Small Claims Court_____ County, Colorado Court Address: **PLAINTIFF(S):** _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____ v. **DEFENDANT(S):** _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____	▲ **COURT USE ONLY** ▲ Case Number: Division Courtroom

TEMPORARY ORDER AND CITATION
ENFORCEMENT OF RESTRICTIVE COVENANT ON RESIDENTIAL PROPERTY

THIS MATTER is heard ex parte. _____ appears on behalf of the Plaintiff(s). The Court has examined the claim filed, and has heard the testimony of the Plaintiff(s), and:

THE COURT FINDS:

1. The Small Claims Court appears to have subject matter jurisdiction over this action.
2. The Plaintiff(s) is/are a proper party in interest.
3. Defendant(s) owns/possesses the residential property identified in the claim.
4. There is a restrictive covenant of record, which restricts the use of the property.
5. It appears that the Defendant(s) is/are in violation of such covenant by: _____

   _____

   _____

   It appears that there is a substantial likelihood Plaintiff(s) will prevail at trial on the merits of this case.
6. It appears that irreparable harm will accrue to the Plaintiff(s) unless a temporary order issues immediately, relating to initiating or continuing any violation of the covenant.

IT IS THEREFORE ORDERED that immediately upon service of a copy of this TEMPORARY ORDER AND CITATION, the Defendant(s) shall: _____

_____

_____

IT IS FURTHER ORDERED THAT THE DEFENDANT(S) IS/ARE CITED AND ORDERED TO APPEAR before this Court at the address stated above in the caption in Courtroom/Division _____ on (date) _____, at (time) _____, to show cause, if any, why this TEMPORARY ORDER should not be made permanent. If the Defendant(s) fails to appear in Court on the above date and time, the TEMPORARY ORDER shall be made permanent, if the Plaintiff(s) request(s), and a bench warrant may issue for the Defendant's arrest. A private process server may serve this order.

ANY VIOLATION OF THIS TEMPORARY ORDER MAY CONSTITUTE CONTEMPT OF COURT, WHICH MAY BE PUNISHED BY CONTEMPT, FINES, DAMAGES, ATTORNEY FEES, AND COSTS.

BY THE COURT

Dated: _____

_____
❑ Judge ❑ Magistrate

CERTIFICATE OF PERSONAL SERVICE

I served a copy of this form, the answer form, and any attachments by delivering them in _____County, State of Colorado, as shown below:

_____

Name of Person Served | Address Where Served | Date of Service

_____

How Service Was Made and List of any Attachments Served

_____

Process Server

Subscribed and affirmed, or sworn to before me in the County of _____, State of _____, this _____ day of _____, 20 _____.

My commission expires: _____

_____

Notary Public