

ELECTION TO AMEND RESTRICTIVE COVENANTS

Comes now the undersigned, being fifty-one percent or more, of the owners and proprietors of the lots and building sites located in all of the Dunn Addition to the City of Alamogordo, New Mexico, and by their signatures below signify their election, agreement and acceptance of the below stated amendments to those certain restrictive covenants pertaining to all of the Dunn Addition to the City of Alamogordo, New Mexico, recorded in Book 146, Page 605, of the Records of the County Clerk, Otero County, New Mexico.

WHEREAS, heretofore on the 5th day of April, 1951, there was filed in the office of the County Clerk of Otero County, New Mexico, and recorded in Book 146 at Page 605 of the records of said County "Restrictive Covenants" which covenants affected the property known as Dunn Addition to the City of Alamogordo, New Mexico,

WHEREAS, said Restrictive Covenants did place upon the lots in said Subdivision certain restrictions with respect to the type of Structures which could be erected on said lots and with respect to the minimum distances from the front, side and back of said lots lines of any lot within which a dwelling could be constructed; and

WHEREAS, certain conditions have arisen which have caused fifty-one percent or more of the owners of the lots included in said Subdivision to consider it prudent and advisable to make

changes in said restrictions governing the type and use of buildings and the distances within which buildings may be constructed on and within certain of the lots in the north part of said subdivision;

WHEREAS, the original subdividers made provision in the original restrictive covenants for the covenants and restrictions or any portion thereof to be amended or terminated by a vote of fifty-one percent or more of the then property owners, the record owners of the lots being entitled to one vote for each lot as shown on the recorded plat; and

WHEREAS, the undersigned owners and proprietors of lots and buildings sites located in all of the Dunn Addition to the City of Alamogordo, New Mexico have chosen this method whereby to hold an election to determine the fifty-one percent of us or more desire, agree and accept the below stated amendment.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, being fifty-one percent or more the owners and proprietors of the lots of the building sites in the above mentioned Dunn Subdivision to the Town of Alamogordo, New Mexico, do hereby declare and agree among themselves and with all future purchasers of lots or building sites in the said Subdivision that the Restrictive Covenants<sup>that</sup> are recorded at Book 146, Page 605 of the records of Otero County, New Mexico shall not apply to lots 600 through 613 and to the north 40 feet of lot 501 and to lot 502 through 504.

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William D. Frazer

William D. Frazer

Willetta Mayne

Walter F. Nichols

Eugene A. Mowant, Ex Parte

Walter C. Mowant, Ex Parte

Margaret Harmon  
Paula Jean [unclear]  
Judy Ann [unclear]

Edward Seabrough  
Virginia Seabrough

Rosal E. Mattox

Paul L. Boca

Lucille Boca

Edison Lee

Gene F. Lee

W. B. Hendricks

W. H. Collins

Harley Collins

Sharon M. Hamilton

Charles L. Davis

Lucrecia M. Taylor

Kitty M. [unclear]

Paul J. [unclear]

Lucile [unclear]

Lucile [unclear]

Carole White

Harriet [unclear]

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

The foregoing instrument was acknowledged before me this  
17 day of April, 1968 by Rosalyn Y. Frazier, William G. Frazier,  
J. Joseph Shyne, Millicent Shyne, Opal L. Nichols, Walter F. Nichols, Eugene A.  
Mourant, Ex Parte, Hope C. Mourant formerly Hope C. Lindley, Eugene A. Mourant,  
Ex Parte, Hope C. Mourant formerly Hope C. Lindley, Dorothy Bess Steele, Ben F.  
Steele, Marian L. VanWinkle, William A. VanWinkle, Lillie N. Stone, Claude B.  
Stone, Forest W. Srader, Wanda J. Srader, Lona Tarrant, Jeanette I. Cooper,  
Clarence H. Cooper, Floyd D. Nichols, In Anne Nichols, Marion Milburn, Carol  
Ana Milburn, Heinz Simon, Marianne S. Simon, John C. McNew, Clara L. McNew,  
Margaret Lowe, Elwood L. Lowe, Lucia Wood, Charles B. Wood, E.O. Bellows, Forest  
Otto Bellows, Ola I. Bellows, Margaret Harman, Lois Jean Riggs, Jerry Dean Riggs,  
Edward Scarbrough, Virginia Scarbrough, Pearl E. Mattox, Paul L. Baca, Cecilia  
Baca, Edison Iles, Fern E. Iles, P. R. Hendricks, Frances L. Hendricks, W. L.  
Collins, Nancy Ann Collins, Fred Harrington, Sharon M. Harrington, Clyde L.  
Prater, Evelyn M. Prater, Bob J. Francis, Sr. and Rita Maxine Francis,  
and Susie Mills Geckie, Farley White and Urshel White

Leon D. Beck  
Notary Public



My Commission Expires  
16 March 1971



STATE OF NEW MEXICO ) SS  
OTERO COUNTY )  
FILED FOR RECORD IN MY OFFICE  
This 19 day of April, 1968  
At 4:00 o'clock P.M. and duly recorded  
in Book No. 355 Page 515-19  
Records of Otero County, New Mexico  
Virginia Yearley  
Notary Public, Otero County, New Mexico  
Curtis Shypert