

DECLARATION OF RESTRICTIVE COVENANTS

The undersigned owners of BUDAGHER ESTATES, a subdivision of Sandoval County, New Mexico, the plat whereof was filed in the office of the County Clerk of Sandoval County, New Mexico, on the 15th day of JULY, 1983, hereby make the following declarations as to limitations, restrictions and uses to which the lots constituting such subdivision may be put, and hereby specify that such declarations shall constitute covenants to run with all the land, and shall be binding on all parties and all persons claiming under them, and for the benefit of and limitations on all future owners in such subdivision:

1. No junk cars or junk of any kind may be kept on any lot so as to be visible from any point off of the lot.
2. No dilapidated or unkept buildings of any kind are allowed on the property.
3. No building shall be located on any lot nearer than twenty feet from any subdivision street or highway access road rightofway line nor nearer than ten feet from any other lot boundary.
4. No obnoxious, noisy or offensive activity may be conducted on any lot at any time.
5. No lot may be further subdivided nor a portion of any lot sold except a group of lots may be replatted provided the total number of lots is not increased, and further provided, this paragraph shall not apply to any lot having access to the highway rightofway.
6. Mining is prohibited, however all conveyances are subject, until January 1, 1985, to existing agreements between the Estate of Joseph M. Budagher, deceased, and the highway contractor for earth removal and to the continuing right of the estate to receive all payments therefor, and to existing agreements with highway contractor for later pumping and lines.

7. Except on lots abutting New Mexico highway right-of-way, no lot shall be used except for residential purposes for occupancy by one family only.

8. Except on lots abutting New Mexico highway right-of-way, no sign of any kind shall be displayed to the public view on any lot, except one professional sign of not more than one square foot, and one sign of not more than five square feet advertising the property for sale or rent.

9. No trailer, mobile home, or tent shall be used as a single-family dwelling on any lot within the subdivision; provided, however, such facilities may be used for such housing purposes during actual construction of a single-family dwelling for a period of one year only.

10. No noxious or offensive activity shall be carried on in any lot, nor shall anything be done therein which may be or become an annoyance or nuisance to the owner of any lot.

11. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage, or other waste shall not be kept, except in sanitary containers.

12. These restrictive covenants do not apply to Lot 2, Block 3, or to any unnumbered lot.

13. Paragraph 7 of these restrictive covenants do not apply to Lots 1 and 2 of Block 6; to Lots 1, 2, 3, 4, and 5 of Block 5; to Lots 1, Block 3, or to Lots 26, 13, 14, 27, 28, 29, 30, and 31 of Block 1; Lots 5 and 6 of Block 2; Lot 12 of Block 1; Lots 3 and 4 of Block 3; and Lots 6, 7, 8, and 9 of Block 5.

14. Paragraph 8 of these restrictive covenants do not apply to any lot listed in paragraph 14, or to any lot abutting New Mexico highway right-of-way.

15. These restrictions may be amended by agreement signed by the owners of two-thirds or more of the lots in the subdivision.

STATE OF NEW MEXICO }
COUNTY OF SANDOVAL } SS
This instrument was filed for record on

JUL 1 1983

At 12:31 A.M. P.M.
Recorded in Vol. 1110-185
of records of said county, folio 947-950
SALLY PADILLA, Clerk & Recorder
By: [Signature], Deputy

949

SIGNED this 15th day of JULY, 1983.

ESTATE OF JOSEPH M. BUDAGHER, Deceased

By: John Budagher
Co-Executor

By: Saith M. Budagher
Co-Executor

Emma Budagher Hindi
Mary Budagher McMullan
Rose Budagher Morris
William J. Budagher
Robert J. Budagher

John Budagher
Saith M. Budagher
George M. Budagher
Robert J. Budagher

STATE OF NEW MEXICO)
COUNTY OF SANDOVAL) SS.

On this 1 day of July, 1983, before me personally appeared JOHN BUDAGHER and SAITH M. BUDAGHER, as Co-Executors of the Estate of JOSEPH M. BUDAGHER, deceased, and JOHN BUDAGHER, SAITH M. BUDAGHER, ROSE BUDAGHER MORRIS, WILLIAM J. BUDAGHER, EMMA BUDAGHER HINDI, ROBERT J. BUDAGHER, MARY BUDAGHER McMULLAN and GEORGE M. BUDAGHER, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

WITNESS my hand and seal the day and year last above written.

[Signature]
NOTARY PUBLIC

My Commission Expires:
1/8/84