

# DECLARATION OF RESTRICTIONS

November 4, 2017

KNOW ALL MEN BY THESE PRESENTS:

The ESCUDILLA BONITA ACRES IMPROVEMENT ASSOCIATION OF NEW MEXICO, INC., a non-profit corporation, dealing with property of all the following described premises, situated within the County of Catron, state of New Mexico:

Lots Thirty-four (34) through three hundred ninety-five (395) inclusive in Escudilla Bonita Acres Units II, and III according to the plat of record in the office of the county records of Catron County, New Mexico in Plat Cabinet A, Slide 147.

And desiring to establish the nature of the use and enjoyment thereof hereby declares that the following express covenants, restrictions, reservations and conditions shall attach to said real property and every lot or parcel thereof, and shall constitute covenants running with the land.

A. Escudilla Bonita Acres Units II and III, lots 34 through 395 inclusive shall be subject to the following express covenants, restrictions, and reservations.

1. Said lots are hereby restricted to a family dwelling for residential use, a guest house, various outbuildings supporting such use, and state or county approved commercial entities. No commercial housing units such as apartments or condominiums, are permitted.
2. Skirting around a manufactured/mobile home is recommended to reduce fire risk, and increase heat retention in the winter.
3. All rubbish, trash, and garbage shall be removed from the premises and shall not be allowed to accumulate thereon. Anything that could possibly be a health hazard must be removed immediately.
4. No property shall be abandoned and left to fall-down over time. If an owner dies, his/her heirs shall be responsible for maintaining the property. If an owner dies, and the property reverts to the bank or original developer, the EBAIA has the right to inform them that if the property is not cleaned up by such a date, the association has the right to undertake the dismantling of dilapidated buildings and the removal of trash. Expenses will be billed to holder of the deed, and a lien may be placed on the property until expenses are paid.

CATRON COUNTY, NM  
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BY CLERK

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5. No lot or lots shall be subdivided into acreage smaller than five (5) acre parcels.

- B. For the safety of all residents and animals in the community, all dogs must be restricted to the owner's property. No animal shall be allowed to make an unreasonable amount of noise or become a nuisance.
- C. No commercial enterprise involving the raising of any pigs, livestock or poultry for sale or slaughter shall be permitted on any of said lots. This does not restrict the raising of pigs, livestock or poultry on the owner's land for personal use.
- D. All motorized vehicles, recreation or otherwise, except farm or landscaping machinery, are limited for use on maintained existing roadways (or on the owner's property). No motorized motor cross course may be permitted on any of said lots.
- E. The above conditions and restrictions govern Escudilla Bonita Acres and taking title to property within Escudilla Bonita Acres commits owner to comply with these covenants. Should owners, at some point, decide to rent/sell their property, it will be their responsibility to educate renters/buyers as to these rules and regulations.
- F. These covenants, restrictions, reservations and conditions shall be perpetual and remain in full force and effect. They may be amended by the EBA Board after notification of all members of the recommended changes, a positive response by two-thirds of the ballots returned, and filing with the Catron County Clerk's Office, NM.

The original Declaration of Restrictions was written in 1982 when there were three (3) units as part of Escudilla Bonita Acres Improvement Association. Since that time, unit one withdrew from the Association and instituted its own Home Owners Association. The Declarations of Restrictions were amended in 2010 to include only units two and three. This new Amendment was produced in 2017 to delete restrictions that are not desirable or could not be enforced in the subdivision. It was passed by the EBA entitled membership and supersedes the previous two documents.

Date this 4<sup>th</sup> day of November 2017

Sign by John R. Willeh

President



President of Escudilla Bonita Acres Improvement Association of New Mexico, Inc.

Sign by Cathy A Taylor

Treasurer

**INDIVIDUAL ACKNOWLEDGMENT**

State/Commonwealth of Arizona  
County of Apache } ss.

On this the 29<sup>th</sup> day of March, 2018, before me,  
Day Month Year

Rebecca A Kinsel, the undersigned Notary Public,  
Name of Notary Public

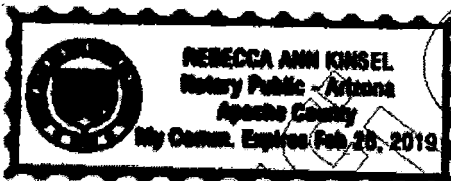
personally appeared Cathy H Taylor,  
Name(s) of Signer(s)

personally known to me - OR -

proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same for the purposes therein stated.

WITNESS my hand and official seal.



Place Notary Seal/Stamp Above

Rebecca A Kinsel  
Signature of Notary Public

Exp 2/28/19

Any Other Required Information  
(Printed Name of Notary, Expiration Date, etc.)

**OPTIONAL**

This section is required for notarizations performed in Arizona but is optional in other states. Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: Declaration of Restrictions (Nov 4, 17)

Document Date: 3/29/18 Number of Pages: 3 including this pg.

Signer(s) Other Than Named Above: \_\_\_\_\_

**INDIVIDUAL ACKNOWLEDGMENT**

State/Commonwealth of Arizona  
County of Apache } ss.

On this the 4 day of April, 2018 before me,  
Day Month Year

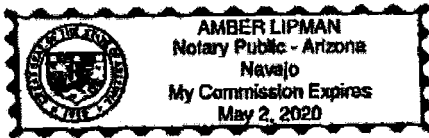
Amber Lipman the undersigned Notary Public,  
Name of Notary Public

personally appeared John R Wilhelm  
Name(s) of Signer(s)

- personally known to me - OR -  
 proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same for the purposes therein stated.

WITNESS my hand and official seal.



Amber Lipman  
Signature of Notary Public

Place Notary Seal/Stamp Above

Any Other Required Information  
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**Description of Attached Document**

Title or Type of Document: Declaration of Restrictions

Document Date: 11/4/2017 Number of Pages: 2

Signer(s) Other Than Named Above: \_\_\_\_\_