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1. Planting

- ☐ All undeveloped disturbed areas shall receive some type of vegetative landscape treatment to stabilize the soil surface and reduce generation of dust.
- ☐ Revegetation Seed Mix: All areas disturbed during construction of driveways, utilities, roads, and drainage ways shall be seeded with a mix generally consisting of buffalo/blue grama, side oats grama, Indian rice grass, western wheatgrass, galleta, alkali sacaton, sheep fescue, and little bluestem. Minor amounts of sage and juniper seed can be added to this mix at a rate recommended by the seed mix producer. Other native and naturalized plants may be included in the revegetation seed mix as is recommended by a professional landscaper familiar with the local growing conditions. Reseeding is to take place between July 1 and August 15.
- ☐ High water use lawn areas and gardens watered from a domestic well shall be limited to 400 square feet per Lot.
- ☐ All landscaping outside of walled portions of the building site, except as noted above, shall be limited to native or naturalized plantings closely adapted to the local conditions and character of the site.
- ☐ All Lot Owner planted vegetation must have low water use requirement and be drought resistant.
- ☐ All Lot Owners must maintain defensible spaces surrounding all structures on the Lot which shall include keeping non fire-resistant vegetation or growth, leaves, needles and other dead vegetation materials clear of any buildings or structures; tree crowns extending within ten feet (10') of any buildings or structures pruned to maintain a minimum horizontal clearance of ten feet (10'); tree crowns pruned to remove limbs located less than six feet (6') above ground surface adjacent to the trees in a manner so as to provide a clear area of suppression.

2. Maintenance

- ☐ Landscaped areas shall be maintained in good health and appearance by each Lot Owner.
- ☐ Each Lot Owner shall be responsible to ensure that areas revegetated with the seed mix attain sufficient vegetative cover to stabilize the soil and minimize the visual impact of the disturbed area.
- ☐ Each Lot Owner shall be responsible to protect and ensure that the natural vegetation remain undisturbed in all areas of the Lot that are not developed with buildings, structures, or landscaping.

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character.

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Objectives:

- ☐ Establish architectural design criteria to give guidance on the desired external three dimensional building form, materials and appearance.
- ☐ Encourage a high quality of New Mexico style architecture.

4. Landscape

Goal: A landscape theme which results in preservation and enhancement of the site's natural vegetation patterns, while allowing home sites adequate shade, buffers, color and texture.

Objectives:

- ☐ Establish a palette of native and naturalized plant materials for revegetation of areas disturbed by roads, utilities, and wall construction.
- ☐ Establish site planning criteria for terrain and storm drainage management.
- ☐ Establish appropriate palettes of plant material for use in the various distinct landscape zones.

C. REVIEW PROCESS

The Beausoleil Subdivision CC&R's provide that the Board of Directors of the Beausoleil Association fulfill the responsibility of reviewing and approving all proposed site and building improvements prior to their implementation and may, at times, designate a Design Review Professional as their agent. To facilitate the Board of Director's review and assist each resident in complying with the intent of these Design Guidelines, a simple three step process has been established. The three steps of this process are:

- ☐ Preliminary Plan Review
- ☐ Final Plan Review
- ☐ Completion Review

The details of these reviews are outlined in Section IV of these Design Guidelines.

Section I: INTRODUCTION

NOTE:

These Design Guidelines do not supersede any existing Taos County building and land development codes or regulations. Prior to designing and constructing any improvements, the County of Taos, and the State of New Mexico should be contacted to obtain a copy of all specific applicable County, and State requirements.

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A. PURPOSE

The purpose of the Beausoleil Subdivision Design Guidelines (the "Design Guidelines") is to protect the value of Lots in Beausoleil Subdivision for the benefit of all Owners. These Design Guidelines establish a combination of specific requirements and general guidelines to accomplish this.

The purpose of these requirements and guidelines is not to impede design and development of the individual residences, rather it is to establish a continuity of design quality and character. It is hoped that these Design Guidelines inspire the individual to consider all design details with a genuine, thoughtful concern for the value of Lots in Beausoleil Subdivision.

