

**SKY COUNTRY ESTATES
PROPERTY OWNERS' ASSOCIATION
RESTRICTIVE COVENANT RULES**

PURPOSE

Restrictive Covenants are to protect the property values of lot owners and the safety of property owners, residents, and visitors. Concerns include, but are not limited to, fire, roads, sanitation, ambiance and the general overall appearance of the subdivision.

To assist with understanding the intent and enforcement of the Restrictive Covenants, the Board of Directors have created Rules to be used as guidelines which include possible fines for violations.

The Sky Country Estates Restrictive Covenants are interpreted as written, and the Rules are based on the first line of Covenant # 1, **"All lots in Sky Country Subdivision shall be for residential purpose only."**

BOARD OF DIRECTORS

The Board of Directors of Sky Country Estates Property Owners Association will create and maintain the Restrictive Covenant Rules. The Board of Directors may add, delete or modify the Rules and associated enforcement and fines by majority vote of the Board.

VIOLATIONS

Any member of Sky Country Estates Property Owners Association may submit to the Board of Directors a covenant complaint by completing the Covenant Complaint Form available on the Property Owners Association website (<http://skycountryestatespoa.com/>) or by written complaint sent by email or letter to any Board of Director. The Board of Directors will review all complaints at the next Board of Directors regular meeting, or special meeting called for covenant violations, to determine if a violation exists and to take any action deemed necessary.

ENFORCEMENT

Notification of violation will be sent to the property owner of record. The Board will give said property owner an opportunity to dispute the alleged violation.

Fines will be assessed against the property owner of record. Unpaid fines will accumulate and ultimately result in a lien on the property being recorded with Otero County, along with any other penalty provided by law.

PRE-EXISTING VIOLATION

Violations that occurred prior to the establishment of the Rules that are still in existence, may be considered for grandfather status. No fines will be assessed for violations occurring prior to and up to the date the Rules are approved and the membership is notified of such Rules.

Continued violations after the creation of Rules, and any subsequent violation dispute meetings with Board, are subject to the new Rules.

GENERAL RULE FOR ALL SKY COUNTRY ESTATES RESTRICTIVE COVENANTS

Rules apply to all covenants unless listed otherwise.

The Board of Directors will review all covenant complaints and determine if a violation has occurred based on the covenant as written and any rules that may apply.

Any Board determined Restrictive Covenant violation will result in a notice of violation to the property owner, giving 15 days to respond to the Board with a corrective action plan. The Board will review the corrective action plan and accept or counter with a Board approved plan within 15 days after receiving the owner action plan. Failure to complete the corrective action plan by the due date set by the Board will result in a fine starting from the date a corrective action plan was agreed upon and will accumulate daily until said corrective action has been completed, unless otherwise stated in a Rule for that covenant.

Fine amounts will not exceed \$20.00 per day unless otherwise specified in the Rules for that covenant listed below. A continuous violation may result in an escalated daily fine and repeat violations will be fined at an amount up to \$150.00 per day of violation.

ADDITIONAL RULES FOR SPECIFIC RESTRICTIVE COVENANTS

Restrictive Covenant #1 – No additional rules apply.

Restrictive Covenant #2 - Prior to any construction on property, the owner must provide a copy of the building permit to the Board of Directors for review.

Restrictive Covenant #3 - Prior to any construction on property, the owner must provide a copy of the building permit to the Board of Directors for review.

Restrictive Covenant #4 –

- (1) No camping is allowed. This includes, but is not limited to, motor homes, camping trailers, tents, or temporary structures to support camping such as platforms, pads, outhouses, etc. on any lot without a residential building, and that residence must be occupied by the property owner during the period of camping activities. The fine for the first camping

violation will be \$50.00 per day from day one of said violation. Repeat camping violations will be fined at no less than \$150.00 per day of violation.

(2) Construction will be deemed to start the date building permits are issued by government authorities. Requests for construction period extensions may be considered by the Board.

Restrictive Covenant # 5 – No additional rules apply.

Restrictive Covenant # 6 – No additional rules apply.

Restrictive Covenant # 7 – No additional rules apply.

Restrictive Covenant # 8 – No additional rules apply.

Restrictive Covenant # 9 – Clear cutting of trees is strictly prohibited. Fine per violation will be \$1,000.00.

Restrictive Covenant # 10 – No additional rules apply.

Restrictive Covenant # 11 – No additional rules apply.

Restrictive Covenant # 12 – Fine per violation will be \$500.00.

Restrictive Covenant # 13 – No additional rules apply.

Restrictive Covenant # 14 – No additional rules apply.

Restrictive Covenant # 15 – No additional rules apply.

Restrictive Covenant # 16 – No additional rules apply.

Covenant enforcement, rules and fines comply with the New Mexico Homeowners Association Act of 2013 and amendments enacted in 2019.

Passed and approved this 9 day of JULY, 2024

Attest:


