RESTRICTION APPURTENANT TO LOTS 59 AND 60, SEDONA RIDGE ESTATES, PHASE 4, ALAMOGORDO

Sedona Development, Inc., a New Mexico corporation, as the owner of the following described real estate in Otero County, New Mexico:

Lots Fifty-Nine (59) and Sixty (60), Sedona Ridge Estates, Phase Four (4), Alamogordo, Otero County, New Mexico, commonly known as 2480 and 2488 Sedona Ridge, Alamogordo, New Mexico;

For themselves, their successors and/or assigns, and subsequent purchasers of the herein described property, hereby place the following restriction, covenant and condition upon the subject property:

Any subsequent owner of the herein described property who first commences construction upon either Lot 59 or 60, shall be obligated, and hereby agrees, to construct a retaining wall, at their sole cost and expense, to be located on the lot line between Lots 59 and 60. The subsequent owner further agrees that said retaining wall shall be constructed in compliance and conformity with the current technical standards as prescribed by the City of Alamogordo, at the time of construction.

This restriction shall be a covenant, condition and agreement running with the land herein described.

Witness its hand and seal this 31st day of October, 2008.

Sedona Development, Inc.

Mark W. Bolin

Mark W. Bolin, President

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

This instrument was acknowledged before me this 31st day of October, 2008, by Mark W. Bolin, President of Sedona Development, Inc., a New Mexico corporation, on behalf of said corporation.

My Commission Expires: 6/17/11

Notary Public

JEFFREY S. GITTELL NOTARY PUBLIC STATE OF NEW MEXICO

COUNTY CLERK OTERO COUNTY NEW MEXICO

REC DATE:10/31/08 REC TIME:2:26:55 PM INSTR#:200810616 CLK: RC
OTERO COUNTY,ROBYN HOLMES COUNTY CLERK PAGE 1 OF 1