1	AN ACT	
2	RELATING TO PROPERTY; AMENDING THE CONDOMINIUM ACT TO REQUIRE	
3	CONFIRMATION THAT A CONDOMINIUM DECLARATION COMPLIES WITH	
4	LOCAL ZONING AND SUBDIVISION LAWS.	
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6	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:	
7	SECTION 1. Section 47-7B-5 NMSA 1978 (being Laws 1982,	
8	Chapter 27, Section 17, as amended) is amended to read:	
9	"47-7B-5. CONTENTS OF DECLARATION	
10	A. The declaration for a condominium shall	
11	contain:	
12	(1) the names of the condominium, which	
13	shall include the word "condominium" or be followed by the	
14	words "a condominium", and the association;	
15	(2) the name of every county in which any	
16	part of the condominium is situated;	
17	(3) a description, legally sufficient for	
18	conveyance, of the real estate included in the condominium;	
19	(4) a statement of the maximum number of	
20	units that the declarant reserves the right to create;	
21	(5) a description of the boundaries of each	
22	unit created by the declaration, including the unit's	
23	identifying number;	
24	(6) a description of any limited common	
25	elements, other than those specified in Subsections B, D and	SB 10 Page 1

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

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

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

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1	(10) any other conditions or limitations	
2	under which the rights described in Paragraph (8) of this	
2	subsection shall be exercised or they shall lapse;	
4	(11) an allocation to each unit of the	
4 5	allocated interests in the manner described in Section	
6	47-7B-7 NMSA 1978;	
7	(12) any restrictions on use, occupancy and	
8	alienation of the units;	
9	(13) if required by local ordinance, written	
10	confirmation from the local zoning official that the	
11	condominium complies with the zoning density requirements of	
12	local zoning and subdivision ordinances or regulations as	
13	required in Section 47-7A-6 NMSA 1978; and	
14	(14) all matters required by Sections	
15	47-7B-6 through 47-7B-9, 47-7B-15, 47-7B-16 and Subsection D	
16	of Section 47-7C-3 NMSA 1978.	
17	B. The declaration may contain any other matters	
18	that the declarant deems appropriate."	SB 10
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