

**Amendment to Restrictive Covenants of Desert Sun Estates
Verdi Parq
City of Alamogordo, Otero County, New Mexico**

WHEREAS, Verdi Parq is controlled by Restrictive Covenants recorded in the Records of Otero County, New Mexico, beginning at Book 815, Page 678, and subsequent pages;

WHEREAS, said Restrictive Covenants provide that they may be amended or replaced by an affirmative vote of the homeowners (and owner of a dwelling on a lot) of seventy-five percent (75%) of the improved lots at any time;

WHEREAS, presently there are five completed homes, and no homes under construction in Verdi Parq, those five units are owned by the undersigned;

WHEREAS, reasonable changes have taken place because of the passage of time since the adoption of the original Restrictive Covenants, which were recorded on the 26th day of October, 1995, and a reasonable modification of the Restrictive Covenants is mandated by the change of circumstances.

NOW, THEREFORE, the above-designated parties hereby enact the following amendment to the Restrictive Covenants:

1. Paragraph B.3. DWELLING SIZE shall be amended to read as follows:

No dwelling shall be constructed that

- (a) has a demonstrative construction cost of less than \$225,000.00, based upon the year 2000 Consumer Price Index and adjusted accordingly each year by use of the Consumer Price Index, All Urban Consumers, or
- (b) has less than 2,400 square feet minimum of heated, ventilated and air conditioned (HAVC) area, specifically excluding patios, porches, storerooms and garages. The term "dwelling" shall include square footage under a single roof enclosed by walls.

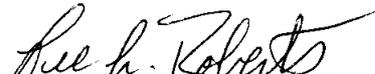
2. B.4. DWELLING EXTERIOR:

All residential dwellings shall be constructed with complete masonry exteriors, either brick veneer, or stucco. All homes will be constructed with either tile or slate roofs. All homes will be fully landscaped, excepting for the extreme points of Lots 1, 9 and 14, which may have limited areas of "desert landscaping" in order to avoid extreme "points" that would be difficult to maintain as landscaping. Plans and color selections will be subject to approval of Architectural Control Committee.

3. Add a new paragraph B.12. USE OF DESIGNATED GOLF CART PATH, BETWEEN LOTS 9 AND 10.

The designated areas will be used only for rights-of-way to be used by golf carts, or smaller vehicles, or bicycles. Such areas will not be used for the passage of licensed motor vehicles, or to be used as driveways.

Except as specifically amended herein, the original Restrictive Covenants described above, and recorded in Book 815, Page 678, et seq. of the Records of Otero County, New Mexico, shall remain in full force and effect.


LEE A. ROBERTS Lot #14


SALLY ROBERTS Lot #14

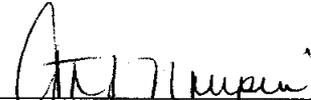

MICHAEL DRUNZER Lot #11C & 12C

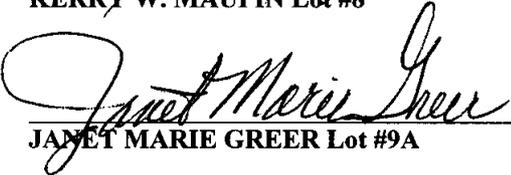

JANE DRUNZER Lot #11C & 12C


GEORGE E. FETTINGER Lot 1A


ROSA NELL FETTINGER Lot 1A


KERRY W. MAUPIN Lot #8


GAY L. MAUPIN Lot #8


JANET MARIE GREER Lot #9A

STATE OF NEW MEXICO)
) SS
COUNTY OF OTERO)

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by LEE A. ROBERTS and SALLY ROBERTS this 14 day of March, 2003.

My Commission Expires: 3/30/04

Mary A. Work
Notary Public

STATE OF NEW MEXICO)
) SS
COUNTY OF OTERO)

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by MICHAEL DRUNZER and JANE DRUNZER this 14 day of March, 2003.

My Commission Expires: 3/30/04

Mary A. Work
Notary Public

~~STATE OF NEW MEXICO)
) SS
COUNTY OF OTERO)~~

~~SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by this _____ day of _____, 2003.~~

~~My Commission Expires: _____~~

~~Notary Public~~

STATE OF NEW MEXICO)
) SS
COUNTY OF OTERO)

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by GEORGE E. FETTINGER and ROSA NELL FETTINGER this 14 day of March, 2003.

My Commission Expires: 3/30/04

Mary A. Work
Notary Public

STATE OF NEW MEXICO)
) SS
COUNTY OF OTERO)

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by **KERRY W. MAUPIN** and **GAY L. MAUPIN** this 14 day of March, 2003.

My Commission Expires: 3/30/04

Mary G. Work
Notary Public

STATE OF NEW MEXICO)
) SS
COUNTY OF OTERO)

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by **JANET MARIE GREER** this 14 day of March, 2003.

My Commission Expires: 3/30/04

Mary G. Work
Notary Public



STATE OF NEW MEXICO } SS.
OTERO COUNTY }
FILED FOR RECORD IN MY OFFICE
This 17th day of March 2003
At 8:50 clock AM and duly recorded
In Book No. 1063 Page 382-385
The records of Otero County, New Mexico
Mary D. Dimitras
County Clerk, Otero County, New Mexico
By Robyn Tulea Deputy
#2940