling and Excavation, Inc  
PO Box 186  
Westcliffe, CO 81252

Phone: 719-783-3000

Email: [nequettedrilling@gmail.com](mailto:nequettedrilling@gmail.com)

CPOW Certification for Soil Evaluation

Completed and parsed 10/17/2014

**Customer:**

Name: John & Pam Thayer

Address: PO Box 175 Westcliffe, CO 81252

**Contractor:**

Name: Nequette Drilling

Mailing Address: PO Box 186 Westcliffe

Phone: 719-783-3000

Email: [nequettedrilling@gmail.com](mailto:nequettedrilling@gmail.com)

**Legal Description: Centennial Ranch L294**

**Address of Property: 1100 Kit Carson Rd**

**Date: 10/31/2016 Site Visit**

## Soil Log

Depth	Soil Classification
0 ft - 8 ft	sand, loamy sand & Rock 15% +/-

Soil type: -

Bedrooms: 2                      Bathrooms: 1

Long Term Acceptance Rate (LTAR): 0.80

Field Size - Pipe & Gravel: 375 sq ft

Depth to Groundwater: 8-++

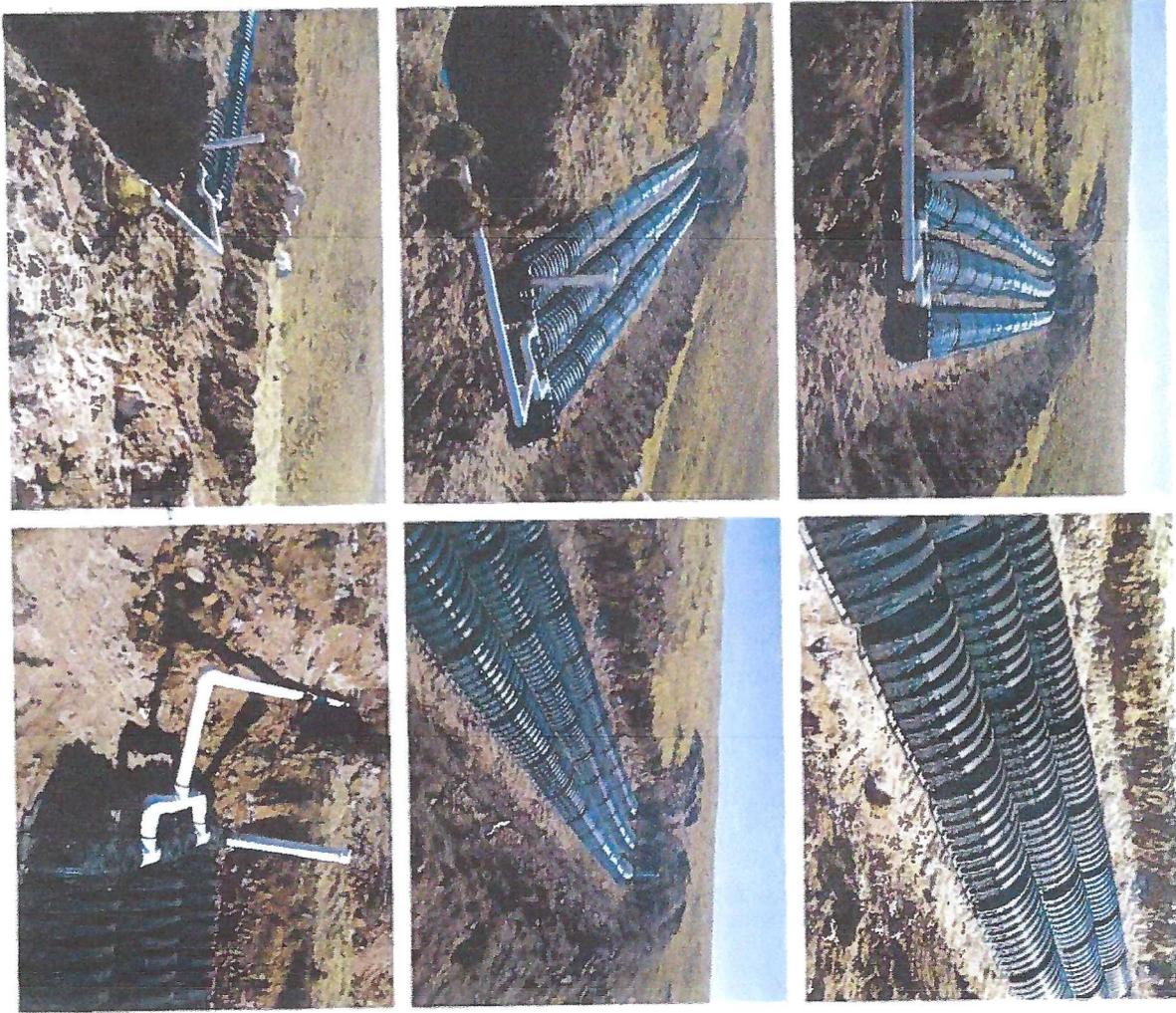
Type of Equipment Used: Backhoe

Signature \_\_\_\_\_

Date \_\_\_\_\_

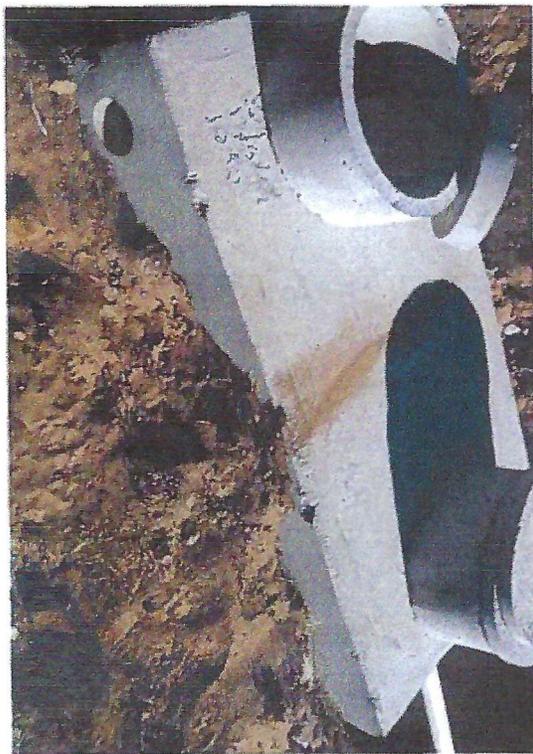
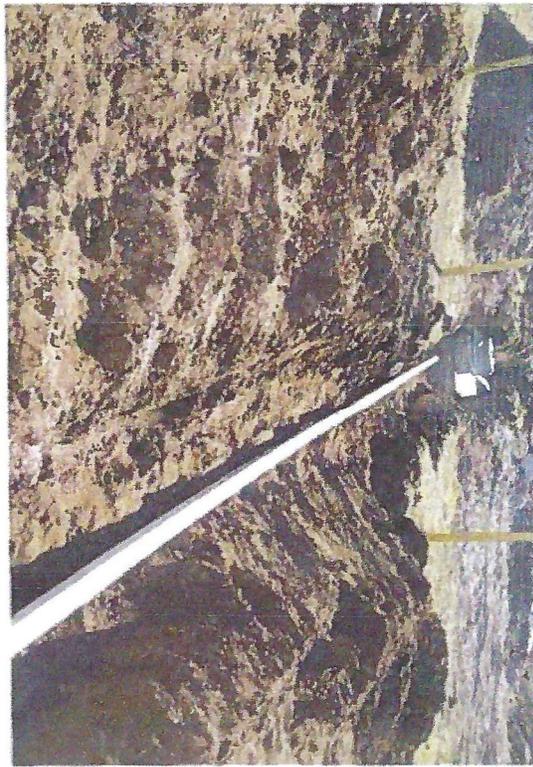
Date \_\_\_\_\_



