DISCLOSURE STATEMENT

FOR ALL SUBDIVISIONS CONTAINING MORE THAN FIVE (5) PARCELS.

YOU SHOULD READ THIS DISCLOSURE STATEMENT BEFORE YOU SIGN ANY DOCUMENTS OR AGREE TO ANYTHING.

This disclosure statement is intended to provide you with enough information to make an informed decision on the purchase, lease or acquisition of the property described in this statement. You should read carefully all of the information contained in this disclosure statement before you decide to buy, lease or otherwise acquire the described property.

Various public agencies may have issued opinions on both the subdivision proposal and the information contained in this disclosure statement. Summaries of these opinions are contained in this disclosure statement. They may be favorable or unfavorable. You should read them closely.

The Board of County Commissioners has examined this disclosure statement to determine whether the subdivider can fulfill what the subdivider has said in this disclosure statement. However, the Board of County Commissioners does not vouch for the accuracy of what is said in this disclosure statement. In addition, this disclosure statement is not a recommendation or endorsement of the subdivision by either the County or the State. It is informative only.

The Board of County Commissioners recommends that you inspect the property before buying, leasing or otherwise acquiring it.

> **If you have not inspected the parcel before purchasing, leasing or otherwise acquiring it, you have six (6) months from the time of purchase, lease or other acquisition to personally inspect the property. After inspecting the parcel within the six (6) month period, you have three (3) days to rescind the transaction and receive all your money back from the subdivider when merchantable title is revested in the subdivider. To rescind the transaction you must give the subdivider written notice of your intent to rescind within three (3) days after the date of your inspection of the property.**

County regulations require that any deed, real estate contract, lease or other instrument conveying an interest in a parcel in the subdivision be recorded with the Otero County Clerk.

> **Building permits, wastewater permits or other use permits must be issued by state or county officials before improvements are constructed. You should investigate the availability of such permits before you purchase, lease, or otherwise acquire an interest in the land. You should also determine whether such permits are requirements for construction of additional improvements before you occupy the property.**

1. **NAME OF SUBDIVISION**

(name of subdivision) DANLEY RANCH ESTATES

2. **NAME AND ADDRESS OF SUBDIVIDER**

(name of subdivider) DANLEY RANCH ESTATES, INC.

(address of subdivider) P.O. BOX 979, ALAMOGORDO, NM 88310

3. **NAME AND ADDRESS OF PERSON IN CHARGE OF SALES, LEASING OR OTHER CONVEYANCE IN NEW MEXICO**

(name of person in charge of sales, leasing or other conveyance) JUSTIN DANLEY

(address of person in charge of sales, leasing or other conveyance) P.O. BOX 979, ALAMOGORDO, NM 88310

(telephone number of person in charge of sales, leasing or other conveyance) 505-437-7405

4. **SIZE OF SUBDIVISION BOTH PRESENT AND ANTICIPATED**

Present		Anticipated	
(number of parcels)	24	(number of parcels)	24
(number of acres in subdivision)	86.9	(number of acres in subdivision	86.9

5. **SIZE OF LARGEST PARCEL OFFERED FOR SALE, LEASE OR CONVEYANCE WITHIN THE SUBDIVISION**

(size of largest parcel in acres) 5.15 ACRES

6. **SIZE OF SMALLEST PARCEL OFFERED FOR SALE, LEASE OR CONVEYANCE WITHIN THE SUBDIVISION**

(size of smallest parcel in acres) 2.5 ACRES

7. **PROPOSED RANGE OF PRICES FOR SALES, LEASES OR OTHER CONVEYANCES**

($ = lowest amount) $13,500 size of parcel sold, leased or conveyed) 2.5 ACRES

($ = highest amount) $ 25,000 (size of parcel sold, leased or conveyed) 5.15 ACRES

8. FINANCING TERMS

(interest rate)

10.5% ON THE UNPAID PRINCIPAL BALANCE OF REAL ESTATE INSTALLMENT CONTRACT.

(term of loan or contract)

THE TERM OF REAL ESTATE INSTALLMENT CONTRACT AMORTIZATION WILL BE FOR 20 YEARS ON THE PRINCIPAL BALANCE OF THE REAL ESTATE INSTALLMENT CONTRACT (SALES PRICE, LESS DOWN PAYMENT). THE ENTIRE UNPAID CONTRACT BALANCE WILL BE DUE AND PAYABLE, INCLUDING ACCRUED INTEREST, IN THE 121ST MONTH OF THE CONTRACT.

(minimum down payment)

FIFTEEN PERCENT (15%) OF PURCHASE PRICE AS DOWN PAYMENT

(service charges and/or escrow fees)

ESCROW FEES WILL BE ASSESSED TO THE SELLER TO SET UP THE ESCROW ACCOUNT. THE PURCHASER SHALL PAY THE MONTHLY ESCROW MAINTENANCE FEE, WHICH CURRENTLY RANGES FROM $4.25 TO $8.50 PER MONTH. THESE FEES ARE SUBJECT TO CHANGE BY THE PROVIDER OF SERVICES.

(premium for credit life or other insurance if it is a condition for giving credit)

N/A

(closing costs)

SELLER SHALL PAY FOR TITLE INSURANCE, CLOSING COMPANY FEES, THE RECORDING OF ANY RELEASES REQUIRED FOR TITLE INSURANCE. PURCHASER WILL PAY FOR RECORDING OF NOTICE OF ESCROW.

(any other information required by the Truth in Lending Act and Regulation Z if not set forth above)

N/A

9. NAME AND ADDRESS OF HOLDER OF LEGAL TITLE

(name of person who is recorded as having legal title)

DANLEY RANCH ESTATES, INC.

(address of person who is recorded as having legal title)

P.O. BOX 979, ALAMOGORDO, NM 88310

NOTE: IF ANY OF THE HOLDERS OF LEGAL TITLE NAMED ABOVE IS A CORPORATION, LIST THE NAMES AND ADDRESSES OF ALL OFFICERS OF THAT CORPORATION.

Justin Danley President/Treasurer P.O. Box 979 Alamogordo, NM 88310	Mike Haymes Vice-President/Secretary 1214 New York Ave. Alamogordo, NM 88310	Raymond Walker 25 Tumbleweed Trail La Luz, NM 88337

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10. NAME AND ADDRESS OF PERSON HAVING EQUITABLE TITLE

(name of person who is recorded as having equitable title)

N/A

(address of person who is recorded as having equitable title)

N/A

NOTE: IF ANY OF THE HOLDERS OF EQUITABLE TITLE NAMED ABOVE IS A CORPORATION, LIST THE NAMES AND ADDRESSES OF ALL OFFICERS OF THAT CORPORATION.

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11. CONDITION OF TITLE

Include at least the following information where applicable

(number of mortgages)

ONE

(name and address of each mortgagee)

WESTERN BANK, P.O. BOX 1709, ALAMOGORDO, NM 88310

(balance owing on each mortgage)

$ 137,580.25

(summary of release provisions of each mortgage)

MORTGAGE WILL BE RELEASED UPON PAYMENT IN FULL OF PRINCIPAL PLUS ACCRUED INTEREST. THE ENTIRE MORTGAGE BALANCE IS DUE AND PAYABLE IN ONE (1) YEAR.

(number of real estate contracts on the subdivided land for which the subdivider is making payments as a purchaser)

NONE

(name and address of each person holding a real estate contract as owner of the subdivided land for which the subdivider is making payments as a purchaser)

N/A

(balance owning on each real estate contract)

N/A

(summary of default provisions of each real estate contract)

N/A

(summary of release provisions of each real estate contract)

N/A

(statement of any other encumbrances on the land)

NONE

(statement of any other conditions relevant to the state of title)

ANY RESTRICTIONS OR RESERVATIONS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA WHICH HAVE NOT BEEN ASCERTAINED; NO OTHER CONDITIONS RELEVANT TO THE TITLE KNOWN TO SUBDIVIDER.

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12. STATEMENT OF ALL RESTRICTIONS OR RESERVATIONS OF RECORD THAT SUBJECT THE SUBDIVIDED LAND TO ANY CONDITIONS AFFECTING ITS USE OR OCCUPANCY

(state here all deed and plat restrictions affecting the subdivided land)

A 10' UTILITY AND DRAINAGE EASEMENT IS RETAINED ALONG EITHER SIDE OF EVERY SIDE AND REAR LOT LINE EXCEPT THAT A 25' ROAD, UTILITY, AND DRAINAGE EASEMENT IS RETAINED ALONG THE WESTERN BOUNDARY OF LOTS 4 AND 5, BLOCK 1; A 50' ROAD, UTILITY AND DRAINAGE EASEMENT IS RETAINED ALONG THE WESTERN BOUNDARY OF LOT 13, BLOCK 1; AND A ROAD, UTILITY AND DRAINAGE EASEMENT VARYING FROM 25' TO 50' IS RETAINED ALONG THE WESTERN BOUNDARY OF LOT 6, BLOCK 1. ANY RESTRICTIONS CONTAINED IN THE RESTRICTIVE COVENANTS, ATTACHED AS ATTACHMENT A.

13. **ESCROW AGENT**

(name of escrow agent)

THE ESCROW COMPANY

(address)

1005 E. 10TH STREET, ALAMOGORDO, NM 88310

(statement of whether or not the subdivider has any interest in or financial ties to the escrow agent)

NO

14. **UTILITIES**

(name of entity providing electricity, if available)	(estimated cost per parcel)
OTERO COUNTY ELECTRIC COOPERATIVE	LINES AND POLES INCLUDED IN SALE PRICE. METER LOOP INSTALLATION AVAILABLE FOR AN ADDITIONAL $480.00 PER LOT.
(name of entity providing gas service, if available)	(estimated cost)
NOT AVAILABLE.	EACH LOT OWNER WILL CONTRACT WITH PROPANE DISTRIBUTOR FOR SERVICE. COST TO SET TANK, INCLUDING A FUEL TANK OF GAS, IS BETWEEN $150.00 AND $300.00, DEPENDING ON TANK SIZE AND DISTANCE FROM RESIDENCE.
(name of entity providing water, if available)	(estimated cost)
NOT AVAILABLE.	COST OF WELL DRILLING INCLUDED

	IN LOT PRICES. PUMP PROVIDED AT ADDITIONAL COST TO OWNER.
(name of entity providing telephone, if available)	(estimated cost)
U.S. WEST COMMUNICATIONS	TELEPHONE LINES INSTALLATION INCLUDED IN LOT PRICES. SUBDIVIDER DOES NOT GUARANTEE AVAILABILITY OF DIAL TONE.
(name of entity providing liquid waste disposal, if available)	(estimated cost)
NOT AVAILABLE	$1,200.00. SUBDIVIDER WILL PROVIDE AS PART OF CONTRACT PRICE AT PURCHASER'S OPTION.
(name of entity providing solid waste disposal, if available)	(estimated cost)
NOT AVAILABLE	INDIVIDUAL LOT OWNERS MUST MAKE ARRANGEMENTS WITH PRIVATE SERVICE PROVIDER IF THEY DESIRE SERVICE. APPROXIMATE COST OF SERVICE IS $17.00 PER MONTH.

