KARR CANYON ESTATES

PLEASE READ THIS DOCUMENT
STATEMENT BEFORE YOU SIGN ANY DOCUMENTS OR AGREE
TO ANYTHING

DISCLOSURE STATEMENT

THIS DISCLOSURE STATEMENT IS INTENDED TO PROVIDE YOU WITH ENOUGH INFORMATION TO PERMIT YOU TO MAKE AN INFORMED DECISION ON THE PURCHASE OR LEASE OF PROPERTY DESCRIBED IN THIS STATEMENT. YOU SHOULD READ CAREFULLY ALL OF THE INFORMATION CONTAINED IN THIS STATEMENT BEFORE YOU DECIDE TO BUY OR LEASE THE DESCRIBED PROPERTY. YOU SHOULD BE AWARE OF THE FACT THAT VARIOUS STATE AGENCIES HAVE ISSUED OPINIONS ON BOTH THE SUBDIVISION PROPOSAL AND WHAT IS SAID IN THIS DISCLOSURE STATEMENT ABOUT THE PROPOSAL. THESE OPINIONS, WHETHER FAVORABLE OR UNFAVORABLE, ARE CONTAINED IN THIS DISCLOSURE STATEMENT AND SHOULD ALSO BE READ CAREFULLY.

THE BOARD OF COUNTY COMMISSIONERS HAS EXAMINED THIS DISCLOSURE STATEMENT TO DETERMINE WHETHER THE SUBDIVIDER CAN SATISFY WHAT HE 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. FURTHER, THIS DISCLOSURE STATEMENT IS NOT A RECOMMENDATION OR ENDORSEMENT OF THE SUBDIVISION BY EITHER THE COUNTY OR THE STATE. IT IS INFORMATIVE ONLY.

FINALLY, THE BOARD OF COUNTY COMMISSIONERS RECOMMENDS THAT YOU SEE THE PROPERTY BEFORE BUYING OR LEASING IT. HOWEVER, NEW MEXICO LAW PROVIDES THAT IF YOU DO NOT SEE THE PROPERTY PRIOR TO PURCHASING OR LEASING IT, YOU HAVE SIX MONTHS FROM THE TIME OF PURCHASE OR LEASE TO INSPECT THE PROPERTY. UPON INSPECTING THE PROPERTY, YOU HAVE THREE DAYS FROM THE DATE OF INSPECTION TO RESCIND THE TRANSACTION AND RECEIVE ALL OF YOUR MONEY BACK FROM THE SUBDIVIDER. YOU MUST GIVE THE SUBDIVIDER NOTICE IN WRITING OR YOUR INTENT TO RESCIND WITHIN THREE DAYS OF YOUR INSPECTION OF THE PROPERTY.

I (WE) _____, THE UNDERSIGNED, DO HEREBY ACKNOWLEDGE THE RECEIPT OF THE DISCLOSURE STATEMENT FOR KARR CANYON ESTATES, OTERO COUNTY, N.M.

BY: _____, DATED: _____

1. NAME OF SUBDIVISION

Karr Canyon Estates

2. NAME AND ADDRESS OF SUBDIVIDER

Karr Canyon Estates, Inc.
P.O. Box 487
High Rolls, N.M. 88325

3. NAME AND ADDRESS OF PERSON IN CHARGE OF SALES OR LEASING IN NEW MEXICO

Karr Canyon Estates, Joseph W. Chambers, President
P.O. Box 487
High Rolls, N.M. 88325

4. SIZE OF SUBDIVISION BOTH PRESENT AND ANTICIPATED

Present	Anticipated
140.206 ACRES	140.206 ACRES

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

7.007 ACRES

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

1.809 ACRES

7. PROPOSED RANGE OF SELLING OR LEASING PRICES

$20,000 to $80,000

8. FINANCING TERMS

(interest)

12%

(time price differential)

N/A

(amount paid as a discount)

N/A

(service charges)

N/A

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

N/A

(closing cost)

N/A

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

N/A

9. NAME AND ADDRESS OF HOLDER OF LEGAL TITLE

Karr Canyon Estates, Inc.
P.O. Box 487, High Rolls, N.M. 88325

NOTE: IF ANY OF THE PERSONS NAMED ABOVE IS A CORPORATION, PLEASE SET OUT HERE THE NAME AND ADDRESSES OF ALL OFFICERS IN THAT CORPORATION.

Joseph W. Chambers President P.O. Box 487 High Rolls, N.M. 88325	William F. Chambers Vice President P.O. Box 181, Star Route Tijeras, N.M. 87059	Sara J. Chambers Secretary P.O. Box 487 High Rolls, N.M. 88325

10. NAME AND ADDRESS OF PERSON HAVING EQUITABLE TITLE

Karr Canyon Estates, Inc.
P.O. BOX 487, HIGH ROLLS, N.M. 88325

NOTE: IF ANY OF THE PERSONS NAMED ABOVE IS A CORPORATION, PLEASE SET OUT HERE THE NAMES AND ADDRESSES OF ALL OFFICER IN THAT CORPORATION.

