

WHEN RECORDED, RETURN TO:  
Ventana West LLC  
ATTN: Tony Sciarriello  
10 Tramway Loop, NE  
Albuquerque, NM 87122

**SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS,  
RESTRICTIONS, ASSESSMENTS, CHARGES, SERVITUDES, LIENS,  
RESERVATIONS AND EASEMENTS FOR VENTANA RANCH,  
VENTANA HIGHLANDS (TRACTS 10, 11, 12 & 13)**

**THIS SUPPLEMENTAL DECLARATION** of Covenants, Conditions, Restrictions, Assessments, Charges, Servitudes, Liens, Reservations and Easements (hereinafter "Declaration") is made this 4th day of January, 2006 by VENTANA WEST LLC, a New Mexico limited liability company ("Declarant");

**WITNESSETH:**

**WHEREAS**, Declarant has previously recorded a Declaration of Covenants, Conditions, Restrictions, Assessments, Charges, Servitudes, Liens, Reservations and Easements for Ventana Ranch West, recorded in the records of Bernalillo County on November 23, 2004 as document 2004162726 ("Original Master Declaration"); and

**WHEREAS**, Declarant is the owner in fee of Ventana Ranch West, which includes, but not limited to, Tracts 10, 11, 12 & 13 thereof, which are, or shall become, known as the Ventana Highlands subdivision, and are more particularly described on **Exhibit A** attached hereto and incorporated herein by this reference; and

**WHEREAS**, Declarant wishes to adopt certain additional restrictions to apply to the Ventana Highlands subdivision as additional provisions to the Original Master Declaration.

**NOW, THEREFORE**, Declarant hereby declares, covenants and agrees as follows:

1. The Ventana Highlands (Tracts 10, 11, 12 & 13) subdivision shall continue to be subject to all the terms and conditions of the Original Master Declaration and all references to the Covered Property in the Original Master Declaration shall include said tracts, plus said tracts shall be subject to the following additional provisions:

A. Dwelling Size: The heated area within the structure of any dwelling, exclusive of porches, garages or other appurtenant structures shall not be less than 1200 square feet. In the case of residences of more than one story, not less than 600 square feet shall be on the ground floor. In cases of multiple-level dwellings, the Design Review Committee shall conclusively determine what constitutes ground floor area as distinguished from basement or other non-ground floor areas.

B. Building Setback:

(a.) There shall be a front yard setback of not less than fifteen (15) feet, except: driveways shall not be less than twenty (20) feet long.

(b.) There shall be a side yard setback of not less than five (5) feet, except: there shall be ten (10) feet on the street side of corner lots or lots siding a street.

C. Auxiliary Structures: All auxiliary structures must be located in the rear yard within the prescribed setbacks established for each lot, but not less than five feet (5') from property lines.

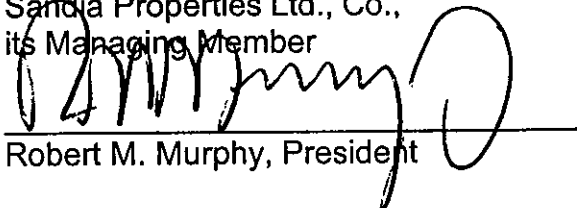
D. Access: No individual lots shall be allowed direct access to Ventana Ridge Road or Del Oeste.

E. Perimeter Walls: Perimeter walls along Ventana Ridge Road shall be constructed by the Declarant and maintained by the Ventana Ranch West Community Association, Inc. as stated in the Original Master Declaration. An easement in favor of Ventana Ranch West Community Association, Inc. is hereby granted across all lots upon which such walls are situated or across all lots abutting or adjacent to such walls for any and all maintenance operations deemed appropriate by the Association.

**IN WITNESS WHEREOF,** Declarant has caused this Declaration to be duly executed.


**VENTANA WEST LLC**, a New Mexico limited liability company

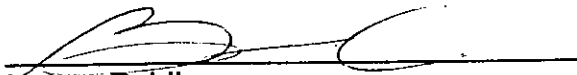
By: Sandia Properties Ltd., Co.,  
its Managing Member

By:   
Robert M. Murphy, President

STATE OF NEW MEXICO     )  
  )ss.  
COUNTY OF BERNALILLO    )

The foregoing Declaration was acknowledged before me on January 4<sup>th</sup>, 2006 by ROBERT M. MURPHY, President of Sandia Properties Ltd., Co., as the Managing Member of VENTANA WEST LLC, a New Mexico limited liability company.

My commission expires: 8/27/09  
 **BRENDA DUNIVAN**  
NOTARY PUBLIC-STATE OF NEW MEXICO

  
Notary Public

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

All of Tracts 10, 11, 12 & 13 of the plat of Ventana Ranch West, as the same are shown on the plat thereof recorded in Bernalillo County, Albuquerque, New Mexico real estate records on March 11, 2004, Document Number 2004032553, Book 2004C, Page 84.

  
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