

**ADDENDUM TO PURCHASE AGREEMENT**  
**DESERT SKY AT HIGH DESERT SUBDIVISION**  
**ADDITIONAL BUILDING AND DESIGN REQUIREMENTS**

The following Desert Sky Subdivision Additional Building and Design Requirements (the "Additional Requirements") are attached to and become a part of the Purchase Agreement between SCOTT PATRICK, INC., a New Mexico corporation ("Seller") and \_\_\_\_\_, a \_\_\_\_\_ [add particulars re: builder] ("Builder") for the purchase of certain lots within the Desert Sky at High Desert subdivision. Builder will construct all homes within Desert Sky in compliance with these Additional Requirements. The Additional Requirements are additional to those requirements contained in the High Desert Guidelines for Sustainability for Builder Homes (the "Design Guidelines") and the Declaration of Covenants, Conditions and Restrictions for High Desert Residential Properties (the "Declaration"). The construction of homes at Desert Sky subdivision will be subject to the review of the Desert Sky Village Architectural Advisory Committee (the "DSVAAC") as described below. In the event of any conflict between the terms of the Additional Requirements and the terms of the Design Guidelines or Declaration, the terms of the Declaration and Design Guidelines will control.

Site

Parking/Garages

Each home must have a garage for not more than three and not less than two cars.

Site Walls

As a result of differences in pad elevations within the Desert Sky Village, special stemwall requirements will apply to all lots within the Village. The stemwall requirements are set forth in the engineer certified grading plan for the Desert Sky Village approved by the City of Albuquerque.

All walls must be finished with synthetic stucco. The only colored stucco finish that will be allowed on walls will be Sto Flex High Desert Pueblo (#1005), except the cross wall that is visible from the street upon which a home fronts, which wall will match the color of the home.

All walls will be constructed of a minimum of seven course 6" by 8" by 16" concrete blocks, including the solid top cap. All exposed tops of pilasters will be finished with mortar or with a 4" cap block. All walls not finished with synthetic stucco will be painted High Desert Pueblo color (#1005).

Signage

All "For Sale" and resale signs will be limited in size to eight square feet.

Address identification numbers will be 4 inches by 4 inches and will be ceramic tiles.

## Mailboxes

“Cluster-type” mailboxes will be used, subject to the requirements of, and in coordination with, the United States Postal Service.

## Landscaping

### Timing of Installation

All front yard landscaping, and all side yard landscaping (if the home is on a corner), must be completed as required by the High Desert Builder Homes Guidelines no later than two months after completion of construction of the home but in any event no later than the date of occupancy of the home.

### Use of Lawn Type Grass

Lawn type grass will be allowed in the front yard of each dwelling as long as the total amount of lawn type grass does not exceed the limitations set forth in applicable City of Albuquerque ordinances.

## Architecture

### Roofs

All roofs will be flat. No pitched roofs will be allowed.

### Windows

All exterior windows and frames of windows must be white or a tan color approved by the DSVAAC.

### Minimum Square Footage

Each home must have at least 1,400 square feet of fully enclosed heating area, exclusive of garages and open porches and patios. Each town home must have at least 1,200 square feet of fully enclosed heating area, exclusive of garages and open porches and patios.

### Materials and Pre-Approved Building Colors

All homes must be finished with synthetic stucco. The only colored stucco finishes that will be allowed on homes are the following:

Sto Flex Adobe Brown (#1004)  
Sto Flex Sandia (#1616)  
Sto Flex Pueblo (#1005)  
Sto Flex Suede (#1006)  
Sto Flex Santa Fe Mocha (#1003)  
Sto Flex Torreon for High Desert (#1501A)

## Review for Compliance

The compliance of any structure or improvement within the Desert Sky Village with the Additional Requirements will be reviewed by the DSVAAC. The DSVAAC will be a "Village committee" as defined in the By-Laws of the High Desert Residential Owners Association. The initial DSVAAC will consist of three persons who will serve for an initial term of five years, elected by a majority of the owners within Desert Sky Village. The DSVAAC will review the plans for any proposed structure or improvement within the Desert Sky Village and will determine in its sole discretion whether or not the structure or improvement complies with (i) the Additional Requirements and (ii) the Design Guidelines and whether or not the proposed structure or improvement is in general harmony with the surrounding property and the Desert Sky subdivision. A majority of the members of the DSVAAC will rule.

In order for the DSVAAC to perform such review, the following must be submitted (the completeness of which will be subject to the determination of the DSVAAC):

1. Two complete sets of plans, including but not limited to, foundations, floor plans, elevations, details, specifications (including complete exterior finish schedule), plot plan, landscaping plans and grading plans showing the location and finished grade of the structure or improvement on the lot.
2. The "as-built" set back dimensions of the structure or improvement within seven days after construction of the foundation of the structure or improvement.
3. One complete set of plans and specifications as approved.

Within 15 days of receipt of the plans, the DSVAAC will communicate to Builder whether or not the plans have been approved. The decision of the DSVAAC will be final and binding; no structure or improvement will be constructed at Desert Sky subdivision if disapproved by the DSVAAC.

The review by the DSVAAC will be in addition to, and will not in any way affect or abridge, the review and approval process by High Desert Investment Corporation ("High Desert") or the High Desert Residential Owners Association ("Owners Association") as set forth in the Declaration or Design Guidelines. High Desert and the Owners Association will have no responsibility whatsoever for the review of the plans for compliance with the Additional Requirements or for enforcement of the Additional Requirements.

Dated: \_\_\_\_\_, 1997.

SELLER:

SCOTT PATRICE, INC., a New Mexico corporation

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

[BUILDER] \_\_\_\_\_,  
a New Mexico corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_