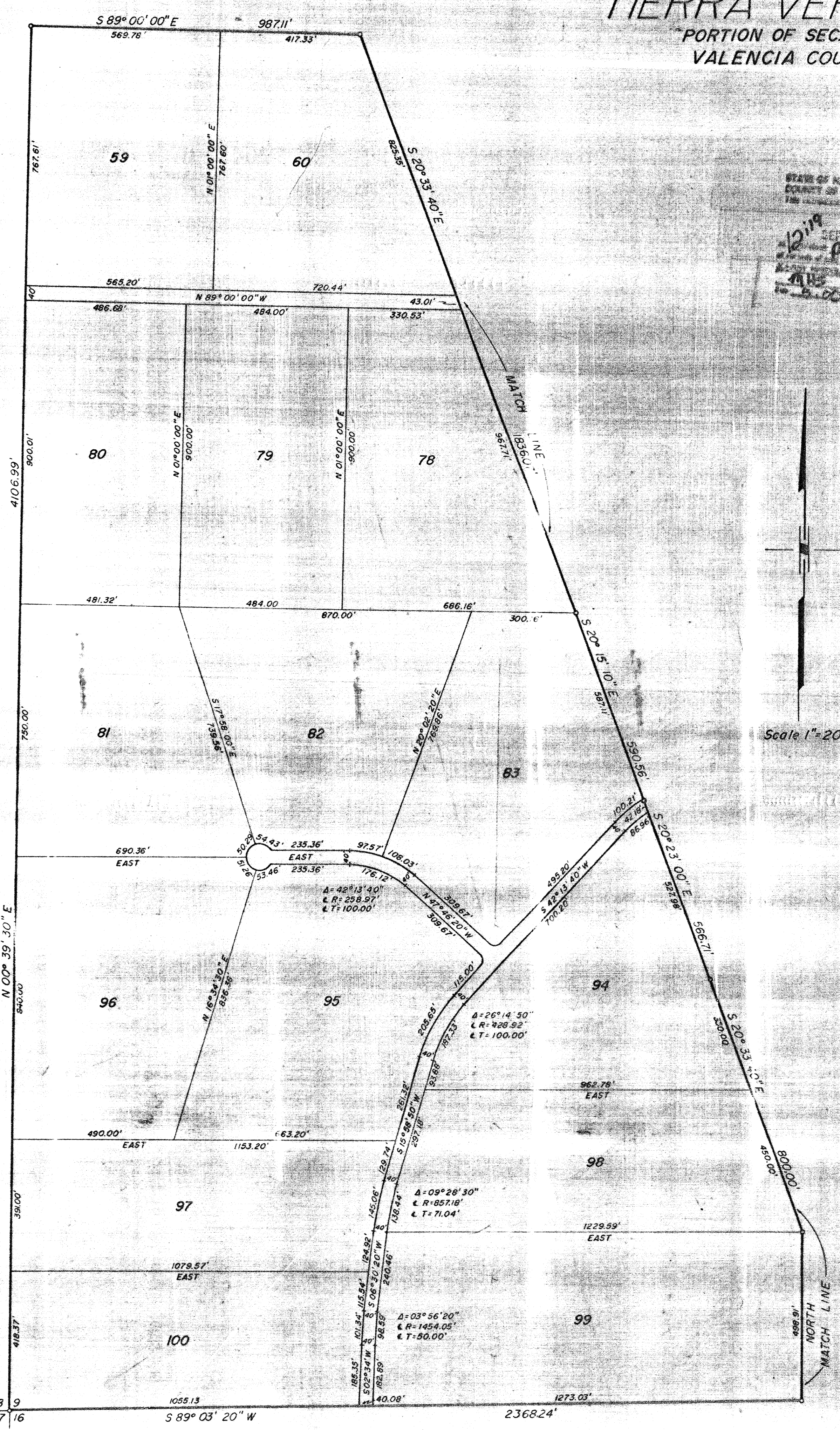


UNIT 3 TIERRA VERDE RANCHETTES

PORTION OF SEC. 9, T8N, R13W, N.M.P.M.
VALENCIA COUNTY, NEW MEXICO

APPROVED:
COUNTY PLANNING COMMISSION
CHAIRMAN *Justine Hargrave*
MEMBER *John J. ...*
MEMBER *...*
SEP 21, 1977

STATE OF NEW MEXICO
COUNTY OF VALENCIA
1977 SEP 23 1977
12061



RESTRICTIONS AND PROTECTIVE COVENANTS

Whereas, the land described on this plat is wholly and totally unrestricted as to use and occupancy, the undersigned owner, for the mutual benefit and enjoyment of the prospective purchasers of the lots shown on this plat, desires to place the following restrictions and protective covenants on this subdivision, and to this end and purpose, the following restrictions are hereby imposed, to wit:

