Tom & Sandy

FOURTH AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS COLINAS DEL SOL SUBDIVISION

The undersigned constitute all of the owners of real property now platted as the Colinas del Sol Subdivision as shown on the plat thereof filed in the Office of the County Clerk of Santa Fe County, New Mexico as Instrument Number 1503890 and on the re-recorded subdivision plat at Instrument Number 1850219.

WHEREAS, the Declaration of Restrictive Covenants Colinas del Sol ("Declaration") was filed in the records of Santa Fe County New Mexico Clerk on September 23, 2007, Instrument Number 1503891; with subsequent amendments filed as Instrument Numbers 1511905, 1700802 and 1850222; and,

WHEREAS the Declaration filed as Instrument Number 1850222 was filed as an "Amended and Substituted Declaration"; ("Amended and Substituted Declaration") and,

WHEREAS the parties wish to make certain amendments to the Declaration, including the Amended and Substituted Declaration;

NOW, therefore, the following are amendments to the Amended and Substituted Declaration and constitute amendments to the Declaration and all amendments thereto. Paragraph references are made to the Amended and Substituted Declaration:

Article 1: **Declaration**. The duly platted Colinas del Sol subdivision is recorded in the records of Santa Fe County, New Mexico as Instrument Number 1850219.

Article 6. **Permitted Uses.** Article 6 is amended in that it removes as permitted structures subparagraphs b. and c., as horses and other barnyard animals are specifically prohibited.

Article 7.04. **Fencing**. The word "horses" in the second line is stricken, as horses are not permitted within the subdivision. The second to last sentence which begins with "Not more than 4 acres…" is stricken and replaced with the following: "All fenced areas are restricted to ½ acre."

Article 7.05. **Animals**. Article 7.05 is stricken in its entirety and replaced with the following: "No animals or any poultry of any kind shall be kept or raised on said lots except dogs, not to exceed two, cats, not to exceed two, and small pets kept and contained inside the residence such as small birds, gerbils, fish etc. All animals should be under the control of the lot purchaser at all times. Lot purchasers shall prevent the animal from in any way becoming a nuisance either from noises created by the animals, odors or other practice or conduct that may create a nuisance. Horses are specifically prohibited.

ACKNOWLEDGEMENTS

ATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

The foregoing was acknowledged before me on the _____ day of _____, 2021 by Russell McMillan as Managing Member of High Desert Partnership LLC.

_____
Notary Public

My Commission Expires:

_____

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

The foregoing was acknowledged before me on the 21 day of May, 2021, by Thomas Aldern.

Chris F. Gurule
Notary Public

My Commission Expires:

11/6/2022

OFFICIAL SEAL
Chris F. Gurule
NOTARY PUBLIC-State of New Mexico
My Commission Expires 11/6/2022.

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

The foregoing was acknowledged before me on the 21 day of May, 2021, by Sandra Aldern.

Chris F. Gurule
Notary Public

OFFICIAL SEAL
Chris F. Gurule
NOTARY PUBLIC-State of New Mexico
My Commission Expires 11/6/2022