



SECTION TWORESTRICTIONS

1. This land will NOT be used for the purpose of: (1) raising any kind of animals or fowl for commercial purposes, only one hog per acre will be allowed, and that no offensive noises or odors will arise therefrom; (2) a slaughter house of any type; (3) a dumping ground for rubbish, trash, or junk; (4) automobile storage area, junkyard, automobile repair garage, or the housing of stripped down, partially wrecked, or junk motor vehicles, or sizable parts thereof. All automobiles must be in running condition or be licensed with a correct license plate.

No structure of temporary character, tent, shack, garage, barn, or other outbuilding shall be used as a residence. All houses, mobilehomes, sheds and/or buildings must be placed parallel or perpendicular to the existing lot lines. All buildings must be set back at least 50 feet from the roadway. No single family residence exclusive of open porches, garages and carports, shall not be less than seven hundred (700) square feet in main floor area. All purchasers wishing to build a residence must first obtain a building permit from the State of New Mexico. Said residence must be completed within one (1) year of the date of said permit. All barns, sheds, corrals, and/or pens must, be situated on the back half of the lot. No animals will be allowed to run at large. All lavatories, toilets and bath facilities shall be built indoors and connected with adequate septic tanks. All parcels, whether occupied or unoccupied, and any improvements placed thereon, shall at all times be maintained in such manner as to prevent their becoming unsightly by reason of unattractive growth on such parcels or the accumulation of rubbish or debris thereon. Any dwelling or outbuilding on any parcel which may be destroyed in whole or in part by fire, wind-storm, or for any other cause or act of God must be rebuilt or all debris removed and the parcel restored to a sightly condition with reasonable promptness, provided, however, that in no event shall such debris remain longer than ninety (90) days. No public nuisance of offensive, noisy, or illegal trade or calling or act shall be done, suffered or permitted.

SECTION THREE

1. In the event of any violation or threatened violation of any of the covenants herein, any owner of any lot, block or parcel in the subdivision may bring action at law or in equity, either of injunction, action for damages or such other remedy as may be available. In the event that a judgement is obtained, the owner shall also be entitled to recover from such person reasonable attorney's fee.

2. The failure by any land owner to enforce any restrictions, conditions, covenant, or agreement herein contained shall in no event be deemed a waiver of the right to do so thereafter as to the same breach or as to one occurring prior or subsequent thereto, nor shall such failure give rise to any claim or cause of action against The Company or Land Owner. Violation of any one or more such covenants may be restrained by any court of competent jurisdiction, and damages awarded against such violator.

3. If any provisions of this indenture or the application of such provision to any person or circumstances shall be held invalid, the remainder of this indenture or the application of such provision to person or circumstances other than those as to which it is held invalid, shall not be affected thereby.

4. The purpose of the foregoing restrictions is to maintain a high standard of living conditions in the subdivision. In order to accomplish this purpose and objective, it shall be the right and privilege of any property owner of the subdivision to enforce such restrictions in any manner provided by law. In the event of a violation or attempted violation of any such restrictions by any purchaser, The Company shall not be responsible in any way, financially or otherwise.

Executed at Chaparral, New Mexico, this 10<sup>th</sup>  
day of December, 1993.

[Signature]  
SECRETARY-TREASURER

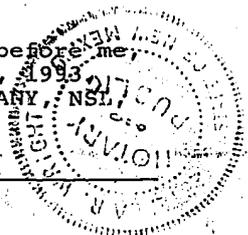
[Signature]  
PRESIDENT

STATE OF NEW MEXICO  
COUNTY OF OTERO

The foregoing instrument was acknowledged before me  
this 10<sup>th</sup> day of December, 1993  
by JOHN B. COLQUITT, PRESIDENT of COLQUITT COMPANY,  
a New Mexico Corporation.

My Commission Expires:  
1-6-96

[Signature]  
Notary Public



STATE OF NEW MEXICO } S.S.  
OTERO COUNTY

FILED FOR RECORD IN MY OFFICE  
This 20<sup>th</sup> day of August, 1996  
At 2:15 o'clock P M and duly recorded  
in Book No. 829 Page 117-120  
the records of Otero County, New Mexico.

[Signature]  
County Clerk, Otero County, New Mexico  
By [Signature] Deputy

9120

ALL MICROPHOTOGRAPHIC IMAGES OF RECORD ON THIS FILM STRIP FOLLOWING  
OR PRECEDING THIS CERTIFICATE ARE OF AUTHORIZED RECORDS IN THE  
POSSESSION OF THIS AGENCY AS NOTED IN THE STATEMENT OF INTENT AND  
PURPOSE FOR THIS DATE AND ROLL. THESE DOCUMENTS ARE ROUTINELY  
MICROFILMED AS A NECESSARY OPERATION IN THE GENERATION ON AN  
INVOLATE DOCUMENT FILE  
96-13  
ROLL #  
Robyn Silva  
CAMERA OPERATOR  
8-21-96  
DATE