15. **INSTALLATION OF UTILITIES**

(electricity)	(date)
BY SUBDIVIDER	NOT ASCERTAINABLE AT THIS TIME.
(gas)	(date)
N/A	N/A
(water)	(date)
N/A	N/A
(telephone)	(date)
BY SUBDIVIDER	NOT ASCERTAINABLE AT THIS TIME. AVAILABILITY OF DIAL TONE NOT GUARANTEED.

(liquid waste disposal)	(date)
SEPTIC TANK MAY BE INSTALLED BY SUBDIVIDER AT PURCHASER'S OPTION.	NOT ASCERTAINABLE AT THIS TIME.
(solid waste disposal)	(date)
N/A	N/A

16. **UTILITY LOCATION**

(if all utilities are to be provided to each parcel in the subdivision, please state here)

TELEPHONE AND ELECTRIC LINES WILL BE PROVIDED TO EACH PARCEL. WELLS WILL BE DUG ON EACH PARCEL AND CAPPED. A PUMP WILL BE INSTALLED AT AN ADDITIONAL COST TO THE BUYER. SEPTIC TANKS WILL BE PROVIDED TO EACH PARCEL AT AN ADDITIONAL COST TO PURCHASER.

(if utilities are to be provided to some but not all parcels in the subdivision, state which utilities will be provided to each parcel)

N/A

(state whether each utility will be above ground or underground)

	Above ground	Underground
electricity	X	
gas	N/A	
water	N/A	
telephone	X	
liquid waste disposal		X
solid waste disposal	N/A	

17. **WATER AVAILABILITY**

(describe the maximum annual water requirements of the subdivision including water for indoor and outdoor domestic uses)

WELL PERMITS IN THIS AREA LIMIT OUTPUT TO THREE (3) ACRE FEET PER YEAR. TWENTY-FOUR INDIVIDUAL WELLS ARE ANTICIPATED FOR A MAXIMUM WATER REQUIREMENT OF SEVENTY-TWO (72) ACRE FEET PER YEAR FOR THE SUBDIVISION.

(describe the availability and sources of water to meet the subdivision's maximum annual water requirements)

UNDERGROUND WATER IS GENERALLY AVAILABLE IN THE SUBJECT AREA. SUBDIVIDER WILL PROVIDE PROVEN INDIVIDUAL WELLS FOR EACH PARCEL.

(describe the means of water delivery within the subdivision)

PRICE OF EACH PARCEL INCLUDES AN INDIVIDUAL WELL. PUMPS ARE AVAILABLE AT ADDITIONAL COST TO PURCHASER.

(describe any limitations and restrictions on water use in the subdivision)

NO KNOWN RESTRICTIONS OTHER THAN THOSE INCLUDED IN THE ATTACHED RESTRICTIVE COVENANTS. STATE ENGINEER MAY PLACE ADDITIONAL RESTRICTIONS ON USE.

(summarize the provisions of any covenants or other restrictions requiring the use of water saving fixtures and other water conservation measures

NONE PROVIDED.

(describe what measures, if any, will be employed to monitor or restrict water use in the subdivision)

RESTRICTIVE COVENANTS ATTACHED HERETO AS ATTACHMENT A PROVIDE JUDICIAL RECOURSE FOR IMPROPER WATER USE; STATE ENGINEER'S OFFICE MAY IMPOSE ADDITIONAL MONITORING PROVISIONS.

18. **FOR SUBDIVISIONS WITH COMMUNITY WATER SYSTEMS**

(name and address of entity providing water)

N/A

(source of water and means of delivery)

N/A

(summary of any legal restrictions on either indoor or outdoor usage)

N/A

(statement that individual wells are prohibited, if such is the case)

N/A

19. **FOR SUBDIVISIONS WITH INDIVIDUAL DOMESTIC WELLS OR SHARED WELLS**

(state whether wells will be provided by the subdivider or by the prospective purchaser/lessee/conveyee)

CAPPED WELLS WILL BE PROVIDED BY THE SUBDIVIDER TO EACH PARCEL. PUMPS WILL BE INSTALLED AT AN ADDITIONAL COST TO THE PURCHASER, IF THE PURCHASER DESIRES.

(if wells are provided by purchaser/lessee/conveyee, state the estimated cost to complete a domestic well, including drilling, pressure tank, control devices, storage and treatment facilities)

N/A

(if wells are provided by the subdivider, state the cost, if any to the purchaser/lessee/conveyee)

A CASED WELL IS INCLUDED IN PRICE OF LOTS. SUBDIVIDER WILL PROVIDE AND INSTALL PUMP FOR AN ADDITIONAL $2,400.

(summary of legal restrictions on either indoor or outdoor usage)

NONE KNOWN TO SUBDIVIDER AT THIS TIME EXCEPT ANY THAT MAY BE INCLUDED IN RESTRICTIVE COVENANTS. WELL PERMITS ISSUED BY STATE ENGINEER LIMITS USAGE TO THREE (3) ACRE FEET PER YEAR FOR EACH WELL.

(average depth to groundwater and the minimum and maximum well depths to be reasonably expected)

AVERAGE DEPTH TO GROUND WATER IS 180 FEET. WELL DEPTHS MAY REASONABLY BE EXPECTED TO VARY FROM 150 TO 275.

(recommended total depth of well)

250 FEET.

(estimated yield in gallons per minute of wells completed to recommended total depth)

ESTIMATED YIELD IS 10 GALLONS/MINUTE, BASED ON OTHER WELLS IN THE ADJACENT AREA.

20. LIFE EXPECTANCY OF WATER SUPPLY

(state the life expectancy of each source of water supply for the subdivision under full development of the subdivision)

BASED ON THE OTERO COUNTY FORTY (40) YEAR WATER PLAN 1990-2030, THE WATER LEVEL IN THIS AREA MAY DROP FIFTY (50) TO SIXTY (60) FEET IF ALAMOGORDO FULLY DEVELOPS THE LA LUZ WELL FIELD.

21. SURFACE WATER*

*Not applicable where subdivider intends to provide water for domestic use.

(provide a detailed statement the source and yield of the surface water supply and any restrictions to which the surface water supply is subject)

NONE USED FOR CONSUMPTIVE PURPOSES. EACH LOT WILL HAVE AN INDIVIDUAL DOMESTIC WELL PERMIT. CASUAL SURFACE WATER MUST NOT BE CHANNELED ONTO THE LOT OF ANOTHER.

22. NEW MEXICO STATE ENGINEER'S OPINION ON WATER AVAILABILITY

Include here the approved summary of the opinion received by the Board of County Commissioners from the New Mexico State Engineer regarding:

(whether or not the subdivider can furnish water sufficient in quantity to fulfill the maximum annual water requirements of the subdivision, including water for indoor and outdoor domestic uses)

SEE PAGE NUMBER 21

(whether or not the subdivider can fulfill the proposals in this disclosure statement concerning water, excepting water quality)

23. WATER QUALITY

(describe the quality of water in the

subdivision available for human consumption)

THE WATER IS SUITABLE FOR HUMAN CONSUMPTION. HOWEVER, IT CONTAINS MINERALS; WATER SOFTENERS ARE HIGHLY RECOMMENDED, AND INDIVIDUAL LOT OWNERS MAY WISH TO INSTALL REVERSE OSMOSIS SYSTEMS.

(describe any quality that would make the water unsuitable for use within the subdivision)

NONE KNOWN TO SUBDIVIDER.

(state each maximum allowable water quality parameter that has been exceeded with the approval of the Board of County Commissioners and the name of the element, compound or standard that has exceeded that parameter)

HARDNESS, SODIUM, SULPHATE AND TOTAL DISSOLVED SOLIDS. SEE ATTACHMENT B.

24. NEW MEXICO ENVIRONMENT DEPARTMENT'S OPINION ON WATER QUALITY

Include here the approved summary of the opinion received by the Board of County Commissioners from the New Mexico Environment Department on:

(whether or not the subdivider can furnish water of an acceptable quality for human consumption and measures to protect the water supply from contamination in conformity with state regulations)

SEE PAGE NUMBER 23

(whether or not the subdivider can fulfill the water quality proposal made in this disclosure statement)

(whether or not the subdivider's proposal for water quality conforms to the County's water quality regulations)

25. LIQUID WASTE DISPOSAL

(describe the precise type of liquid waste disposal system that is proposed and that has been approved by the Board of County Commissioners for use within the subdivision)

INDIVIDUAL SEPTIC TANKS THAT MEET CITY AND COUNTY REGULATIONS MUST BE ON EACH LOT; SUBDIVIDER WILL PROVIDE AT ADDITIONAL COST.

NOTE: NO LIQUID WASTE DISPOSAL SYSTEM MAY BE USED IN THIS SUBDIVISION OTHER THAN A SYSTEM APPROVED FOR USE IN THIS SUBDIVISION BY THE BOARD OF COUNTY COMMISSIONERS

26. N.M. ENVIRONMENT DEPARTMENT'S OPINION ON LIQUID WASTE DISPOSAL

Include here the approved summary of the opinion received by the Board of County Commissioners from the New Mexico Environment Department on:

(whether there are sufficient liquid waste disposal facilities to fulfill the requirements of the subdivision in conformity with state regulations)

SEE PAGE NUMBER 23

(whether or not the subdivider can fulfill the liquid waste proposals made in this disclosure statement)

(whether or not the subdivider's proposal for liquid waste disposal conforms to the County's liquid waste disposal regulations)

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27. SOLID WASTE DISPOSAL

(describe the means of solid waste disposal that is proposed for use within the subdivision)

EACH LOT OWNER MAY EITHER HAUL HIS SOLID WASTE OR MAY INDIVIDUALLY CONTRACT WITH A PRIVATE SOLID WASTE PROVIDER. THE NEAREST COUNTY CONVENIENCE CENTER IS 33 GRAVEL PIT ROAD, APPROXIMATELY TWO (2) MILES EAST OF THE SUBDIVISION.

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28. NEW MEXICO ENVIRONMENT DEPARTMENT'S OPINION ON SOLID WASTE DISPOSAL

Include here the approved summary of the opinion received by the Board of County Commissioners from the New Mexico Environment Department on:

(whether or not there are sufficient solid waste disposal facilities to fulfill the requirements of the subdivision in conformity with state regulations)

SEE PAGE NUMBER 23

(whether or not the subdivider can fulfill the solid waste proposals made in this disclosure statement)

(whether or not the subdivider's proposal for solid waste disposal conforms to the County's solid waste disposal regulations)

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29. TERRAIN MANAGEMENT

(describe the suitability for residential use of the soils in the subdivision as defined in the Natural Resource Conservation District's soil survey for Otero County)

MODERATE FOR ALL SOIL TYPES FOUND IN SUBDIVISION. SEE ATTACHMENT C.

(describe any measures necessary for overcoming soil and topographic limitations, and who will be responsible for implementing these measures)

SUBDIVISION IS LOCATED IN ROCKY DESERT AREA WITH UNEVEN TERRAIN. INDIVIDUAL LAND OWNERS ARE RESPONSIBLE FOR OBTAINING SITE SPECIFIC GEOTECHNICAL ENGINEERING TO ENSURE PROPER DRAINAGE AND COMPACTION. ANY MEASURES RECOMMENDED BY THE ENGINEER ARE THE RESPONSIBILITY OF THE INDIVIDUAL LOT OWNERS.

