

SUPPLEMENTAL DECLARATION OF RESTRICTIVE COVENANTS
FOR VALLEY OF THE UTES SUBDIVISION, ANGEL FIRE,
COLFAX COUNTY, NEW MEXICO

THIS SUPPLEMENTAL DECLARATION OF RESTRICTIVE COVENANTS is made this ____ day of August 2020, the Declarant, Angel Fire Resort Operations, LLC, a New Mexico Limited Liability Company ("Declarant") and owner of 55% of the unsold lots in the Subdivision hereby amends/modifies the Declaration as set forth herein pursuant to Article 7, "Amendments", Phase I and Phase II Subdivision filed in the Plat Book 9 at Page 108, Records of Colfax County, New Mexico, and supplements that Declaration of Restrictive Covenants, Valley of the Utes Subdivision, Angel Fire, Colfax County, New Mexico filed on June 14, 2002 in Book 13, Pag 8726, of the Records of Colfax County, New Mexico ("Declaration") as follows:

1. The following provision in Article III, "**Creation of the Lien and Personal Obligation of Assessments and Fines**"; is hereby deleted, eliminated and removed and shall not be replaced by any other provision:

"All property in the subdivision shall be a Platinum membership classification and shall be subject to the assessments, terms and conditions for such membership classification as set forth by the Association and Declarant."

2. The following provision in Article VI, D, "**Minimum Lot Area**" is hereby deleted, eliminated and removed and shall not be replaced by any other provision:

"Lot combinations are not allowed."

3. The language in Article VI, "Construction and Lot Use", Building Size (3) is hereby modified to the following:

"No Building or structure shall be located within 50 feet from any front lot boundary."

4. The following language in Article V, "Architectural Review Procedures Preliminary Consultation - Variances" is hereby modified to include the following:

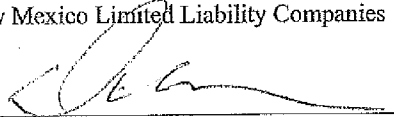


"Because of the inherent uneven terrain, slopes, rocks and wet land areas, variances regarding the location of the building shall be freely granted by AFEACC in order to accommodate the location of the building when possible so long as it does not destroy the character and nature of any adjacent lot(s) or subdivision in general."

All other provisions of Article III, V, and VI and the remainder of the Declaration shall remain in full force and effect. More specifically, the lot combination restrictions, terms and conditions set forth in Article III remain in full force and effect.

This matter having come before the members of Declarant for consideration and approval on July 30, 2020 and said Amendment was approved.

ANGEL FIRE RESORT OPERATIONS, LLC &
ANGEL FIRE REAL ESTATE LLC,
New Mexico Limited Liability Companies

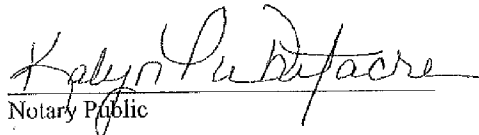


By: Daniel Rakes
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ACKNOWLEDGEMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO)
) ss.:
COUNTY OF COLFAX)

This instrument was acknowledged and signed by its Executive Senior Counsel, Daniel Rakes for Angel Fire Resort Operations LLC and Angel Fire Real Estate LLC, before me on July 30th, 2020.


Notary Public

My commission expires: *Dec 16 22*