These Design Guidelines are enforceable pursuant to the provision a part of the Declaration of Easements Covenants, Conditions and Restrictions for Beausoleil Subdivision filed in Book 887 at Pages 821 to 854, Records of Taos County, New Mexico, and are enforced by the Beausoleil Association, a New Mexico Nonprofit Corporation.

B. GOALS AND OBJECTIVES

The following goals and objectives are intended to provide the Board of Directors of Beausoleil Association guidance in evaluating proposed designs and interpreting requests for variances from these Design Guidelines.

1. General

Goal: Provide direction to individual design efforts so that all Lots subjected to these Design Guidelines are developed and maintained with a strong sense of northern New Mexico identity and character, including contemporary versions of Pueblo Style, Pueblo Revival Style, Territorial Style, Pitched Roof Folk Territorial Style and New Mexico Vernacular, by establishing a cohesive design concept.

2. Site Planning

Goal: Locate roads, driveways and homes in a manner that maintains compatibility and privacy between neighboring homes, disturbs as little of the natural landscape as possible, and fits sensitively into the terrain.

Objectives:

- ☐ Establish driveway locations and gradients that require a minimum of grading resulting in little or no cut and fill banks.
- ☐ Limit disturbance of the natural landscape to areas within roadways, driveways, and building areas.
- ☐ Protect and maintain views and privacy between homes.

3. Architecture

Goal: Architectural styles that are appropriate to the area and its

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visible from adjacent lots. Fences not connected to either a residence or stable may be of post and barbed wire construction.

- ☐ The total maximum height of a wall and/or fence and wall systems shall not exceed six (6') feet above grade.
- ☐ Dominant colors shall be desert tones of brown, tan, beige, sand, and natural weathered wood tones.
- ☐ There shall be no fencing along Lot Lines.
- ☐ Other than at the entry gates for the community, no walls or fences may be constructed more than thirty (30) feet from the primary residence within the building envelopes provided that they are not within setbacks

E. STORAGE, REFUSE, UTILITIES AND EXTERIOR EQUIPMENT

- ☐ All outdoor storage and refuse collection facilities shall be screened from view by either fencing or landscaping.
- ☐ All exterior utilities other than above-ground lines existing as of the date hereof, including, but not limited to, gas lines, water lines, electrical wires, telephone and communication wires shall be installed and maintained underground. Temporary overhead power and telephone facilities are permitted during the approved construction period.
- ☐ Utilities shall be designed and installed to minimize the disturbance of natural vegetation, and shall be routed within the driveway corridors.
- ☐ No dish greater than 24" in diameter which is used for transmission or reception of any signals—including, but not limited to telephone, television, and radio—shall be placed on any Lot in a location that is visible from adjacent lots and must be screened to minimize view.
- ☐ Antennae used for ham radio reception and transmission of commercial television shall be of minimum size and configuration necessary, but require prior approval of the Board of Directors.
- ☐ Exterior lighting must comply with the Taos County Dark Sky Ordinance.
- ☐ No exterior light posts shall exceed twelve (12') feet in height.

F. LANDSCAPING

The intent of these landscaping guidelines is to allow development of appropriate landscaping around each home while ensuring that the overall natural landscape character is retained.

Section II: SITE DEVELOPMENT

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The emphasis of this section is on the integration of buildings and site improvements with the natural setting through a coupling of site planning considerations and architectural styles.

A. GRADING

The intent of these site grading guidelines is to preserve and enhance the natural landscape and visual character of the site. Site grading shall be designed in such a way as to minimize disturbance of the natural landscape, the visual impact, and the potential for soil erosion. All grading shall be limited to the building area and driveway corridors. No grading activity or disturbance may occur outside of these zones.

B. DRAINAGE

Storm water run-off on each Lot shall be managed in such a manner as to minimize discharge from the developed area and minimize soil erosion.

- ☐ Storm water runoff shall be dispersed as much as practicable and areas of concentrated flows shall be minimized.
- ☐ Where concentrated flows are necessary, a positive means of erosion control shall be implemented. Erosion control measures shall incorporate vegetation as the principle component.
- ☐ If detention or retention basins are incorporated into drainage designs, they shall be designed to be a visual amenity with appropriate landscape treatment.