(identify by lot and block numbers all parcels within the subdivision that are subject to flooding)

LOTS 4, 5, 6, 12, AND 13, BLOCK 1, MAY EXPECT SOME SURFACE STORM RUNOFF FROM THE NORTH. FLOOD INSURANCE IS RECOMMENDED. PER FIRM PANEL NO. 350044 0013A FOR OTERO COUNTY, NEW MEXICO, NO LOT WITHIN THE SUBDIVISION IS IN AN "A" FLOOD ZONE. SOME YARD FLOODING MAY OCCUR. SEE ATTACHMENT D.

(identify by lot and block numbers all parcels within the subdivision located in whole or in part on slopes in excess of 8%)

THE TERRAIN INCLUDES SOME ARROYOS AND OTHER SURFACE FEATURES. OTHERWISE, NO LOT WITHIN THE SUBDIVISION IS LOCATED IN WHOLE OR IN PART ON SLOPES IN EXCESS OF 8%.

(describe the surface drainage for all lots in the subdivision)

DRAINAGE FLOWS IN A WEST - SOUTH - WEST DIRECTION ACCORDING TO TOPOGRAPHIC MAPS CURRENTLY IN PRODUCTION.

(describe the subsurface drainage for all lots in the subdivision)

UNKNOWN. IF SUBSURFACE DRAINAGE COULD BE A PROBLEM FOR THE PURCHASER, THE PURCHASER SHOULD HAVE THE APPROPRIATE ENGINEERING STUDIES COMPLETED.

(describe the nature, location and completion dates of all storm drainage systems constructed or required to be constructed in the subdivision)

SUBDIVIDER WILL PROVIDE APPROPRIATE CULVERTS FOR DRAINAGE WHERE DRIVEWAYS INTERSECT ROADS WITHIN THE SUBDIVISION OR ALONG EXISTING ROADS. IT IS THE RESPONSIBILITY OF THE PURCHASER TO PRESERVE THE DRAINAGE CREATED DURING ROAD CONSTRUCTION. A 10' DRAINAGE AND UTILITY EASEMENT IS RESERVED ON EACH BACK AND SIDE PROPERTY LINE

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30. NATURAL RESOURCE CONSERVATION DISTRICT'S OPINION ON TERRAIN MANAGEMENT

Include here the approved summary of the opinion received by the Board of County Commissioners from the Soil & Water Conservation District on

(whether or not the subdivider can furnish terrain management sufficient to protect against flooding, inadequate drainage and soil erosion)

SEE PAGE NUMBER 24.

(whether or not the subdivider can satisfy the terrain management proposals made in this disclosure statement)

(whether or not the subdivider's terrain management proposals conform to the County's regulations on terrain management)

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31. SUBDIVISION ACCESS

(name of town nearest to subdivision)

LA LUZ IS AN UNINCORPORATED VILLAGE. ALAMOGORDO IS THE NEAREST INCORPORATED CITY

(distance from nearest town to subdivision and the route over which that distance is computed)

LA LUZ IS APPROXIMATELY 2½ MILES FROM THE SUBDIVISION TRAVELING ALONG DANLEY RANCH ROAD, AND THEN ON STATE ROAD 545. ALAMOGORDO IS APPROXIMATELY 5 MILES FROM THE SUBDIVISION TRAVELING ALONG DANLEY RANCH ROAD TO U.S. HWY. 54, AND SOUTH ON HWY. 54 TO THE CITY LIMITS.

(describe access roads to subdivision)

MAJOR ACCESS ROADS ARE BOTH PAVED AND GRAVELED, AND MAINTAINED BY THE STATE OR COUNTY. DANLEY RANCH ROAD, OWENS ROAD, AND PART OF TAYLOR ROAD ARE COUNTY MAINTAINED ROADS.

(state whether or not subdivision is accessible by conventional vehicle)

SUBDIVISION IS ACCESSIBLE BY CONVENTIONAL VEHICLE.

(state whether or not subdivision is ordinarily accessible at all times of the year and under all weather conditions)

SUBDIVISION IS ORDINARILY ACCESSIBLE AT ALL TIMES OF YEAR. SOME SEASONAL FLASH FLOODING MAY TEMPORARILY LIMIT ACCESSIBILITY.

(describe the width and surfacing of all roads within the subdivision)

ALL ROADS WITHIN THE SUBDIVISION WILL BE 50' WIDE WITH A 24' WIDE COMBINED BASE AND SURFACE COURSE OF AT LEAST 8" LAID OVER A COMPACTED SUBGRADE.

(state whether the roads within the subdivision have been accepted for maintenance by the County)

ROADS WITHIN THE SUBDIVISION WILL BE SUBMITTED TO THE COUNTY AND ACCEPTANCE IS ANTICIPATED, AS THEY ARE BEING BUILT ACCORDING TO COUNTY STANDARDS.

(if the roads within the subdivision have not been accepted for maintenance by the County, state how the roads will be maintained and describe lot owners' responsibilities and obligations with respect to road maintenance)

NEW ROADS WITHIN THE SUBDIVISION WILL BE MAINTAINED BY THE SUBDIVIDER PENDING FINAL ACCEPTANCE BY OTERO COUNTY.

32. MAINTENANCE

(state whether the roads and other improvements within the subdivisions will be maintained by the county the subdivider or an association of lot owners, and what measures have been taken to make sure that maintenance takes place)

IT IS ANTICIPATED THAT ALL ROADS WITHIN THE SUBDIVISION WILL BE MAINTAINED BY THE COUNTY. ALL OTHER MAINTENANCE IS THE RESPONSIBILITY OF INDIVIDUAL LOT OWNERS.

33. STATE HIGHWAY DEPARTMENT'S OPINION ON ACCESS

Include here the approved summary of the opinion received by the Board of County Commissioners from the State Highway and Transportation Department on:

(whether or not the subdivider can fulfill the

state highway access requirements for the subdivision
in conformity with state regulations)

SEE PAGE NUMBER 22

(whether or not the subdivider can satisfy the
access proposal made in this disclosure statement

(whether or not the subdivider's access proposals
conform to the County's regulations on access)

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34. **CONSTRUCTION GUARANTEES**

(describe any proposed roads, drainage structures, water
treatment facilities or other improvements that will not be
completed before parcels in the subdivision are offered for sale)

TWO ROADS ARE PROPOSED TO BE CONSTRUCTED WITHIN THE SUBDIVISION. (SEE DESCRIPTION PARAGRAPH 31 ABOVE); EACH LOT WILL BE PROVIDED WITH A DRIVEWAY NOT TO EXCEED 250' X 12' AT NO EXTRA COST TO PURCHASER. CULVERTS WILL BE INSTALLED AT DRIVEWAY CROSSINGS AND INTERSECTIONS IF REQUIRED. IT IS NOT ANTICIPATED THAT THESE STRUCTURES WILL BE COMPLETED BEFORE LOTS ARE OFFERED FOR SALE.

(describe all performance bonds, letters of credit or other
collateral securing the completion of each proposed improvement)

NONE.

UNLESS THERE IS SUFFICIENT BOND, LETTER OF CREDIT OR OTHER ADEQUATE COLLATERAL TO SECURE THE COMPLETION OF PROPOSED IMPROVEMENTS, IT IS POSSIBLE THAT THE PROPOSED IMPROVEMENTS WILL NOT BE COMPLETED. CAUTION IS ADVISED.

35. **ADVERSE OR UNUSUAL CONDITIONS**

(state any activities or conditions adjacent to or nearby
the subdivision, such as feed lots, dairies, cement plants
or airports, that would subject the subdivided land to any
unusual conditions affecting its use or occupancy)

HOLLOMAN AIR FORCE BASE IS LOCATED APPROXIMATELY SIX (6) AERONAUTICAL MILES FROM THE SUBDIVISION. FLYOVERS MAY CAUSE SONIC BOOMS AND NOISE FROM TIME TO TIME.

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36. **RECREATIONAL FACILITIES**

(describe all recreational facilities,

actual and proposed in the subdivision)

N/A

(state the estimated date of completion of each proposed recreational facility)

N/A

(state whether or not there are any bonds, letters of credit or other collateral securing the construction of each proposed recreational facility and describe any such bond, letter of credit or other collateral)

N/A

37. FIRE PROTECTION

(distance to nearest fire station from subdivision)

LA LUZ VOLUNTEER FIRE DEPARTMENT IS APPROXIMATELY 3½ MILES FROM SUBDIVISION.

(route over which that distance is computed)

DANLEY RANCH ROAD TO LA LUZ ROAD, EAST ON LA LUZ GATE ROAD TO ALAMO STREET, THEN EAST ON ALAMO STREET TO MAIN STREET IN LA LUZ, NORTH ON MAIN STREET.

(state whether the fire department is full-time or volunteer)

VOLUNTEER

38. POLICE PROTECTION

List the various police units that patrol the subdivision.

(sheriff's department, if applicable)

SHERIFF'S DEPARTMENT IS RESPONSIBLE FOR RESPONDING TO CALLS FROM THE SUBDIVISION. SUBDIVIDER IN NO WAY GUARANTEES THAT THE SHERIFF'S DEPARTMENT ACTIVELY PATROLS THE AREA, ABSENT A CALL

(municipal police, if applicable)

N/A

(state police, if applicable)

N/A

39. **PUBLIC SCHOOLS**

(name of and distance to nearest public elementary school serving the subdivision)

LA LUZ ELEMENTARY, APPROXIMATELY 2.5 MILES

(name of and distance to nearest public junior high or middle school serving the subdivision)

CHAPARRAL JR. HIGH, APPROXIMATELY 9 MILES

(name of and distance to nearest public high school serving the subdivision)

ALAMOGORDO HIGH SCHOOL, APPROXIMATELY 9 MILES

40. **HOSPITALS**

(name of nearest hospital)

GERALD CHAMPION MEMORIAL HOSPITAL, ALAMOGORDO, NM

(distance to nearest hospital and route over which that distance is computed)

APPROXIMATELY 9 MILES TRAVELING EAST ON DANLEY RANCH ROAD, EAST ON LA LUZ GATE ROAD, SOUTH ON 54 TO 10TH STREET, EAST ON 10TH STREET.

(number of beds in nearest hospital)

91.

41. **SHOPPING FACILITIES**

(description of nearest shopping facilities including number of stores)

LA LUZ MARKET CARRIES GROCERIES AND GASOLINE. WHITE SANDS MALL HAS SPACE FOR 38 STORES WITH 28 OF THOSE SPACES FILLED AT THIS TIME.

(distance to nearest shopping facilities and route over which that distance is computed)

LA LUZ MARKET IS APPROXIMATELY 3.5 MILES. WHITE SANDS MALL IS APPROXIMATELY 4 MILES.

ROUTE TO LA LUZ MARKET: EAST ON DANLEY RANCH ROAD TO LA LUZ GATE ROAD, EAST ON LA LUZ GATE ROAD TO ALAMO STREET, THEN EAST ON ALAMO STREET.