- 1. USES:** No use or activity may be conducted in this subdivision except those of a residential or recreational nature.
- 2. RECREATIONAL USE** herein is construed to mean; use for a cabin, a second home, a mobile camper, camping, hunting, fishing, all out of doors sports and athletics, provided restriction number 12 below is not violated.
- 3. BUILDINGS** in this subdivision are to be constructed so as not to distract from the natural surroundings. All buildings are to be completed, as to the exterior construction within two years from date construction is started.
- 4. MOBILE HOMES,** house trailers, or camp trailers to be used as recreational dwellings, may be used in this subdivision and are to be finished on the exterior in such a manner that they blend with the natural surroundings.
- 5. SUBDIVIDING** no tract of land in this subdivision may be subdivided into tracts of less than 2% acres in size. No more than one residence or recreational dwelling will be permitted to remain per each 2% acres so subdivided.
- 6. LIQUID WASTE** within this subdivision must be disposed of by use of a private liquid waste disposal system which shall be subject to the standards of the Environmental Improvement Agency and cannot be installed prior to permit from the Plumbing Board of the Construction Industries Commission. Further, the system must be registered with the nearest Environmental Improvement Agency Office.
- 7. SOLID WASTE** of all nature within this subdivision must be buried or hauled away and deposited in an appropriate, acceptable, and authorized depository for same. This restriction is to be carried out by each purchaser at his own expense and as often as necessary so as not to permit solid waste to distract from the natural surroundings.
- 8. PRIVATE WELLS** located within this subdivision must be located a minimum of 100' from any septic tank or drain field.
- 9. PUBLIC ROADS** are also utility easements. Also, there is a 20' utility easement around the entire perimeter of this subdivision.
- 10. ROAD MAINTENANCE,** other than blading once a year for the first five years, if needed by developer (undersigned owner), is to be at the expense of the property owners. At no time is the County of Valencia to be required to maintain the roads in this subdivision unless the Board of County Commissioners elect to do so.
- 11. NOXIOUS OR OFFENSIVE:** No noxious or offensive activity shall be carried on upon any lot nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. Also no motor vehicle in an inoperative condition may be stored or repaired outside of a building on any lot within the subdivision.
- 12. TIME LIMIT ON COVENANTS:** These covenants are to run with the land and shall be binding on all purchasers of the lots described herein, or any part thereof, and all persons claiming under or through such purchasers, their heirs, executors, administrators, successors and assigns, until May 1, 1994, at which time said covenants shall be automatically extended for successive periods of ten years unless by a vote of the majority of the then Owners of the lots agree to change said restrictive covenants in whole or in part. If any purchaser or purchasers, or their heirs or assigns, shall violate or attempt to violate any of the covenants herein, it shall then be lawful for any other person or persons owning any real property situated in said subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenants and to either prevent him or them from so doing, or to recover damages or other relief from him or them for such violations.
- 13. INVALIDATION:** Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, the said owner has hereunto affixed his hand and seal this 19th day of Sept, 1977.

TIERRA VERDE INVESTORS
BY: *William N. Campbell*
William N. Campbell
General Partner

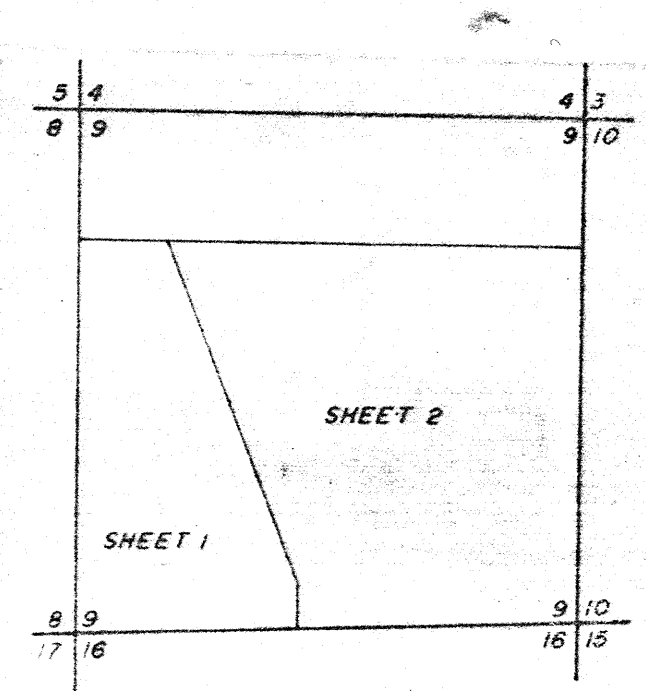
STATE OF NEW MEXICO }
COUNTY OF BERNALILLO }
The foregoing instrument was acknowledged before me this 19th day of Sept, 1977, by William N. Campbell, General Partner, Tierra Verde Investors.

My commission expires: April 3, 1978
Stephen Adams
Notary Public

Charles T. Scannell; N.M.L.S. No 3244

I, Charles T. Scannell, do hereby certify that the survey and plat as shown hereon were made by me or under my direct supervision and that the same are true and correct to the best of my belief and knowledge. I further certify that the corners of all tracts have been set with rebar and that all tracts are a minimum of 10 acres in size. Bearings are referred to the Department Resurvey of T 8 N, R 13 W, N.M.P.M. Bureau of Land Management Map dated April 6, 1964. This subdivision is not within the jurisdictional boundary of any municipality.

APPROVED: BOARD OF COUNTY COMMISSIONERS, VALENCIA COUNTY, NEW MEXICO.
CHAIRMAN: *John H. ...*
MEMBER: *Lon M. ...*
MEMBER: *...*
Approved: Public Utility Company for Electric Extension Service.
By: _____
As of the date of filing of this plat, there are no other public utility companies that have service closer than eight miles to this subdivision.



B-139