

FIFTH AMENDMENT TO CONDOMINIUM DECLARATION  
FOR  
LAS ROSAS, A CONDOMINIUM

This Fifth Amendment to the Condominium Declaration for Las Rosas, a Condominium ("Fifth Amendment"), amends that certain Condominium Declaration for Las Rosas, a Condominium, dated December 29, 2004, and recorded as Instrument #1361436 of the official records of Santa Fe County, New Mexico, on January 4, 2005, as amended by that certain First Amendment to Condominium Declaration for Las Rosas, a Condominium dated April 11, 2016 and recorded as Instrument #1790916 of the official records of Santa Fe County, New Mexico on April 11, 2016, as amended by that certain Second Amendment to Condominium Declaration for Las Rosas, a Condominium dated April 7, 2017 and recorded as Instrument #1822754 of the official records of Santa Fe County, New Mexico on April 11, 2017, as amended by that certain Third Amendment to Condominium Declaration for Las Rosas, a Condominium dated August 31, 2018 and recorded as Instrument #1866704 of the official records of Santa Fe County, New Mexico on September 4, 2018, as amended by that certain Fourth Amendment to Condominium Declaration for Las Rosas, a Condominium dated March 9, 2022 and recorded as Instrument # 1982654 of the official records of Santa Fe County, New Mexico on March 10, 2022 (collectively, the "Declaration").

Pursuant to the power to amend reserved to the Members of Las Rosas Condominium Association, a New Mexico nonprofit corporation (the "Association"), under Article 5 of the Declaration, and in accordance with the voting requirements set forth in the New Mexico Condominium Act, § 47-7B-17 NMSA 1978, for amendments that change the uses to which any unit is restricted, the Members, as approved by consent of Owners of Units to which one hundred percent (100%) of the votes in the Association are allocated, do hereby amend the Declaration as set forth below.

The following section is hereby appended to Article 3 entitled "Restriction on Units and Common Elements":

**3.7 Smoking.**

Smoking is prohibited everywhere on the property including interiors of Units, on Common Elements, on Reserved Common Elements, and on Limited Common Elements.

Section 2 of the Third Amendment, which replaces Section 5.3 of the Declaration, entitled "Amendment by Unit Owners," is hereby revoked and the following is inserted in place of Section 5.3:

Except as otherwise provided or reserved herein or in the Act, this Declaration may be amended only by a vote of agreement of Owners of Units to which at least sixty-seven percent (67%) of the votes in the Association are allocated.

For informational purposes, the foregoing amendment will not have any effect on the one-third ownership interest in the Common Elements or the one-third liability for Common Expenses set forth in Condominium Declaration section 2.2.

IN WITNESS WHEREOF, the Declaration is hereby amended as set forth herein effective the 9th day of March, 2022.

The undersigned President of the association hereby certifies that this amendment was approved by unanimous consent of the Unit Owners to which one hundred percent (100%) of the votes in the Association are allocated at a meeting properly called on March 8, 2022 for the purpose of considering the foregoing amendment.

Las Rosas Condominium Association

By Paula Steinert  
Paula Steinert, President

SFC CLERK RECORDED 03/10/2022

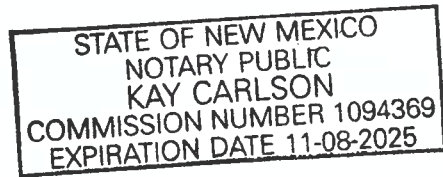
ACKNOWLEDGMENT

State of New Mexico    )  
  ) ss,  
County of Santa Fe     )

This foregoing document was acknowledged before me on March 9, 2022 by Paula Steinert in her capacity as President of Las Rosas Condominium Association.

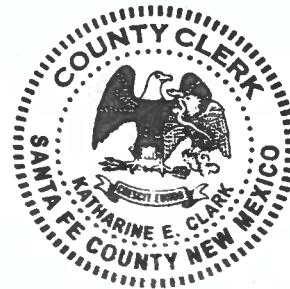
Kay Carlson  
Notary Public

My Commission Expires: 11-8-05



COUNTY OF SANTA FE        )  
STATE OF NEW MEXICO     ) ss  
FIFTH AMENDMENT  
PAGES: 3  
I Hereby Certify That This Instrument Was Filed for  
Record On The 10TH Day Of March, 2022 at 11:01:32 AM  
And Was Duly Recorded as Instrument # 1982655  
Of The Records Of Santa Fe County

Deputy Katharine E. Clark     Witness My Hand And Seal Of Office  
County Clerk, Santa Fe, NM     Katharine E. Clark



SFC CLERK RECORDED 03/10/2022