ROUTE TO WHITE SANDS MALL: DANLEY RANCH ROAD TO LA LUZ GATE ROAD, LA LUZ GATE ROAD TO U.S. HWY. 54, SOUTH ON U.S. HWY 54.

---

42. PUBLIC TRANSPORTATION

(describe all public transportation that serves the subdivision on a regular basis)

N/A

Bk 876 Pg 247

RESERVED FOR

STATE ENGINEERS COMMENT

RESERVED FOR
THE STATE HIGHWAY DEPARTMENT'S
OPINION

State of New Mexico
ENVIRONMENT DEPARTMENT
District III Office
1001 N. Solano Drive
Las Cruces, New Mexico 88001
(505) 524-6300 • FAX (505) 526-3891

GARY E. JOHNSON
GOVERNOR

MARK E. WEIDLER
SECRETARY

EDGAR T. THORNTON, III
DEPUTY SECRETARY

November 18, 1997

Ms. Stephanie Browning
County of Otero
1000 New York Ave., Room 101
Alamogordo NM 88310-0935

Dear Ms. Browning:

We have reviewed the preliminary plat and supporting documents for the proposed Danley Ranch Estates Subdivision. It is our opinion that:

1. The liquid waste disposal proposal conforms to county regulations.
2. The solid waste disposal proposal conforms to county regulations.
3. The proposed water supply contains high levels of some minerals. However, if a reverse osmosis unit is installed as recommended by the disclosure statement these minerals would be removed. These minerals are not of public health concern but can be a nuisance.

Thank you for the opportunity to review and comment on this proposed subdivision.

Sincerely,

Gabriel Garcia

Gabriel Garcia, P.E.
District Engineer

xc: Gunther Diehl

OTERO SOIL AND WATER
CONSERVATION DISTRICT
2920 N. WHITE SANDS BLVD
ALAMOGORDO, N. M. 88310 PHONE - (505) 437-1030

December 2, 1997

Otero County Planning Commission
1000 New York Ave.
Room 101
Alamogordo, N.M. 88310

Re: Danley Ranch Estates, Unit 1

Dear Commissioners,

After a second field review and further discussion with the developers of this proposed subdivision a number of the concerns have been addressed. The developers said that the old channel for La Luz Creek which at one time had crossed a corner of the subdivision is now at least 10'-15' feet higher than the present channel of La Luz Creek so it should not be a problem. The railroad dike also diverts much of the flood water back to the La Luz Creek. The property will still have some rain water run off but after further consideration the Otero Soil and Water Conservation District recommends approval.

Sincerely,

Robert R Bell
By. P.R.

Robert Bell
Otero SWCD

RESTRICTIVE COVENANTS Bk 876 Pg 251

for

DANLEY RANCH ESTATES SUBDIVISION

WHEREAS, the undersigned owners of the property hereinafter described and located in Otero County, New Mexico, have heretofore filed a plat of the subdivision known and described as Danley Ranch Estates Subdivision in the office of the County Clerk, Otero County, New Mexico and

WHEREAS, the undersigned owners of said subdivision desire to make and file certain restrictive covenants affecting said property for the protection of all future property owners in said subdivision.

NOW, THEREFORE, the undersigned do hereby declare the creation and existence of certain restrictive covenants as hereinafter set forth and declare that said restrictions and covenants shall run with the land hereinafter described and to be binding on all parties who are or shall become parties in interest to said land. The property covered and affected by the covenants set forth herein and the restrictions applicable thereto is described as follows, to-wit:

Tracts 1 through 24 inclusive of Danley Ranch Estates Subdivision, a subdivision lying in Sec. 30, T15S., R10E.,, NMPM, as shown on the official plat thereof on file in the office of the County Clerk of Otero County, New Mexico.

The restrictions and protective covenants herein referred to are as follows:

1. Tracts 1-24 inclusive shall be known and described as residential tracts. No structures shall be erected, altered, placed or permitted to remain on any residential tract other than one single family dwelling and such structures as are incidental to the use of said tract, such as a private garage, well house, storage room or stable. There shall be no commercial activity or business engaged in on any of these tracts..

2. Tracts may not be re-subdivided in the future for any purpose.

3. On Tracts 1-24 inclusive no buildings or structures whatsoever of any kind shall be located nearer than fifty (50') feet to the front tract line of each tract not nearer than twenty (20') feet to any side tract line or rear tract line of each tract .

ATTACHMENT A

4. A. Pertaining to permanent homes:

No dwelling house smaller than 1200 square feet heated area shall be constructed on any tract herein. No trailer, trailer house, prefabricated building, tent, shack, barn or other outbuilding shall be used as a residence, temporarily or permanently, nor shall any temporary residence be erected. A temporary contractor's building or a mobile home for storage may be used during construction. All buildings are to be either brick or stone veneer or painted or stained on exterior or wall surfaces within thirty days from the date of completion of construction. No second hand structures shall be moved on any tract.

All dwellings shall be finished as to the exterior within one year from start of construction. All structures shall be completely finished front, sides and rear to the same degree as a first class front, so the view from overlooking or adjoining tracts will not be unduly impaired.

B. Manufactured homes are allowed: (double wide only)

1.) The dwelling must be a double wide and have a minimum of 1000 square feet heated area.
2.) The dwelling must have a shingled, pitched roof.
3.) The dwelling must be permanently set and must have a complete coordinated skirting.
4.) The dwelling must have a minimum of 200 square feet of decking or porch in front.
5.) At the time of installation, the manufactured home must be less than five years old. Ones older than 5 years are allowed if they are approved by the developer.

C. For modular home: The dwelling must have a minimum of 1200 square feet heated area, and must be set on a permanent foundation.

5. The premises and improvements of each tract must be maintained in an orderly condition and a good state of repair at all times.

6. No noxious or offensive activity shall be carried out on any tract nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

7. Livestock shall be permitted, provided that none are to be kept for commercial purposes. Livestock, such as horses, cattle, sheep, etc. shall be limited to 1 animal per acre and must be contained. Household pets are allowed but must be contained. Kenneling is not permitted. Swine are not permitted.

8. These covenants shall be binding upon the undersigned and all persons claiming under it, their heirs, successors or assigns from the date these Restrictive Covenants are recorded. These Restrictive Covenants may be modified, amended or repealed in whole or in part by filing in the office of the County Clerk of Otero County, New Mexico, such amendment, modification notice or repeal duly executed and subscribed by a majority or the owners of record, of the (24) tracts within this subdivision, each 2 ½ acres having 1 vote. Modification, amendment or repeal of any one or more of the foregoing restrictive covenants shall not affect the validity of the remaining covenants. Failure to enforce the provisions of the above covenants immediately upon violation shall not be considered as a waiver of such covenants.

9. Invalidation of any one of these covenants by judgment or Court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

DATED this _____ day of _____, 1997

_____

_____

STATE OF NEW MEXICO)
) ss:
COUNTY OF OTERO)

The foregoing instrument was acknowledged before me this _____ day of _____

1997. by _____

_____
NOTARY PUBLIC

my commission expires:_____

ATTACHMENT A, pg.3

ALBUCHEMIST, INC.

Burke & Assoc.
August 29, 1997
082297-13
Page 2

All results in mg\liter unless specified otherwise:

ANALYTE	RESULT	METHOD*
Arsenic	0.002	3114.B
Barium	<0.25	3111.D
Cadmium	<0.005	3111.B
Chromium	<0.02	3111.B
Lead	<0.005	3113.B
Mercury	<0.0002	3112.B
Selenium	< 0.005	3114.B
Silver	<0.02	3111.B
Nitrate (as N)	0.87	4500-NO3 E
Nitrite (as N)	<0.01	4500-NO2B
Nitrate & Nitrite (total, as N)	0.87	
Fluoride	0.78	4500-F D
Cyanide	<0.002	4500-CN E
Antimony	<0.005	3113.B
Berrylium	<0.003	3113.B
Nickel	<0.02	3111.B
Thallium	<0.002	3111.B
Asbestos	(total fibers >10 microns) 140./liter	NIOSH

*All tests performed IAW "Standard Methods for the Examination of Water & Wastewater", 18th edition.(1992)

Attachment B

ALBUCHEMIST, INC.

Burke & Assoc.
August 29, 1997
082297-13

All results in mg\liter unless specified otherwise:

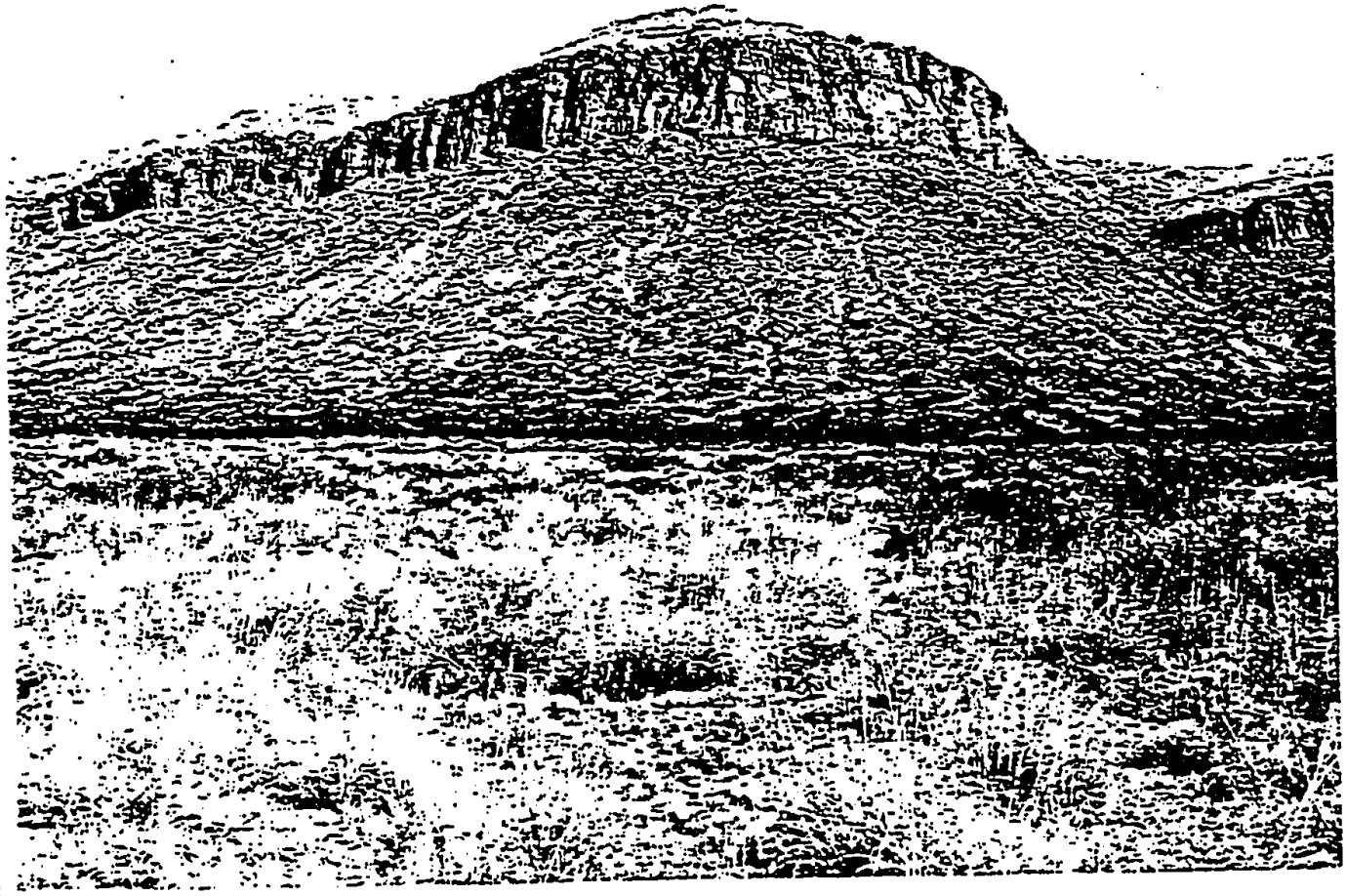
ANALYTE	RESULT	METHOD*
Alkalinity (as calcium carbonate)	154.	2320. B
Aluminum	<0.006	3500-Al. D
Calcium	157.	3111. B
Chloride	238.	4500-Cl D
Color	<2.	2120. B
Copper	<0.02	3111. B
Foaming agents	<0.1	5540. C
Hardness (as calcium carbonate)	609.	2340. B
Iron	0.10	3111. B
Manganese	<0.02	3111. B
Odor	None detected	2150. B
pH	7.54	4500-H. B
Sodium	158.	3500-Na. D
Sulfate	510.	4500-SO4. E
TDS	1420..	1030. F
Turbidity (NTU)	0.15	2130. B
Zinc	<0.01	3111. B

