

AMENDMENT TO THE RESTRICTIVE COVENANTS
OF TIMBERON GOLF COURSE SUBDIVISION UNIT 8

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, North American Developments, Inc., formerly known as North American Land Developments, Inc., does hereby file the Amendments contained herein to the Restrictive Covenants of Timberon Golf Course Subdivision Unit 8, the original of which Covenants were filed for record in the office of the County Clerk and ex officio recorder of Otero County, New Mexico, on the 26th day of MARCH, 1979.

By the filing of these Amendments, North American Developments, Inc. represents and certifies that the provision for amending the Restrictive Covenants contained in Paragraph P of the original Restrictive Covenants has been complied with in that North American Developments, Inc. is the owner of 51% or more of the lots Timberon Golf Course Subdivision Unit 8.

The original Paragraph letters are amended to read as follows:

A. All lots in the said Timberon Golf Course Subdivision, Units 4, 5, 6, 7 and 8, according to the survey and plat thereof, are hereby designated as "residential area". None of these lots shall be resubdivided, however, this restriction on resubdivision shall in no way prohibits North American Developments, Inc., or its successors, from utilizing one or more lots contained in Timberon Golf Course Subdivision Units 4, 5, 6, 7 and 8 as part of a condominium, townhouse or timesharing development which would involve multiple residential units and recreational, administrative or other non-residential uses.

B. No structure shall be erected, altered, placed or permitted to remain on any residential building lot, other than one detached, single-family dwelling and a private garage and garden structure such as are ordinarily used in connection with a single-family residence, save and except the following-described lots, which are set aside for condominium, townhouse and timesharing development:

TIMBERON GOLF COURSE SUBDIVISION, UNIT 6

- Lots 102 through 113 (inclusive).....Block 6
- Lots 94 through 100 (inclusive).....Block 6

TIMBERON GOLF COURSE SUBDIVISION, UNIT 7

- Lots 114 through 127 (inclusive).....Block 6

TIMBERON GOLF COURSE SUBDIVISION, UNIT 8

- Lots 128 through 138 (inclusive).....Block 6

C. No building shall be located on any lot nearer than twenty-five (25) feet to the front lot line. No building shall be located on any lot nearer than five (5) feet to any side street line, nor nearer than five (5) feet to any side lot line. No buildings shall be located on any lot nearer than ten (10) feet to the rear lot line, provided, however, nothing herein

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contained shall be construed to prevent the use of one building site of two or more lots. For the purposes of this covenant, eaves, steps and open porches shall not be considered part of the building, provided, however, this shall not be construed to permit any portion of a building on a lot to encroach upon another lot. Guest houses are permitted, provided they are attached to the main house with a breeze-way.

Nothing in this Section shall apply to the lots set aside in Paragraph B above pertaining to condominium, townhouse and timesharing use.

M. No commercial activity shall be carried on in the hereinabove designated "Residential Area", except for the sale of real property constituting the subdivision or condominiums, townhouses or timesharing projects, as contemplated herein on the lots set aside in Paragraph B above for that purpose. No signs shall be displayed, except that occupants may post "for sale" or "name" signs, except as to th condominium, townhouse and timeshare project lots set forth in Paragraph B above, which shall have no restrictions on the use o. signs.

The remaining Paragraphs in the original Restrictive Covenants recorded on the date indicated above are hereby republished in their original form without change or amendment.

IN WITNESS WHEREOF, we have set our hands and seals this 11th day of April, 1985.

NORTH AMERICAN DEVELOPMENTS, INC.

By: Johnny F. Mobley
President

Attest:
James M. Mobley
Assistant Secretary-Treasurer

STATE OF NEW MEXICO } ss.
OTERO COUNTY }
FILED FOR RECORD IN MY OFFICE
this 11th day of April 1985
at 11:50 o'clock A.M. and duly recorded
in Book No. 575 Page 450-451

Records of Otero County, New Mexico
Andrew C. Wustham
County Clerk, Otero County, New Mexico
Rosa J. Duran

ACKNOWLEDGEMENT

STATE OF NEW MEXICO)
COUNTY OF OTERO) ss.



THE FOREGOING INSTRUMENT was acknowledged before me this 11th day of April, 1985, by Johnny F. Mobley, President of North American Developments, Inc., a New Mexico corporation, for and on behalf of said corporation.

OFFICIAL SEAL
Andrew C. Wustham
Notary Public - NEW MEXICO
NOTARY BOND FILED WITH SECRETARY OF STATE
My Commission Expires 3-30-87

My Commission expires: _____

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