

*MHO*

## **Revised Restrictive Covenants**

### **Aspengrove Subdivision**

Whereas the original Restrictive Covenants for Aspengrove Subdivision were recorded November 20<sup>th</sup>, 2000 in Book 966, page 700 of the State of New Mexico, County of Otero, executed by Layne E. Preslar and Sue Fuller Preslar as Trustees of the Layne and Sue Preslar Family Trust, his wife and Matthew L. Preslar and Cynthia A. Preslar, his wife, the original owners of Aspengrove Subdivision located in Sections 26 and 35, T.16 S, R.11 E, NMPM, Otero County, NM,

and whereas greater than 90% of the current lot owners have approved by signature executed below, the Aspengrove Subdivision Restrictive Covenants are revised to read as follows:

1. All property owners are required to become members of the Aspengrove Property Owners Association and are subject to all assessments as established by said Association.
2. No lot may be resubdivided into smaller lots; a lot may be divided and made part of an adjoining lot, enlarging each respective lot. The boundary between contiguous lots may be altered for the purpose of increasing or reducing the size of the contiguous lots if the number of lots is not increased and the resulting size of any lot is not smaller than 2 acres.
3. No mobile homes are allowed to be placed on property; only on-site built homes allowed. Homes built shall not be any smaller than 800 square feet of heated living space. Exterior of homes shall be completed within one year of start of construction.
4. Recreational vehicles may be used as temporary housing until September 1, 2003. After that date, RVs shall not be allowed for housing.
5. No livestock allowed with the exception of one horse per acre.
6. Exterior lighting shall be shielded to conform to "dark skies" standards as established by local county ordinances.
7. No refuse piles and/or junk vehicles shall be stored on property.

These covenants are to run with the land and shall be binding on the land, all parties and all persons claiming under them unless an instrument signed by ninety per cent (90%) of the then owners of the lots has been recorded, agreeing to change said covenant(s), in whole or in part. Votes shall be counted on the basis of one vote for each lot owned.

Enforcement shall be by proceeding by law or equity against any person or persons violating or attempting to violate any covenant either to restrain violation or recover damages.

In witness whereof, the Owners have caused this instrument to be executed as follows:

**Owners of Lot 1:**

Chris and Stephanie Creel  
286 Bosque  
Alamogordo, New Mexico 88310

*Chris Creel*  
Chris Creel

*Stephanie Creel*  
Stephanie Creel

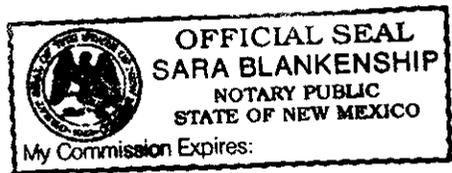
STATE OF NEW MEXICO

County of Otero

The foregoing instrument was acknowledged before me this the 4<sup>th</sup> day of January, ~~2009~~ 2010 by Chris and Stephanie Creel, lot owners of Aspengrove Subdivision. *Chris Creel on 1-4-10*  
*Stephanie Creel 1-5-10*

My commission expires: 11-9-2013

*Sara Blankenship*  
Notary Public



**Owners of Lot 2:**

Michael and Laura Emmett  
4832 Caseta  
El Paso, TX 79922

*Michael Emmett*  
Michael Emmett

*Laura Emmett*  
Laura Emmett

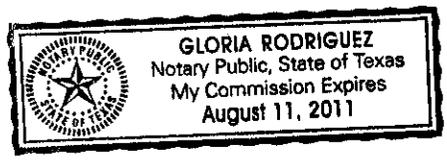
STATE OF TEXAS

County of El Paso

The foregoing instrument was acknowledged before me this the 21<sup>st</sup> day of January, ~~2009~~ 2010 by Michael and Laura Emmett, lot owners of Aspengrove Subdivision.

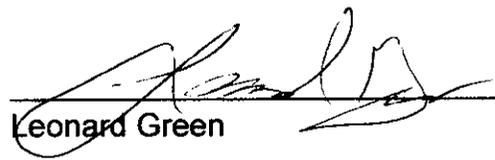
My commission expires: August 11, 2011

*Gloria Rodriguez*  
Notary Public



**Owner of Lot 3:**

Leonard Green  
224 N. Main  
Weatherford, TX 76086

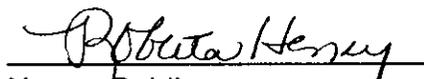
  
\_\_\_\_\_  
Leonard Green

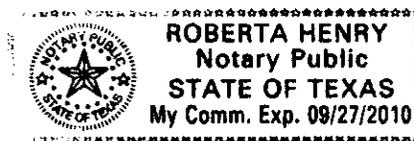
STATE OF TEXAS

County of Parker

The foregoing instrument was acknowledged before me this the 11<sup>th</sup> day of December, 2009 by Leonard Green, lot owner of Aspengrove Subdivision.

