

DECLARATION OF COVENANTS AND RESTRICTIONS

This Declaration of Covenants and Restrictions is made by and between **ZAKARY PELACCIO and MARJORIE JAYNE EMDE**, a married couple, owners of Parcel 1, as more particularly described on Exhibit "A" attached hereto and further described in that Corrective Warranty Deed recorded in Book 1166 Pages 147-150, records of Taos County, New Mexico, and **GLEN FRANK ROGERS and AMELIA BETH McPARTLON-ROGERS**, a married couple, owners of "Parcel 2" as more particularly described on Exhibit "B" attached hereto, and further described in that Corrective Warranty Deed recorded in Book 1166 Pages 154-155, records of Taos County, New Mexico.

WHEREAS, the parties referenced above desire to restrict the above described properties for the benefit of both properties and hereby approve the following covenants and restrictions.

NOW, THEREFORE, the parties hereby affirm that the real properties described on Exhibit "A" and Exhibit "B" shall be owned conveyed, mortgaged, leased, used, occupied and improved, subject to the following terms which shall be covenants running with the land:

1. All buildings constructed on the properties described in Exhibits "A" and "B" shall be no more than one-story with a maximum height of 17 feet.
2. All external fencing along property lines must be constructed of latillas or adobe and stucco. The color of such external fencing if constructed of adobe and stucco must match the residence located on said property.

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3. Outbuildings/casitas are allowed but must be of adobe/stucco construction and must match the color and style of the primary residence.

4. Outbuildings shall be for owners' use only and may not be used for separate rental properties.

5. Greenhouses may be constructed and may be conventional style or geodesic dome style.

6. The owners of the properties described in Exhibits "A" and "B" (the "Properties") may rent their respective properties for long-term only and for a duration of no less than 30 days. No short-term /AirBnB/VRBO type rental shall be permitted. If the primary residence is rented, outbuildings located on the rented property shall be for Tenants' use only and Tenants are prohibited from subletting any portion of the rented property.

7. The construction of pools is allowed. Above-ground pools must have decking around them. The parties shall fill and/or refill all pools with water acquired outside of the Properties; that is, such water must be trucked in. The shared well may not be used to fill or refill any pools.

8. Livestock shall be limited to 12 chickens and six ducks on either of the Properties. Domestic pets, including cats and dogs, are allowed.

9. No abandoned or non-working vehicles may be stored on either of the Properties.

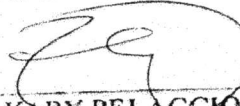
10. No recreational vehicles, including, but not limited to, campers, motor homes, fifth-wheel trailers, caravans, popup campers or truck campers, shall be stored or parked on the Properties except within a latilla or adobe/stucco garage or

carport. No mobile homes shall, at any time, be parked, stored or located on the Properties.

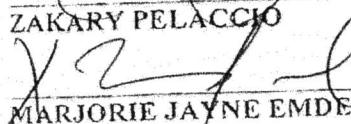
FURTHER, the parties hereby affirm and agree as follows:


This Declaration of Covenants and Restrictions shall be binding upon and inure to the benefit of the parties, their legal representatives, heirs, successors and assigns, and shall be appurtenant to the properties described in Exhibits "A" and "B".

IN WITNESS WHEREOF, the undersigned have executed this Declaration of Covenants and Restrictions as of the 19 day of Jan, 2022.


ZAKARY PELACCIO


GLEN FRANK ROGERS


MARJORIE JAYNE EMDE


AMELIA BETH McPARTLON-ROGERS


ACKNOWLEDGMENTS FOR NATURAL PERSONS

STATE OF NEW MEXICO)

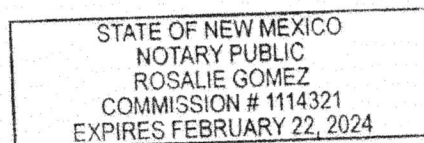
) ss.

COUNTY OF TAOS)

This instrument was acknowledged before me on the 11th day of May, 2022, by Zakary Pelaccio.


Notary Public

My commission expires: 2/22/24
(SEAL)



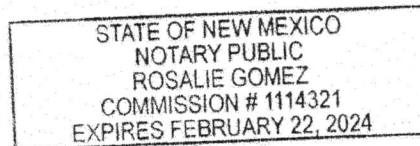
(Further acknowledgments on following page)

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

This instrument was acknowledged before me on the 11th day of May, 2022, by Marjorie Jayne Emde.

