

(27526), CR.

JOINT TENANTS
WARRANTY DEED
(RESIDENCE AREA.)

KNOW ALL MEN BY THESE PRESENTS: That Montevista Company (No Stockholders' Liability), a corporation organized under the laws of the State of New Mexico, and hereinafter called the grantor, for and in consideration of the sum of one dollar (\$1.00) and other considerations does hereby grant, bargain, sell and convey unto Joe E. Bernstein and Estelle Bernstein, His Wife, not as tenants in common, but as joint tenants, and the survivor of them, and unto their heirs, successors and assigns, forever, the following described real estate situated in Bernalillo County, New Mexico, and more particularly described as follows, to-wit:

Lot numbered [redacted] in Block numbered [redacted] of the Montevista Addition to the City of Albuquerque, New Mexico, as the same appear upon a plat thereof filed in the office of the County Clerk of Bernalillo County, New Mexico, on October 14, 1926.

(50 CENTS REVENUE STAMPS CANCELLED)

TOGETHER WITH ALL AND SINGULAR the hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said real estate, with the appurtenances, unto the grantees, their heirs, successors and assigns, forever. And the grantor does hereby covenant to and with the grantees, their heirs, successors and assigns, that at the time of the execution and delivery of these presents it is well seized of a good and marketable title to said premises and has good right and lawful authority to convey the same; that said premises are free and clear of all former grants, sales, liens, encumbrances or taxes, and the said premises in the quiet and peaceable enjoyment of the grantees, their heirs, successors and assigns, the grantor shall and will warrant and forever defend against the lawful claims of all persons whatsoever.

The premises hereby conveyed are located in what is known as the residence area of said addition, and it is expressly covenanted and understood that the grantees, their heirs, successors or assigns, shall never erect more than one dwelling house on any one lot; nor shall such dwelling house be nearer than twenty feet from the front property line, nor shall such dwelling house be one that costs less than Three Thousand Dollars (\$3,000) to build, and the grantees, for themselves, their heirs, successors and assigns, covenant that they will not sell to, lease to or permit the occupancy of any of said premises by any person of Oriental or African descent, nor will they permit the erection or maintenance of any business house or Tuberculosis Sanatorium or Hospital thereon, nor will they suffer or permit the maintenance thereon of any house or place wherein more than three persons afflicted with active tuberculosis are domiciled, kept or maintained, nor shall any out-house, garage or other outbuilding ever be erected on any of said lots nearer than twenty feet from the front street line, nor shall any such outhouse, garage or outbuilding ever be used for dwelling purposes, temporarily or otherwise. Each and all of the foregoing restrictions and covenants shall run with the land and shall bind the same in the hands of the grantee and their heirs, successors and assigns.

It is further understood and agreed that the covenants herein contained against liens or encumbrances shall not be construed to include any paving, sidewalk or other special assessment, as to which special assessments, if any exist against the premises hereby conveyed at the date of the delivery of this deed, the same shall be assumed by the grantees, their heirs, successors or assigns, except so much of said assessment as was due and payable on the 25th day of November, 1938, which the grantor obligates itself forthwith to pay, nor shall said covenants be construed to include State, County and City Taxes, from and after the last one-half of the taxes for the calendar year 1938.

IN WITNESS WHEREOF, the grantor has caused its corporate name to be hereunto signed and its seal affixed on this the 25th day of November, 1938.

MONTREVISTA COMPANY,
(No Stockholders' Liability)

By [redacted]

Attest:

[redacted] (CORPORATE SEAL)

STATE OF NEW MEXICO,
County of Bernalillo.) ss.

On this 25th day of November, 1938, before me personally appeared [redacted] to me personally known, who being by me duly sworn, did say that he is President of Montevista Company, a corporation organized under the laws of the State of New Mexico, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and said [redacted] acknowledged said instrument to be the free act and deed of said corporation.

Witness my hand and seal on this the day and year in this certificate first above written.

My Commission Expires: 9-18-39
(NOTARIAL SEAL)

This instrument was filed for record on the 2 day of December, 1938, at 11:15 A.M.
Recorded in Vol. 162, page 326, this 3rd day of December, 1938.