11. CONDITION OF TITLE

(number of mortgages)

2

(name of each mortgagee)

1. Joseph G. & Margaret Felton
2. First National Bank of Alamogordo

(balance owing on each mortgage)

1. $134,000
2. Variable up to $190,000

(summary of the release provisions in each mortgage)

1. 5-acre increments for each $10,000 paid on note.
2. As needed.

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

None

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

None

(balance owing on each real estate contract)

None

(summary of the release provisions in each real estate contract)

None

(statement of any other encumbrances on the land)

None

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

None

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

Restrictive Covenants of record for Karr Canyon Estates.

13. ESCROW AGENT

First National Bank of Alamogordo

(statement about whether or not the subdivider has any interest or financial ties with the escrow agent)

None

14. UTILITIES

(name of entity providing service)

<u>Electric power</u> - Otero Electric Co-op

Due to instability in energy market, installation rates and monthly charges for kilowatt hour consumption are subject to variation. Monthly charges will vary according to size of house, number of appliances, and heat loss ratio. Supplier should be contacted regarding current hook-up and estimated fees pertaining to proposed dwelling.

<u>WATER</u> - Karr Canyon Estates Water User's Association (Proposed)

When the developer's application to change the place and use of a portion of Goat Ranch Springs is approved, the Developer will create the Karr Canyon Estates Water User's Association and will transfer surface water rights to the Association in the amount of 332 gal/lot/day, a non-accumulative allocation. All lot owners will be members of the Association. The Association will set the water rates. Pending this approval, the subdivider will sell lots with the water supply to be from domestic wells. If approval is not granted, the entire water suupply shall be from individual domestic wells.

15. INSTALLATION OF UTILITIES

(Include here the date each utility will be available for use by the owner if the subdivider is providing for utilities)

Road construction will be completed by June 30, 1987.

Road surfacing will be completed by December 31, 1987.

If the State Engineer approves the water supply from Goat Ranch Springs, water service will be as follows: Lots 1-10, 22-40, NLT June 30, 1987; Lots 11-21, NLT June 30, 1988.

Overhead power will be as follows: Lots 5-10, 23-31, 34-40, NLT June 30, 1987; Lots 1-4, 32, 33, NLT June 30, 1988; Lots 11-21, NLT June 30, 1989.

16. UTILITY LOCATION

(If all utilities are to be provided to each parcel in the subdivision, please make that statement here)

Roads overhead power will be provided to each lot. Water will be provided when the developer's application to the State Engineer is approved (see item 14).

(If utilities are to be provided, but not for all parcels within the subdivision, please enumerate those parcels which will not be provided with a particular utility)

N/A

(state here if each of the utilities to be provided will be located above or underground)

Electric power will be overhead. Water mains will be underground.

17. WATER USE

(Include here whether or not there will be water for domestic use, commercial use or recreational use and include any limitation, physical or legal, anticipated for each use indicated.

(domestic use) (limit, if any)

See residential use, below.

(commercial use) (limit if any)

No water will be furnished for commercial use.

(residential use) (limit if any)

Karr Canyon Estates Water User's Association proposes that water in the amount of 332 gal/lot/day will be made available in the proposed water system for residential & domestic use. This is not a cumulative allocation. Additionally, should the lot owner desire to drill a well, the State Engineer will grant a domestic well permit under Sec. 72-12-1(NMSA 1978) for household or other domestic purposes and for the irrigation for not more than one acre of noncommercial trees, lawn or garden. The permit will limit the water diversion to three acre-feet per annum.

(if the subdivider is to provide water for any use, he shall provide the following information:

(minimum daily quantity of water to be provided for each parcel and for each proposed use)

Kern Canyon Estates Water User's Association proposes to make available a minimum & maximum 332 gal/lot/day for each lot. This allocation is not cumulative.

(the date on which water will be made available to each parcel and for each proposed use)

See Item 18

19. WATER DELIVERY

Water delivery will be by means of PVC water mains.

20. WATER SYSTEM EXTENSION

In the event that a lot owner demands water delivery prior to the dates stated herein, he will be expected to pay all costs relative to extending the proposed main to his lot.

21. LIFE EXPECTANCY OF THE WATER SUPPLY

Goat Ranch Spring has run continuously since before 1900. Past history of wells and springs in the Gobbler formation indicates that the water source may be adequate for 40 years. It is believed that the spring will continue to produce water perennially and that the supply should be adequate for 40 years. This statement does not constitute a guarantee of water.

22. WELLS

(average, maximum and minimum depth to water in the subdivision, if water is available only from subterranean sources)

Average, maximum and minimum depths to water in the Yeso are 60, 100 and 20 feet; in the Gobbler: 480, 550 and 410 feet.

(recommended total depth of well)

Wells should be completed to a depth of 75' below static water level.

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

3 to 10 GPM, however, dry holes are possible.

(recommended pump settings and size)

1/2 to 2-1/2 HP, depending on depth, set 50' below static water level.

(lithological characteristics of formations through which well is to be completed)

Limestone in the Yeso formation, mudstone and anhydrite in the Abo formation, and limestone in the Gobbler formation.

