RESTRICTIVE COVENANT FOR JOHNNY'S PLACE SUBDIVISION

The property is subject to the following restrictive covenants, and Grantees by signing the deed in the space provided below hereby accepts and acknowledges these restrictive covenants to wit:

1. The property shall be used for single family residential purpose only.

2. Site built or doublewide mobile homes only. Mobile homes must have been manufactured 1990 or after. Mobile homes must be placed on V.A. approved foundation.

3. Smaller or older mobile homes, prefabricated buildings, motor homes, travel trailers shall be allowed on property as temporary living quarters provided they are properly hooked up to septic tanks, electricity, and where appropriate, skirted an maintained in a clean and attractive and manner and with written consent of Grantor. Temporary is defined as less than one year.

4. If any of the items described in Paragraph 3 are to be on the property for a period of one year or longer written permission must be obtained from Grantor, its successors or assigns and Grantor may place such reasonable requirements as are necessary to insure the items are properly installed to utilities, skirted where appropriate and otherwise made to appear attractive and orderly.

5. There shall be no more than one single family dwelling per lot.

6. No dwelling shall be placed or constructed with a fully enclosed floor space of less than one thousand square feet exclusive of garages, carports, open porches.

7. No outdoor type toilet shall be erected or maintained on the parcel except by prior written approval of the Grantor as may be required during actual period of construction.

8. All buildings constructed or moved on to parcel shall be of standard construction and no old or secondhand building shall be moved on any parcel unless the same be in conformance with the same standards as those required by the County Building Codes, and by the plumbing, electrical, and other safety codes relating to single family residential dwellings of the County of Otero and the State of New Mexico.

9. No commercial activities shall be conducted on any parcel other than occupations of or professions conducted by a member or members of a family residing on the property when such activities are not a nuisance or annoyance to the neighborhood and provided no electrical or mechanical equipment, machinery, materials are used in a manner to create a nuisance or disturbance to the neighborhood.

10. Parcels cannot be re-subdivided.

11. No obnoxious or offensive activity shall be carried on upon parcel nor shall anything be done on parcel which may be or become an annoyance or nuisance to the neighborhood.

12. No garbage, refuse, junk, trash, hazardous, obnoxious or offensive material shall be allowed to accumulate or be buried on parcel and the owner or owners of parcel shall cause the same to be disposed of by and in accordance with accepted sanitary practices and in accordance with the regulations of the State of New Mexico and any of its subdivisions.

13. No inoperable vehicles or equipment may be stored on parcel unless same are stored out of sight.

14. No feed lot operation nor commercial kennel, nor caged fowl or poultry operator may be maintained or kept on said property, except that poultry may be raised for personal food or hobby. Large animals may be kept on property as long as said animals are penned and have proper food, water and shelter.

15. No work or exploration for any minerals, or mining of any minerals or quarrying of any rock minerals, soil, or material of any nature shall be conducted on any parcel or portion thereof except as may be incident to the installation of utility services, drainage lines, excavations incident to the grading and preparation of building sites, the construction of dwelling and or swimming pools, and the grading of roads and streets. Oil and gas exploration excepted.

16. A property owner's association shall be formed consisting of owners of Lots 2, 3, and 4 to address maintenance of ingress/regress easement. With a simple majority vote, all costs of maintenance shall be shared equally among owners.

17. These covenants are to run with the land and shall be binding upon the undersigned and all persons claiming under it, their heirs, successors and assigns, for a period of fifteen (15) years from the date these restrictive covenants are recorded, after which time said restrictive covenants shall be automatically extended for successive periods of fifteen (15) years unless an instrument signed by two-thirds (2/3) of the owners of the lots have been recorded agreeing to change said restrictions in whole or part or releasing any portion of the property from any one or more of said restrictive covenants. Lots #1 is excluded from all said restrictive covenants but owner retains the right to vote on covenant changes.

18. All restrictive covenants contained herein are for the benefit of the parcel(s) and all of the owners of the divided parcel(s), and if the undersigned owner or any of its assigns, or successors in interest shall violate or attempt to violate any of such restrictive covenants, then it shall be lawful for any other person or persons owning the parcel(s) to prosecute any proceedings at law or in equity to recover damages or to enjoin such act and to have any and all further legal and equitable relief. The word "person", as used herein, means any individual, partnership, firm, company, trust, association, corporation, or other entity of whatsoever nature.

19. Invalidation of any one of these covenants shall in no way effect any of the other provisions hereof, which shall remain in full force and effect.

20. No portion of any tract within this subdivision may be used as a roadway or easement for ingress and regress to lands outside of this subdivision without written permission of the original developers or their heirs.

State of New Mexico, County of Otero, SS, I hereby certify that this instrument was filed for record on this 25th day of April, 2001 at 1:25pm O'Clock and duly recorded in Book 980, Page 603-604 of the records of said county.

Mary D. Quintana
County Clerk, County of Otero

By: Robyn Silva
Deputy Clerk, Reception No. _____

Gaynelle Smith 04/25/01 # 3912

OFFICIAL SEAL
GAYNELLE SMITH
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 09/11/02