

BOOK 392 PAGE 817

RESTRICTIVE COVENANTS  
WATERFALL Addition # 5  
OTERO COUNTY, NEW MEXICO

1. That no horses, cattle or other livestock, fowl or swine shall be quartered on this land.
2. That complete outside construction, including exterior painting and closing in of foundations, of a fixed and permanent cabin or home, shall be completed within twelve months from date of beginning of construction.
3. That house trailers, tents, or other temporary or movable structures, together with outside chemical toilets, may be placed on this property only during the period allowed for construction. Upon completion of said construction, all such temporary structures shall be removed from this property by Purchasers or Owners.
4. That completed cabins or homes shall be a minimum size of 1,500 square feet, contain at least one and one-half (1-1/2) baths, and shall not be placed more frequently than one cabin or home per 1/4 acre of land, nor closer than five (5) feet to any boundary line.
5. That cabin or home construction must be structurally sound; exterior materials must be of durable nature and finished attractively; all initial construction plans or exterior remodeling plans must be submitted to the Seller for approval. If such plans are not disapproved within 30 days after receipt by Seller, they shall be deemed approved.
6. That no commercial use will be made of this property.
7. That all oil, gas, mineral and water rights are retained by Waterfall, Inc.
8. That no living trees eight (8) inches or larger in diameter measured at ground level may be cut except those necessary for construction or access.
9. That all utilities, including propane/butane tanks, will be placed under ground or in walled-in or fenced-in areas so that they shall not be visible from any adjoining lot, any street or waterway, no open trash burning will be allowed.
10. That easements or rights-of-way necessary for the construction, laying or providing all usual and ordinary roads and utilities are hereby retained by Waterfall, Inc., provided that such easements or rights-of-way do not jeopardize any permanent buildings standing on this property at the time such easements or rights-of-way are exercised. Waterfall, Inc., further reserves for the benefit of lot owners in the Waterfall Addition the right of access for fishing purposes to all fish ponds in the Waterfall Addition.

In Witness Whereof, the owners and proprietors of the above described subdivision have set their hands and seals on this 8<sup>th</sup> day of January, 1973

*[Signature]*

STATE OF NEW MEXICO  
COUNTY OF OTERO

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of January 1973 by *[Signature]*, President of Waterfall, Inc.

MY COMMISSION EXPIRES 5-26-74 *[Signature]*  
Notary Public

STATE OF NEW MEXICO  
OTERO COUNTY

FILED FOR RECORD IN MY OFFICE  
9<sup>th</sup> day of Jan. 1973  
at 11:30 o'clock A.M. and duly recorded  
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Franklin Dean  
Clerk of Otero County  
Elizabeth Stout  
Deputy

92596

