

**FIRST AMENDMENT
TO
THE CANCELLATION AND RESTATEMENT OF
PROTECTIVE COVENANTS AND RESTRICTIONS FOR
LOS RANCHOS DEL RIO SUBDIVISION IN THE CITY OF SUNLAND PARK**

This is the First Amendment (the "Amendment") to the Cancellation and Restatement of Protective Covenants and Restrictions for Los Ranchos del Rio Subdivision in the City of Sunland Park dated the 22nd day of September 1995 and recorded in the Real Property Records of Dona Ana County, New Mexico as Reception No. 22350 on the 12th day of October 1995 (the "Protective Covenants and Restrictions").

WHEREAS, the provisions of Article XVI allow for the amendment of the Covenants by "an affirmative vote of the then record holders of title representing a majority (fifty-one [51] percent) of the total single family residential lot owners in the subdivision."

WHEREAS, pursuant to the provisions of Article XVI, the Property Owners Association desires to amend the Covenants as follows:

1. A new section 6 to Article II is hereby added and provides as follows:

"Section 6. No lot shall be used or occupied for any business, commercial, trade, or professional purpose, either apart from or in connection with the use thereof as a private residence, whether for profit or not, except that an owner or occupant may conduct such activities within the interior space of their private so long as the activity complies with each of the following: (a) the existence or operation of that activity conducted within the interior is not apparent or detectable by sight, sound or smell from the outside of the private residence; (b) the activity does not involve visitation of the private residence or lot upon which it is located by clients, customers, suppliers, or other business invitees, or door-to-door solicitation of residents of the subdivision; (c) the activity is consistent with the residential character of the subdivision; (d) does not constitute a nuisance, hazardous, or offensive use, as determined in the sole and absolute discretion of the Board of Trustees of the Association by majority vote; and (e) does not threaten the security or safety of other residents of the subdivision, as determined in the sole and absolute discretion of the Board of Trustees of the Association by majority vote. The members of the Association acknowledge and agree that the foregoing restrictions on use of the property in the subdivision shall apply notwithstanding the fact that state, county, local, or municipal laws, rules, regulations, or interpretations thereof, otherwise permit certain business, commercial, trade or professional uses generally in subdivisions of a residential nature. By way of example only, and without limitation, a daycare facility, home daycare facility, church, house of worship, nursery, preschool, beauty parlor, barbershop, massage therapy, pet grooming, fortune telling, palm reading, tattoo parlor, instructional services, small item repair business, kennel, commercial animal husbandry, or other similar facility is expressly prohibited under this Section."

[Signatures on Following Page]

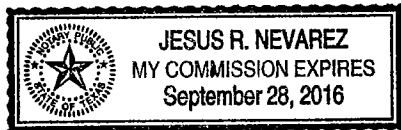
The undersigned have witnessed and verified the attached lists of signatures which were submitted to the Association in person or by letter proxy.

Graciela Pier-Hanson
Graciela Pier-Hanson, President

William Levin
WILLIAM LEVIN, Secretary

STATE OF Texas §
§
COUNTY OF El Paso §

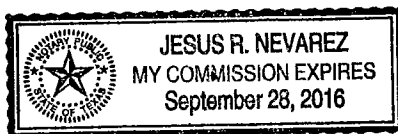
BEFORE ME, Jesus R. Nevarez, a notary public, on this day personally appeared Graciela Pier-Hanson, the President of the Los Ranchos del Rio Property Homeowners Association, Inc., a New Mexico corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed. Given under my hand and seal of office this 8th day of January, ~~2012~~ 2013
Jan



[Signature]
Notary Public In and For
The State of Texas

STATE OF Texas §
§
COUNTY OF El Paso §

BEFORE ME, Jesus R. Nevarez, a notary public, on this day personally appeared WILLIAM LEVIN, the Secretary of the Los Ranchos del Rio Property Homeowners Association, Inc., a New Mexico corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed. Given under my hand and seal of office this 8th day of January, ~~2012~~ 2013
Jan



[Signature]
Notary Public In and For
The State of Texas

Block	Lot	Name
14	1	Acuna, Diana Cardiel
15	1	Cruz-Espinoza, Elizabeth
19	3	Najera, Anselmo
5	2	Kuehne Jr., Erwin
1	3	Salas, Jaime
1	2	Chew, Lydia N.
2	2	Limas, Raymundo D.
9	4	Ortiz, Angel
4	4	Nanez, Edmundo
6	4	Quintana Borrega, Norma
1	12	Herrera, Martha
16	3	Gammell, Micheal K. and Wanda A.
7	4	Torres, Ivonne Michelle
5	4	Campos, Thelma
9	1	Levin, William
2	4	Resendiz, Antonio
20	1	Wurdeman, Roy A.
5	3	Cooney, John C.
2	3	Boden, John David and Gene Linda
16	1	Daw, Jimmie W.
1	4	An, Yan
13	4	Wilson, Nancy Choy
1	1	Crager, Claudia
7	3	Pier-Hanson, Graciela
1	2	Payan, Hector
6	2	Payan, Margarita
3	2	Bunge, Gordon
4	3	Yamawaki, Ana M.
18	3	Solis, Graciela
11	1	Perez, Graciela
17	1	Demski, Dale and Dianne
8	3	Vargas, Stephen P.
6	3	Zumwalt, Terri Woodard



COUNTY OF DONA ANA) AMENDMENT TO COVENANTS
STATE OF NEW MEXICO) ss PAGES: 3

I Hereby Certify That This Instrument Was Filed for
Record On JAN 14, 2013 02:59:16 PM
And Was Duly Recorded as Instrument # 1301013
Of The Records Of Dona Ana County



Witness My Hand And Seal Of Office,
Lynn J. Ellins, County Clerk, Dona Ana, NM

Deputy

Alma Arroyo