C. BUILDING ORIENTATION AND SITING

Buildings shall be designed and sited to minimize the impact and silhouette of built forms on the natural landscape. Roof line silhouettes shall be designed to minimize the visual impact by keeping a low profile that does not obstruct views from adjacent lots and does not dominate the horizon line. No permanent improvements shall be built in any location which would impede or influence water flow.

D. WALLS AND FENCES

Walls and fences shall be designed as required to provide privacy, define views, and relate to the natural land forms.

- ☐ Walls, including the exposed faces of retaining walls, shall be constructed of materials and finishes that are complementary to the building architecture. Wall construction styles shall include exposed adobe, plastered adobe, wood, indigenous rock or field stone, rammed earth and/or imported rock of a character that relates to the natural site conditions. Stucco walls may be constructed with concrete masonry unit construction only if the method of construction prevents cracking through the stucco finish. Plain, un-colored and un-textured concrete block walls shall not be used in areas visible from adjacent lots.
- ☐ Fences shall reflect the rural character of the area. Suggested fence styles and materials include post and rail, latillas ("coyote" fencing), and rustic wood plank and rail. Chainlink, sheet metal, and other utilitarian-character material shall not be used in areas

G. EMERGENCY VEHICLE TURNOUTS.

- ☐ Emergency Vehicle Turnouts along Subdivision Roadways shall be kept free of obstruction at all times.
- ☐ Should a Lot Owner determine to use an Emergency Vehicle Turnout as entrance to a driveway, no improvement (i.e. a gate) may be constructed within the platted Emergency Vehicle Turnout.

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directly exposed to the sun. Particularly important are the shade and shadow patterns of the landscaping that soften the plain stucco surfaces.

C. GENERAL CONDITIONS

1. Building Height and Mass

- ☐ Building masses shall be simple in form and of strong geometry.
- ☐ Building masses shall be horizontal in nature, with the height of the building being much less than its length or width.
- ☐ Roofs may be "flat" in appearance with parapet walls around the perimeter of each roof section or may be pitched if Territorial Style. The slopes of roof surfaces shall be set at least the minimum slope necessary to provide for proper drainage.
- ☐ Building height of primary residence shall not exceed twenty seven (27') feet above the original natural grade of the Building Envelope area as it existed prior to construction. Building height shall be determined by comparing the elevation of the highest point of the coping of a flat roof or highest point of the highest gable on a pitched roofparapet at any location on the building to the elevations shown on the original topographic survey that was used as the basis for creating the . The elevation datum used in the original topographic survey shall be used when making the building height survey. Chimneys and required rooftop vents may extend above these height limitations only if required by the minimum dimensions imposed by applicable codes. If not covered by any code, the height of these rooftop penetrations shall be kept to the minimum necessary to function properly.
- ☐ Building heights of incidental structures outside of Building Envelopes shall not exceed fifteen (15') feet above the original natural grade of the building area as it existed prior to construction.

2. Vents

Exterior components of plumbing, processing, and ventilating systems shall be combined to minimize the number of penetrations through the roof. Vents shall be as small as allowed by code and shall match roofing material color.

3. Materials and Colors

- ☐ Wall Materials: Exterior walls shall be predominantly stucco and/or a synthetic substitute with a "sand" or floated finish. Minor accents of wood and other materials may be incorporated into the wall systems.

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Section III: ARCHITECTURE

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A. ARCHITECTURAL STYLES

The architectural style of houses and structures constructed in Beausoleil Subdivision shall be reminiscent of traditional Pueblo Revival and Territorial Revival Styles of Southwestern Architecture. These styles are an expression of New Mexico's architectural heritage, and reflects hundreds of years of ethnic and cultural influences. These styles are rarely found in pure form. Cultural blending, environmental responses, and the availability of building materials have produced a unique regional character. Contemporary interpretations can be successful and are acceptable if the traditions of scale, proportion, and materials are blended with honest concern for historic integrity.

1. **Pueblo and Pueblo Revival** - Derived from traditional southwest Indian pueblos, this style is typified by contoured adobe walls, flat roofs, vigas (beams), latillas (juniper branches used in ceilings), nichos (small shelves carved in walls for displaying objects), portales (patios with a fixed roof and beams) and kiva fireplaces.
2. **Territorial and Territorial Revival** - This style features flat roofs and Pueblo features but is modified with sharp corners, brick capping along the roof, and milled woodwork details such as lintels (exposed beams) on window frames. Territorial Revival style is a hybrid featuring a pitched roof.
3. **New Mexico Vernacular** - This style features linear forms, adobe construction and pitched metal roofs, lacking any detail from the Territorial or Folk Territorial Styles.

