

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

DISCLOSURE STATEMENT

FOR ALL SUBDIVISIONS CONTAINING FIVE AND FEWER PARCELS

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: Mountain Spring Ranch

2. NAME AND ADDRESS OF SUBDIVIDER

Name of Subdivider: Harold Bowlby

Address: P.O. Box 157
Street address or P.O. Box

Livermore CO 80536
City State Zip Code

Telephone number(s): ~~970-41-7498~~ - 970-416-7498

3. CONDITION OF TITLE

Include at least the following information where applicable:

Number of mortgages: None

Name and address of each mortgagee: _____

Balance owing and summary of release provisions for each mortgage: _____

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: _____

Balance owing on each real estate contract: _____

Summary of default and release provisions of each real estate contract: _____

Statement of any other encumbrances on the land. None

Statement of any other conditions relevant to the state of title: None

4. **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: _____

Are there restrictive covenants for this subdivision? Yes No
If yes, attach copy of restrictive covenants to this disclosure statement.

5. **UTILITIES**

Name of entity providing electricity: Otero County Electric Cooperative, Inc.

Please describe availability of electric service. Is electric service available to each parcel in the subdivision? If electric service is available to some but not all parcels in the subdivision, please state which parcels it will be available to: Electric is available on the parcel and will have resident service on the middle parcel. All other service will be pulled on an individual basis

Electric utilities are: above-ground below ground

Who is responsible for providing electric service to individual parcel?
 ~~Subdivider~~ or Purchaser Lessee:

Gas service: Propane Natural

If natural gas is available, name of entity providing service: _____

Is natural gas service available to each parcel in the subdivision? If gas service is available to some but not all parcels in the subdivision, please state which parcels it will be available to: Not available

Gas utilities are: above-ground below-ground

Who is responsible for providing gas service (either natural or propane) to the individual parcels:

Subdivider Purchaser/Lessee

If Purchaser/Lessee is responsible, state estimated cost of installation of gas service:
\$ _____

6. INSTALLATION OF UTILITIES

Please state whether the following utilities are currently available to the subdivision (this question does not include availability to individual parcels). If not available at this time, state the date of installation of each utility:

- Electricity Now available
 Date to be installed: 6/99
- Natural Gas Now available
 Date to be installed: Not available
- Water Now available
 Date to be installed: 6/99
- Telephone Now available
 Date to be installed: 6/99
- Liquid waste disposal Now available
 Date to be installed: _____

7. WATER AVAILABILITY

Will water be used for anything other than domestic purposes, based on one family per lot?

- Yes No

If yes, describe water use (multi-family lots, orchards, farming, etc): _____

Describe the availability and sources of water to meet the subdivision's maximum annual water requirements: One well for parcel for domestic purposes only to provide to one family per lot.

Describe the means of water delivery within the subdivision: Well

Describe any limitations and restrictions on water use in the subdivision: Domestic Single Family

Summarize the provisions of any covenants or other restrictions requiring the use of water saving fixtures and other water conservation measures: None at this time

Describe what measures (such as meter), if any, will be employed to monitor or restrict water use in the subdivision: None at this time

8. FOR SUBDIVISIONS WITH COMMUNITY WATER SYSTEMS

If no community water system is to be used in this subdivision, please skip to the next question.

Name and address of entity providing water: _____

Source of water and means of delivery: _____

Summary of any legal restrictions on either indoor or outdoor usage: _____

Statement that individual wells are prohibited, if such is the case: _____

9. FOR SUBDIVISIONS WITH INDIVIDUAL DOMESTIC WELLS OR SHARED WELLS (if applicable):

State whether wells will be provided by the subdivider or by the prospective purchase/lessee: Subdivider will coordinate Purchaser will buy

If wells are provided by purchaser/lessee, state the estimated cost to complete a domestic well, including drilling, pressure tank, control devices, storage and treatment facilities: 9K

If wells are provided by the subdivider state the cost, if any, to purchaser/lessee/conveyee: \$ 9K

Summary of legal restrictions on either indoor or outdoor usage: _____

Average depth to groundwater and the minimum and maximum well depths to be reasonably expected: 200' - 400'

10. LIQUID WASTE DISPOSAL

Describe the precise type of liquid waste disposal system that is proposed for use within the subdivision: 1000 - 1200 gallon tank and leech field to be provided by licensed Contractor

Describe the responsibilities of both subdivider and purchaser/lessee in installing liquid waste disposal system: Subdivider to ensure proper septic system purchaser to buy.

