

## AMENDMENT TO RESTRICTIVE COVENANTS

The undersigned, being a majority of the owners of the lots in the Granada Hills Subdivision, amends the Restrictive Covenants governing the use of land and the construction of residences in the Granada Hills Subdivision as follows:

C-2. Delete original paragraph and substitute the following.

C-2. BUILDING AND ZONING CODES, STATUTES AND REGULATIONS. No structure shall be erected on any lot that does not conform to then existing building and zoning codes or other applicable Federal, State and Local statutes, regulations and ordinances relating to the structure to be built. No fence or wall, except court yard type fences or walls, 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 wall, except necessary retaining walls of minimum heights, the height 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 line, nor nearer the side street than the property line. There is no restriction as to height of fence which are erected behind the minimum setback lines of the front street.

D-1. Delete original paragraph and substitute the following.

D-1. MEMBERSHIP. The Architectural Control Committee is composed of the officers of the Neighborhood Association of Granada Hills, an unincorporated association organized under Section 53-8-1, et seq., N.M.S.A., 1978. A majority of the committee may designate a representative to act for it. In the event of the death or resignation of any member of the committee between elections of officers, the remaining members shall have full authority to designate a successor. Neither the members of the committee, nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant.

D-2. Delete original paragraph and substitute the following.

D-2. No building shall be erected on any lot or altered upon any lot until the construction plans and specifications and a plan showing the location of the structures have been submitted to the Architectural Control Committee. The Committee shall have 30 days to approve or disapprove of the matters submitted, as they are concerned with the harmony of the external design, of residences and appurtenant structures to be built, with the existing and surrounding residences and with other structures as may be planned; and, as to the aesthetics

of location of the proposed structures, with respect to topography and finished grade elevation of the building lot, and surrounding residences and their appurtenant structures. If the Architectural Control Committee does not act within said 30 day period the documents submitted shall be deemed approved.

Approval by the Architectural Control Committee of documents submitted to it under the foregoing paragraph shall not be deemed in any manner to indicate approval by the Architectural Control Committee that the plans and documents comply with the articles contained in these restrictive covenants, or comply otherwise with zoning and building codes or applicable federal, state and local statutes, ordinances and regulations required of the developer or owner under C-2 of these covenants.

E-5. Delete original paragraph and substitute the following.

E-5. AMENDMENT. These covenants may be amended in whole or part at any time an instrument signed by a simple majority of the then owners of the lots upon which residences have been completed, agreeing to said amendment of the covenants in whole or in part. Votes shall be counted on the basis of one vote for each lot owned upon which a residence has been completed.

ATTEST. IN WITNESS WHEREOF, the said owners have caused this instrument to be executed this 28th day of June 1985.

NEIGHBORHOOD ASSOCIATION OF GRANADA HILLS

CHAIRMAN

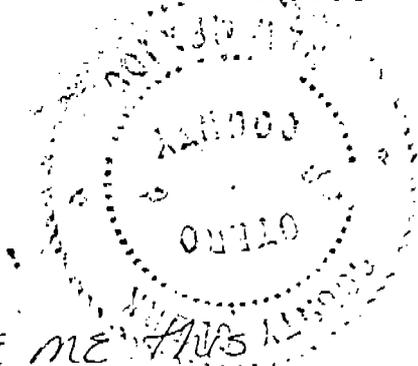
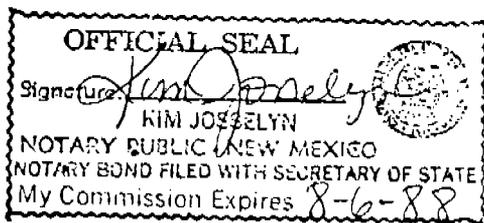
VICE-CHAIRMAN

*Richard R. Strunk*

*Patricia Ann Landschoot*

Richard R. Strunk

Patricia Ann Landschoot



Subscribed and sworn to before me this 28 day of June 1985.

*Kim Josselyn*  
Notary Public

My Commission Expires: 8-6-88

STATE OF NEW MEXICO } ss.  
OTERO COUNTY }  
FILED FOR RECORD IN MY OFFICE  
This 28 day of June 1985  
At 11:27 o'clock A.M. and duly recorded  
in Book No. 579 Page 48687 of  
the records of Otero County, New Mexico.  
*Andrew C. Thompson*  
County Clerk, Otero County, New Mexico  
*Lynn Arthur* Deputy  
#2129