B. COMMON VOCABULARY ELEMENTS

1. **Building Compounds**
Building sites are to be as "compounds" where the main house, garages, various out-buildings, and possibly a guest house are arranged in a loose, yet functional, cluster that creates a variety of indoor and outdoor spaces. This cluster is often times enclosed by a wall. The wall is used to provide an architectural means to visually tie the building masses together and delineate developed areas from natural areas.
2. **Courtyards**
Courtyards of various forms are desirable because of the occasional extremes of climate in the Taos area. They provide shelter from the elements and a sense of enclosure and privacy. These can take the form of atriums, patios, gardens and parking courts.
3. **Portales**
Portales are covered porches. They offer shade, wind protection and a special space for indoor/outdoor living.
4. **Shade and Shadow**
Architectural design features that provide shelter from the intensity and heat of the New Mexico sun, also have aesthetic effects, creating patterns of shade and shadow that vary with each architectural style. These features include deeply set windows and large overhangs where large areas of glass are

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Section IV: REVIEW PROCESS

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- ☐ **Dominant Colors:** The dominant color of the exteriors of all structures shall be natural tones of beige, brown, tan and sand.
- ☐ **Accent Colors:** Accent colors shall be used sparingly so that the effect is maintained. Traditional accent shades of turquoise, teal, and warm reds are encouraged for prominent doors, gateways, shutters, and limited trim areas.
- ☐ **Roofing Materials:** Roof material shall have a finished appearance and shall be non-reflective. Roofs may be steel, standing seam, composite, galvanized aluminum, slate, membrane and/or shingle.

4. Setbacks and Building Envelopes

- ☐ Primary residence must be constructed in the designated Building Envelope on a Lot.
- ☐ Incidental structures (including, but not limited to: guest houses, garages, storage sheds, stables) may be constructed outside the Building Envelopes but must comply with all other setbacks as shown on the Plat.
- ☐ No permanent improvements (including fencing) shall be constructed within 50 feet of boundaries, such area to be reserved for the underground installation and maintenance of utilities, provided however,
- ☐ No permanent improvements shall be constructed within 100 feet of Taos Pueblo Tract B on adjacent Lots 1, 3, 5, 8, 11, 14, 17, 20, 24, 31, 32 and 33.

The Board of Directors of the Beausoleil Association will review and respond to all plan submittals within thirty (30) days from date of submittal. No work may begin prior to approval from the Board of Directors of the Beausoleil Association.

Nothing in the review process described below shall supersede the right of any member of the Beausoleil Association to enforce provisions of the Design Guidelines as provided for in the Beausoleil Subdivision CC&Rs.

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REVIEW AND APPROVAL BY THE BEAUSOLEIL ASSOCIATION IS IN NO WAY INTENDED TO BE AN APPROVAL OF ANY ENGINEERING OR CONFIRMATION OF COMPLIANCE WITH ANY APPLICABLE CODE, REGULATION, OR PERMIT REQUIREMENT.

A. APPLICATION

Submit two (2) copies of the proposed plans, drawings, specifications and color scheme to the Board of Directors. One copy shall be returned to the owner with status of review and one copy shall be maintained with the records of the Board of Directors.

B. REVIEW STEPS AND SUBMITTAL REQUIREMENTS

1. Preliminary Plan Review - OPTIONAL

At the option of the Lot Owner, preliminary plans may be submitted to the Board of Directors for review. This review is intended to provide the Lot owner with an opportunity to obtain preliminary approval of their design concept and anticipated variances to these Design Guidelines prior to incurring significant expenses related to preparing final design documents. To initiate this review, submit a preliminary plot plan, building plans and elevations. Drawings should show the nature, kind, shape, dimension, materials, color and location of the proposed improvements and should identify any anticipated variance from these Design Guidelines. Dimensions of building and exterior wall heights should be included.

