

Reference is made to property description
ALCORAD IN TAOS COUNTY CLERK'S OFFICE IN
BOOK A1580, PAGE 155

Fred Fair
Box 745
Taos, N.M.

62119
10:42
7-21-81

BERLIN / FAIR RESTRICTIVE COVENANTS
ON 53.35 ACRES

FRED FAIR, the owner of real property situated in Taos County, hereby declares the following restrictive covenants to run with the land which may be hereinafter conveyed by FRED FAIR, his heirs and assigns:

1. Not more than one dwelling shall be constructed per two (2) acres provided however, such dwelling may consist of one guest cottage and such separate outbuildings as shall be incidental to and service the main dwelling.

2. All structures placed on the property shall be used for residential purposes. No commercial enterprises (specifically including rental units and farms) shall be permitted. Excluded from this restriction is the renting of the main dwelling and guest house and the pursuit of individual artistic or literary activities in a studio.

3. No trailer houses, mobile homes, tents or temporary buildings shall be kept or erected upon the property except during the period of construction of the main dwelling, which period shall not exceed eighteen (18) months.

4. All structures shall be built in an exterior style and with colors and materials in conformity or harmony with the exterior design of the dwellings erected on the other tracts which are subject to these restrictions and with the surrounding terrain and topography. Traditional Northern New Mexico architecture in the so-called Pueblo and Territorial styles, Southwest contemporary styles reminiscent of such architecture, and Southwest Spanish mission styles shall be deemed in conformity with the surrounding terrain and topography. The main dwelling and the guest house shall be built in the same style of architecture. Any variance of the above conditions must be agreed upon, in writing, by the original seller, Fred Fair.

5. No building or any portion thereof except chimneys and small towers or turrets shall be constructed higher than thirteen (13) feet above the highest point of natural grade abutting the building. Chimneys, small towers or turrets may not exceed four (4) feet in height above the highest point of the roof or firewall.

6. No residence or structure of any kind shall have exterior walls or siding constructed of "sheet metal", composition shingles or unplastered block. No log cabins are permitted.

7. No signs, billboards, or advertising of any kind, except those used in any subsequent sale of property, shall be placed or otherwise installed on the property or on any structure.

8. No animals shall be kept on the property except (i) household pets and their occasional offspring and (ii) riding horses in a quantity of not greater than one per two(?) acres, so long as they are properly corraled, provided, however, that all such animals shall be kept in clean and sanitary conditions.

9. All utilities shall be installed underground.

10. The property shall not be subdivided, sold, or transferred in tracts constituting less than 2.00 acres, except that a tract may be so subdivided by owners of contiguous property for the exclusive purposes of adding to and increasing their respective contiguous properties, in which event, such subdivided fractional acres shall not thereafter be severed from such other properties except upon compliance with this restriction.

11. No structure shall be built within ten feet of the exterior boundaries of any individual tract. Any variance from this condition must be agreed upon, in writing, by the original seller, Fred Fair.

12. Septic tanks and drain fields must conform to Taos County standards and regulations.

13. Landscaping must be maintained in its natural setting. Tree cutting is only permitted for access and building site.

14. No refuse, trash, garbage or any other unsightly substance including junk (defined as non-running) vehicles shall be permitted on the property.

15. No noxious or offensive activities shall be conducted on the property. This will include loud nuisances (motorbikes, loud cars, chainsaws, snowmobiles, animals), dangerous nuisances (discharging of firearms, fires, barbed wire fences) and unsightly nuisances (bill boards, signs unconcealed propane tanks, laundry or offensive lighting, including overhead security lights).

16. All of the restrictions set forth herein shall be covenants running with the property and shall bind all parties and their heirs, administrators, successors and assigns.

17. In the event any of the restrictions set forth herein shall be held invalid and unenforceable, the remaining restrictions shall nevertheless remain in full force and effect.

DATED: April 3, 1981

[Signature]
FRANK J. [unclear]

STATE OF NEW MEXICO)
COUNTY OF TAOS) 88.

The foregoing instrument was acknowledged before me this 3rd day of April, 1981.



Christie DeBarau
Notary Public

My commission expires: Sept 21, 1982



STATE OF NEW MEXICO) SS
COUNTY OF TAOS)

This instrument was filed for record on the 21st day of July, A.D. 1981, at 11:42 o'clock P.M. and duly recorded in book 11-22 Page 29-31 Ac 7-28-81

Marie Lorraine Salgado
County Clerk & Recorder

By *Alisona Martinez* Deputy