

BOOK 6722 PAGE 1708

BOOK 6722 PAGE 1101

AMENDMENT, WAIVER AND MODIFICATION TO
RESTRICTIVE COVENANTS

By these presents and execution thereon the undersigned parties constituting a majority of land owners to the following described property:

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.

Do hereby amend, waive and modify the Restrictive Covenants recorded at Book 496 Page 529 through Page 533 and the amendment to Restrict Covenants recorded at Book 531 Page 529 through 533 in the following particulars:

1. DELETION OF PARAGRAPH C-3. Dwelling size. The paragraph numbered C-3 of the Amendment to Restrictive Covenants is deleted in its entirety and in lieu thereof the following amended paragraph C-3 shall become of full force and effect.

2. AMENDED PARAGRAPH C-3. Dwelling size. The living area of the main structure, including all stories of the main structure, exclusive of one-story, open porches, carports and garages shall contain not less than 2000 square feet for the dwelling. All other provisions of the Restrictive Covenants and the Amendment to Restrictive Covenants shall otherwise remain unchanged except in the afore stated particulars.

SIGNED AND DATED the date and year as evidenced by the notary seal for the signatures of the land owners.

CERTIFICATION
ALL MICROPHOTOGRAPHIC IMAGES OF DOCUMENTS ON THIS FILM STRIP ARE OF AUTHORIZED DOCUMENTS IN THE POSSESSION OF THIS AGENCY AS NOTED IN THE STATEMENT OF DOCUMENT CERTIFICATION ON FILE AT THIS AGENCY. THESE DOCUMENTS ARE ROUTINELY MICROFILMED AS A NECESSARY OPERATION IN THE OPERATION OF AN INVOLUTE DOCUMENT FILE.

7-17-89
DATE

Super Cat Plus
CAMERA OPERATOR

89-06
ROLL NO.

ERK 6772 107 708

APPROVED BY:

ERK 6772 107 5012

| NAMES | ADDRESS | OWNER OF LOT(S) |
|--|--|-------------------|
| TAYS INVESTMENT CORP. | | |
| By: <u>Melvin E. Tays</u> MELVIN E. TAYS President | 1500 Rockwood Alamogordo, NM 88310 | 345 349 357 |
| By: <u>Celeste Siebel</u> Gary Siebel Celeste Siebel | <u>7106 MATTA DEL PRADO</u> <u>Alamogordo, NM 88310</u> | <u>353</u> |
| By: <u>Rafael S. Peña</u> Edovigian R. Peña RAFAEL S. PEÑA | <u>3030 151 DOBADO</u> <u>Alamo</u> | <u>344</u> |
| By: <u>HAROLD E. TENSEN</u> | <u>3107 Plaza del Prado</u> <u>Alamo</u> | <u>350</u> |
| By: <u>Paul F. Baum</u> Paul F. Baum | <u>3107 Plaza del Prado</u> | <u>351</u> |
| By: <u>Cynthia P. Hamrick</u> Cynthia P. Hamrick | <u>3104 Plaza del Prado</u> | <u>352</u> |
| By: <u>David Williams</u> David Lewis Williams | <u>3105 Plaza Del Prado</u> | <u>354</u> |

BK 5702 PG 503

STATE OF NEW MEXICO)
) ss: BK 5702 PG 510
COUNTY OF OTERO)

On this 10th day of July, 1989, before me personally appeared MELVIN E. TAYS, President of TAYS INVESTMENT CORPORATION, a New Mexico Corporation on behalf of said corporation, to me known to be the person described in and who executed the foregoing _____ before me, and who acknowledged to me that he executed it as his own free act and deed.

WITNESS my hand and seal on this day and year last above written.

[Signature]
Notary Public

My Commission Expires:
4-5-93

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

On this 10th day of July, 1989, before me personally appeared GARY + ESTER SIEDEL, to me known to be the person described in and who executed the foregoing before me and who acknowledged to me that this was executed as her/his own free act and deed.

WITNESS my hand and seal on this day and year last above written.

[Signature]
Notary Public

My Commission Expires:
4-5-93

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

On this 10th day of July, 1989, before me personally appeared Rafael + Virginia PENA, to me known to be the person described in and who executed the foregoing before me and who acknowledged to me that this was executed as her/his own free act and deed.

ALL MICROPHOTOGRAPHIC IMAGES OF DOCUMENTS ON THIS FILM STRIP ARE AUTHORIZED DOCUMENTS IN THE POSSESSION OF THIS AGENCY AS NOTED IN THE STATEMENT OF DOCUMENT CERTIFICATION ON FILE AT THIS AGENCY. THESE DOCUMENTS ARE ROUTINELY MICROFILMED AS A NECESSARY OPERATION IN THE GENERATION OF AN INVIOLEATE DOCUMENT FILE.

7-17-89
DATE

[Signature]
CAMERA OPERATOR

89-069
ROLL NO.

CERTIFICATION
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7-17-89

[Signature]

89-069
ROLL NO.

WITNESS my hand and seal on this day and year last above written.

[Signature]
Notary Public

My Commission Expires:
4-5-93

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

On this 10th day of July, 1989, before me personally appeared Harold & Stella Jensen, to me known to be the person described in and who executed the foregoing before me and who acknowledged to me that this was executed as her/his own free act and deed.

WITNESS my hand and seal on this day and year last above written.

[Signature]
Notary Public

My Commission Expires:
4-5-93

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

On this 10th day of July, 1989, before me personally appeared Rob & Bev Brady, to me known to be the person described in and who executed the foregoing before me and who acknowledged to me that this was executed as her/his own free act and deed.

WITNESS my hand and seal on this day and year last above written.

[Signature]
Notary Public

My Commission Expires:
4-5-93

CERTIFICATION
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89-016 ROLL NO.
[Signature] CAMERA OPERATOR
7-17-89 DATE

STATE OF NEW MEXICO

COUNTY OF OTERO

On this 16th day of July, 1989, before me personally appeared [Signature] to me known to be the person described in and who executed the foregoing before me and who acknowledged to me that this was executed as her/his own free act and deed.

WITNESS my hand and seal on this day and year last above written.

[Signature]
Notary Public

My Commission Expires:

4-2-93

STATE OF NEW MEXICO

COUNTY OF OTERO

On this 16th day of July, 1989, before me personally appeared YVONNE & Cynthia Hernandez to me known to be the person described in and who executed the foregoing before me and who acknowledged to me that this was executed as her/his own free act and deed.

WITNESS my hand and seal on this day and year last above written.

[Signature]
Notary Public

My Commission Expires:

4-5-93

STATE OF NEW MEXICO } S.S.
OTERO COUNTY }
FILED FOR RECORD IN MY OFFICE
This 14 day of July 1989
At 11:00 o'clock A.M. and duly recorded
in Book No. 672 Page 708-712

STATE OF NEW MEXICO

COUNTY OF OTERO

On this ___ day of _____, 1989, before me personally appeared _____ to me known to be the person described in and who executed the foregoing before me and who acknowledged to me that this was executed as her/his own free act and deed.

the records of Otero County, New Mexico
By Wiliana J. Moran County Clerk, Otero County, New Mexico
[Signature] Deputy
5796

STATE OF NEW MEXICO } S.S.
OTERO COUNTY }
FILED FOR RECORD IN MY OFFICE
This ___ day of _____, 1989
At ___ o'clock ___ M and duly recorded
in Book No. ___ Page ___
the records of Otero County, New Mexico
By [Signature] County Clerk, Otero County, New Mexico
[Signature] Deputy

#5701