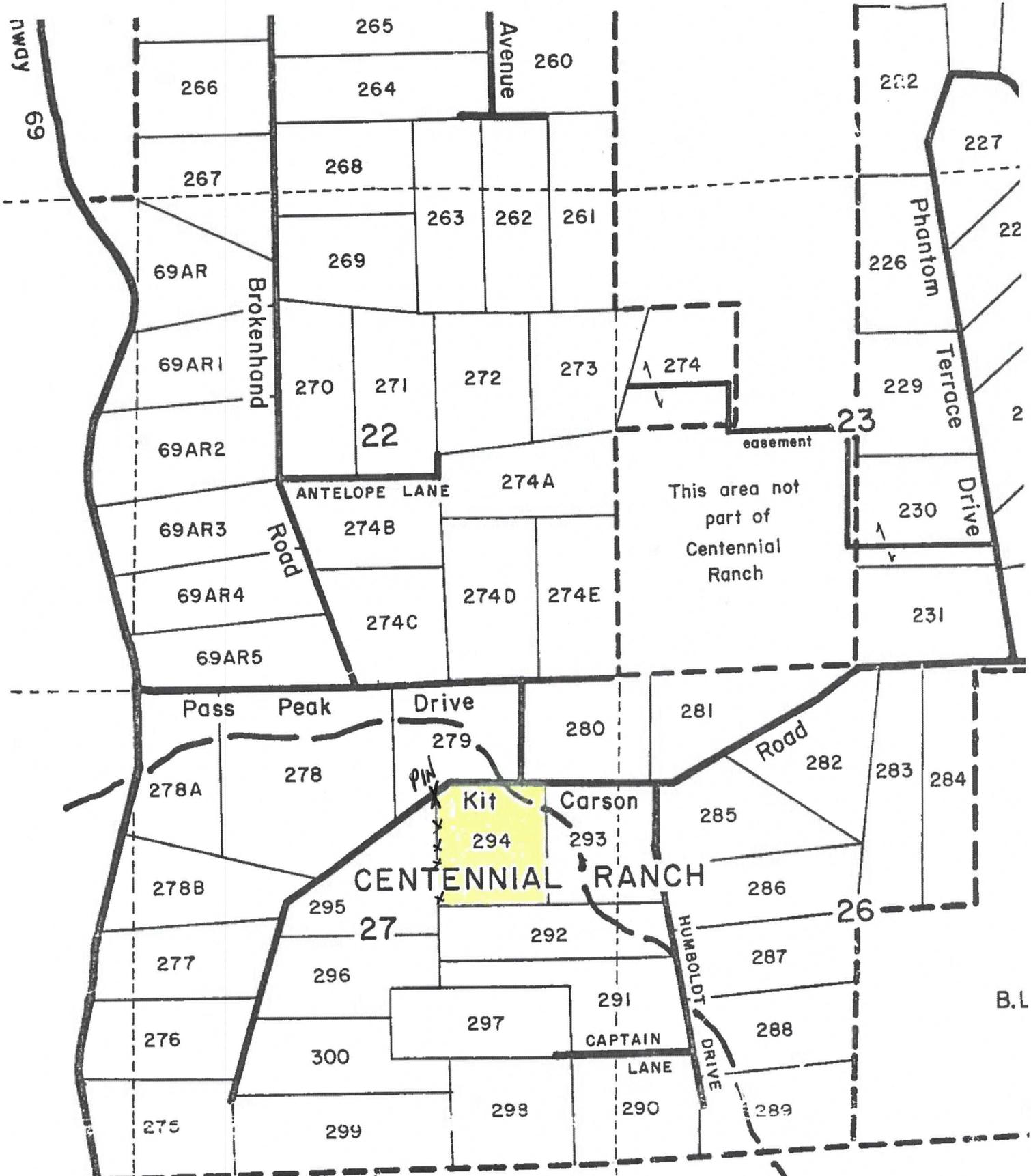


11-9-16

James P. P. P.  
Shayel



*Sub-Open Trapper*



**Maps/diagrams for directional purposes only.**  
**Summit & Main Realty Group**

E

F



Gardner

Equal Housing Opportunity: All listings are offered in compliance with the Federal Fair Housing Act. The accuracy of this information is not guaranteed. It is not to be relied upon and should be verified by the buyer.

Form No. GWS-25

OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

LIC

WELL PERMIT NUMBER 303236
DIV. 2 WD 79 DES. BASIN MD

APPLICANT

JOHN & PAMELA THAYER
PO BOX 175
WESTCLIFFE, CO 81252-

(304) 549-4520

PERMIT TO CONSTRUCT A WELL

APPROVED WELL LOCATION

HUERFANO COUNTY
1/4 NE 1/4 Section 27
Township 24 S Range 71 W Sixth P.M.

