

FIRST AMENDED DISCLOSURE STATEMENT GRANT COUNTY DOS GRIEGOS
HOMEOWNERS' ASSOCIATION II SILVER CITY, GRANTY COUNTY,
NEW MEXICO

This Disclosure Statement is intended to provide all interested parties in Dos Griegos Subdivision, Grant County, New Mexico with information and development of the subdivision and the establishment of Grant County Dos Griegos Homeowners' Associations, of which currently there are three, collectively for Units, 2, 3, 4, 5 and 6 of the subdivision.

This Disclosure Statement also serves the purpose of notification of the First Amended Disclosure Statement to amend the Covenants of Grant County, Dos Griegos Homeowners' Association II, hereinafter ("GCDGHOA II"), to include and allow the installation and operation of individual lot liquid waste disposal systems in lieu of community liquid waste treatment system as afore stated by the developer Dos Griegos Ltd. Partnership and referenced in Agreements and Disclosure, as amended, and recorded with Grant County, New Mexico for the Dos Griegos Subdivision prior to the formation of the Homeowners' Association I, GCDGHOA II, and Homeowners' Association IV.

Upon the ballot of the membership of GCDGHOA II passing this Amendment as tallied by the ballot returns per the bylaws, the Board of Directors are authorized to sign the declaration and file and record the amended covenants with Grant County, New Mexico.

Recitals

WHEREAS, GCDGHOA IV upon formation recorded the Declaration of Covenants with Grant County, New Mexico reference 201003059 on the 4th day of August, 2010 in BK:272 P3059, Pgs. 39.

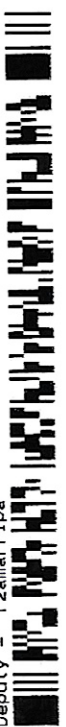
WHEREAS, GCDGHOA IV upon formation recorded the Bylaws of GCDGHOA IV with Grant County, New Mexico reference 201003060 on the 4th day of August, 2010 in BK:272 P3060 Pgs. 26.

WHEREAS, Third Amendment to Declaration of Covenants for Dos Griegos Subdivision, Unit 5, Phase 4 and Unit 6, Phase 5 and recorded on the 10th day of November, 2005 in BK:267 Pgs. 5656-5673.

WHEREAS, Third Amendment to Bylaws of Grant County Dos Griegos Homeowners' Association II and recorded on 31st, August, 2005 declaring amendments to those Bylaws of Dos Griegos Homeowners' Association II as recorded with Grant County Clerk on the 17th day of August, 1999 in BK:253, Pgs. 3028-3050.

WHEREAS, Original Disclosure for Dos Griegos Subdivision as amended for Phase I of the Dos Griegos Subdivision in Grant County, New Mexico, recorded with Grant County on the 17th day of July, 1996 in Book 234, Pgs. 388-413.

202003611 B: 282 P: 3611 Pgs: 4 Covenant
This instrument was recorded on 10/09/2020 10:22:43 AM
Marisa Castillo, County Clerk, Grant County NM
Deputy - rzamarripa



DATED:

GRANT COUNTY DOS GRIEGOS HOMEQWNERS' ASSOC. II

BY:

Leesa E. Haire

LEESA E. HAIRE
President

STATE OF NEW MEXICO

COUNTY OF GRANT

This First Amended Disclosure Statement for Grant County Dos Griegos Homeowners' Association II was signed before me on October 6th, 2020.