*All tests performed IAW "Standard Methods for the Examination of Water & Wastewater", 18th edition.(1992)

SOIL SURVEY OF

OTERO AREA, NEW MEXICO

PARTS OF OTERO, EDDY, AND CHAVES COUNTIES



United States Department of Agriculture
Soil Conservation Service and Forest Service
in cooperation with the
New Mexico State University Agricultural Experiment Station

ATTACHMENT C

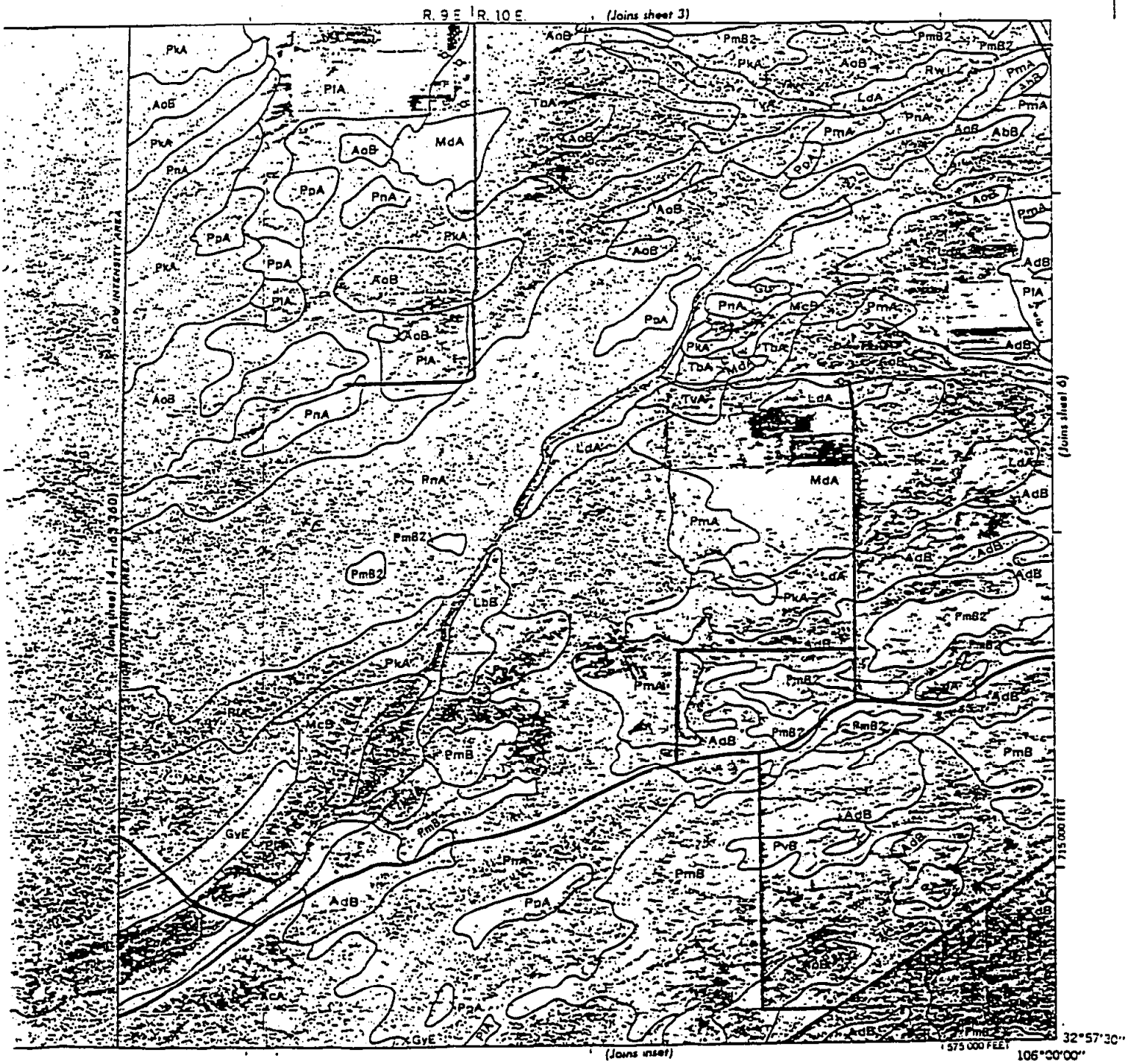

N
R. 9 E.
R. 10 E.
(Joins sheet 3)
(Joins sheet 4)
(Joins sheet 6)
(Joins inset)
715 000 FEET
575 000 FEET
32°57'30"
106°30'00"
2 Miles
10 000 Feet

TABLE 8.--BUILDING SITE DEVELOPMENT ON HIGH DETAIL MAP UNITS--Continued

Soil name and map symbol	Shallow excavations	Dwellings without basements	Dwellings with basements	Small commercial buildings	Local roads and streets
AdB*: Alamogordo	Slight	Moderate: low strength.	Moderate: low strength.	Moderate: low strength.	Moderate: low strength.
Aztec	Severe: small stones.	Slight	Slight	Slight	Slight.
PkA, PlA, PmA, PmB, PmB2, PnA--- Prelo	Slight	Moderate: shrink-swell, low strength.	Moderate: shrink-swell, low strength.	Moderate: shrink-swell, low strength.	Severe: low strength.

TABLE 10.--SANITARY FACILITIES ON HIGH DETAIL MAP UNITS

[Some of the terms used in this table to describe restrictive soil features are defined in the Glossary. See text for definitions of "slight," "moderate," "good," "fair," and other terms used to rate soils. Absence of an entry means soil was not rated]

Soil name and map symbol	Septic tank absorption fields	Sewage lagoon areas	Trench sanitary landfill	Area sanitary landfill	Daily cover for landfill
AdB*: Alamogordo	Slight	Severe: seepage.	Slight	Slight	Poor: area reclaim.
PkA, PlA, PmA Prelo	Severe: perco slowly.	Slight	Moderate: too clayey.	Slight	Fair: area reclaim, too clayey.
PmB, PmB2 Prelo	Severe: perco slowly.	Moderate: slope.	Moderate: too clayey.	Slight	Fair: area reclaim, too clayey.

TABLE 12.--CONSTRUCTION MATERIALS ON HIGH DETAIL MAP UNITS--Continued

Soil name and map symbol	Roadfill	Sand	Gravel	Topsoil
AdB*: Alamogordo	Fair: area reclaim, low strength.	Unsuited	Unsuited	Poor: thin layer, area reclaim, excess salt.
Aztec	Good	Poor: excess fines.	Fair: excess fines.	Poor: small stones, excess lime, area reclaim.
PkA, PlA, PmA, PmB, PmB2, PnA, PpA Prelo	Poor: low strength.	Unsuited	Unsuited	Fair: too clayey.

TABLE 14.--WATER MANAGEMENT ON HIGH DETAIL MAP UNITS--Continued

Soil name and map symbol	Pond reservoir areas	Embankments, dikes, and levees	Drainage	Irrigation	Terraces and diversions
B*: Alamogordo	Seepage, slope.	Low strength, piping, excess salt.	Excess salt	Droughty, excess salt.	Piping, rooting depth, slope.
Aztec	Seepage, slope.	Hard to pack, seepage, unstable fill.	Slope	Droughty, slope.	Slope, small stones.
kA, PlA, PmA Prelo	Favorable	Low strength	Perco slowly, excess salt.	Excess salt	Erodes easily.
mB, PmB2	Favorable	Low strength	Perco slowly,	Erodes easily,	Erodes easily.

TABLE 16.--RECREATIONAL DEVELOPMENT ON HIGH DETAIL MAP UNITS

Soil name and map symbol	Camp areas	Picnic areas	Playgrounds	Paths and trails
AdB*: Alamogordo	Moderate: dusty.	Moderate: dusty.	Moderate: dusty, slope.	Moderate: dusty.
Aztec	Moderate: soil blowing.	Moderate: soil blowing.	Severe: small stones.	Slight.
PkA, PlA, PmA, PmB, PmB2, PnA Prelo	Moderate: perms slowly, dusty.	Moderate: dusty.	Moderate: perms slowly, dusty.	Slight.

TABLE 18.--WILDLIFE HABITAT POTENTIALS ON HIGH DETAIL MAP UNITS--Continued

Soil name and map symbol	Potential for habitat elements							Potential as habitat for--			
	Grain and seed crops	Grasses and legumes	Wild herbaceous plants	Coniferous plants	Shrubs	Wetland plants	Shallow water areas	Openland wildlife	Woodland wildlife	Wetland wildlife	Rangeland wildlife
AdB*: Alamogordo	Very poor.	Very poor.	Fair	---	Fair	Very poor.	Very poor.	Poor	---	Very poor.	Fair.
Aztec	Very poor.	Very poor.	Fair	---	Fair	Very poor.	Very poor.	Very poor.	---	Very poor.	Fair.