DISTANCES FROM SECTION LINES

Ft. from Section Line
Ft. from Section Line

UTM COORDINATES (Meters, Zone: 13, NAD83)

Easting: 472534 Northing: 4198715

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights.
2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
3) Approved pursuant to CRS 37-92-602(3)(b)(II)(A) as the only well on a tract of land of 35.00 acres described as lot 294, Centennial Ranch division of land, Huerfano County.
4) The use of ground water from this well is limited to fire protection, ordinary household purposes inside not more than three (3) single family dwellings, the watering of poultry, domestic animals and livestock on a farm or ranch and the irrigation of not more than one (1) acre of home gardens and lawns.
5) The pumping rate of this well shall not exceed 15 GPM.
6) The return flow from the use of this well must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located.
7) Pursuant to Rule 6.2.3 of the Water Well Construction Rules, the well construction contractor shall submit the as-built well location on work reports required by Rule 17.1 within 60 days of completion of the well. The measured location must be accurate to 200 feet of the actual location. The location information must include a GPS location (UTM coordinates) pursuant to the Division of Water Resources' guidelines.

NOTICE: This permit has been approved for the following change, the approved well location was determined from this office's internal mapping software. You are hereby notified that you have the right to appeal the issuance of this permit, by filing a written request with this office within sixty (60) days of the date of issuance, pursuant to the State Administrative Procedures Act (See Section 24-4-104 through 106, C.R.S.)

NOTE: The approved well location, above, is for internal mapping purposes only and is not meant to constrain the location of the well. The well may be located anywhere on the previously described tract of land as designated herein.

NOTE: This permit will expire on the expiration date unless the well is constructed by that date. A Well Construction and Yield Estimate Report (GWS-31) must be submitted to the Division of Water Resources to verify the well has been constructed. An extension of the expiration date may be available. Contact the DWR for additional information or refer to the extension request form (GWS-64) available at: http://www.water.state.co.us

