

DECLARATION OF COVENANTS AND  
RESTRICTIONS OF  
DEER RUN SUBDIVISION AND THE SPRING MESA TRACTS

Bk 1124 Pg 286

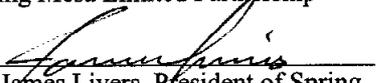
KNOW ALL MEN BY THESE PRESENTS, THAT:

The undersigned, being the owner of all the tracts in Deer Run Subdivision, Otero County, New Mexico, as shown by the plat thereof filed in the office of the County Clerk of Otero County, New Mexico, on the 13 day of January, 1999 and The Spring Mesa Tracts, Otero County, New Mexico, as shown by the plat thereof filed in the office of the County Clerk of Otero County, New Mexico on the 15th day of August, 2001, does hereby declare, for itself, its successors and assigns, that all conveyances of said tracts in Deer Run Subdivision and The Spring Mesa Tracts, shall be subject to and encumbered by the following restrictive and protective covenants and that all conveyances of said property, or any part thereof, shall be subject to said covenants whether or not the same are embodied in the conveyance or other instruments affecting title thereto.

1. Natural vegetation shall be left undisturbed, except for such clearing necessary to use the lot for its residential or ranch purposes. No logging or tree cutting operations are to be conducted on any lots except for personal wood burning purposes, The natural beauty of the land must be preserved and maintained.
2. Lots cannot be used for storage of non operational vehicles mechanical equipment campers, trailers or any other items. All trash is to be deposited into proper containers and disposed of appropriately. Lots shall be kept in clean and orderly condition.
3. All structures must be constructed of standard building materials. Secondary structures cannot exceed the square footage of the primary structure with the exception of barns used for stock or hay storage purposes. Any and all structures must meet or exceed applicable building codes.
4. The lots cannot be re-subdivided into smaller than forty (40) acre parcels.
5. All primary residential dwellings shall consist of not less than nine hundred (900) square feet of heated living area.
6. Each lot owner shall be limited to the appropriate annual water consumption regulated by the State Engineer.

IN WITNESS THEREOF, the undersigned have set their hands and seals this 13, day of January, 2004.

Spring Mesa Limited Partnership

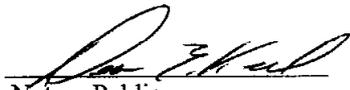
By:   
James Livers, President of Spring  
Mesa Corporation, General Partner

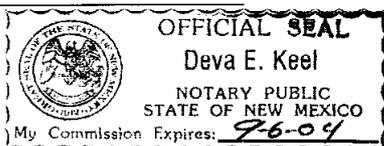
State of New Mexico

County of Otero

The foregoing instrument was acknowledged before me this 13th day of January, 2004 by James Livers President of Spring Mesa Corporation a New Mexico Corporation, as General Partner of Spring Mesa Limited Partnership, a New Mexico limited Partnership, on behalf of said partnership.

My Commission Expires:

  
Notary Public



The foregoing Restrictive Covenants for Deer Run Subdivision and The Spring Mesa Tracts are duly ratified by the undersigned.

James R. Schaa  
James R. Schaa, Trustee

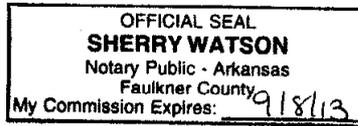
Villa A. Schaa  
Villa A. Schaa, Trustee

State of Arkansas)  
                                  ) ss  
County of Faulkner

Acknowledged before me this 27<sup>th</sup> day of January, 2004 by James R. Schaa and Villa A. Schaa, Trustees of the James R. Schaa & Villa A. Schaa Revocable Trust.

My Commission Expires:  
Sept. 8, 2013

Sherry Watson  
Notary Public



The foregoing Restrictive Covenants for Deer Run Subdivision and The Spring Mesa Tracts are duly ratified by the undersigned.

Nancy Ann Johnston, Trustee  
Nancy Ann Johnston, Trustee

State of New Mexico  
) ss  
County of Santa Fe

Acknowledged before me this 27<sup>th</sup> day of January, 2004 by Nancy A. Johnston, Trustee of the Nancy Ann Johnston Living Trust dated April 7, 1999.

My Commission Expires:  
May 1<sup>st</sup> 2004

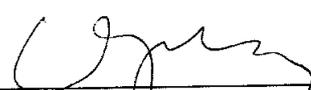
David A. Gonzales  
Notary Public





The foregoing Restrictive Covenants for Deer Run Subdivision and The Spring Mesa Tracts are duly ratified by the undersigned.

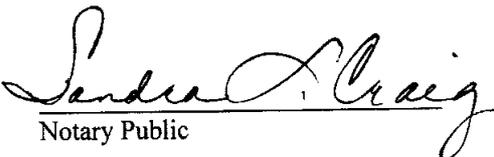
  
\_\_\_\_\_  
Robert M. Gengarely

  
\_\_\_\_\_  
Clare O. Gengarely

State of Ohio )  
County of Union )ss

Acknowledged before me this 28 day of January, 2004 by Robert M. Gengarely and Clare M. Gengarely.

My Commission Expires:  
12-23-2005

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





The foregoing Restrictive Covenants for Deer Run Subdivision and The Spring Mesa Tracts are duly ratified by the undersigned.

Ronald A. Gohlke  
Ronald Gohlke

~~Ronald J. Gohlke~~

State of Wisconsin )  
County of Marquette )ss

Acknowledged before me this 10<sup>th</sup> day of <sup>February</sup> ~~January~~, 2004 by Ronald Gohlke and ~~Ronald J. Gohlke~~

My Commission Expires:  
7-10-05



Paul D. Marshall  
Notary Public



STATE OF NEW MEXICO } S.S.  
OTERO COUNTY }  
FILED FOR RECORD IN MY OFFICE  
This 11<sup>th</sup> day of MARCH, 20 04  
At 3:45 o'clock P M and duly recorded  
in Book No. 1124 Page 286-293  
The records of Otero County, New Mexico  
May D. Johnston  
County Clerk, Otero County, New Mexico  
By Dennis Kelyja Deputy

# 3042