2. Final Plan Review

Submit to Board of Directors three (3) sets of construction drawings and specifications showing the following:

- ☐ Plot Plan - locations and dimensions of buildings, outdoor walls, paved areas, septic tank and leach fields, and other outdoor improvements.
- ☐ Building Elevations -elevations of building from all sides, drawings shall be to scale and have dimensions showing heights and widths of building elements
- ☐ Details - details for all exterior walls, drainage structures, and all exterior improvements visible from outside the compound at a height of 5 feet above ground level (or first floor level from nearby houses) within 300 feet of the compound.

4. Completion Review

After completion of construction, the site and building will be inspected by the Board of Directors for compliance with approved plans and specifications.

C. CONSTRUCTION PERIOD

Construction shall be performed promptly and as diligently as possible. All site and building development shall be completed within three hundred sixty five (365) days after the date on which the work commenced; however, once construction begins owners must pursue construction diligently. An extension to lengthen the construction period

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may be granted by the Board of Directors.

D. NOTICE OF COMPLETION

Upon completion of any work for which approval has been given, the owner shall submit written notice of completion to the Board of Directors. Within 30 days thereafter, a representative of the Board of Directors shall inspect such improvement for a post-construction review. If the Board of Directors finds that such work was not done in substantial compliance with the approved plans, it shall notify the owner in writing of such noncompliance within the 30-day period and require the owner to correct the matter.

If upon expiration of the 30 days from the date of modification, the owner has failed to remedy the noncompliance, the Board of Directors may levy a fine against such owner for the costs of removing or remedying such noncompliance.

E. CONSTRUCTION ETIQUETTE

1. Prior to Construction

Once the Board of Directors has approved Final Plans for a Lot Owner, prior to commencement of construction, Owner and/or Owner's General Contractor shall:

- ☐ post the site with signage indicating the General Contractor's name, Construction Industries Division License Number and phone number; and,
- ☐ cause a portable sanitation facility to be placed on the site for construction crew usage.

2. During Construction

During Construction Owner and/or Owner's General Contractor shall:

- ☐ keep the construction site clean and clear of construction debris on a daily basis;
- ☐ keep construction noise and dust to a minimum;
- ☐ allow construction activities to occur only from 7:00 am to 7pm weekdays; 9:00 am to 5:00 pm Saturday. No construction (other than interior) on Sunday; and,
- ☐ assure that the General Contractor's employees, subcontractors and their employees park their vehicles so as not to block or damage easements and roadways and so as not to damage vegetation.

3. Completion of Construction

Within fifteen (15) days of the completion of Construction, Owner and/or Owner's General Contractor shall:

- ☐ cause all construction debris to be removed from the Lot;

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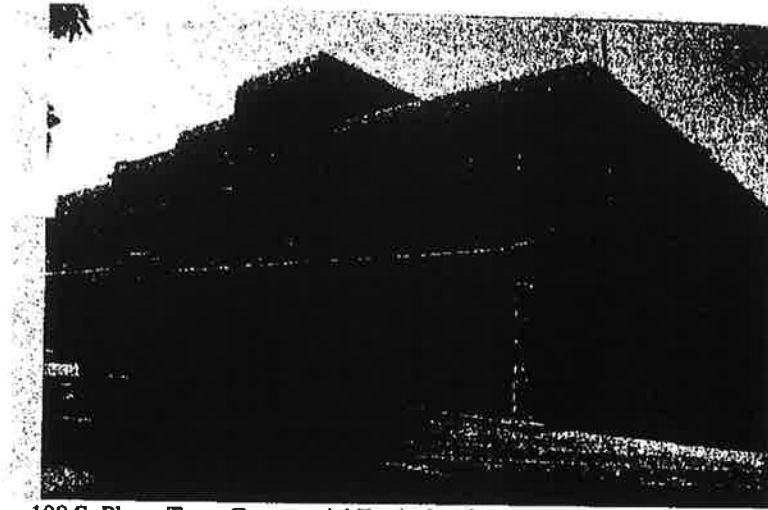
- 3) New Mexico Vernacular 1880-1910. Linear forms, adobe construction and pitched metal roofs, lacking any detail from the Territorial or Folk Territorial Styles;



112 Padre Martinez Lane, Taos, Example of New Mexico Vernacular

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- 4) Pueblo/Pueblo Revival Style: 1908 to present. The combination of Pueblo and Spanish traditions employed in a self-conscious return to the historical traditions. Indicated by portales or building with many carved corbel capitals or the ornamental use of exposed viga ends. Most buildings around Taos Plaza are of this style.