TABLE 20.--ENGINEERING PROPERTIES AND CLASSIFICATIONS OF SOILS IN HIGH DETAIL MAP UNITS--Continued

Soil name and map symbol	Depth	USDA texture	Classification		Fragments > 3 inches	Percentage passing sieve number--				Liquid limit	Plasticity index
			Unified	AASHTO		4	10	40	200		
	In				Pct					Pct	
AdB*: Alamogordo	0-7	Very fine sandy loam.	ML, SM, GM	A-4, A-2	0	50-100	45-90	35-85	25-60	20-30	NP-5
	7-15	Loam, very fine sandy loam, fine sandy loam.	ML	A-4	0	95-100	90-100	70-95	50-75	20-30	NP-5
	15-60	Loam, very fine sandy loam, fine san loam.	SM, ML	A-4	0	95-100	90-100	70-100	45-75	25-35	NP-10
Aztec	0-5	Fine sandy loam	GM	A-2	0-5	25-40	20-35	20-35	15-30	---	NP
	5-16	Gravelly sandy loam, gravelly fine sandy loam.	GM, SM	A-1, A-2	0-5	50-70	45-65	30-50	15-30	---	NP
	16-26	Very gravelly fine sandy loam, gravelly sandy loam, very gravelly fine sandy loam.	GM	A-1, A-2	0-5	45-60	40-55	25-45	15-30	---	NP
	26-60	Very gravelly very sandy loam, very gravelly loamy sand.	GP-GM, GM	A-1	0-5	25-55	20-50	10-35	5-20	---	NP
PmA Prelo	0-8	Silt loam	CL-ML, CL	A-4, A-6	0	100	100	90-100	70-95	20-30	5-15
	8-22	Silty clay loam, silt loam, clay loam.	CL	A-6, A-7	0	100	100	95-100	75-95	30-45	10-20
	22-60	Silty clay loam, clay loam, silt loam.	CL	A-6	0	100	100	95-100	75-95	30-40	10-20
PmB2 Prelo	0-2	Silt loam	CL-ML, CL	A-4, A-6	0	100	100	90-100	70-95	20-30	5-15
	2-8	Silty clay loam,	CL	A-6, A-7	0	100	100	95-100	75-95	30-45	10-20

TABLE 22.—PHYSICAL AND CHEMICAL PROPERTIES OF SOILS IN HIGH DETAIL MAP UNITS—Continued

Soil name and map symbol	Depth	Permeability	Available water capacity	Soil reaction	Salinity	Shrink-swell potential	Erosion factors		Wind erodibility group
							K	T	
	In	In/hr	In/in	pH	Mmhos/cm				
AdB*:									
Alamogordo	0-7	2.0-6.0	0.06-0.14	7.9-8.4	4-16	Low	0.43	1	3
	7-15	2.0-6.0	0.04-0.09	7.9-8.4	>4	Low	0.55		
	15-60	2.0-6.0	0.06-0.10	7.9-8.4	>4	Low	0.49		
Aztec	0-5	2.0-6.0	0.10-0.14	7.9-8.4	<2	Low	0.24	5	3
	5-16	0.2-0.6	0.07-0.11	7.9-8.4	<2	Low	0.17		
	16-26	2.0-6.0	0.06-0.10	7.9-8.4	2-4	Low	0.17		
	26-60	6.0-20	0.03-0.07	7.9-8.4	4-8	Low	0.15		
PmA	0-8	0.6-2.0	0.19-0.21	7.9-8.4	<2	Low	0.43	5	4L
Prelo	8-22	0.2-0.6	0.19-0.21	7.9-8.4	2-4	Moderate	0.43		
	22-50	0.2-0.6	0.11-0.13	7.9-8.4	4-8	Moderate	0.43		
PmB	0-6	0.6-2.0	0.19-0.21	7.9-8.4	<2	Low	0.43	5	4L
Prelo	6-20	0.2-0.6	0.19-0.21	7.9-8.4	2-4	Moderate	0.43		
	20-60	0.2-0.6	0.11-0.13	7.9-8.4	4-8	Moderate	0.43		
PmB2	0-2	0.6-2.0	0.19-0.21	7.9-8.4	<2	Low	0.43	5	4L
Prelo	2-8	0.2-0.6	0.19-0.21	7.9-8.4	2-4	Moderate	0.43		
	8-60	0.2-0.6	0.11-0.13	7.9-8.4	4-8	Moderate	0.43		

TABLE 24.—SOIL AND WATER FEATURES OF HIGH DETAIL MAP UNITS

Soil name and map symbol	Hydrologic group	Flooding			Bedrock		Cemented pan		Potential frost action	Risk of corrosion	
		Frequency	Duration	Months	Depth	Hardness	Depth	Hardness		Uncoated steel	Concrete
AdB*:											
Alamogordo	B	None	—	—	>60	—	—	—	—	High	High.
Aztec	B	None	—	—	>60	—	—	—	—	High	High.
PkA, PlA, PmA, PmB, PmB2, PnA, PpA	B	None to rare	—	—	>60	—	—	—	—	High	High.
Prelo											

ATTACHMENT C
PAGE 4

AdB—Alamogordo-Aztec complex, 1 to 3 percent slopes. This complex consists of small areas of deep, well drained soils. These soils are so intermingled that it is not feasible to separate them on the high detail map. Areas of this complex are relatively narrow and elongated and are 40 to 150 acres in size. They are dissected by small drainageways that are oriented basically east-west. Individual areas of each soil are about 2 to 3 acres in size.

Alamogordo very fine sandy loam makes up about 45 percent of each mapped area. It is mainly on the gently sloping side slopes and bottom land, but some areas are on small ridgetops. Typically, the surface layer is light brown very fine sandy loam about 7 inches thick. The upper 8 inches of the substratum is pinkish white loam that is very high in gypsum. Below that, the substratum to a depth of more than 60 inches is light brown very fine sandy loam that is high in gypsum.

This soil is high in gypsum and is strongly calcareous throughout. Permeablity is moderately rapid, and available water capacity is low.

Aztec fine sandy loam makes up 35 percent of each mapped area. It is mainly on the small narrow ridgetops, but may occur anywhere in the unit. Typically, a desert pavement 1 inch thick is on the surface. The surface layer is light brown fine sandy loam about 5 inches thick. The upper 11 inches of the substratum is pinkish white gravelly sandy loam that is very high in gypsum. Below this, the substratum to a depth of more than 60 inches is pinkish white very gravelly fine sandy loam that is high in gypsum.

This soil is high in gypsum and carbonates. Permeability is moderately rapid below a depth of 16 inches, and available water capacity is low.

Included with these soils in mapping are areas of exposed gypsum, Largo very fine sandy loam, Prelo fine sandy loam, and a few scattered wind hummocks. These inclusions make up about 20 percent of this unit.

This complex has low potential for farming. These soils have been used for irrigated crops in some areas, but production was very low. Several limitations that are difficult to overcome adversely affect most crops grown in this area. The amount of gypsum limits the selection of crops to those that are salt tolerant. The gypsum also acts as a barrier to roots of many crops, thus limiting effective rooting depth. Because available water capacity is low, these soils are very droughty. These soils are unsuitable for any type of water-holding structure, such as pit tanks and storage reservoirs and dams, unless plastic liners are used. Solubility of the gypsum, seepage, and compressibility are the major restrictions on these types of structure.

These soils have very low potential for windbreak species. Onsite investigation is needed to determine what adapted species, if any, can be grown. Special site preparation is necessary.

Increased population growth in this county and development of small ranchettes has resulted in increased urbanization. The shallow depth to gypsum and its inherent properties limit foundations and streets and roads. Good design and careful installation and the use of suitable fill help to overcome these problems. Septic tank absorption fields are not restricted, but contamination of ground water may result from moderately rapid permeability, a high concentration of facilities, and formation of pits as gypsum dissolves.

The potential of this complex for wildlife habitat is low. The soils produce only limited pasture and hay that provide very little food and some cover for a few species of wildlife, including scaled and Gambel quail and mourning and white-winged dove. Russian-olive, several shrub and forb species, and grasses planted along unlined irrigation ditches, fence rows, odd areas, and flood plains improve habitat. Protected strip plantings of grain or green forage on the included soils also provide food and cover.

AhB—Alamogordo-McCullough sandy loams, hummocky, 0 to 3 percent slopes. This complex consists of medium to large areas of deep, well drained soils on pediment fans and foot slopes. These soils are so intermingled that it is not feasible to separate them on the high detail map. Areas of this complex are wide and elongated and are 50 to 200 acres in size. The areas are oriented northeast-southwest. Individual areas of each soil are generally smaller than 3 acres.

Alamogordo sandy loam makes up about 40 percent of each mapped area. It is on the lower parts of the slightly undulating landscape. Typically, the surface layer is reddish brown sandy loam about 6 inches thick. The upper 9 inches of the substratum is light brown fine sandy loam that is high in gypsum and contains as much as 10 percent gravel. Below that, the substratum is reddish brown gravelly loam that is thinly stratified with reddish brown very gravelly sandy loam to very gravelly silt loam. Gypsum content decreases with depth. This soil has more gravel and is redder than typical Alamogordo soils.

This soil is calcareous throughout and is high in gypsum in the upper part of the substratum. Permeability is moderately rapid, and available water capacity is low.

McCullough sandy loam makes up about 35 percent of each mapped area. It is on the higher parts of the slightly undulating landscape. Typically, the surface layer is reddish brown sandy loam about 6 inches thick. In some areas a desert pavement is on the surface. The upper 16 inches of the substratum is reddish brown sandy loam and contains accumulations of gypsum as small nests of very fine crystals and as pendants underneath the pebbles. Below that, the substratum to a depth of more than 60 inches is reddish brown sandy loam that does not have segregations of gypsum. Gypsum content decreases with depth. Gypsum is absent in some places.

ATTACHMENT C
PAGE 5

the shrubs squawbush, lilac, and American plum can be grown with little or no difficulty. If the wind hummocks are leveled, this soil has high potential for pecans under irrigation and good management.

The soil has high potential for most urban uses if the hummocks are leveled. Low strength, moderate shrink-swell potential, and susceptibility to piping can be overcome by use of suitable fill material, good design, and careful installation. Using noncorrodible materials in underground utilities eliminates the severe hazard of corrosion. Septic tank adsorption fields are limited by the moderately slow permeability of the subsoil and substratum. By increasing the size of the absorption area or modifying the filter field, this limitation can be overcome.

The potential for wildlife habitat is high to moderate. This soil produces pasture, hay, orchards, and row crops that provide food and some cover for a variety of wildlife, including scaled and Gambel quail and mourning and white-winged dove. Russian-olive, cottonwood, several shrub and forb species, and grasses planted along unlined irrigation ditches, fence rows, odd areas, marshy sites, and flood plains improve habitat. Protected strip plantings of grain or green forage also provide food and cover.

PlA—Prelo fine sandy loam, 0 to 1 percent slopes. This deep, well drained, nearly level soil is on broad alluvial toe slopes. Slopes are smooth and slightly concave. Individual areas are generally elongated or irregular in shape and are 20 to 200 acres in size. The areas are mostly oriented northeast-southwest.

Typically, the surface layer is light brown fine sandy loam about 4 inches thick. The subsoil is reddish brown and brown silt loam about 22 inches thick. The upper part of the substratum is light reddish brown silt loam and contains accumulations of gypsum. The lower part is reddish brown clay loam to a depth of more than 60 inches.

Included with this soil in mapping are some areas of Prelo soils that have a silt loam or very fine sandy loam surface layer. Also included are small intermingled areas of Largo, Alamogordo, and Aztec soils. In the larger mapped areas, there are usually shallow, narrow drainageways. The soils in these drainageways have a gravelly surface layer, and some are gravelly throughout. In some areas slope is as much as 2 percent. The included soils make up about 20 percent of the unit. Individual areas are smaller than 3 acres.

