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**THIRD AMENDMENT OF 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 May 29, 1985, filed May 31, 1985, as Doc. No. 85-42803, in Book Misc 234-A, at Pages 405-444, records of the County Clerk of Bernalillo County, New Mexico, as amended, 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, SS47-7A-1 to 47-7D-20, New Mexico Statutes Annotated (1978).

**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 southeast corner of Phase IV, said point being common to the southeast corner of the aforementioned Tract B;  
THENCE N 89° 46' 34" W, 330.46 feet to a point;  
THENCE N 00° 16' 33" E, 148.47 feet to a point;  
THENCE S 89° 43' 27" E, 21.00 feet to a point;  
THENCE N 00° 16' 33" E, 174.50 feet to a point;  
THENCE N 16° 25' 24" W, 10.44 feet to a point;  
THENCE N 45° 28' 37" E, 33.82 feet to a point;  
THENCE S 89° 43' 27" E, 83.50 feet to a point;  
THENCE S 00° 16' 33" W, 9.38 feet to a point;  
THENCE S 10° 43' 27" E, 57.65 feet to a point;  
THENCE S 00° 16' 33" W, 45.65 feet to a point;  
THENCE S 68° 46' 33" E, 38.82 feet to a point;  
THENCE S 89° 43' 27" E, 156.83 feet to a point;  
THENCE S 00° 03' 27" W, 231.00 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 Phases I, II and III; and

**WHEREAS**, the land described heretofore constitutes Phase IV of the Project as described in the original Declaration, and more particularly described on Exhibit "D-3" to that Declaration; and

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

**NOW, THEREFORE**, Declarant does declare that Phase IV is hereby added to and made a part of LAFAYETTE PLACE CONDOMINIUM in accordance with Paragraph 7 of the Declaration, that the said Phase IV 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 18th day of September, 1985.

**PRESLEY COMPANY OF NEW MEXICO**

By   
**CHARLES W. REYNOLDS, Vice President**

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

The foregoing instrument was acknowledged before me this 18th day of September, 1985, by CHARLES W. REYNOLDS, Vice President of PRESLEY COMPANY OF NEW MEXICO, a New Mexico corporation, on behalf of said corporation.

My commission expires 10/22/88.

Diane Siegel  
Notary Public

LAFAYETTE PLACE CONDOMINIUM

PHASES I, II, III and IV

Per Unit Percentage of Individual Interest  
(Determination of Pro Rata Share of  
Common Area Expenses and Insurance  
Participation and Voting)

Building/Unit	Approximate Square Footage	Per Unit Percentage of Individual Interest (Determination of Pro Rata Share of Common Area Expenses and Insurance Participation and Voting)	Original Assessment (Monthly)	Vote
<u>Building A</u>				
Units A-1 thru A-8	1,043 each unit	0.7246377 each unit	\$47.00	1 vote per unit
<u>Building B</u>				
Units B-9 thru B-22	1,043 each unit	0.7246377 each unit	\$47.00	1 vote per unit
<u>Building C</u>				
Units C-23 thru C-34	1,043 each unit	0.7246377 each unit	\$47.00	1 vote per unit
<u>Building D</u>				
Units D-35 thru D-46	1,043 each unit	0.7246377 each unit	\$47.00	1 vote per unit
<u>Building E</u>				
Units E-47 thru E-58	1,043 each unit	0.7246377 each unit	\$47.00	1 vote per unit
<u>Building F</u>				
Units F-59 thru F-70	1,043 each unit	0.7246377 each unit	\$47.00	1 vote per unit

Building/Unit	Approximate Square Footage	Per Unit Percentage of Individual Interest (Determination of Pro Rata Share of Common Area Expenses and Insurance Participation and Voting)	Original Assessment (Monthly)	Vote
Building G				
Units G-71 thru G-82	1,043 each unit	0.7246377 each unit	\$47.00	1 vote per unit
Building H				
Units H-83 thru H-90	1,043 each unit	0.7246377 each unit	\$47.00	1 vote per unit
Building I				
Units I-91 thru I-98	1,043 each unit	0.7246377 each unit	\$47.00	1 vote per unit
Building J				
Units J-99 thru J-110	1,043 each unit	0.7246377 each unit	\$47.00	1 vote per unit
Building K				
Units K-111 thru K-118	1,043 each unit	0.7246377 each unit	\$47.00	1 vote per unit
Building L				
Units L-119 thru L-126	1,043 each unit	0.7246377 each unit	\$47.00	1 vote per unit
Building M				
Units M-127 thru M-138	1,043 each unit	0.7246377 each unit	\$47.00	1 vote per unit
		100.00%	\$6,496.00	138 votes

AMENDED EXHIBIT "C" - Page 2

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STATE OF NEW MEXICO  
COUNTY OF BERNALILLO  
FILED FOR RECORD

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HOLMES C. WALLER  
CLERK & RECORDER

*Sheward*