108 S. Plaza, Taos, Commercial Example of Pueblo/Pueblo Revival Style

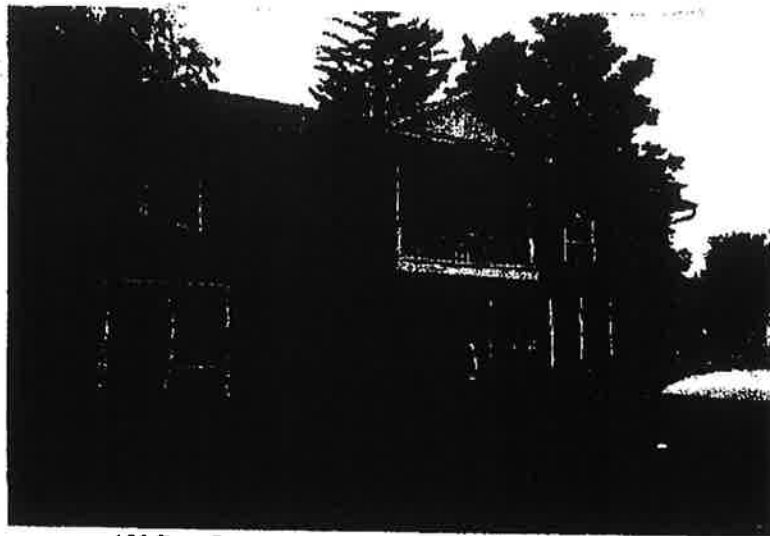
**EXHIBIT "A" to
Design Guidelines
Beausoleil Subdivision**

- 1) Territorial Style: 1846-1912. Includes both flat roofs and pitched roofs;

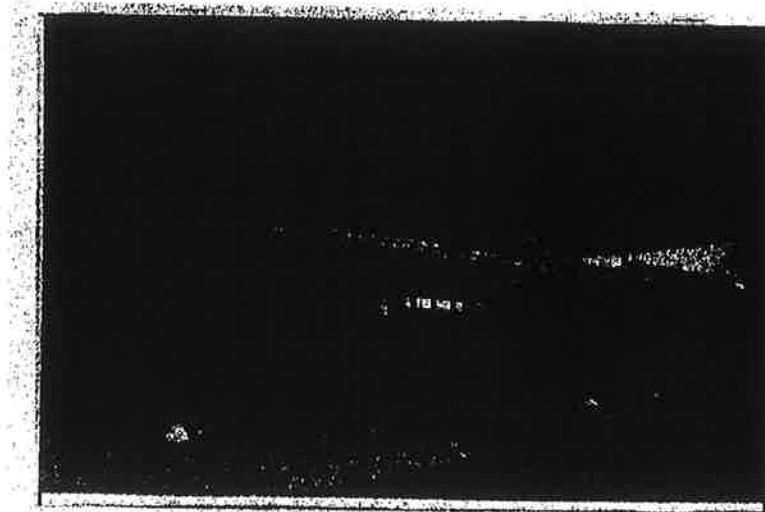


113 Bent Street, Taos, Example of Territorial Style

- 2) Folk Territorial Style: 1880-1910. Similar to Territorial Style, but with inventive carpenter details such as "carpenter gothic" gig-saw work, or mass-produced, lathe-turned, slender columns and Italiante/Queen Anne style brackets;