This soil is calcareous throughout and contains a moderate amount of gypsum. Permeability is moderately slow, and available water capacity is high. Tilth is poor except where good cropping systems are used. Normally this soil can be worked only over a narrow range of moisture conditions. The root zone is deep and is easily penetrated by plant roots.

The soil has medium to high potential for row crops, small grains, hay, and pasture (fig. 12). All crops need irrigation. High yields of irrigated pasture can be obtained under good management. Returning crop residue to the soil helps to maintain good tilth. The hazard of wind erosion is severe, especially in spring, when strong winds are common. Minimum tillage and cover crops reduce runoff and wind and water erosion. Some areas need dikes or diversions to keep out excessive runon water from surrounding areas.

This soil has high potential for adapted windbreak species. Trees such as Arizona cypress, Rocky Mountain juniper, green ash, Siberian elm, and Russian-olive and the shrubs squawbush, lilac, and American plum can be grown with little or no difficulty.

The soil has high potential for most urban uses. Low strength and moderate shrink-swell potential are moderate limitations but can be overcome by good design and careful installation. The moderately slow permeability limits septic tank absorption fields but can be overcome by increasing the size of the absorption area or by modifying the filter field itself. The amount of gypsum in the substratum limits pit tanks and other water holding structures, but this limitation can be overcome by several methods of lining.

This soil has high potential for wildlife habitat. This soil produces pasture, hay, orchards, and row crops that provide food and some cover for a variety of wildlife, including scaled and Gambel quail and mourning and white-winged dove. Russian-olive, cottonwood, several shrub and forb species, and grasses planted along unlined irrigation ditches, fence rows, odd areas, marshy sites, and flood plains improve habitat. Protected strip plantings of grain or green forage also provide food and cover.

PmA—Prelo silt loam, 0 to 1 percent slopes. This deep, well drained, nearly level soil is on the broad, somewhat dissected basin floor and on alluvial toe slopes (fig. 13). Slopes are smooth and slightly convex. Individual areas are 40 to 200 acres in size. A few major drainageways dissect the unit, and many smaller ones meander across the unit into the major drainageways.

Typically, the surface layer is reddish brown silt loam about 8 inches thick. In some areas the surface layer is 12 inches thick and has very thin platy structure or is very highly stratified. In these areas the surface layer was deposited by water and some of the very thin strata are clay loam. The subsoil is about 14 inches thick. The upper part of the subsoil is reddish brown silty clay loam, and the lower part is reddish brown silt loam. The subsoil contains common, white, soft masses and soft filaments of gypsum. The upper part of the substratum is reddish brown silt loam, and the lower part is light reddish brown silt loam to a depth of more than 60 inches. Content of gypsum in the form of small crystals and soft filaments increases with depth in the substratum.

Included with this soil in mapping are small areas of Prelo soils that are eroded or that are fine sandy loam

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and sandy loam. Also included are a few intermingled areas of Alamogordo and Largo soils. Wind hummocks less than 30 inches high, are in some areas. Included soils make up about 20 percent of the unit. Individual areas are generally smaller than 2 acres.

This soil is calcareous throughout. Gypsum content increases with depth. Permeability is moderately slow, and available water capacity is high. Tilth is poor, and the soil can be worked only over a moderate range of moisture conditions. The root zone is deep and is easily penetrated by plant roots.

This soil has a high potential for row crops, small grains, irrigated pasture, and hay. The moderately slow permeability limits farming unless irrigation water is well managed. Tilth can be maintained by returning crop residue to the soil and growing green manure crops in the cropping system. The wind erosion hazard is severe if cultivated crops are grown, especially in spring, when strong winds are common. Minimum tillage, cover crops, stripcropping, and windbreaks reduce runoff and wind erosion. All crops except legumes respond to nitrogen. Legumes respond to phosphate.

This soil has high potential for adapted windbreak species. Trees such as Arizona cypress, Rocky Mountain juniper, green ash, Siberian elm, and Russian-olive and the shrubs squawbush, lilac, and American plum can be grown with little or no difficulty.

This soil has high potential for most urban uses. Low strength, moderate shrink-swell potential, and susceptibility to piping can be overcome by good design and careful installation and by use of suitable fill material for foundations. The gypsum in the substratum can corrode underground utilities, but the use of noncorrodible materials overcomes this limitation. The moderately slow permeability limits septic tank absorption fields but can be overcome by increasing the size of the absorption area or modifying the filter field itself.

The potential for wildlife habitat is high. This soil produces pasture, hay, orchards, and row crops that provide food and some cover for a variety of wildlife, including scaled and Gambel quail and mourning and white-winged dove. Russian-olive, cottonwood, several shrub and forb species, and grasses planted along unlined irrigation ditches, fence rows, odd areas, marshy sites, and flood plains improve habitat. Protected strip plantings of grain or green forage also provide food and cover.

PmB—Prelo silt loam, 1 to 3 percent slopes. This deep, well drained, very gently sloping soil is on the broad, somewhat dissected basin floor. Slopes are smooth and slightly convex. Individual areas are 60 to 150 acres in size. A few major drainageways dissect the unit, and many smaller ones meander across the unit into the major drainageways.

Typically, the surface layer is reddish brown silt loam 6 inches thick. The subsoil is about 14 inches thick. The upper part of the subsoil is reddish brown silty clay loam, and the lower part is reddish brown silt loam. The subsoil has common, white, soft masses and soft filaments of gypsum. The upper part of the substratum is reddish brown silt loam, and the lower part to a depth of more than 60 inches is reddish brown silt loam and contains crystals and soft filaments of gypsum.

Included with this soil in mapping are small areas of Prelo soils that are eroded or that are fine sandy loam and sandy loam. Also included are a few intermingled areas of Prelo silt loam, 0 to 1 percent slopes, and Alamogordo and Largo soils and a few wind hummocks. The included soils make up about 15 percent of the unit. Individual areas are generally smaller than 3 acres.

This soil is calcareous throughout. Gypsum content increases with depth. Permeability is moderately slow, and available water capacity is high. Tilth is poor, and the soil can be worked only over a moderate range of moisture conditions. The root zone is deep and when moist is readily penetrated by plant roots.

This soil has high potential for row crops, small grains, pasture, and hay if adequate water is available. The moderately slow permeability limits farming unless irrigation water is well managed. Tilth can be maintained by returning crop residue to the soil and growing green manure crops in the cropping system. The hazard of wind erosion is severe if cultivated crops are grown, especially in spring when strong winds are common. The water erosion hazard is moderate. Minimum tillage, cover crops, stripcropping, and the windbreaks reduce runoff and water and wind erosion.

This soil has high potential for most urban uses. Low strength, moderate shrink-swell potential, and susceptibility to piping can be overcome by good design and careful installation and by use of suitable fill material for foundations. The high amount of gypsum in the substratum can corrode underground utilities. Use of noncorrodible materials overcomes this limitation. The moderately slow permeability limits septic tank absorption fields but can be overcome by increasing the size of the absorption area or modifying the filter field.

The potential for wildlife habitat is high. This soil produces pasture, hay, orchards and row crops that provide food and some cover for a variety of wildlife, including scaled and Gambel quail and mourning and white-winged dove. Russian-olive, cottonwood, several shrub and forb species, and grasses planted along unlined irrigation ditches, fence rows, odd areas, marshy sites, and flood plains improve habitat. Protected strip plantings of grain or green forage also provide food and cover.

PmB2—Prelo silt loam, 1 to 3 percent slopes, eroded. This deep, well drained, very gently sloping soil is on the upper basin floor. Slopes are smooth and slightly concave. This unit has very little vegetation, commonly only creosotebush and mesquite on the wind hum-

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mocks, and is dissected by many small rills and gullies that are generally less than 12 inches deep. Individual areas are irregular in shape and are 5 to 35 acres in size.

Typically, the surface layer is reddish brown silt loam about 2 inches thick. The subsoil is reddish brown clay loam about 6 inches thick. The substratum is reddish brown clay loam extending to a depth of more than 60 inches. Both the subsoil and the substratum have common soft masses and soft filaments of gypsum.

Included with this soil in mapping are small intermingled areas of other Prelo soils, Alamogordo and Largo soils, and wind hummocks that have a surface layer of very fine sandy loam, loam, and silt loam. The included soils make up about 25 percent of the unit. Individual areas are generally smaller than 2 acres. Commonly the wind hummocks are eroded, have a melted appearance, are as much as 30 inches high, and cover about 5 percent of the unit.

This soil is calcareous throughout. Gypsum content increases with depth. Permeability is moderately slow, and available water capacity is high. Tilth is poor, and the soil can be worked only over a narrow range of moisture conditions. The root zone is deep and is easily penetrated when moist.

The potential is high for row crops, small grains, pasture, and hay. The moderately slow permeability of the soil limits farming unless irrigation water is well managed. Tilth can be maintained by returning crop residue to the soil and growing green manure crops in the cropping system. The wind erosion hazard is severe if cultivated crops are grown, especially in spring, when strong winds are common. The water erosion hazard is also severe. Some areas need diversions or bench leveling to protect the soil from rapid runon from adjacent areas. Minimum tillage, cover crops, stripcropping, and windbreaks minimize runoff and water and wind erosion.

This soil has high potential for adapted windbreak species. Trees such as Arizona cypress, Rocky Mountain juniper, green ash, Siberian elm, and Russian-olive and the shrubs squawbush, lilac, and American plum can be grown with little or no difficulty.

This soil has high potential for most urban uses, if runon water is kept off this soil. Low strength, moderate shrink-swell potential, and susceptibility to piping can be overcome by good design, careful installation, and use of suitable fill materials for foundations. Corrosion of underground utilities is also a limitation. The use of noncorrodible materials overcomes this limitation. The moderately slow permeability limits septic tank absorption fields but can be overcome by increasing the size of the absorption area or modifying the filter field.

The potential for wildlife habitat is moderate. This soil produces pasture, hay, orchards, and row crops that provide food and some cover for a variety of wildlife, including scaled and Gambel quail and mourning and white-winged dove. Russian-olive, cottonwood, several shrub and forb species, and grasses planted along unlined irrigation ditches, fence rows, odd areas, marshy sites, and flood plains improve habitat. Protected strip plantings of grain or green forage also provide food and cover.

PnA—Prelo silt loam, hummocky, 0 to 1 percent slopes. This deep, well drained, nearly level soil is on the broad, somewhat dissected basin floor and alluvial toe slopes. Slopes are smooth and slightly convex. Individual areas are 20 to 150 acres in size. Small rills, less than 12 inches deep, commonly meander through the unit.

Typically, the upper 4 inches of the surface layer is reddish brown silt loam and the lower 4 inches is reddish brown silty clay loam. The subsoil is reddish brown silty clay loam about 20 inches thick. The subsoil has few soft masses and filaments of gypsum. The substratum is reddish brown silty clay loam to a depth of more than 60 inches. It contains common soft masses and filaments and few medium crystals of gypsum. Gypsum content increases with depth. In about 20 percent of the area of this unit, the surface layer is very fine sandy loam.