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. AND THE NEW MEXICO ENVIRONMENT DEPARTMENT.

11. TERRAIN MANAGEMENT

Describe the suitability for residential use of the soils in the subdivision as defined in the Natural Resource Conservation Service's soil survey for Otero County: _____
Soil Survey information will be reviewed and implemented upon recommendation by these services to guide subsequent design and construction activities.

Describe any measures necessary for overcoming soil and topographic limitations, and who will be responsible for implementing these measures: Prior to construction
Soil & topographic limitations will be managed by Subdivider and Purchaser

Identify by lot and block numbers all parcels within the subdivision that are subject to flooding: None of the five parcels are subject to flooding with proper drainage management principals taken into consideration.

Identify by lot and block numbers all parcels within the subdivision located in whole or part on slopes in excess of 8%: _____

Describe the surface drainage for all lots in the subdivision: _____

Describe the subsurface drainage for all lots in the subdivision as per the Natural Resources Conservation Service's Soil Survey : _____

Describe the nature, location and completion dates of all storm drainage systems constructed or required to be constructed in the subdivision: _____

12. SUBDIVISION ACCESS

Name of town or village nearest to subdivision: Weed

Distance in miles from nearest town to subdivision and the general route over which the distance is computed: 3.4 miles

Describe access roads to subdivision, including approximate width and surfacing:
County maintained Road 171

State whether or not subdivision is accessible by conventional vehicle and whether it is accessible at all times of the year; also state any weather conditions that could affect access to the subdivision and any measures that will be necessary to gain access during these conditions: County road is well maintained year round

Describe roads within the subdivision, including width and surfacing: Forest road existing consists of base course no new roads are proposed

Does the subdivider propose to submit the roads within the subdivision to the County for maintenance?

Yes No

THIS DOES NOT GUARANTEE THAT ROADS WILL BE ACCEPTED FOR MAINTENANCE BY THE COUNTY.

For roads proposed to be privately maintained or until the County accepts roads for public maintenance, who is responsible for maintenance of the roads?

Subdivider Purchaser

State how the roads will be maintained, describe any responsibilities and obligations lot owners will have with respect to road maintenance, and describe the measures taken to make sure that maintenance of the roads takes place (include responsibilities of property owners' association, if applicable): Each owner will be responsible in maintenance of their own driveway

Who is responsible for maintenance of other improvements within the subdivision (water systems, parks, etc.)?

Subdivider Purchaser

State how the improvements will be maintained, describe any responsibilities and obligations lot owners will have with respect to maintenance of improvements, and describe the measures taken to make sure that maintenance of the improvements takes place (include responsibility of property owners' association, if applicable):
Each owner is responsible for there own property.

NOTE: UNDER NEW MEXICO STATE LAW, LAND OWNERS ARE RESPONSIBLE FOR PROVIDING THEIR OWN FENCE IF THEY WANT TO KEEP LIVESTOCK OUT.

13. 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: N/A

Describe or attach all performance bonds, letters of credit or other collateral securing the completion of each proposed improvement: _____

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.

14. 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: None these parcels back-up the National Forest

15. FIRE PROTECTION

Name of nearest fire station: Municipality _____

Volunteer Weed

Travel distance to the nearest fire station from subdivision: 3.4 miles

16. POLICE PROTECTION

Show the various law enforcement agencies having jurisdiction in the area of the subdivision:

NM State Police Otero County Sheriff's Department _____ Police Department

BY SIGNING THIS RECEIPT YOU ACKNOWLEDGE THAT YOU HAVE RECEIVED A COPY OF THIS DISCLOSURE STATEMENT.