APPROVED CRF

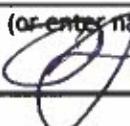
Dick Wolfe by State Engineer

Calvin Foy By EXPIRATION DATE 10-19-2018

Receipt No. 3676401

DATE ISSUED 10-19-2016



Form No. GWS-32 10/2016	<b>PUMP INSTALLATION AND PRODUCTION EQUIPMENT TEST REPORT</b> State of Colorado, Office of the State Engineer 1313 Sherman St., Room 821, Denver, CO 80203 303.866.3581 <a href="http://www.water.state.co.us">www.water.state.co.us</a> and <a href="mailto:dwrpermitsonline@state.co.us">dwrpermitsonline@state.co.us</a>		For Office Use Only <b>RECEIVED</b>  NOV 14 2017  WATER RESOURCES STATE ENGINEER COLO
1. Well Permit Number: 303236		Receipt Number: 3676401	
2. Owner's Well Designation: n/a			
3. Well Owner Name: John and Pamela Thayer			
4. Well Location Street Address: 1100 Kit Carson Rd, Westcliffe, CO 81252			
5. GPS Well Location: <input type="checkbox"/> Zone 12 <input checked="" type="checkbox"/> Zone 13		Easting: 472534 Northing: 4198715 County: Huerfano	
6. Legal Well Location: SE 1/4, NE 1/4, Sec. 27 Twp. 24 <input type="checkbox"/> N or S <input checked="" type="checkbox"/> E or W		Range 71 <input type="checkbox"/> E or W <input checked="" type="checkbox"/> sec. line	
Distances from Section Lines: _____ ft. from <input type="checkbox"/> N or S <input type="checkbox"/> sec. line, and _____ ft. from <input type="checkbox"/> E or W <input type="checkbox"/> sec. line		Subdivision: Centennial Ranch _____, Lot 294, Block _____, Filing (Unit) _____	
7. Check Installation Type: <input checked="" type="checkbox"/> Initial Pump Installation		<input type="checkbox"/> Replacement Pump <input type="checkbox"/> Change in Depth Only <input type="checkbox"/> Repair	
8. Pump Data: Type: Submersible		Date Installed(mm/dd/yyyy): 12/05/2016	
Pump Manufacturer: Goulds		Pump Model No. 5HS104	
Design GPM: 5 at RPM 3450		HP 1 Volts 230 Full Load Amps 10	
Pump Intake Depth: 466 Feet, Drop/Column Pipe Size Inches, 1"		Kind of Drop Pipe SCH 80 PVC	
Additional Information for Pumps Greater Than 50 GPM: Turbine Driver Type: <input type="checkbox"/> Electric <input type="checkbox"/> Engine <input type="checkbox"/> Other			
Design Head: _____ feet		Number of Stages: _____ Shaft size: _____ inches	
9. Other Equipment:			
Airline Installed: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Orifice Depth ft. _____		Monitor Tube Installed: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Depth ft. _____	
Flow Meter Mfg. _____		Meter Serial No. _____	
Meter Readout: <input type="checkbox"/> Gallons, <input type="checkbox"/> Thousand Gallons, <input type="checkbox"/> Acre feet		Beginning Reading: _____	
10. Cistern Information: Material: _____		Capacity: _____ gallons Date Installed: _____	
11. Production Equipment Test Data: <input type="checkbox"/> check box if data is submitted on Form Number GWS-39 Well Yield Test Report.			
Date: _____			
Total Well Depth: 510 ft.		Time: _____	
Static Level: 285 ft.		Rate (gpm): 9	
Date Measured: 12/05/2016		Pumping Level (ft): 466	
12. Disinfection: Type: H.T.H		Amt. Used: 10 oz	
13. Notification: Was Advanced Notification Required Prior to Installation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Date Notification Given: _____			
14. Water Quality analysis available: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If yes, please submit with this report.	
15. Remarks:			
16. I have read the statements made herein and know the contents thereof, and they are true to my knowledge. This document is signed (or name entered if filing online) and certified in accordance with Rule 17.4 of the Water Well Construction Rules, 2 CCR 402-2. The filing of a document that contains false statements is a violation of section 37-91-108(1)(e), C.R.S., and is punishable by fines up to \$1,000 and/or revocation of the contracting license. If filing online, the State Engineer considers the entry of the licensed contractor's name to be compliance with Rule 17.4.			
Company Name: Nequette Drilling		Email: nequettedrilling@gmail.com	Phone w/area code: (719) 783-3000
			License Number: 1043
Mailing Address: P.O. Box 186, Westcliffe, CO 81252			
Sign (or enter name if filing online) 		Print Name and Title David Nequette, Pres./Owner	Date: 12/10/2016



Form No  
11/90  
Rev 2/94

WELL CONSTRUCTION AND TEST REPORT  
STATE OF COLORADO, OFFICE OF THE STATE ENGINEER

For Office Use GWS-31  
GWS 31-91-01 REV 2/94

- 1. WELL PERMIT NUMBER: 303236
- 2. OWNER NAME(s): John & Pamela Thayer  
Mailing Address: PO Box 175  
City, St. Zip: Westcliffe, CO 81252  
Phone:
- 3. WELL LOCATION AS DRILLED: SE1/4, NE1/4, Sec. 27, Twp 24S, Rng. 71W, 6th PM  
DISTANCE FROM SEC. LINE:  
ft. from Sec. line and ft. from Sec. line. OR:

RECEIVED

NOV 14 2017

WATER RESOURCES  
STATE ENGINEER COLO

- UTM Coordinates (Meters, Zone: 13, NAD83) Easting: 472534 Northing: 4198715
- SUBDIVISION: Centennial Ranch LOT: 294 BLOCK: FILING:
- 4. GROUND SURFACE ELEVATION: ft. DRILLING METHOD: Air Percussion
- DATE COMPLETED: 10/25/16 TOTAL DEPTH: 525 FT. DEPTH COMPLETED: 510 FT.
- 5. GEOLOGIC LOG:

Depth	Description of Material	Water Loc
0	45 Sand - Gravel and Boulders	X
45	295 Sand - Gravel and Boulders w/some Clay	
295	510 Perolite Clay w/Granite Sands	
510	525 Shale	

