

FIRST AMENDMENT TO DECLARATION OF RESTRICTIVE AND PROTECTIVE COVENANTS FOR BARON'S RUN SUBDIVISION

WHEREAS, **BARON'S RUN, LLC, a New Mexico limited liability company** ("Declarant") executed that certain Declaration of Restrictive and Protective Covenants for Baron's Run Subdivision ("Subdivision") ("Declaration"), which was filed on November 21, 2006, in Book A127, page 4353, as Document No. 2006174837, records of Bernalillo County, New Mexico; and

WHEREAS, **MATTHEW W. THOMPSON and MEGAN THOMPSON, husband and wife** ("Matt & Megan"), are the owners of Lot 2-P1 in the Subdivision; and

WHEREAS, Declarant is the legal owner and **MARK G. THOMPSON, a single man** ("Mark") is the equitable owner of Lot 3-P1 in the Subdivision by virtue of a Real Estate Contract recorded January 18, 2007, in Book 130, page 9619, as Document No. 2007009637, records of Bernalillo County, New Mexico; and

WHEREAS, pursuant to the Declaration, Declarant, Matt & Megan and Mark desire to amend Paragraph 6 of the Declaration.

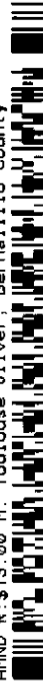
NOW THEREFORE:

1. All capitalized terms shall have the definitions provided for in the Declaration or the Condominium Act, except as otherwise provided for herein.
2. Declarant, Matt & Megan and Mark hereby declare that Paragraph 6 of the Declaration shall be amended to read as follows:

"6. Minimum Area of Dwelling; Height Restrictions. The total enclosed living area of any Dwelling, exclusive of open porches, garage and any accessory building shall not be less than 2,200 square feet. Dwellings shall not exceed a height of twenty-five feet (25') above the finished pad elevation on each Lot."

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07/17/2008 08:30 AM Page: 1 of 3
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2. Except as herein modified and amended, the remaining terms and provisions of the Declaration shall remain in full force and effect.
3. This Amendment shall be binding upon the undersigned, its successors and assigns in all respects and shall be deemed to run with the land.

IN WITNESS WHEREOF the undersigned have executed this Amendment the 10th day of July, 2008.

BARON'S RUN, LLC,
a New Mexico limited liability company

By: Ron B Clark

Its: member

Matthew W. Thompson
MATTHEW W. THOMPSON

Megan Thompson
MEGAN THOMPSON

Mark G. Thompson
MARK G. THOMPSON

STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)

The foregoing instrument was acknowledged before me on the 10th day of July, 2008, by Ron B Clark, Member of BARON'S RUN, LLC, a New Mexico limited liability company.

MY COMMISSION EXPIRES: 10-17-2010
Ave Altschuler
NOTARY PUBLIC

STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)

The foregoing instrument was acknowledged before me on the 12th day of July, 2008, by MATTHEW W. THOMPSON and MEGAN THOMPSON, husband and wife.

MY COMMISSION EXPIRES:
10-17-2010

Stu Altkubler
NOTARY PUBLIC

STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)

The foregoing instrument was acknowledged before me on the 12th day of July, 2008, by MARK G. THOMPSON, a single man.

MY COMMISSION EXPIRES:
10-17-2010

Stu Altkubler
NOTARY PUBLIC