Received by: Harold F. Bowley Date: 4/10/00
Address: P.O. Box 157
City LIVERMORE
State CA. Zip Code 94536

NOTIFICATION OF REVIEW
STATE REGISTER OF CULTURAL PROPERTIES

Name of proposed subdivision: ~~_____~~ MOUNTAIN SPRING RANCH

Name of owner(s): Harold L. Bowlby

Name of developer: _____

Location of project: _____

Results of review:

- No listed cultural properties exist within the boundaries of the proposed subdivision.
- Cultural properties exist within the boundaries of the proposed subdivision. Attach copy of vicinity map showing size (in acres) and location (section, township, range).

AFFIDAVIT

STATE OF ^{Colorado} NEW MEXICO)
 ^{Lincoln}) ss.
COUNTY OF OTERO)

I, HAROLD L. BOWLBY, after being duly sworn, state as follows:

1. I certify that the information provided by me in this Notification of Review of the State Register of Cultural Properties is true and correct and that any documents attached to or enclosed with this Notification are true and accurate indications of the location of the subdivision.

2. I certify that I have reviewed the current State Register of Cultural Properties located at the Otero County Courthouse to obtain the information for this Notification.

Harold L. Bowlby
Signature of Subdivider or Agent

4-29-99
Date

HAROLD L. BOWLBY
Printed Name of Subdivider or Agent

HAROLD L. BOWLBY
P.O. Box 157, LIVERMORE, CO 80536
Address

970-416-7498
Telephone Number

SUBSCRIBED AND SWORN TO
19 99
My Commission Expires:

07-20-02



I, Nancy J. Niquet, a duly qualified notary public, this 29th day of April,
Notary Public

Covenants and restrictions for Spring Mountain Ranch Subdivision

1. Natural vegetation shall be left undisturbed, except for such clearing necessary to use the lot for its residential purposes. No logging or tree cutting operations are to be conducted on any lots except for personal wood burning purposes. The natural beauty of the land must be preserved and maintained.
2. Lots cannot be used for storage of none operational vehicles, mechanical equipment, campers, trailers or any other items. All trash is to be deposited into proper containers and disposed of appropriately. Lots shall be kept in clean and orderly condition.
3. Secondary structures must be constructed of the same or better building material used on the primary structure. Secondary structures cannot exceed the square footage of the primary structure. Any and all structures must meet or exceed applicable building codes.
4. No business or commercial venture may be conducted on any of the lots.
5. The lots cannot be re-subdivided into smaller lots nor conveyed in less than the full original dimension of such lot as shown by the survey.
6. All primary residential dwellings shall consist of not less than 1000 square feet of heated living area.
7. Each lot owner shall be limited to the appropriate annual water consumption regulated by the State Engineer.

This page is an attachment to the original disclosure statement

of Mountain Spring Ranch

signed this 11th day of April, 2000.

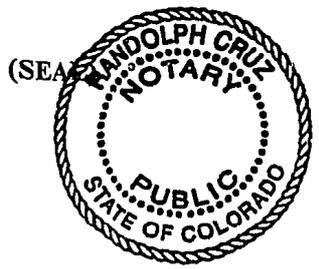
Shane T Bowley
Signature

Signature

Signed before me this 11th day of April, 2000.

My commission expires: 12/29/2003

[Signature]
Notary Public



My Commission Expires 12/29/2003

STATE OF NEW MEXICO } s.s.
OTERO COUNTY

FILED FOR RECORD IN MY OFFICE

This 5 day of May, 2000

At 4:55 o'clock P M and duly recorded
in Book No. 951 Page 584-597

The records of Otero County, New Mexico

Mary D. Duester
County Clerk, Otero County, New Mexico

By Quinton Nunez Deputy
4088