- 6. HOLE DIAM. (in): FROM: (ft.) TO (ft.)
- 9 3/4
- 8 3/4 0 59
- 8
- 6 59 525

7. PLAIN CASING:

OD (in)	Kind	Wall Size	From: (ft.)	TO (ft.)
6 5/8	Steel	.188	+1	59
4	PVC-200	.214	10	430

PERF CASING: Screen Slot Size: .025

OD in	Kind	Wall Size	From: (ft.)	TO (ft.)
6 5/8	Steel			
4"	PVC-40	.237	430	510

8. FILTER PACK

Material:  
Size: N/A  
Interval:

9. PACKER PLACEMENT:

Type:  
N/A  
Depth:

10. GROUTING RECORD:

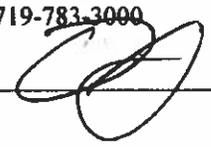
Material: Cement  
Amount: 8 Bags w/ 5.5 gallons water per bag  
Interval: 1' - 49'  
Placement: Poured & Vibrated

- 11. DISINFECTION: Type H.T.H. Amt. Used: 10 oz.
- 12. WELL TEST DATA: Check if Test Data is submitted on Supplemental Form  
TEST METHOD: Air  
Static Level: 285 ft. Date/Time measured: Production Rate: 2+ G.P. Min  
Pumping level: ft. Date/Time measured: Test length (hrs) 2

13. I have read the statement made herein and know the contents thereof, and that they are true to my knowledge. [Pursuant to Section 24-4-104 (13) (a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as class 1 misdemeanor.]

CONTRACTOR: Nequette Drilling Phone: 719-783-3000 Lic No.: 1043

Mailing Address: P.O. Box 186, Westcliffe, CO 81252

Name/Title: David J. Nequette Driller/Owner Signature: 

Date: 10/31/16



STATE OR COLORADO: Filed for Mary Kattnig, Recorder  
COUNTY OR CUSTER: Record Jan 23, 1986 at 10:50 o'clock AM  
Reception No. 142199 Book 199 Page 377-380

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
CENTENNIAL RANCH AND ASPEN MOUNTAIN RANCH

This Declaration of Covenants, Conditions and Restrictions (*Declaration*) is made this 1st day of December, 1985, by BEA KAY REAL ESTATE CORP., a Wisconsin corporation and THOUSAND PEAKS TIMBER AND RANCHING CO., a Colorado corporation (*Declarant*), being the legal owner of all of the following described premises, situated within the Counties of Custer and Huerfano, Colorado, to wit;

See Exhibit A attached hereto and incorporated herein by this reference.

The Declarant has subdivided or intends to subdivide all of the Property and to sell parcels therein (*Parcels*) subject to certain protective restrictions, conditions, limitations, reservations and covenants (*Protective Restrictions*) in order to insure the most beneficial development of the property.

NOW, THEREFORE, the Declarant hereby declares that Protective Restrictions are imposed on the Property as follows:

1. **BINDING EFFECT:** The Declarant intends that from and after the date of recordation of this Declaration, all of the Property shall be subject to the provisions of this Declaration and the provisions of the Declaration shall run with, bind and burden the Property. All conveyances of Property or any Parcel thereof, shall be subject to this Declaration from and after the date of recordation, all provisions thereof shall be binding upon each owner of any Parcel of the Property, his heirs, executors, administrators, successors and assigns, and by accepting deeds to any Parcel of the Property, the owners thereof for themselves and their heirs, executors, administrators, successors and assigns, agree that they shall be personally bound by all provisions of this Declaration.
2. **ZONING RESTRICTIONS:** All Parcels of the Property shall be governed by the rules and regulations imposed by the appropriate County Planning and Zoning Department. Any and all improvements and structures placed on any parcel and development of any Parcel must adhere to such zoning requirements.
3. **NUISANCES:** No noxious or offensive activity shall be carried on upon any Parcel nor shall anything be done thereon which may be or may become an annoyance or detriment to other Parcels.
4. **LIVESTOCK AND POULTRY:** If any animals, livestock or poultry of any kind are raised, bred or kept on any Parcel, said Parcel must be fenced so that no animals, livestock or poultry will encroach onto any other Parcel within the Property. The Declarant or its assigns reserves the right to



graze cattle on Parcels within the Property, unless the owner thereof installs fencing around such Parcel.