Rosalie Gomez
Notary Public

My commission expires: 2/22/24
(SEAL)

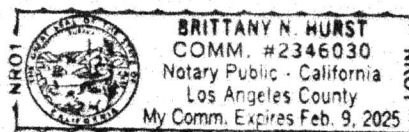


STATE OF CA)
) ss.
COUNTY OF Los Angeles)

This instrument was acknowledged before me on the 19th day of January, 2022, by Glen Frank Rogers.

Brittany N. Hurst
Notary Public

My commission expires: 2/9/2025
(SEAL)

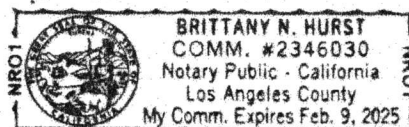


STATE OF CA)
) ss.
COUNTY OF Los Angeles)

This instrument was acknowledged before me on the 19th day of January, 2022, by Amelia Beth McPartlon-Rogers.

Brittany N. Hurst
Notary Public

My commission expires: 2/9/2025
(SEAL)



PARCEL "1"

A certain tract of land in the El Prado area, Taos County, New Mexico; within the Taos Pueblo Grant; located within Section 6, Township 25 North, Range 13 East, NMPM; described as part of Complaint 37, Private Claim 82, Parcel 2; part of Complaint 40, Private Claim 92, Parcel 2 and part of Complaint 69, Tract 387 of the 1915 USGLO survey of the private claims within the Taos Pueblo Grant; also described as part of Tract 1, Map 11, Survey 2 of the 1941 Taos County Reassessment Survey and more particularly described by metes and bounds as follows:

BEGINNING at the South corner of this tract, a ½ inch rebar set, from which triangulation station "Shannon," a 1973 State Engineer's Office brass cap monument found bears S. 01° 54' 23" E., 3360.79 feet distant, thence;

N. 41° 32' 01" W., 164.28 feet to the West corner, a ½ inch rebar found, thence;

N. 28° 40' 56" E., 128.95 feet to a ½ inch rebar found, thence;

N. 28° 39' 52" E., 181.21 feet to the North corner, a ½ inch rebar set on the northeasterly side of "Painter Road," thence along said road;

S. 41° 08' 06" E., 176.40 feet to the East corner, a ½ inch rebar found, thence leaving said road;

S. 48° 50' 31" W., 130.22 feet to a ½ inch rebar set, thence;

S. 18° 09' 14" W., 185.78 feet to the POINT AND PLACE OF BEGINNING;

This tract contains 0.996 acre, more or less; all as shown on a survey plat entitled "Zakary C. Pelaccio & Marjorie J. Emde; Amelia McParlton-Rogers and Glen Rogers," RGSS survey no. L2305-12[I.L.A.], by Scott B. Crowl, NMLS no. 12441, dated 06/01/2022.

EXHIBIT A

PARCEL "2"

A certain tract of land in the El Prado area, Taos County, New Mexico; within the Taos Pueblo Grant; located within Section 6, Township 25 North, Range 13 East, NMPM; described as part of Complaint 37, Private Claim 82, Parcel 2; part of Complaint 40, Private Claim 92, Parcel 2 and part of Complaint 69, Tract 387, of the 1915 USGLO survey of the private claims within the Taos Pueblo Grant; also described as part of Tract 1, Map 11, Survey 2 of the 1941 Taos County Reassessment Survey and more particularly described by metes and bounds as follows:

BEGINNING at the West corner of this tract, a ½ inch rebar set, from which triangulation station "Shannon," a 1973 State Engineer's Office brass cap monument found bears S. 01° 54' 23" E., 3360.79 feet distant, thence;

N. 18° 09' 14" E., 185.78 feet to a ½ inch rebar set, thence;
N. 48° 50' 31" E., 130.22 feet to the North corner, a ½ inch rebar found on the northeasterly side of "Painter Road," thence along said road;

S. 41° 08' 06" E., 175.91 feet to the East corner, a ½ inch rebar found, thence leaving said road;

S. 48° 25' 30" W., 128.41 feet to a ½ inch rebar found, thence;

S. 48° 30' 00" W., 160.97 feet to the South corner, a ½ inch rebar found, thence;

N. 41° 32' 01" W., 82.99 feet to the POINT AND PLACE OF BEGINNING;

This tract contains 1.004 acres, more or less, all as shown on a survey plat entitled "Zakary C. Pelaccio & Marjorie J. Emde; Amelia McParlton & Glen Rogers," RGSS survey no., L2305-12[LLA], by Scott B. Crowl, NMLS no. 12441, dated 06/01/2022;