By:

Leesa E. Haire
Leesa E. Haire, President

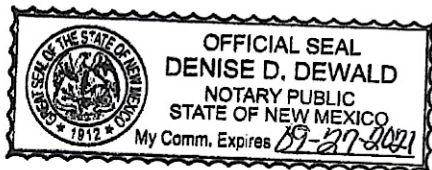
By:

Richard Zimmel
Richard Zimmel, Vice President

NOTARY PUBLIC

Denise D. Dewald

My Commission Expires: 09-27-2021



**Declaration of Covenants
For
Grant County Dos Griegos Homeowners' Association II**

Article V

Except as otherwise provided in paragraph 7.9 of this Declaration, no building, fence, wall, or other structure shall be commenced, erected or maintained within the Property, and no exterior addition to or change or alteration shall be made until the plans and specifications showing the nature, shape, height, materials, and location of the same shall have been submitted to and approved in writing by an Architectural Committee. In addition, the Lot/Property owner is required to submit to the Board of Directors, prior to construction, a copy of the Permit for Construction of the liquid waste disposal system specified in Article XII, as received from the New Mexico Environment Department (NMED) together with plans and specifications for the structures to be built for review by the Architectural Committee of the Association. The Lot/Property owner is required to file a copy of the permit to operate the liquid waste disposal system with the Architectural Committee upon receipt of same from NMED. The Architectural Committee shall be composed of three (3) or more representatives appointed by the Board of Directors. The Board of Directors shall act as and be deemed to be the Architectural Committee until such time as the Board of Directors appoints representatives to serve on the Architectural Committee. The persons appointed to the Architectural Committee may, but need not be, members of the Association or Board of Directors.

Plans and specifications shall not be approved if they are not in compliance with this Declaration and any architectural guidelines, rules and regulations adopted by the Board of Directors to ensure that any development, construction, modifications, repair or decoration of any improvement is aesthetically harmonious with the character, quality, appearance and value of the existing and planned improvements within the Property. The Architectural Committee shall answer any written request for such approval, after Notice and Hearing, within sixty (60) days after the request. Failure to do so within such time shall constitute consent to the proposed action. The Architectural Committee shall review the request in accordance with the provisions of the guidelines, rules and regulations adopted by the Board of Directors.

Building Envelopes: It is the goal of the subdivider to maintain the pristine nature of the property as much as possible. Thus, in addition to the above, a building envelope must be approved by the Architectural Committee prior to the erection of a building. This approval may be accomplished either at closing or anytime thereafter before construction begins. An envelope shall not be greater than 50% of the size of the respective lot but must be reasonable in size considering the unique characteristics of each particular lot. Other than a driveway leading to this building site, there shall be no erecting of structures, cutting down of trees or terrain destruction of any unreasonable kind outside the building envelope without prior written approval from the Architectural Committee.

Article XII

Individual Liquid Waste Disposal Systems

An Individual Lot Liquid Waste Disposal System shall be installed by the Lot/Property owner pursuant to the laws and regulations of New Mexico Environment Department. Environmental Health Bureau (NMED) in accordance with the New Mexico State regulations and Conditions for Constructed Wetlands Wastewater Treatment Systems as approved by NMED per NMAC 20.7.3.801 and the guidelines therein of referenced recommendations and requirements for the operation, regular maintenance, and care as put forth by the Tennessee Valley Authority River Basin Operations Waste Resources.

The Individual Lot/Property owner is responsible to file the application for a Liquid Waste Permit or Registration with NMED and employ the services of a licensed level one engineer to perform the required exploratory ground tests as stipulated in the application and to design an appropriate system in accordance with the requirements as stated in the application for submission to NMED for a Permit for Construction. After construction, final approval to operate the system from NMED or their approved assigns is to be obtained in the form of a Permit to Operate and all conditions of operation as noted thereof in the granting of the permit for operation by NMED be the responsibility of the Lot/Property owner.

All submissions and approvals will be made pursuant to the covenants of the Association as set forth herein and registered with the Architectural Review Committee of the Homeowners' Association for the record and approval of the Board of Directors of the Homeowners' Association. Subsequent inspections for the on-going operation of the individual lot liquid waste disposal system is required by NMED to be performed by NMED Inspectors or their qualified assigns is the responsibility of the Lot/Property owner. The Lot/Property owner is responsible for maintaining records of all inspections and have them available should they be requested by the Homeowners' Association.