

**Sierra Vista**  
**Restrictive Covenants**

**Part A. WHEREAS** French Brothers Inc. is the owner of ten (10) lots, lots A, B, D, E, F, G, J, K, M, and N, in Western Acres Replat C, located in Alamogordo, Otero County, New Mexico.

And Whereas, as owner of more than the two-thirds of the lots in Western Acres Replat C, French Brothers Inc has the legal right to make modifications to said restrictive covenants.

And Whereas, said Owner above named desires to modify the Restrictive Covenants for all of the lots in Western Acres Replat C.: to-wit

**PART B. MODIFICATION OF COVENANTS. Paragraph C-2 ARCHETECTURAL CONTROL of the original recorded covenants shall be modified as follows:** No fences of any type or material shall be constructed in the front yard or side yard of any home. Fences will be allowed in the rear yard of homes so long as they are constructed as follows-

1. Because of the flowing nature of the landscaping in this subdivision, and because the irrigation system running through the subdivision is common to all of the lots, any fence constructed in the rear of any home shall be of a material and construction to allow water sprinkled from the irrigation system to pass through. Such materials include chain link and wrought iron. Materials that are subject to rust must be painted and maintained free of rust. The paint colors of the fence shall match the color of the homes.
2. The fence shall be between four (4) feet and five (5) feet in height.
3. Plans for the fence shall be submitted to the Architectural Control Committee for approval prior to construction of the fence.

**PART C. FULLY RESTRICTED RESIDENTIAL AREA.** These modifications to the covenants in Part B in their entirety shall apply to lots (A) through (N), Western Acres Subdivision Replat C, Alamogordo, Otero County, New Mexico.

**D-3. SEVERABILITY.** Invalidation of any one of these covenants by judgment or court order shall in no way affect any other provision which shall be and remain in full force and effect.

**PART F. ATTEST.**

