

STATE OF NEW MEXICO } #57724
 COUNTY OF SANTA FE }
 I hereby certify that this instrument was filed for record
 on the 9th day of July, 1941
 at 11:00 o'clock A.M. and was duly recorded
 in Book 21 of the records of Santa Fe, page 477
 Witness my hand and Seal of Office
 E. N. MERTENSEZ
 County Clerk, Santa Fe Co., N. M.
 (sgd) E. N. Mertensez
 (Seal) Deputy

DECLARATION OF PROTECTIVE COVENANTS UPON A CERTAIN TRACT OF LAND SITUATE IN THE CITY OF SANTA FE, COUNTY OF SANTA FE, STATE OF NEW MEXICO, BEING DESCRIBED AS ALL THAT PORTION OF LOT NO. 20, AS SHOWN ON MAP OF THE TRACT INVOLVED IN SUIT NO. 6098 ON THE DOCKET OF THE DISTRICT COURT OF SANTA FE COUNTY, WHEREIN S. G. CARTWRIGHT IS THE PLAINTIFF, AND MANUEL SANDOVAL AND OTHERS, ARE DEFENDANTS, LYING SOUTH OF THE DENVER AND RIO GRANDE WESTERN RAILROAD RIGHT OF WAY AND NORTH OF EL CAMINO DE NUESTRA SEÑORA DEL ROSARIO (NOW KNOWN AS GRIFFIN STREET.)

HERE ALL NEW BY THESE PRESENTS, That:-

WHEREAS, JAMES M. WILSON and WMA WILSON, his wife, of Santa Fe, New Mexico, being the owners of that certain tract of land embraced in a certain subdivision and addition to the City of Santa Fe, known as "La Linda Addition to the City of Santa Fe, New Mexico," a plat whereof has been heretofore duly filed in the office of the county clerk of Santa Fe County, State of New Mexico, on the 8th day of July, 1941; and

WHEREAS, the said JAMES M. WILSON and WMA WILSON, his wife, have filed a declaration of protective covenants upon said La Linda Addition to the City of Santa Fe, irrevocably dedicating and restricting the lots in said addition to residential purposes and restricting the same against objectionable use thereof, all as set forth in that certain declaration of protective covenants filed in the office of the county clerk of the County of Santa Fe, State of New Mexico, on the 8th day of July, 1941, and recorded in Book 21 of Miscellaneous Deed Records, at pages 475 et seq.; and

WHEREAS, the undersigned FRIEDA SEIFFERT, of Santa Fe, New Mexico, being the owner of

All that portion of Lot No. 20, as shown on map of tract involved in suit No. 6798 on the docket of the District Court of Santa Fe County, wherein S. G. Cartwright is the plaintiff and Manuel Sandoval and others are defendants, lying south of the Denver and Rio Grande Western Railroad right of way and north of El Camino de Nuestra Señora del Rosario (now known as Griffin Street.)

which said tract of land lies to the north of the La Linda Addition, separated therefrom only by the street known as El Camino de Nuestra Señora del Rosario (now known as Griffin Street,) and desires to enhance the value of said tract by irrevocably dedicating and restricting the same to residential purposes, and restricting the same against objectionable use thereof.

NOW, THEREFORE, in consideration of the premises, the undersigned being the owner of said property last above described, does hereby encumber the whole of said tract and property so owned and held with the following protective and restrictive covenants, to-wit:-

1. That said tract of land, whether the same be subdivided into lots and blocks or held as one tract, shall not be used for any purpose except for residential purposes, and no buildings or structures shall be erected, altered, placed or permitted to remain upon said land or any part thereof, other than detached single family dwellings or duplex dwellings, with not to exceed two one-car private garages in connection therewith, and further that in event said tract of land shall be subdivided into residential lots with streets and/or alleyways through said property, no building shall be located on any residential building plot nearer than 20 feet to the front line or nearer than 5 feet to any side line, provided, however, that separate garages may adjoin the side line, providing they are located at least 30 feet back from the front lot line.
2. That no residence shall be constructed upon said premises costing less than \$2,000.00, and all residences shall be connected with the city sewer and no cesspools shall be permitted. Any and all residences and outbuildings erected upon said property shall be completed, as to their exteriors, within nine months after construction starts.

And the undersigned owner does hereby covenant and agree to and with each person hereafter to purchase said property, or any lot or lots into which said tract may be subdivided, that the foregoing protective and restrictive covenants shall and do run with and encumber the land and any lots into which it may be subdivided; and that in every conveyance she may or shall hereafter make of said property or of a lot or lots within said tract, the said protective and restrictive covenants shall be incorporated and reserved by proper reference to this document, and that said covenants shall be binding upon all the parties hereto and all persons claiming under them, until January 1, 1967, at which time said covenants shall automatically extend for successive periods of ten (10) years, unless by a vote of the majority of the then owners of the said tract or lots it is agreed to change the said covenants in whole or in part.

If the undersigned or any of the heirs or assigns of the undersigned, or any of them, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning part of said tract, or any lot or lots into which the same may hereafter be subdivided, to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any of the covenants and restrictions herein contained, and either to prevent him or them from so doing, or to recover damages or other dues for each violation.

Invalidation of any of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, I, the above named FRIEDA SEIFFERT, have hereunto set my hand and seal this 9th day of July, 1941.

(sgd) Frieda Seyffert (SEAL)

STATE OF NEW MEXICO
 COUNTY OF SANTA FE

On this 9th day of July, 1941, before me personally appeared FRIEDA SEIFFERT, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.
 (NOTARIAL SEAL) My commission expires Dec. 15th 1941 (sgd) Grace Bowman, Notary Public