

370 513

\* EAGLE CREST SUBDIVISION \*  
UNIT II  
OTERO COUNTY NEW MEXICO

RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the undersigned are the sole owners of that certain property situated in Section 35, Township 15-South, Range 13-East in Otero County, New Mexico, which has been subdivided into what is known as "EAGLE CREST SUBDIVISION UNIT II", Map or Plat of which is filed herewith; and

WHEREAS, the undersigned owners are desirous of encumbering said property before the sale of any part thereof with a general plan of restrictive and protective covenants running with the land, for the benefit of themselves and of all who may become owners thereof;

NOW WHEREFORE, it is agreed by the undersigned, for themselves and their heirs and assigns, that said property or any part thereof shall be subject to and encumbered by said covenants, whether or not the same are embodied in the conveyance or other instrument affecting title thereto;

- a. All of the lots and blocks included in blocks 1 and 2 in the said Eagle Crest Subdivision Unit II according to the survey and plat thereof filed in the office of the County Clerk of Otero County, New Mexico, are hereby designated "Residential Area".
- b. That said "Residential Area" shall be used for residential purposes only, and that no business, manufacturing, commercial enterprise, public or commercial amusement shall be conducted, operated or maintained thereon.
- c. That in said "Residential Area" there shall not be erected on any lot or tract more than a single private dwelling house together with the necessary and appurtenant buildings such as storage and garages customarily used in connection therewith, and that no tent, shack, outhouse or structure of a temporary character shall be erected or maintained in said area.
- d. The square footage of the main residential structure, exclusive of one-story open porches and garages, shall not be less than 480 square feet; Providing further that the exterior of any dwelling shall be completed within one year from commencement thereof, Act of God excepted. All buildings shall be of all new, first class construction, shall be structurally sound and finished attractively.

- e. That in said "Residential Area" no building shall be erected or maintained nearer than ten (10) feet to any side or back lot line nor nearer than twenty (20) feet to any front line; provided however, that if any person owns several contiguous lots, buildings may be erected thereon as aforesaid, considering only external boundary lines of all said contiguous lots taken together as a unit.
- f. That no animals other than domestic household pets shall be kept or maintained on said property; that no outdoor type toilet shall be erected or maintained on said land, but that all toilets shall be located inside principal buildings and shall be connected with proper septic tanks or other sewage disposal systems that conform with state and county health laws or regulations; and that no noxious or offensive trade or activity shall be carried on upon any lot or block, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

Invalidation of any of the foregoing covenants contained herein shall in no way affect any of the other provisions hereof, which shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 24th day of May, 1970.

Timberloft, Inc. (NSL)

Thomas May  
(President)

William C. Rice  
(Secretary)



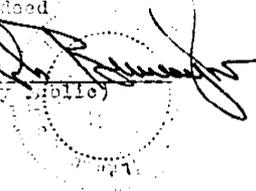
3rd Floor  
COUNTY CLERK

The foregoing instrument was acknowledged before me by L. CAROL HAYS, President of TIMBERLOFT, INC. (NSL) this the 24th day of May, 1970, and as the act and deed of said Corporation, a New Mexico Corporation.

MY COMMISSION EXPIRES:

11/24/73

[Signature]  
(Notary Public)




75506

STATE OF NEW MEXICO } ss.  
OTERO COUNTY }  
FILED FOR RECORD IN MY OFFICE  
This 25 day of May, 1970  
At 3:40 o'clock P. M. and duly recorded  
in Book No. 370 Page 513-116  
the records of Otero County, New Mexico.  
Ruth Roberts  
County Clerk, Otero County, New Mexico  
By Theresa Torres, Deputy