

AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR LAFAYETTE PLACE CONDOMINIUM

THIS AMENDMENT amends that certain Declaration of Covenants, Conditions and Restrictions for LAFAYETTE PLACE CONDOMINIUM, dated the 29th day of May, 1985, executed by PRESLEY COMPANY OF NEW MEXICO, a New Mexico corporation, pursuant to the provisions of the Condominium Act of the State of New Mexico, Sections 47-7A-1 to 47-7D-20, New Mexico Statutes Annotated (1978 Comp.).

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property, located in Albuquerque, Bernalillo County, New Mexico, and more particularly described as follows, to-wit:

A tract of land situate within TRACT B, WELLINGTON EAST, as the same is shown and designated on the plat of TRACTS A AND B, WELLINGTON EAST, filed in the office of the County Clerk of Bernalillo County, New Mexico, on November 27, 1984 (C25-149), and being more particularly described as follows:

- BEGINNING at the northwest corner of Phase II, said point being common to the northwest corner of the aforementioned Tract B; THENCE S 89° 45' 37" E, 209.50 feet to a point; THENCE S 00° 16' 33" W, 115.13 feet to a point; THENCE S 48° 28' 58" E, 48.54 feet to a point; THENCE S 00° 16' 33" W, 21.50 feet to a point; THENCE S 05° 09' 52" E, 31.64 feet to a point; THENCE S 00° 16' 33" W, 38.50 feet to a point; THENCE S 06° 53' 54" E, 48.04 feet to a point; THENCE S 00° 16' 33" W, 38.33 feet to a point; THENCE N 89° 43' 27" W, 89.80 feet to a point; THENCE S 75° 22' 21" W, 59.29 feet to a point; THENCE N 89° 43' 27" W, 97.90 feet to a point; THENCE N 00° 16' 33" E, 339.75 feet to the point of beginning;

and

WHEREAS, Declarant is the owner of certain condominium home buildings and certain other improvements heretofore constructed known as Phase I; and

WHEREAS, the land described heretofore constitutes Phase II of the Project as described in the original Declaration, and more particularly described on Exhibit "D-1" to that Declaration; and

WHEREAS, Declarant does exercise its right to add all of Phase II described above to the Project as provided in Paragraph 7 of the Declaration;

NOW, THEREFORE, Declarant does declare that Phase II is hereby added to and made a part of LAFAYETTE PLACE CONDOMINIUM in accordance with Paragraph 7 of the Declaration, that the said Phase II shall be held, conveyed, hypothecated, encumbered, leased, rented, used, occupied, and improved, subject to the covenants, conditions and restrictions, uses, limitations, and obligations, all of which are contained within the Declaration and shall be deemed to run with the land and shall be a burden and a benefit to Declarant, its successors and assigns, and any person acquiring or owning an interest in the real property and improvements, their grantees, successors, heirs, personal representatives, administrators, devisees, and assigns. The percentages of ownership of the common area and of individual interests for the purposes of insurance participation and voting are as shown on Amended Exhibit "C" attached hereto.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 30th day of May, 1985.

PRESLEY COMPANY OF NEW MEXICO

By Charles E. Cook, President

Declarant

STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

The foregoing instrument was acknowledged before me this 30th day of May, 1985, CHARLES E. COOK, President of PRESLEY COMPANY OF NEW MEXICO, a New Mexico corporation, on behalf of said corporation.

My commission expires 4-4-88.

[Signature]
Notary Public

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED FOR RECORD

1985 MAY 31 PM 1:56

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DOLORES C. WALLER
CO. CLERK & RECORDER
[Signature]