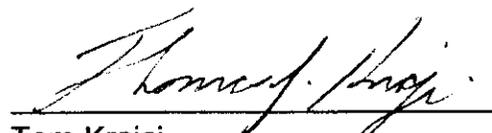
My commission expires: 9-27-2010

  
\_\_\_\_\_  
Notary Public



**Owner of Lots 4 & 5:**

Tom Krajci  
P.O. Box 1351  
Cloudcroft, NM 88317

  
\_\_\_\_\_  
Tom Krajci

STATE OF NEW MEXICO

County of Otero

The foregoing instrument was acknowledged before me this the 29 day of September, 2009 by Tom Krajci, lot owner of Aspengrove Subdivision.

My commission expires: 9-20-10

  
\_\_\_\_\_  
Notary Public



**Owners of Lot 6:**

Truitt and Leticia Rogers  
5275 Valle Bonita  
Las Cruces, NM 88007

Truitt Rogers  
Truitt Rogers

Leticia Rogers  
Leticia Rogers

STATE OF NEW MEXICO

County of Dona Ana

The foregoing instrument was acknowledged before me this the 31<sup>st</sup> day of October, 2009 by Truitt and Leticia Rogers, lot owners of Aspengrove Subdivision.

My commission expires: 02/28/13

[Signature]  
Notary Public



**Owner of Lot 7:**

Glenn Harris  
P.O. Box 1602  
Roswell, NM 88201

[Signature]  
Glenn Harris

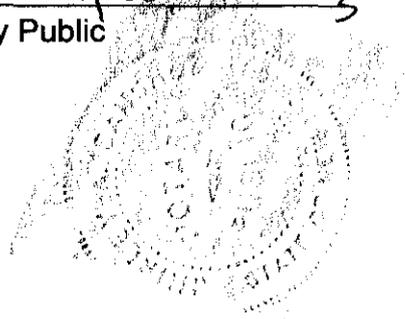
STATE OF NEW MEXICO

County of Chaves

The foregoing instrument was acknowledged before me this the 24<sup>th</sup> day of November, 2009 by Glenn Harris, lot owner of Aspengrove Subdivision.

My commission expires: 2-28-10

[Signature]  
Notary Public



**Owner of Lots 8, 9 & 10:**

Paul Jackson  
P.O. Box 1171  
Alamogordo, NM 88310

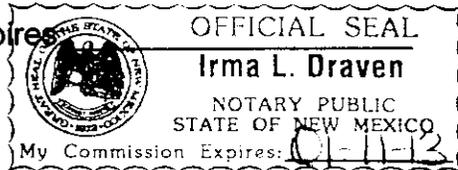
Paul Jackson  
Paul Jackson

STATE OF NEW MEXICO

County of Otero

The foregoing instrument was acknowledged before me this the 5 day of October, 2009 by Paul Jackson, lot owner of Aspengrove Subdivision.

My commission expires:



Irma L. Draven  
Notary Public

**Owners of Lot 11:**

Dexter and Patricia McCormick  
10401 N. Meridian - Suite 220  
Indianapolis, IN 46290

Dexter McCormick  
Dexter McCormick

Patricia McCormick  
Patricia McCormick

STATE OF INDIANA

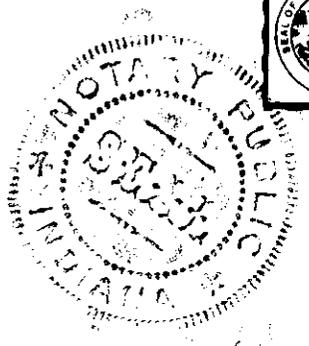
County of Marion

The foregoing instrument was acknowledged before me this the 2nd day of December, 2009 by Dexter and Patricia McCormick, lot owners of Aspengrove Subdivision.

My commission expires: October 20, 2015



Christine S. Faucett  
Notary Public



**Owners of Lots 12 & 13:**

James Barry and Carol Morgan  
5609 Greenridge  
Midland, TX 79707

James Barry Morgan  
James Barry Morgan

Carol Morgan  
Carol Morgan

STATE OF TEXAS

County of Midland

The foregoing instrument was acknowledged before me this the 10<sup>th</sup> day of Sept, 2009 by James Barry and Carol Morgan, lot owners of Aspengrove Subdivision.



My commission expires: March 02, 2011 Martha Collins  
Notary Public

**Owners of Lot 14:**

Jim and Christine Koschmann  
6441 Calle Placido  
El Paso, TX 79912

Jim Koschmann  
Jim Koschmann

Christine Koschmann  
Christine Koschmann

STATE OF TEXAS

County of El Paso

The foregoing instrument was acknowledged before me this the 17<sup>th</sup> day of November, 2009 by Jim and Christine Koschmann, lot owners of Aspengrove Subdivision.

My commission expires: Dianna Marie McCleary  
Notary Public  
Dianna Marie McCleary  
My Commission Expires  
09/24/2012

