

CHALK TRAIL SUBDIVISION  
OTERO COUNTY, NEW MEXICO

RESTRICTIVE COVENANTS  
Applicable To Lots Numbered 1; 2; 4; 6; 7; 8; 9; 10;

12; 14; 15; 16; 17; 19; 22, 23, 24

1. No lot shall be subdivided or resubdivided into more than two (2) lots in the future except by the owner of the property at the time these restrictive covenants are recorded at the Otero County Courthouse..
2. No dwelling structure or mobile home shall be placed or erected on any part of said real estate other than two detached single family dwellings per lot or resubdivided lot and other outbuildings incidental to residential use. There shall never be a concentration of more than one residential dwelling per two (2) acres of land on any lot or resubdivided lot. Homes having permanent type construction will have a minimum habitable floor size of 600 square feet exclusive of porches, garages and the like. Mobile homes and prefabricated buildings may be placed on the lots in this subdivision. Mobile homes must have a minimum habitable floor size of 600 square feet and must have been manufactured no more than 10 years prior to the date they are brought into the subdivision. Mobile homes shall be skirted in such a manner as to give the impression of being permanent. Outbuildings are to be of a permanent type construction and shall be neat and attractive.
3. No tent, shack, garage, barn or other outbuildings shall be used on any lot at any time as a residence.
4. No building shall be erected or permitted to remain on any lot of this subdivision nearer than 25 feet to any boundary line between any lot and any other lot owned by different persons, nor nearer than 25 feet to a front or rear property line.
5. No shelter or enclosure for the use or confinement of any animal shall be erected or maintained closer than 50 feet to any boundary line between any lot and any other lot or between any portions of the above described lot owned by different persons.
6. The owner or lawful possessor of any lot shall be permitted to maintain horses, cattle, sheep, domestic fowl, dogs, cats and other household pets upon said premises for recreational, pleasure, household and residential uses only. All animals kept on any lot must be properly fenced, caged or restrained from trespassing upon other premises, and shall not cause a nuisance to occupants of surrounding property through the emission of foul or noxious odors or by causing noise that will disturb the peace and quiet of other occupants of this subdivision. Swine ~~may~~ may be kept or maintained upon said premises for 4H or FFA type projects only. No animal shall be kept or raised on any lot for commercial purposes.
7. All sewage facilities shall consist of septic tanks, which shall be constructed in accordance with the rules and regulations of the New Mexico Department of Health, or other governmental agency having jurisdiction in the premises; and outhouses and cesspools are strictly prohibited. Septic tanks must be separated from owner's or existing neighbor's walls by at least the minimum distance required to comply with regulations of all governmental agencies having jurisdiction in the premises.
8. No lots shall be used in whole or in part for the storage of rubbish of any character whatsoever; nor for the storage of any property or thing that will cause such lot to appear in an unclean, cluttered condition or that will be objectionable to the eyes nor shall any unsightly, thing, or material be kept out upon any lot that would cast foul odors or be of such a nature as to be a nuisance that will or might disturb the peace, quiet and well-being or amenity of the occupants of surrounding property.
9. The owner of any lot shall not be permitted to erect any structure, building or any other improvement on any lot that would be a nuisance to the occupants of surrounding property.

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QUAIL TRAIL SUBDIVISION

RESTRICTIVE COVENANTS

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10. All of the Restrictive Covenants contained herein are for the benefit of any and all of the owners of the lots within the boundaries of the subdivision, and shall enure to and pass with each and every lot of the subdivision, and shall bind the present owners, their successors, executors, administrators and assigns and any other parties which may hereafter become owners of all or a part of any lot in the subdivision.
11. These covenants are to run with the land and shall be binding upon the present owners and all persons claiming under them, their heirs, successors, and assigns, for a period of twenty (20) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then owners of the lots in this subdivision has been recorded agreeing to change said restrictions in whole or in part or releasing any portion of the property in said subdivision from any one or more, or all, of said covenants.
12. Invalidation of any one of these covenants shall in nowise affect any of the other provisions hereof, which shall remain in full force and effect.
13. All vehicles kept on any lot shall be in a usable and operating condition. No junked vehicles may be kept on any lot.
14. Solid waste must be disposed of by the individual property owner in accordance with State of New Mexico Regulations, at an EID-approved solid waste disposal site (landfill). The nearest site is the Otero County Landfill, located 5 miles north of Alamogordo, New Mexico. Private collection service is available in the area.
15. Lots shall not be occupied or used for any commercial or business purpose other than that which can be performed within the residential building or adjoining workshop.

In witness whereof, the owner has caused this instrument to be executed this 7<sup>th</sup> day of August, 1985.

John P. Mobbs for Horizon Investments Co.  
John P. Mobbs

State of New Mexico  
County of Otero

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of August, 1985, by John P. Mobbs.

My Commission Expires:

9/22/86

[Signature]  
Notary Public

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