

RESTRICTIVE COVENANTS UNIT II

SIERRA LOS PINOS, SUBDIVISION SANDOVAL COUNTY, NEW MEXICO

WHEREAS it is the desire and intent of the undersigned to create and establish certain restrictive covenants to help maintain the authenticity and retain the natural beauty of the area and for the quiet enjoyment and protection for all the landowners, therefore:

KNOW ALL MEN BY THESE PRESENTS that the undersigned owners and proprietors of all the property, described as Unit II, SIERRA LOS PINOS, a subdivision, filed in the office of the County Clerk of the County of Sandoval, New Mexico, on the 26th day of March, 1973, do hereby declare the creation and existence of restrictive covenants in the said subdivision which restrictions are as follows:

1. These covenants are to run with the land and shall be binding upon all parties and all persons claiming under them until the 1st day of July, 1992, at which time said covenants shall be automatically extended for successive periods of ten years unless by vote of a majority of the then owners of the lots it is agreed to change said covenants in whole or part.

2. **ARCHITECTURAL CONTROL:** No buildings or structures shall be erected, placed or altered on any lot until plans showing the location of structure on the lot, the topographic and finish grade elevations, the harmony of materials and exterior design with existing structures, have been approved by the Architectural Control Committee. The use of the term "building" in this paragraph shall specifically include other substantial improvements including, but not limited to, fences, walls, retaining walls and driveway copings exceeding six inches in height whether temporary or permanent in nature and all residences and out-houses and garages which may be built as hereinafter provided.

3. **ARCHITECTURAL CONTROL COMMITTEE:** The Architectural Control Committee shall consist of three members, which shall include 1) Robert J. Bootzin; 2) David L. Lewis; 3) Douglas L. Lewis; until such time as a duly legal authorized association of the lot owners shall have been organized, and at such time, such organization shall elect their own.

4. **SINGLE FAMILY RESIDENCES:** Only single-family residences shall be permitted with no more than one (1) residence per lot. The ground floor area of the main structure on any lot exclusive of porches and garages, shall not be less than six hundred (600) square feet. All buildings are to be finished as to the exterior within two (2) years from start of construction. Mobile homes shall be permitted provided same comply with the minimum square footage and to be screened from view and or integrated into a residence as described herein.

5. No structure shall be located on any lot nearer than twenty (20) feet to any front right-of-way line, ten (10) feet to any side line, twenty five (25) feet to any rear lot line.

6. All water facilities and/or sewage disposal facilities must be of a type approved by the New Mexico Health Service Department. All solid waste must be disposed of by individual property owners. Building materials, etc., shall be left neatly stacked when not in use. All electrical, plumbing and

building work shall conform to the applicable codes of Sandoval County and to the State of New Mexico.

7. All dwellings shall be of sound construction and good architectural design. No shacks, temporary-type structures, or any structure that would be deemed detrimental to the character of the neighborhood shall be permitted.

8. The premises shall be used for residential purposes only and no obnoxious or offensive trade or activity shall be constructed thereon nor shall anything be done thereon which may be, or may become, an annoyance or nuisance on the area thereof.

9. It is mutually agreed that the owners of the lands hereby reserve right-of-way easements across property to install water lines and power lines, which same shall be done in a manner as not to detract from the esthetic value of the property.

10. Grazing of lands shall be done according to the recommendations of U.S. Conservation Service and restricted to purchaser and/or owners of platted lot area. Not over one (1) animal to ten thousand (10,000) square feet of said lot area.

11. No trees, shrubs or other natural foliage shall be removed from any of the lots except that which is necessary for the construction of improvements located thereon except where the trees are excessively thick and then same should be thinned as per the recommendations of the U.S. Forest Service to four hundred (400) stems per acre.

12. If the parties hereto or any of them or their heirs or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning any real property situated in said development or subdivision to prosecute any proceedings at law or in equity against the persons violating or attempting to violate any such covenant and either prevent him or them from so doing or to recover damages or other dues for such violation.

13. Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned, the owners, and proprietors of all lots and tracts in SIERRA LOS PINOS SUBDIVISION have hereunto set their hands and seals this 20th day of May, 1973.

VALLECITOS DE LOS INDIOS, INCORPORATED

By /s/
Robert J. Bootzin, Pres _____

ATTEST:

/s/
Orville C. McCallister, Sec.

AMENDED DECLARATION OF COVENANTS, CONDITIONS, AND
RESTRICTIONS FOR UNIT 2

SIERRA LOS PINOS SUBDIVISION
SANDOVAL COUNTY, NEW MEXICO

The covenants were amended by a vote of a majority of the resent owners of the lots within Unit 2, Sierra Los Pinos Subdivision, Sandoval County, at a meeting, lawfully called and in compliance with the corporate bylaws, consisting of proxies, mail-in ballots, and members in attendance.

Paragraph numbers 4 and 8 were amended and read as follows:

4. Except for lots owned by Sierra Los Pinos Property Owners Association and La Cueva Volunteer Fire Department (16B), only single-family residences shall be on lots with no more than one (1) residence per lot.

8. Except for Lot 16B (Station 2, La Cueva Volunteer Fire Department) and lots owned by Sierra Los Pinos Property Owners Association, the premises shall be used for residential purposes only. No obnoxious or offensive trade or activity shall be established thereon, nor shall anything be done thereon which may become an annoyance or nuisance on the area thereof.

All other covenants remain in effect.

IN WITNESS WHEREOF, the undersigned president of the SIERRA LOS PINOS PROPERTY OWNERS ASSOCIATION has hereunto set his hand and seal this 20th day of May, 1993.

/s/ _____
Neal Olcott, President

Attest:

/s/ _____
Judy Kilburg, Secretary

STATE OF NEW MEXICO)
)
COUNTY OF LOS ALAMOS)

The forgoing amendments to the Declaration of Covenants, Conditions, and Restrictions for Unit 2, Sierra Los Pinos Subdivision, Sandoval County, New Mexico, was acknowledged before me this 20th day of May, 1993, by Neal Olcott, President of Sierra Los Pinos Property Owners Association, a New Mexico corporation on behalf of said corporation.

/S/ Marlene Joyce Rube
NOTARY PUBLIC

My Commission Expires:

9 – 8 – 94

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