Included with this soil in mapping are small areas of other Prelo soils. Also included are small intermingled areas of Largo and Alamogordo soils and wind hummocks. The wind hummocks generally are less than 36 inches high and have a melted appearance. The included soils make up about 30 percent of this mapping unit.

This soil is calcareous throughout. Gypsum content increases with depth. Permeability is moderately slow, and available water capacity is high. Tilth is poor, and the soil can be worked only over a moderate range of moisture conditions. The root zone is deep and is easily penetrated by plant roots.

This soil has high potential for row crops, small grains, and irrigated pasture and hay. The moderately slow permeability of the soil limits farming unless irrigation water is well managed. Commercial fertilizer increases yields. Good tilth can be maintained by returning crop residue to the soil and by growing green manure crops in the cropping system. The hazard of wind erosion is severe if cultivated crops are grown, especially in spring, when strong winds are common. Minimum tillage, cover crops, stripcropping, and windbreaks reduce runoff and wind erosion.

This soil has high potential for adapted windbreak species. Trees such as Arizona cypress, Rocky Mountain juniper, green ash, Siberian elm, and Russian-olive and the shrubs squawbush, lilac, and American plum can be grown with little or no difficulty.

This soil has high potential for urban development. The moderately slow permeability limits septic tank filter fields but can be overcome by increasing the size of the absorption area or modifying the filter field. Central waste disposal systems also eliminate this problem. The moderate shrink-swell potential and low strength limit

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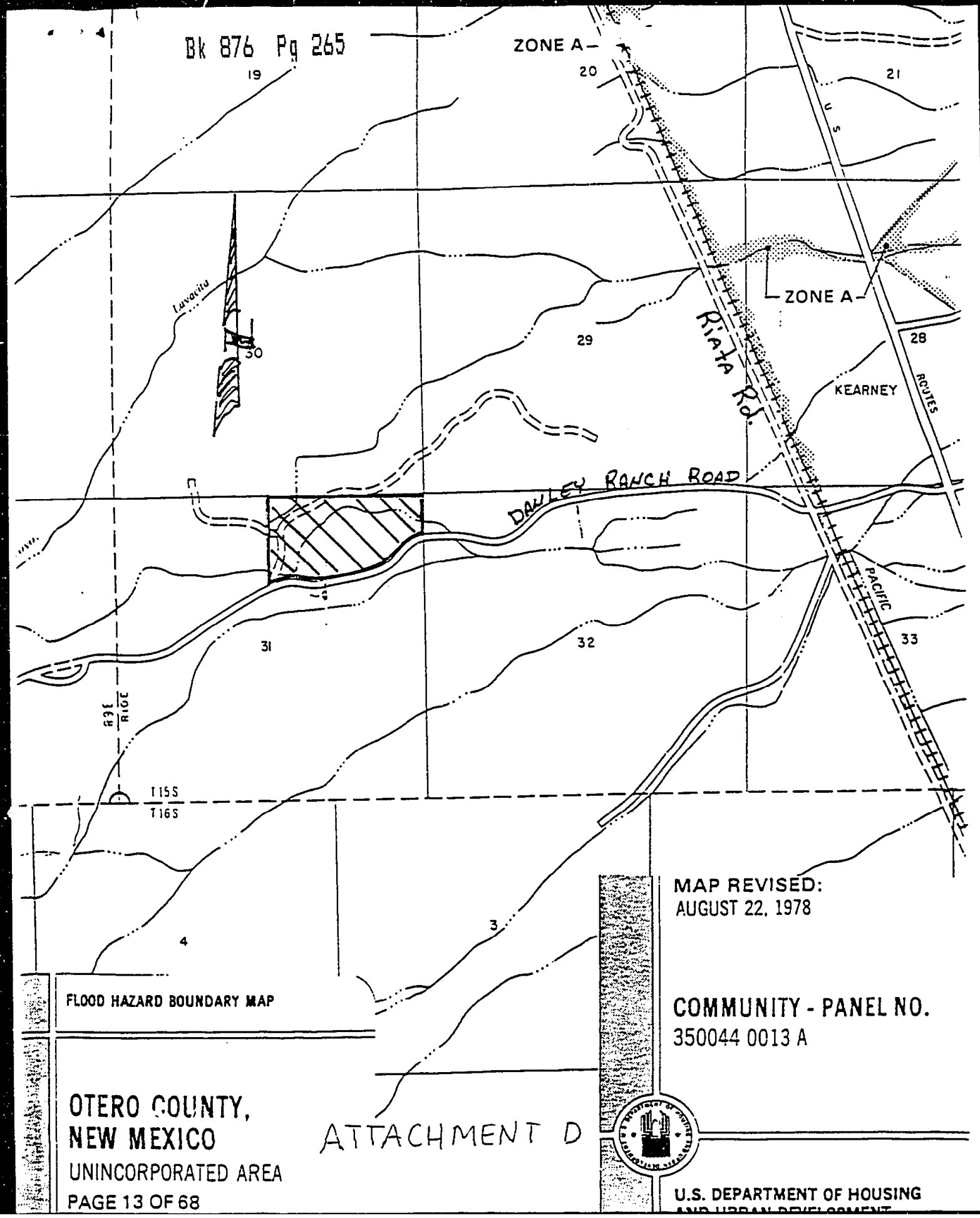


MAP REVISED:
AUGUST 22, 1978

FLOOD HAZARD BOUNDARY MAP

COMMUNITY - PANEL NO.
350044 0013 A

OTERO COUNTY,
NEW MEXICO
UNINCORPORATED AREA

ATTACHMENT D

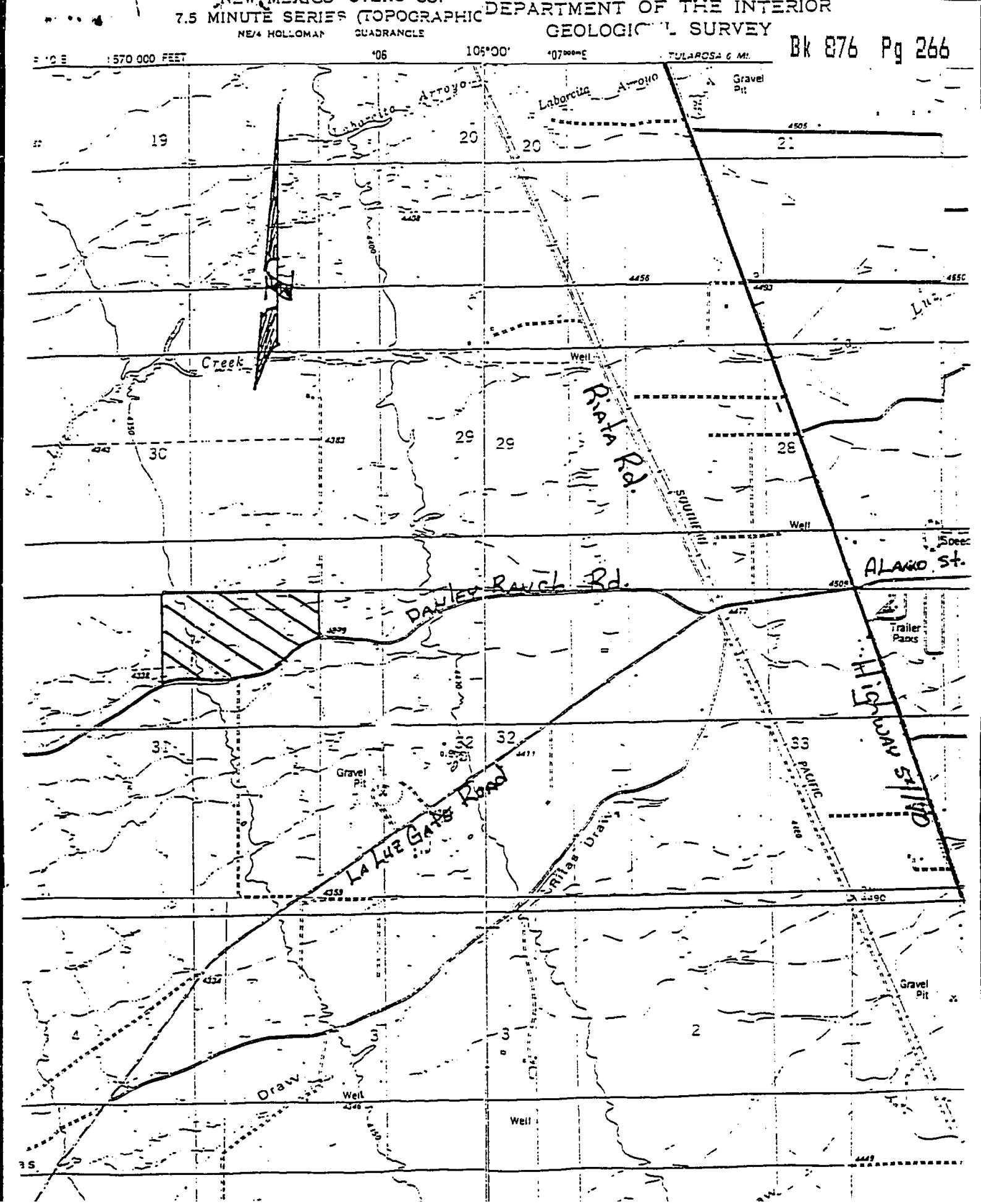
U.S. DEPARTMENT OF HOUSING

NEW MEXICO STATE GEOLOGICAL SURVEY — DEPARTMENT OF THE INTERIOR

7.5 MINUTE SERIES (TOPOGRAPHIC) — GEOLOGICAL SURVEY

NE/4 HOLLOMAN QUADRANGLE

1570 000 FEET



IN WITNESS WHEREOF SAID OWNER HAS SET THEIR HANDS AND SEAL ON THIS 15th DAY OF December, 1997.

DANLEY RANCH ESTATES, INC.

BY: JUSTIN B. DANLEY
PRESIDENT

BY: MICHAEL R. HAYMES
SECRETARY

CORPORATE ACKNOWLEDGEMENT

STATE OF OTERO)
)SS
COUNTY OF NEW MEXICO)

ON THIS 15th DAY OF December, 1997, BEFORE ME PERSONALLY APPEARED JUSTIN B. DANLEY, PRESIDENT, AND MICHAEL R. HAYMES, SECRETARY, DANLEY RANCH ESTATES, INC., A NEW MEXICO CORPORATION ON BEHALF OF SAID CORPORATION, KNOWN TO ME TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT, AND THEY ACKNOWLEDGED THAT THEY EXECUTED SAID INSTRUMENT AS THEIR FREE ACT AND DEED.

WITNESS MY HAND AND SEAL ON THIS DAY AND YEAR LAST WRITTEN ABOVE.

Sue Ellen Cox, NOTARY PUBLIC

MY COMMISSION EXPIRES 3-10-99

OFFICIAL SEAL
Sue Ellen Cox
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 3-10-99

STATE OF NEW MEXICO }
OTERO COUNTY } S.S.
FILED FOR RECORD IN MY OFFICE
This 15th day of December, 1997
At 4:15 o'clock P M and duly recorded
in Book No. 876 Page 227-267
The records of Otero County, New Mexico
Mary D. Quintana
County Clerk, Otero County, New Mexico
By _____ Deputy

12390