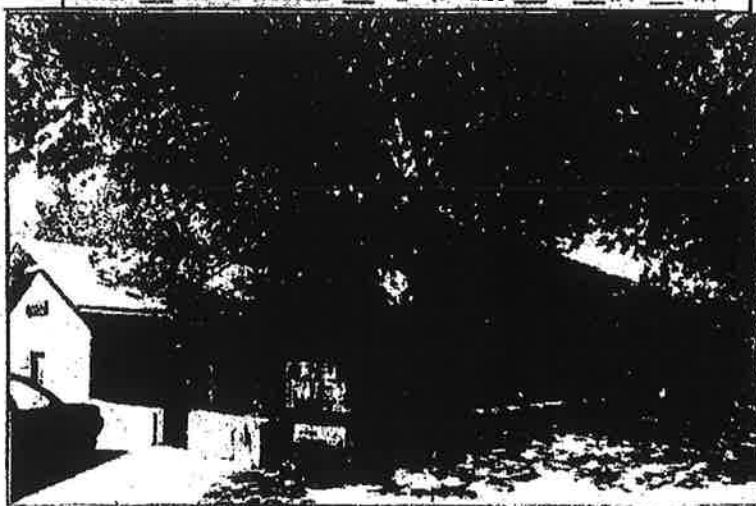


123 Bent Street, Taos, Example of Folk Territorial Style



104 Padre Martinez Lane, Taos, Example of Pueblo/Pueblo Revival Style

5) Territorial Revival Style: 1945 to present. Most have pitched metal or shingled roofs and also frequently employ simple Italiante/Queen Anne style brackets. Chambered, square posts usually replace the lathe-turned columns that would have been combined with brackets in the late 1800s.



102 Padre Martinez Lane, Taos, Example of Territorial Revival Style



FIRST AMENDMENT TO
DECLARATION OF EASEMENTS, COVENANTS
CONDITIONS AND RESTRICTIONS

This First Amendment to Declaration of Easements, Covenants, Conditions and Restrictions ("Amendment") is hereby made by the undersigned owners of certain real property specifically described herein and shall be effective as of JUNE 11, 2013 (the "Effective Date").

Recitals

A. That certain Declaration of Easements, Covenants, Conditions and Restrictions ("Declaration") was first recorded in Book 706, Page 549 on January 7, 2010 and re-recorded in Book 711, Page 756 on March 17, 2010 in the office of the County Clerk of Taos County, New Mexico, made by Nathaniel R. Troy and Connie Wheeler Troy, husband and wife, Connie Wheeler Troy as Trustee of the Nat Troy Trust, U/A dated October 10, 1984 as to an undivided 1/3 interest, and Nathaniel R. Troy and Connie Wheeler Troy as Trustees of the Vee Troy Trust U/A dated January 14, 1984 as to an undivided 1/3 interest, Nathaniel R. Troy and Connie Wheeler Troy as Trustees of the Laura Helen Troy Trust U/A dated January 14, 1984 as to an undivided 1/3 interest, (collectively, "Declarant"), as Declarant.

B. The Declaration applies to certain real property located in Taos County, New Mexico, owned by John M. Mockovciak, III and Janet M. Mockovciak, husband and wife, J3 Holdings, LLC, a Texas limited liability company, Janet M. Mockovciak, Trustee of the John Mockovciak, III Qualified Personal Residence Trust, and John Mockovciak, III, Trustee of the Janet Mockovciak Qualified Personal Residence Trust ("Mockovciak"), and more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "Mockovciak Property").

C. The Declaration also applies to certain real property located in Taos County, New Mexico, owned by St. Bernard Expansion III LLC, a New Mexico limited liability company, and more particularly described in Exhibit B attached hereto and incorporated herein by reference (the "SBE3 Property").

D. Pursuant to Article VII, Section 3 of the Declaration, the undersigned owners of all of the property subject to the Declaration desire to amend the Declaration pursuant to this Amendment, effective as of its recordation with the Office of the County Clerk of Taos County, New Mexico. This Amendment amends and modifies the Declaration as provided herein.

The following amendments are hereby made to the Declaration:

1. Minimum Lot Size. Article V, Section 1 of the Declaration is hereby deleted in its entirety and replaced with the following:

"1. No Tract may be subdivided into Lots less than 10 acres."

2. Set-back Lines. Article VI, Section 8 of the Declaration is hereby deleted in its entirety and replaced with the following:

"8. Set-back Lines. On the SBE3 Property and the Mockovciak Property there shall be a minimum setback from their common boundary of 125 feet for all surface structures, except driveways and fences. There shall be minimum setbacks of 50 feet from all other property lines on the SBE3 Property for all surface structures except driveways and fences.

3. Release and Vacation of SBE3 Property from Declaration. Declarant and Mockovciak hereby release the SBE3 Property from all terms and provisions of the Declaration, except for Article V, Section 1 and Article VI, Section 8 of the Declaration. All other terms and provisions of the Declaration shall not apply to the SBE3 Property, but remain applicable to the Mockovciak Property.