5. **GARBAGE AND REFUSE DISPOSAL:** No Parcel shall be used or maintained as a dumping ground for rubbish, trash, garbage and other waste shall not be kept, except in sanitary containers. Approved incinerators or other equipment for the storage or disposal of such material shall be kept in a clean, dry and sanitary condition. No outside rubbish burners shall be allowed. Individual owners must haul garbage off their Parcel within a reasonable time or use a privately owned garbage pickup service which is available in the area of the property.

6. **JUNK:** No Parcel shall be used or maintained as a junkyard or for storing or merchandising of material classified as junk.

7. **RE-SUBDIVIDING:** None of the Parcels shall be re-subdivided into smaller lots or parcels nor conveyed or encumbered in less than the full original dimensions of such Parcels as shown by the recorded Plat referenced above unless and until the purchase price of said Parcel has been paid in full to the Declarant or its successors or assigns, and then only in compliance with the rules and regulations of the appropriate County and the State of Colorado.

8. **ACCESS:** Under no circumstance shall any owner of any Parcel build or cause to be built a fence eliminating access to the easements for utilities and roadways.

9. **SEWAGE DISPOSAL:** Pending availability of sewers, sewage disposal shall be effected by means of individual septic tanks. All septic tanks and disposal fields must be approved by the appropriate County Department of Health.

10. **DRAINAGE:** Under no circumstances shall any owner of any Parcel, be permitted to deliberately alter the topographic conditions of said owner=s Parcel in any way that would permit additional quantities of water from any source. Other than what nature originally intended, to flow from said owner=s Parcel onto any adjoining Parcel or public right-of-way. **EXCEPTION:** The subdivision may find it necessary from time to time to alter the natural drainage of the roads so that the road system would not be damaged by excessive water.

11. **TITLE SUBJECT TO RESTRICTIONS:** Nothing contained in this Declaration shall impair or defeat the lien of any Agreement, Mortgage or Deed of Trust made in good faith and for value, but title to any Parcel obtained through sale in satisfaction of any Agreement, Mortgage or Deed of Trust shall thereafter be held subject to all provisions of this Declaration.

12. **MEMBERSHIP IN CENTENNIAL RANCH AND ASPEN MOUNTAIN RANCH ASSOCIATION:**

Section 1. An Owner of a Parcel shall automatically become a member of the CENTENNIAL RANCH and ASPEN MOUNTAIN RANCH ASSOCIATION (*Association*) and shall remain a member of the Association until such time as his ownership ceases for any

reason, at which time his membership in said Association shall automatically cease. Ownership of a Parcel shall be the sole qualification and criteria for membership.

Section 2. The Association shall have one class of voting membership, as follows:

Members shall be all Owners and shall be entitled to one vote per unit owned. When more than one person holds an interest in any unit, all such persons shall become members. The vote for such unit shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any unit.

13. CREATION OF THE MAINTENANCE ASSESSMENTS: The Declarant, for each Parcel owned within the Properties, hereby covenants, and each Owner of any Parcel by acquiring an ownership interest therein, is deemed to covenant and agree to pay to the Association: (1) annual assessments or charges of a maximum of \$100.00 commencing Jan 1, 1986, as established by the Board of Directors. Such assessment to be established and collected as provided herein. In the event a Parcel has not been sold by Declarant on or before January 1, 1986, the assessment as to the Parcel shall not commence until its first conveyance by Declarant.

The annual and special assessments, together with interest, costs of collection and reasonable attorneys' fees, shall be a charge on the land and shall be a continuing lien upon the Parcel against which each such assessment is made. Each such assessment, together with interest, cost of collection and reasonable attorneys' fees, shall also be the personal obligation of the person who was the Owner of such Parcel at the time when the assessment fell due. The personal obligation for the delinquent assessments shall not pass to his successors in title unless expressly assumed by them.

14. PURPOSE OF ASSESSMENTS: The assessments levied by the Association shall be used exclusively to promote the health, safety and general welfare of the residents in the Properties and for maintenance of the roadways within the Subdivision.

