

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

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

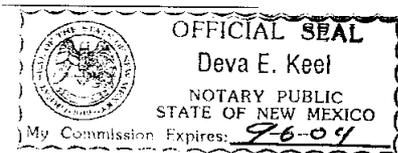
State of New Mexico

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:

[Signature] Notary Public

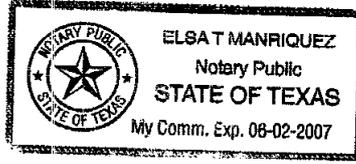


The foregoing Restrictive Covenants for Deer Run Subdivision and The Spring Mesa Tracts are duly ratified by the undersigned.

Karl R. Schirmer

Karl R. Schirmer

State of TEXAS)
County of EL PASO)ss



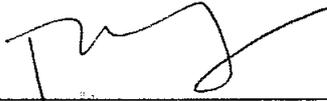
Acknowledged before me this 01/31/2004 day of January, 2004 by Karl R. Schirmer.

My Commission Expires:

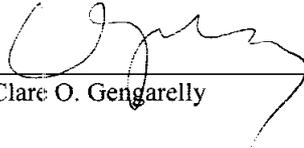
6/2/2007

Elsat Manriquez
Notary Public

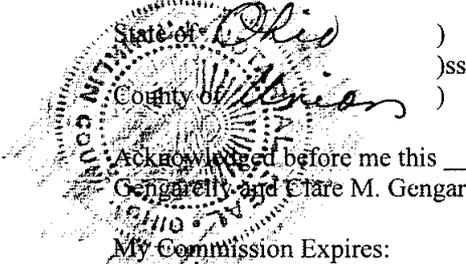
The foregoing Restrictive Covenants for Deer Run Subdivision and The Spring Mesa Tracts are duly ratified by the undersigned.



Robert M. Gengarelly



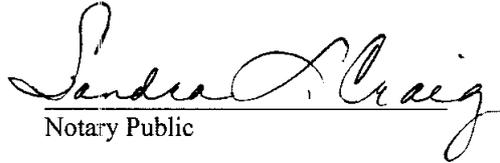
Clare O. Gengarelly



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

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 A. Gohlke~~

State of Wisconsin)
County of Marquette)ss

Acknowledged before me this 10th day of ~~January~~^{February}, 2004 by Ronald Gohlke and ~~Ronald Gohlke~~

My Commission Expires:

7-10-05



David H. Mautner
Notary Public



STATE OF NEW MEXICO } ss.
OTERO COUNTY }
FILED FOR RECORD IN MY OFFICE
This 16th day of MAR, 2004
At 3:45 o'clock P M and duly recorded
in Book No. 1174 Page 286-293
The records of Otero County, New Mexico
May D. Johnston
County Clerk, Otero County, New Mexico
By Dennis Kelly Deputy

3042

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

Ellen
C. Ellen Hormanski Trust

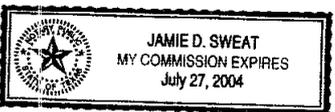
Ellen Hormanski Trustee
By: Ellen Hormanski, Trustee

State of *TEXAS*)
County of *EL PASO*)ss
)

Acknowledged before me this 11 ^{12/27} day of *January*, 2004 by Ellen Hormanski, Trustee of the C. Ellen Hormanski Trust.

My Commission Expires:
July 27, 2004

Jamie D Sweat
Notary Public



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

Terry L. Lene
Terry L. Lene

Judy A. Lene
Judy A. Lene

State of Texas)
County of Tarrant)^{SS}

Acknowledged before me this 14 day of April, 2004 by Terry L. Lene and Judy A. Lene.

My Commission Expires:

Laurie Smith
Notary Public