4. Definitions. All terms defined in the Declaration shall have the same meanings herein.

5. Exhibits. Each exhibit attached hereto is incorporated herein by this reference.

6. Recitals. Each and all of the recitals set forth at the beginning of this instrument are hereby incorporated herein by this reference.

7. Affirmation. As amended and modified hereby, the Declaration remains in full force and effect.

[Signatures contained on the following pages.]

2. Set-back Lines. Article VI, Section 8 of the Declaration is hereby deleted in its entirety and replaced with the following:

"8. Set-back Lines. On the SBE3 Property and the Mockovciak Property there shall be a minimum setback from their common boundary of 125 feet for all surface structures, except driveways and fences. There shall be minimum setbacks of 50 feet from all other property lines on the SBE3 Property for all surface structures except driveways and fences.

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4. Definitions. All terms defined in the Declaration shall have the same meanings herein.

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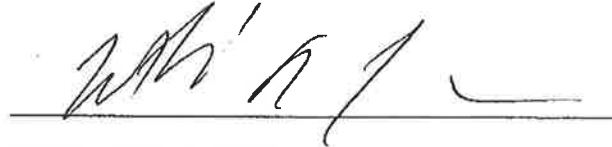
6. Recitals. Each and all of the recitals set forth at the beginning of this instrument are hereby incorporated herein by this reference.

7. Affirmation. As amended and modified hereby, the Declaration remains in full force and effect.

[Signatures contained on the following pages.]

IN WITNESS WHEREOF, the undersigned Declarant and Owners cause this First Amendment to the Declaration of Easements, Covenants, Conditions and Restrictions to be effective as of the Effective Date.

DECLARANT



NATHANIEL R. TROY

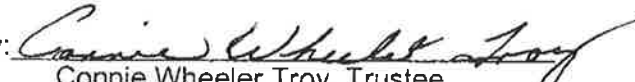



CONNIE WHEELER TROY

NAT TROY TRUST, U/A DATED OCT. 10, 1984

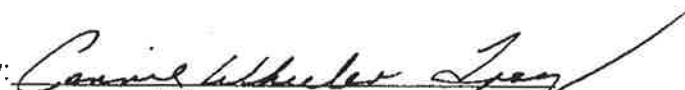
By: 
Connie Wheeler Troy, Trustee

VEE TROY TRUST U/A DATED JAN. 14, 1984

By: 
Connie Wheeler Troy, Trustee

By: 
Nathaniel R. Troy, Trustee

LAURA HELEN TROY TRUST U/A DATED JAN. 14, 1984

By: 
Connie Wheeler Troy, Trustee

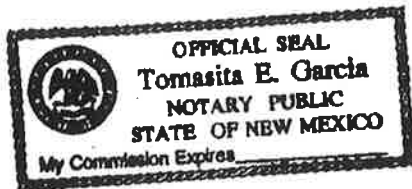
By: Nathaniel R. Troy
Nathaniel R. Troy, Trustee

ACKNOWLEDGEMENT

STATE OF NEW MEXICO

COUNTY OF TAOS

This instrument was acknowledged before me this 16th day of May, 2012, by Connie Wheeler Troy as Trustee of the Nat Troy Trust, U/A dated October 10, 1984, Nathaniel R. Troy and Connie Wheeler Troy as Trustees of the Vee Troy Trust U/A dated January 14, 1984, and Nathaniel R. Troy and Connie Wheeler Troy as Trustees of the Laura Helen Troy Trust U/A dated January 14, 1984, and Nathaniel R. Troy and Connie Wheeler Troy, individually.



Tomasita E. Garcia
Notary Public

My Commission Expires:

May 4, 2016

SBE3

ST. BERNARD EXPANSION III LLC,
a New Mexico limited liability company

By: Bontin
Jerome de Bontin, Manager

ACKNOWLEDGEMENT

STATE OF New Jersey
COUNTY OF Hudson

This instrument was acknowledged before me this 11 day of June, 2013 by Jerome de Bontin, Manager of St. Bernard Expansion III LLC, a New Mexico limited liability company.

My commission expires:

4/2017