15. EFFECT OF NONPAYMENT OF ASSESSMENTS; REMEDIES OF THE ASSOCIATION: Any assessment, charge, or fee provided for in this Declaration, not paid within thirty (30) days after the due date shall, at the election of the Association, pay a "late charge" in a sum to be determined by the Association. The Association may bring, without electing a remedy, any and all actions and seek any and all relief against the owner personally obligated to pay the same, and/or to foreclose the lien against the Parcel in a like manner as a mortgage of real property. No owner may waive or otherwise escape liability for the assessments provided for hereby by non-use of the roadways or abandonment of his Parcel. In any action taken against the Owner to collect delinquent assessments, the Owner shall be obligated to pay all costs and all attorney fees incurred by the Association.

16. SUBORDINATION OF THE LIEN TO MORTGAGES: The lien of the assessments, provide for herein shall be subordinate to the lien of any first mortgage or deed of trust. Sale or transfer of any Parcel shall not affect the assessment lien. However, the sale or transfer of any Parcel pursuant to mortgage foreclosure, deed of trust sale, or any proceeding in lieu thereof, shall extinguish the lien of such assessments as to payments which became due prior to such sale or transfer. No such

sale or transfer shall relieve such Parcel from liability for any assessments thereafter becoming due or from the lien thereon.

17. DURATION; AMENDMENT: The Protective Restrictions shall be binding on all Parcels of the Property and the owners thereof for a period of 25 years from the date of the original recording thereof, at which time said Protective Restrictions shall automatically become renewed for an additional period of 25 years. Provided, however, that these Protective Restrictions may be amended by written agreement of record owners of 75% (Changed to 67% by Senate Bill 05-100 June 2005) of Units at any time, if such amendments are recorded in the appropriate county recorder's office.

18. ENFORCEMENT: Each and all of the Protective Restrictions shall be enforceable by injunction or by other causes of action available to any owner of a Parcel, or to the Declarant or its successors and assigns. Invalidation of any Protective Restriction by judgment or court order shall in no way affect any other Protective Restriction, and all other Protective Restrictions shall remain unmodified, in full force and effect.

19. ATTORNEYS FEES: In the event that any legal action is brought in order to enforce any of the Protective Restrictions, the party prevailing in such action shall be paid by the non-prevailing party all costs and attorney's fees incurred in such action.

DATED: this 1st day of December, 1985.

BEA KAY REAL ESTATE CORPORATION  
A Wisconsin corporation and  
THOUSAND PEAKS TIMBER AND RANCHING COMPANY  
A Colorado corporation  
by Tim O' Reilly  
Its President

STATE OF COLORADO    )  
  )  ss.  
County of El Paso        )

On this, the 1st day of December, 1985, before me, the undersigned Notary Public, personally appeared T.J. O'Reilly, who acknowledged himself to be the President of BEA KAY REAL ESTATE CORP., a Wisconsin corporation, and THOUSAND PEAKS TIMBER AND RANCHING COMPANY, a Colorado corporation, and that he as such Officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the Companies by himself as such Officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Cindy A. Sanders



Received Jan 8, 4:38 p.m. 1986,

Department of State, State of Colorado. Filed Jan 8, 1986, State of Colorado, Department of State.

**Recordings:**

Original

Custer County	Book 199	Pages 377-380	Reception 142199	01/23/1986
Huerfano County	Book 376	Page 583	Reception 302728	02/10/1986
Custer County	Book 199	Pages 744-751	Reception 142463	02/28/1986

Amendment

Article 17, added PAMIB

Custer County	Book 268	Page 40	Reception 166290	07/22/1994
Huerfano County	Book 26M	Page 11	Reception 11266	07/26/1994

Amendment

Article 17, changed 75% to 67%, other minor changes

Custer County	Book 270	Page 249	Reception 166813	09/06/1994
Huerfano County			Reception 347957	02/28/2001

Amendment

Article 17, withdrew PAMIB amendment, invalidated subsequent amendment

Custer County	Book 497	Page 317	Reception 198585	06/04/2004
Huerfano County			Reception 367765	05/17/2005