AMENDMENT TO RESTRICTIVE COVENANTS

COMES NOW the undersigned being a majority of the Owners of the following described lots, to-wit:

Lots 344 thru 349 of Replat, Lots 344-349, Granada Hills Unit 3, Alamogordo, Otero County, New Mexico;
and;
Lots 350 thru 358, Unit 3, Granada Hills, Units 2 and 3, Alamogordo, Otero County, New Mexico; as the same is described in the Restrictive Covenants which are recorded in Book 496 at pages 529 thru 533 of the records of Otero County, New Mexico, and Amend the Restrictive Covenants recorded therein as follows:

The Restrictive Covenants recorded in Book 496 at pages 529 thru 533 inclusive are hereby amended by deleting the original paragraphs in PART C., as follows:

C-1. LAND USE AND BUILDING TYPE, and

C-2. ARCHITECTURAL CONTROL, and

C-3. DWELLING SIZE, and

C-5. LOT AREA AND WIDTH; and inserting in lieu thereof the following paragraphs in PART C., as follows:

C-1. LAND USE AND BUILDING TYPE. No lots shall be used except for residential purposes and other permitted uses as described in PART F. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single family dwelling not to exceed two and one-half stories in height and a private garage for not more than three(3) cars and a private carport for not more than three(3) cars or a combination of private carport and private garage for not more than a total of five(5) cars. All buildings shall be constructed with a minimum of 70% of the ground floor exterior wall surfaces, excluding windows, doors and roof gable ends, being finished with brick, stone, slump block or other simular masonry type material.

C-2. ARCHITECTURAL CONTROL. No building shall be erected, placed, or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the architectural control committee as to quality of workmanship and materials, harmony of external design with existing and/or planned structures, as to location with respect to topography and finish grade elevation. No fence or wall, except court yard type fences or wall, exceeding four feet in height, above ground floor elevation of the living portion of the building, shall be erected or allowed to remain nearer the front street than the front

building setback lines. All yard fences and retaining walls shall be constructed with masonry type materials consisting of cinder-block, pumice block, clay brick, slump brick, rock, or any combination of these materials.

On corner lots no side street fence or retaining walls except fence or retaining walls of minimum heights, as specified in the applicable ordinances of the City of Alamogordo, New Mexico, shall be erected or allowed to remain nearer to the front street than the front building setback lines. There is no restriction as to height of retaining walls or fences which are erected behind the minimum setback lines of the front street.

C-3. DWELLING SIZE. The living area, including all stories of the main structure, exclusive of one-story open porches, carports, garages, and basements, shall be not less than 2,000 square feet for the dwelling; providing, however, that the ground floor living area, exclusive of one-story open porches, carports, garages and basements shall be not less than 1,600 square feet.

C-5. LOT AREA AND WIDTH. No dwelling shall be erected or placed on any lot having a width of less than sixty(60) feet at the minimum building setback line except that an irregular shaped lot resulting from a curve in the street shall have a minimum width, at the building setback line of not less than fifty(50) feet, nor shall any lot have an area of less than 8,000 square feet.

The above described Restrictive Covenants will otherwise remain unchanged.

DATED this 1st day of April, 1983.

TAYS INVESTMENT CORP.

BY: Melvin E. Tays
Melvin E. Tays, President

ATTEST:
Helen D. Tays
Helen D. Tays, Secretary

A.M. TALLEY, INC.

BY: A. M. Talley
A. M. Talley, President

ATTEST:
Carolyn A. Wagner
Carolyn A. Wagner, Secretary

MAMIE F. TAYS
Mamie F. Tays

STATE OF NEW MEXICO)

COUNTY OF OTERO) SS:

The foregoing instrument was acknowledged before me this 1st day of April, 1983, by Melvin E. Tays, President of Tays Investment Corp., a New Mexico corporation, on behalf of said corporation.

OFFICIAL SEAL
Signature: Helen D. Tays
HELEN D. TAYS
NOTARY PUBLIC - NEW MEXICO
NOTARY BOND FILED WITH SECRETARY OF STATE
My Commission Expires 4-9-84

STATE OF NEW MEXICO)

COUNTY OF OTERO) SS:

The foregoing instrument was acknowledged before me this 1st day of April, 1983, by A. M. Talley, President of A. M. Talley, Inc., a New Mexico corporation, on behalf of said corporation.

OFFICIAL SEAL
Signature: Helen D. Tays
HELEN D. TAYS
NOTARY PUBLIC - NEW MEXICO
NOTARY BOND FILED WITH SECRETARY OF STATE
My Commission Expires 4-9-84

STATE OF NEW MEXICO)

COUNTY OF OTERO) SS:

The foregoing instrument was acknowledged before me this 1st day of April, 1983, by Mamie F. Tays.

OFFICIAL SEAL
Signature: Helen D. Tays
HELEN D. TAYS
NOTARY PUBLIC - NEW MEXICO
NOTARY BOND FILED WITH SECRETARY OF STATE
My Commission Expires 4-9-84

BOOK 531 PAGE 532

Charles M. Anderson
CHARLES M. ANDERSON

Norma F. Anderson
NORMA F. ANDERSON

STATE OF NEW MEXICO)

COUNTY OF OTERO) SS:

The foregoing instrument was acknowledged before me this 1st day of April 1983, by Charles M. Anderson and Norma F. Anderson.

NOTARY PUBLIC

OFFICIAL SEAL
Helen D. Tays
HELEN D TAYS
NOTARY PUBLIC - NEW MEXICO
NOTARY BOND FILE WITH SECRETARY OF STATE
My Commission Expires 4-9-84

ADDENDUM

The following is a summary of the lots owned by various parties:

1. Tays Investment Corp. owns Lots 344, 345, 346, 349, Replat of Lots 344 thru 349, Unit 3; and 351, 357 and 358(7 lots).

2. A. M. Talley, Inc. owns Lots 352, 353, 354, 355 and 356(5 lots).

3. Mamie F. Tays owns Lot 350.

4. Charles M. Anderson and Norma F. Anderson, his wife, own Lot 348, Replat of Lots 344 thru 349, Unit Three(3)(one lot).

5. Robert A. Woodward and Ines V. Woodward, his wife, own Lot 347, Replat of Lots 344 thru 349, Unit Three(3)(one lot).

STATE OF NEW MEXICO }SS.
OTERO COUNTY
FILED FOR RECORD IN MY OFFICE
This 5th day of April 1983
At 1:55 o'clock P.M. and duly recorded
in Book No. 531 Page 529-533 of
the records of Otero County, New Mexico.
Kathe A. Sanchez
County Clerk, Otero County, New Mexico
[signature]

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