

**AMENDMENT TO  
"DECLARATION OF COVENANTS AND RESTRICTIONS"  
(RICHARDS AVENUE BUSINESS PARK)**

WHEREAS, at a Special Meeting of the members of the Richards Avenue Business Park Association, Inc. (the "Association") held the 21<sup>st</sup> day of March, 2017 and by two-thirds (2/3) vote of the Association's then voting members, the Association adopted the following amendment to the "Restated Declaration of Covenants and Restrictions" (Richards Avenue Business Park) recorded on February 27, 2002 in Book 2077, Pages 410 et seq. of the records of Santa Fe County, New Mexico (the "Restated Declaration");

WHEREAS, it is the stated desire and preference of the membership that the production or sale of any controlled substance within the Richards Avenue Business Park and in close proximity to the churches, schools and children's programs, as well as others members should be strictly prohibited;

**NOW, THEREFORE, BE IT HEREBY DECLARED** that the Restated Declaration is duly amended as aforesaid to provide as follows:

Section 2 of Article VIII of the Restated Declaration shall read as follows:

**ARTICLE VIII-REGULATION OF USES**


**8.2 Prohibited Uses.** Heavy industrial uses and the following uses shall not be permitted on any site subject to these covenants and restrictions unless such uses qualify under the procedure hereinafter under the following hearing "Procedure for Reclassification":

- (a) Residential;
- (b) Mobile home parks or trailer courts, either temporary or permanent;
- (c) Labor camps;

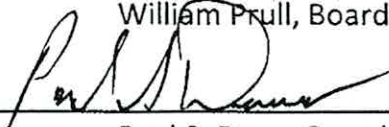
- (d) Junk yards or automotive, other vehicle or equipment disassembly;
- (e) Automobile, truck, tractor or any other motorized vehicle maintenance or repair operations;
- (f) Drilling for and/or removal of oil, gas or other hydrocarbon substances;
- (g) Commercial excavation or building or construction materials or quarrying of any material;
- (h) Distillation of bones;
- (i) Dumping, collection, storage, disposal, incineration or reduction of garbage, sewage, offal, dead animals or refuse (whether or not such refuse or any portion thereof is recyclable);
- (j) Animal breeding, raising or training;
- (k) Animal kennels;
- (l) Fat rendering;
- (m) Recycling operations of any kind;
- (n) Stockyard or slaughter of animals;
- (o) Refining of petroleum or of its products;
- (p) Smelting of iron, tin, zinc or other ores except for production of metal sculptures or other metal objects of art;
- (q) Production, sale or exhibition of adult movies, videos, books or other printed or exhibitable materials;
- (r) Auctions to the general public unless approved in writing by the Board of Directors;

- (s) Any use which includes the manufacture, production or sale of marijuana or any controlled substance;
- (t) Any use which is prohibited by federal, state or local law, statute or ordinance.

RICHARDS AVENUE BUSINESS PARK ASSOCIATION

By:   
J. R. Damron, President

By:   
William Prull, Board Member

By:   
Paul S. Dunn, Board Member

STATE OF NEW MEXICO )  
  ) ss.  
COUNTY OF SANTA FE )


The foregoing instrument was executed and acknowledged before me on March 25, 2017 by J. R. Damron, President, William Prull and Paul S. Dunn Members of the Board of Directors of the Richards Avenue Business Park Association, a New Mexico Corporation, on behalf of the corporation.


  
Notary Public


My Commission Expires: 7/30/20

COUNTY OF SANTA FE ) AMENDMENT TO COVENANTS  
STATE OF NEW MEXICO ) ss PAGES: 3

I Hereby Certify That This Instrument Was Filed for Record On The 29TH Day Of March, 2017 at 09:23:29 AM And Was Duly Recorded as Instrument # 1821603 Of The Records Of Santa Fe County

Deputy  Witness My Hand And Seal Of Office Geraldine Salazar County Clerk, Santa Fe, NM

  
OFFICIAL SEAL  
PAMELA J. OSTROWSKI  
NOTARY PUBLIC  
STATE OF NEW MEXICO  
MY COMMISSION EXPIRES 7/30/20

  
COUNTY CLERK  
GERALDINE SALAZAR  
SANTA FE COUNTY NEW MEXICO

SFC CLERK RECORDED 03/29/2017