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AN ACT

RELATING TO PROPERTY; AMENDING THE CONDOMINIUM ACT TO REQUIRE  
CONFIRMATION THAT A CONDOMINIUM DECLARATION COMPLIES WITH  
LOCAL ZONING AND SUBDIVISION LAWS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 47-7B-5 NMSA 1978 (being Laws 1982,  
Chapter 27, Section 17, as amended) is amended to read:

"47-7B-5. CONTENTS OF DECLARATION.--

A. The declaration for a condominium shall  
contain:

(1) the names of the condominium, which  
shall include the word "condominium" or be followed by the  
words "a condominium", and the association;

(2) the name of every county in which any  
part of the condominium is situated;

(3) a description, legally sufficient for  
conveyance, of the real estate included in the condominium;

(4) a statement of the maximum number of  
units that the declarant reserves the right to create;

(5) a description of the boundaries of each  
unit created by the declaration, including the unit's  
identifying number;

(6) a description of any limited common  
elements, other than those specified in Subsections B, D and

1 E of Section 47-7B-2 NMSA 1978, as provided in Section  
2 47-7B-9 NMSA 1978;

3 (7) a description of any real estate, except  
4 real estate subject to development rights, that may be  
5 allocated subsequently as limited common elements, other than  
6 limited common elements specified in Subsections B, D and E  
7 of Section 47-7B-2 NMSA 1978, together with a statement that  
8 they may be so allocated;

9 (8) a description of any development rights  
10 and other special declarant rights reserved by the declarant,  
11 together with a legally sufficient description of the real  
12 estate to which each of those rights applies, and a time  
13 limit within which each of those rights must be exercised;

14 (9) if any development right may be  
15 exercised with respect to different parcels of real estate at  
16 different times, a statement to that effect together with  
17 either a statement fixing the boundaries of those portions  
18 and regulating the order in which those portions may be  
19 subjected to the exercise of each development right, or a  
20 statement that no assurances are made in those regards, and a  
21 statement as to whether, if any development right is  
22 exercised in any portion of the real estate subject to that  
23 development right, that development right must be exercised  
24 in all or in any other portion of the remainder of that real  
25 estate;

