

457-609

RESTRICTIVE COVENANTS

for

TIERRA ENCANTADA

1. In the event that in the future said lands covered herein shall be re-subdivided it is agreed and understood that no parcel shall contain less than 2 acres.
2. No dwelling structures shall be erected on any part of said real estate other than one detached single family dwelling and other outbuilding incidental to residential use. Homes shall be of a permanent type construction and of a minimum habitable floor size of 1200 feet. Stables and outbuildings are to be of a permanent type construction and shall be neat and attractive.
3. No structure of a temporary character, mobile home, trailer, basement, shack, garage, barn or other outbuilding shall be used on any lot or tract, except a trailer or temporary storage building may be used during the time of construction of a permanent residence, provided that this time not exceed a period of one (1) year from the time that such construction commences. However, such period may be extended under unusual circumstances in the discretion and with the written approval of Grantors.
4. No building shall be erected or permitted to remain on any portion of said real estate nearer than 25 feet to any boundary line between the above described tract and any other tract owned by different persons.
5. No barn, shed, corral, pen, or other shelter or enclosure for the use of confinement of any livestock, or any other type of animal, shall be erected or maintained closer than 50 feet to any boundary line between the above described tract and any other tract or between any portions of the above described tract owned by different persons.
6. One (1) horse or one (1) cow or one (1) sheep or one (1) goat only may be kept on each full acre of land within this subdivision. Swine shall be limited to two (2) per each land owner and must be kept on concrete floor and must be kept sanitary. Fowl, dog, cats or any other household pets shall be permitted as long as they are for domestic use only and not for commercial purposes.
7. All sewage facilities shall consist of septic tanks, which shall be constructed in accordance with the rules and regulations of New Mexico Department of Health, or other State Agency having jurisdiction in the premises; and outhouses and cesspools are strictly prohibited.
8. Said land shall not be occupied or used for any commercial or business purposes other than arts and crafts which can be performed within the residence building or an adjoining workshop, nor for any noxious or offensive activity, and nothing shall be done or

permitted to be done on said lands which is a nuisance or might become a nuisance to the owner or owners of any of surrounding lands including the disposal of trash and junked vehicles.

9. These covenants are to run with the land and shall be binding upon the undersigned and all persons claiming under them, their heirs, successors, and assigns, for a period of ten (10) years from the date these Restrictive Covenants are recorded, after which time said Restrictive 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 the 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 Restrictive Covenants.

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

WITNESS our hands and seals this 1st day of June, 1978.

TIERRA ENCANTADA, A  
Limited Partnership

By Raymond E. Walker  
General Partner

STATE OF NEW MEXICO }  
COUNTY OF OTERO }

The foregoing instrument was acknowledged before me this 1st day of June, 1978, by Raymond Walker, General Partner of Tierra Encantada, a Limited Partnership.

December 2, 1980  
My commission expires:

By: Lena Ruth Liley  
Notary Public

STATE OF NEW MEXICO }  
OTERO COUNTY }

FILED FOR RECORD IN MY OFFICE

This 6 day of Sept, 1978

At 10:45 o'clock A. M. and SD State

in Book No. \_\_\_\_\_ Page \_\_\_\_\_ of

the records of Otero County, New Mexico

Margaret D. Sanke  
County Clerk, Otero County, New Mexico

My \_\_\_\_\_

36326