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KNOWN BY THESE PRESENTS, that New Mexico Investment Corporation, a New Mexico Corporation, the owners of NAVAJO CITY ACRES, as the same is shown and designated on the Map of said Subdivision, filed in the office of the County Clerk of Rio Arriba County, New Mexico, on the day of April 1967, do hereby declare the creation and existence of restrictive covenants in the above-named Subdivision, which said restrictions are as follows, to-wit:

1. All lots in the said Subdivision shall be known and designated as residential lots, except lots numbered One (1) and Twenty-One (21) in Block 1, and Lot One (1) in Block Two (2) and Lot One (1) in Block Three (3), and Lot One (1) in Block Four (4), all inclusive; which lots specifically enumerated herein may be used for business or recreation purposes as well as for residences. All above enumerated lots are subject to area requirements of paragraph 3-b.

2. No obnoxious or offensive trade or activity shall be carried on upon any business or residential lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighbor.

3. The following building restrictions shall govern the construction and erection of all buildings on said tract, to-wit:

(a) No building shall be located nearer than twenty-five (25) feet from the front lot property line, nor nearer than Twenty-Five (25) feet from any side lot line, rear lot line, or side street easement line.

(b) No structure shall be erected, altered, placed or be permitted to remain other than one detached single-family dwelling per each one-half ($\frac{1}{2}$) acre. Fractional areas remaining over and above each one-half ($\frac{1}{2}$) acre area may be considered as an additional one-half ($\frac{1}{2}$) acre for building purposes; provided, however, that such fractional area is not less than one-tenth ($\frac{1}{10}$) acre, and provided further, that such concentration of building does not conflict with the building density requirements or restrictions of Rio Arriba County. Each structure may include a detached private garage and/or utility house for tools, storage, or livestock, or the like. Structures may be grouped together or joined, upon said tract. One additional structure or trailer for business purposes each may be erected or placed upon such lots specifically enumerated in paragraph 1.

(c) No tent, shack, unsightly structure, nor utility building erected in the subdivision shall at any time be used as a residence temporarily or permanently for a longer period than ninety (90) days while a permanent structure is being erected, or while no structure is under construction.

(d) No dwelling, garage, or utility building shall be constructed which is not of good, substantial construction and pleasing in appearance, except that modern trailers, pleasing in appearance, may be used for single family dwelling purposes; provided, however, that said trailers have a valuation based upon the then current "Official Mobile Market Report" price book for said trailers based upon the following:

- 1) Small trailers--from 14 to 25 feet in length, a valuation of not less than \$1,250.00.
- 2) Median trailers--from 26 to 30 feet in length, a valuation of not less than \$1,750.00.
- 3) Large trailers--from 31 feet and longer, a valuation of not less than \$2,750.00.

4. GENERAL RESTRICTIONS

(a) Domestic livestock shall be allowed kept upon the premises only within reasonable limits and for the private use of the owner(s).

(b) No fires may be left or kept burning unattended and without suitable extinguishing facilities near at hand, and which are closer than thirty (30) feet to any vegetation which may become ignited and cause a general conflagration; there is excepted from this requirement the use of indoor fireplaces and outside barbecue pits of approved construction with chimneys a proper and safe distance from vegetation.

(c) No discharge of firearms are allowed except in a controlled target range or shooting gallery, and then only if the size of firearms does not exceed 32 caliber for rifles and pistols, and 12 gauge for shotguns. Such controlled target range or shooting gallery may only be allowed on the lots specifically enumerated for business or recreation purposes as delineated in paragraph above.

(d) Suitable sanitary facilities such as approved septic tank, cesspool, chemical toilet or other safe and hygienic method of disposal are required with each residence or groups of residences, business establishments and/or trailers. By "approved" is meant that which will pass the inspection and recommendation of a Rio Arriba County health and sanitation official, and which does not violate the provisions of paragraph 2.

(e) Trailers, when allowed under paragraph 3-d, are also subject to area requirements of paragraph 3-b.

5. That these covenants and restrictions are to run with the land and shall be binding on all the parties and all persons claiming under them for a period of twenty-five (25) years, at which time said covenants and restrictions may be renewed by consent in writing of all property owners on record in said Subdivision.

6. That, if the parties hereto, or any of them, or their heirs, assigns, shall violate or attempt to violate any of the covenants or restrictions herein within the above specified period, it shall be lawful for any other person or persons owning any other lots in said Subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant or restriction, and either to prevent him or them from doing so or to recover damages or other dues for such violation.

7. That invalidation of any one of these covenants by judgement or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, the said owners have hereunto set their hands this 27th day of NOVEMBER, 1967.

Rex H. Denney
(Rex H. Denney) President

C.J. Hogue
(C.J. Hogue) Secretary

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

The foregoing instrument was acknowledged before me this 27th day of NOVEMBER, 1967, by REX H. DENNEY, President and C.J. Hogue, Secretary of NEW MEXICO INVESTMENT CORPORATION, N.S.L., a New Mexico Corporation, on behalf of said corporation.

(Seal)

My Commission expires September 9, 1968

[Signature]

3602
FILED IN THE COUNTY
CLERK'S OFFICE
AT 4:30 O'CLOCK P.M.
MAR 29 1967

HANO PADILLA
CLERK, RIO ARriba COUNTY, N.M.