457-928

P.

AMENDMENT TO RESTRICTIVE COVENANTS

WHEREAS. heretofore on the 2nd day of December, 1976, there was filed in the Office of the County Clerk of Otero County, New Mexico, and recorded in Book 435 at Page 672 of the records of said County an instrument entitled "Restrictive Covenants", which covenants affected all of that property located in Otero County, New Mexico and described as follows, to-wit:

> The South Half of the Southeast Quarter (S 1/2 SE 1/4) of Section 32, and the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 33, Township 16 South, Range 10 East, N.M.P.M.

WHEREAS, certain conditions have arisen which have caused all of the owners or proprietors of said real estate to consider it proper and advisable to make changes in said restrictions governing the use of certain lots in said subdivision;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, being all of the owners and proprietors of the above mentioned real estate, do hereby declare and agree among themselves and with all future purchasers of all or part of said real estate that Paragraph (a) of the above mentioned "Restrictive Covenants" affecting said property be, and the said paragraph is, hereby amended to read as follows:

A. That said real estate shall not be subdivided into any tract smaller than two acres in area (87,120 square feet). This area shall not include roadway easements.

Paragraph "E.)" is hereby amended to read as follows:

E. No Mobile Homes, Modular Homes, or Trailers may be moved onto said real estate. And no structure or a temporary character, or a Trailer, Mobile Home, Modular Home, Tent, Shack, Garage, Barn or outbuilding shall be used on any tract at any time as a residence. No structure or outhouse shall be used or built for the purpose of outside toilet facilities. No provision of this paragraph shall prevent any owner of said real estate from storing a travel trailer or motor home on said property for use elsewhere.

Paragraph "H.)" is hereby deleted in its entirety and the following paragraph shall be added and hereafter known as Paragraph "H.":

H. All utility wires shall be installed underground. This includes electricity feeder lines as well as service lines, telephone and cable television lines. Lines crossing the property for service elsewhere shall also be installed underground.

IN WITNESS WHEREOF, the said owners have caused this instrument to be executed this 21st day of October, 1978.

C. Michael Shyne

Garnett E. Shyne

STATE OF NEW MEXICO:
: SS:
COUNTY OF OTERO :

The foregoing instrument was acknowledged before me this 21st day of October, 1978, by C. Michael Shyne and Garnett E. Shyne, husband and wife.

Linda M. Rios
Notary Public

My Commission Expires:
October 19, 1981

STATE OF NEW MEXICO
OTERO COUNTY } SS.
FILED FOR RECORD IN MY OFFICE
This 30 day of Oct 19 78
At 1:15 o'clock P M. and duly recorded
in Book No. ..... Page ..... of
the records of Otero County, New Mexico.
Clerk of the County Court by Deputy Clerk

37635