23. SURFACE WATER

The water source is Goat Ranch Spring, which has consistently produced approx. 50 GPM since before 1900.

24. STATE ENGINEER'S OPINION ON WATER

The subdivider's proposals conform to Otero County Subdivision Regulations.

25. WATER QUALITY

The proposed spring water quality is suitable for domestic use. Hardness is 445 mg/l, exceeding the County standard by 195 mg/l.

26. ENVIRONMENTAL IMPROVEMENT AGENCY'S OPINION ON WATER QUALITY

The subdivider's proposal's conform to Otero County Subdivision Regulations.

27. LIQUID WASTE DISPOSAL

Individual lot owners will be responsible for providing an EID-approved individual liquid waste disposal system. The developer will furnish no liquid waste disposal facilities.

28. ENVIRONMENTAL IMPROVEMENT AGENCY'S OPINION ON LIQUID WASTE DISPOSAL

The subdivider's proposals conform to Otero County Subdivision Regulations.

29. SOLID WASTE DISPOSAL

Individual lot owners are responsible for disposal of solid waste in accordance with Otero county regulations. The nearest County-operated solid waste landfill is located approx. 6 miles north of Alamogordo, N.M., approx. 15 miles from the subdivision. Collection service is available from Waste Control of New Mexico, on a subscription basis.

30. ENVIRONMENTAL IMPROVEMENT AGENCY'S OPINION ON SOLID WASTE DISPOSAL

The subdivider's proposals conform to Otero County Subdivision Regulations.

31. TERRAIN MANAGEMENT

Soils are suitable for residential use, road building & underground utilities. None of the parcel is located in a floodway, flood fringe of flood plain. There are slopes exceeding 8% on all lots. Existing surface drainage will be accomodated during road construction, either by outsloping roads or by use of roadside ditch & culverts. Culverts will be placed in major drainages. Surface drainage in the immediate vicinity of any house or structure is the responsibility of the property owner. Property owners should not build in or near existing surface drainage ways.

32. NATURAL RESOURCES CONSERVATION DISTRICT'S OPINION ON TERRAIN MANAGEMENT

The subdivider's proposals conform to Otero County Subdivision Regulations.

33. SUBDIVISION ACCESS

(name of town nearest to subdivision)

Alamogordo, New Mexico

(distance from town to subdivision)

Approx. 14 miles

(name of highway or state road over which distance is computed)

U.S. Highway 93 and County Road.

(If access to subdivision is available by conventional vehicle, please state that fact here. If it is not, please state that fact)

Access is available by conventional vehicle.

(If property is ordinarily accessible in all seasons and under all weather conditions, please state so. If it is not, please state that fact also)

Property is ordinarily accessible in all seasons & under all weather conditions. Excessive snow may cause delays.

(Describe the width and type of surfacing of all roads)

Access roads are approx. 22' - 24' wide, paved & gravel surfaced.

(Give the date on which all roads will be completed)

Access roads are complete. See Item 15 for subdivision roads.

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

Acceptance will be made after construction & inspection by the County.

(State the date on which all roads will be surfaced)

See Item 15.

34. STATE HIGHWAY DEPARTMENT'S OPINION ON ACCESS

The subdivider's proposals conform to Ravalli County Subdivision Regulations.

35. DEVELOPMENT

N/A

36. MAINTENANCE

N/A

37. ADVERSE CONDITIONS

N/A

38. RECREATIONAL FACILITIES

N/A

39. FIRE PROTECTION

(distance from subdivision)

Approx. 3 miles - High Rolls-Mountain Park VFD.

(route over which distance is computed)

County Road.

(indicate whether the fire department is staffed by volunteers or a full-time staff)

Part-time (volunteers)

40. POLICE PROTECTION

Otero County Sheriff.

41. PUBLIC SCHOOLS

(name of nearest elementary school)

High Rolls School.

(distance of nearest elementary school and route over which distance is computed)

3 miles over Otero County Road.

(name of nearest secondary school)

Alamogordo High School.

(distance of nearest secondary school and route over which distance is computed)

14 miles over Otero County Road, State Highway and City streets.

42. HOSPITALS

(name of nearest hospital)

Gerald Champion Memorial Hospital.

(distance of nearest hospital and route over which distance is computed)

13 miles over Otero County Road, State Highway and City streets.

(number of beds in nearest hospital)

71

43. SHOPPING FACILITIES

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

13 miles to Alamogordo, New Mexico, over County Road & State Highway 82.

(number of stores in the nearest shopping facility)

Numerous stores

44. PUBLIC TRANSPORTATION

N/A

45. COMPLETION DATES

N/A

STATE OF NEW MEXICO }SS.
OTERO COUNTY }
FILED FOR RECORD IN MY OFFICE
This 5 day of April 19 86
At 3:18 o.c. P.M. and duly recorded
in Book No. 597 Page 147-156
Recorded in Otero County, New Mexico
Andrew G. Wynhan
County Clerk, Otero County, New Mexico
Delia Funk

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