

ANNEXATION DECLARATION
TO
THE HIGH RESORT VILLAGE MASTER RESTRICTIONS

THIS ANNEXATION DECLARATION TO THE HIGH RESORT VILLAGE MASTER RESTRICTIONS ("Annexation Declaration") is made as of the 27th day of October, 1995, by HIGH RESORT I JOINT VENTURE, a New Mexico general partnership ("High Resort").

RECITALS:

1. High Resort, as the Grantor, has subjected certain real property to the HIGH RESORT VILLAGE MASTER RESTRICTIONS dated March 15, 1990, and recorded in the Sandoval County, New Mexico real estate records on March 15, 1990, in Vol. Misc. 2434, Folio 262-341 (the "Master Restrictions");
2. Pursuant to Article 2 of the Master Restrictions, the Grantor has the right to encumber additional real property with the Master Restrictions and to annex such additional property into the High Resort Village Community Association (the "Association");
3. The annexation of the property requires the approval of the Board of Directors ("the "Board") of the Association if the property to be annexed is not described in Exhibit "B" to the Master Restrictions.
4. Grantor has recorded in the Sandoval County, New Mexico real estate records a subdivision map for the following described real property (the "Subdivision") which property is not included within the Property described in Exhibit "B" to the Master Restrictions:

CASITAS AT HIGH RESORT VILLAGE, A Replat and Vacation of a portion of Country Club Drive, A Replat of a Portion of Parcel 2D, and a Subdivisions of Unplatted Lands in the High Resort, recorded in the Sandoval County, New Mexico real estate records on February 9, 1995, in Vol. 3, Folio 1212-A, as Document No. 61027, and in Rio Rancho Plat Book No. 7, page 85

5. Grantor has received the consent of the Board.

6. Grantor desires to subject portions of the Subdivision into the Master Restrictions.

NOW, THEREFORE, High Resort as Grantor, hereby subjects the Subdivision to the Master Restrictions and all of the property described therein shall be held, conveyed, hypothecated, encumbered, leased, rented, used, occupied and improved, subject to the Master Restrictions and subject to the following:

1. All of the improvements for the Subdivision, with the exception of the homes to be constructed upon the lots within the Subdivision, have been substantially completed, and such improvements are consistent in terms of quality of construction with improvements already existing within the Property subject to the Master Restrictions.

2. There shall be no new land classifications or different restrictions, covenants and conditions for the use of the Property within the Subdivision, except the following:

2.1 No structure may be constructed on Lots 10 through 21, inclusive, Block 1, which exceed one story;

2.2 Setback requirements for structures constructed on Lots within the Subdivision are as follows:

Lots 10 through 21, inclusive, Block 1, shall have the following setbacks:

Front yard setback:	20'
Rear yard setback:	25'
Side yard setbacks:	4'

All corner Lots shall have the following setbacks:

Front yard setback:	20'
Rear yard setback:	15'
Side yard setbacks:	7½'

All other Lots shall have the following setbacks:

Front yard setback:	20'
Rear yard setback:	15'
Side yard setbacks:	4'

2.3 To the extent that the Architectural Control Committee rules vary from the rules of prior subdivisions.

3. The following portions of the Subdivision shall be Residential Area and shall constitute Lots as defined in the Master Restrictions:

Lots 1 through 35, Block 1, and Lots 1 through 7, Block 2, as shown on the Subdivision

The following portions of the Subdivision shall be Common Areas:

Tracts A and D as shown on the Subdivision.

EXECUTED as of the day and year first set out above.

RESORT I JOINT VENTURE, a New Mexico general partnership

By: BOYLE DEVELOPMENT COMPANY,
a New Mexico corporation,
general partner

By: Daniel E. Boyle Jr.
Daniel E. Boyle Jr.
President

CHARTER BUILDING AND DEVELOPMENT CORP.,
a New Mexico corporation, general
partner

By: *Bill E. Hooten*
Bill E. Hooten
President

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

This instrument was acknowledged before me on October 27, 1995, by Daniel E. Boyle, Jr., President of Boyle Development Company, a New Mexico corporation, as general partner of High Resort I Joint Venture, a New Mexico general partnership, on behalf of said partnership.

Karla I. McWhorter
Notary Public
Karla I. McWhorter

My Commission Expires:
02-27-99

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

This instrument was acknowledged before me on October 27, 1995, by Bill E. Hooten, President of Charter Building and Development Corp., New Mexico corporation, as general partner of High Resort I Joint Venture, a New Mexico general partnership, on behalf of said partnership.

Jim L.
Notary Public

My Commission Expires:
NOTARY 06-15-97

STATE OF NEW MEXICO } ss
COUNTY OF SAGUVAL }

This instrument was filed for record on

AT:
231

OCT 30 1995

A.M.
P.M.

Recorded in Vol. Misc 340
of records of said county, folio 297
Sally Padilla, Clerk & Recorder 300
By: Deputy



CITY OF RIO RANCHO
ORDINANCE

ORDINANCE NO. 44

ENACTMENT NO. 94-046

AMENDING ORDINANCE 87-1, APPENDIX G (ZONE MAP AMENDMENT) AND THE ZONE MAP; PROPERTY DESCRIBED AS "CASITAS AT HIGH RESORT", CONSISTING OF 9.17 ACRES SHALL HAVE THE ZONING DESIGNATION CHANGED FROM SU/SPECIAL USE FOR RESORT CASITAS TO SU/SPECIAL USE FOR MULTI-FAMILY (TOWNHOUSE) WITH SMALLER YARD SETBACKS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO RANCHO, NEW MEXICO:

PURPOSE: The property described as "Casitas at High Resort", consisting of 9.17 acres shall have the zoning designation changed from SU/Special Use for Resort Casitas to SU/Special Use for Multi-Family (Townhouse) with smaller yard setbacks.

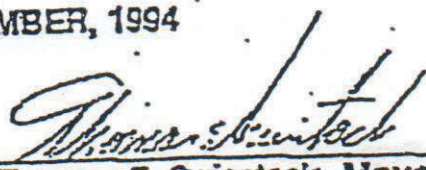
RESTRICTIONS:

1. Setback requirements shall be as follows:

Front	20'	minimum
Side	4'	minimum
Rear	15'	minimum
Side Street	7.5'	minimum

2. Lots 10 - 21 in Block 1 shall be restricted to one-story and shall maintain a 25' setback. *both YAK*
All other lots may be either one or two-story in height.

ADOPTED THIS 28TH DAY OF SEPTEMBER, 1994


Thomas E. Swisstack, Mayor

Date 9/30/94

ATTEST:

