DISCLOSURE STATEMENT

FOR ALL SUBDIVISIONS CONTAINING NO MORE THAN FIVE 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) months 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:
Replat A, Lot 11, Amended Plat, The Ranch, Otero County, New Mexico

2. NAME AND ADDRESS OF SUBDIVIDER:
John and Virginia Lassiter
528 North Ridge
Denton, Texas 76201

3. CONDITION OF TITLE:
Include at least the following information where applicable:

Number of mortgages: **None.**

Name and address of mortgagees: **N. A.**

Balance owing on each mortgage: **N. A.**

Summary of release provisions of each mortgage:

Number of real estate contracts on the subdivided land for which the subdivider is making payments as a purchaser: **N. A.**

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 owing 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: **None**

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

The restrictive covenants for this subdivision are recorded in the office of the Otero County Clerk at Book 579, Pages 242-249.

5. UTILITIES.

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

Gas service: **X Propane** ☐ Natural

Water: **X Well** ☐ Community System

Is telephone service available to this subdivision: **X Yes** ☐ No
Name of entity providing telephone service: **Tularosa Basin Telephone Co., Inc.**

Method of liquid waste disposal: **X Septic tank** ☐ Community system

Method of solid waste disposal: **X Responsibility of owner** ☐ Community system
Location of nearest landfill or dumpsite: **Otero/Lincoln County Regional Landfill, Orogrande, NM.**
Location of nearest dumpster, if available: **Collection services of dumpsters at the residence is provided by local contractors at the Buyer's expense.**

6. UTILITY LOCATION

Are utilities to be provided by the subdivider? ☐ Yes **X No**

If answer is no, skip to question #8.

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

_____

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

_____

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

	Above ground	Underground
electricity	_____	_____
gas	_____	_____
water	_____	_____
telephone	_____	_____
liquid waste disposal	_____	_____
solid waste disposal	_____	_____

7. INSTALLATION OF UTILITIES

Electricity	Date_____
Natural gas	Date_____
Water	Date_____
Telephone	Date_____
Liquid waste disposal	Date_____
Solid waste disposal	Date_____

8. WATER AVAILABILITY

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

☐ Yes **X No**

If yes, describe water use (orchard, farming, etc.) and answer remaining questions under 8. Water Availability.

N.A.

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

The source of water for this small replat is the shallow water aquifer. Potable water in quantities adequate to supply two households is generally available at a depth of less than 200 feet, however, dry holes have been encountered in this area. Buyers should anticipate the possible need to find alternate sources of water or drilling wells to a greater depth.

(Describe the means of water delivery within the subdivision)

Individual wells with pressure systems.

(Describe the limitations and restrictions on water use in the subdivision)

N.A.

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

N. A.

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

N. A.

9. FOR SUBDIVISIONS WITH COMMUNITY WATER SYSTEMS (if applicable)

(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.

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

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

Individual wells will be provided by the Buyer.

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

The cost of a well and pressure system is expected to be approximately $6500.

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

N. A.

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

N. A.

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

Average depth to groundwater is approximately 120 feet. The minimum well depth is expected to be 120 feet and the maximum well depth is expected to be 250 feet.

11. LIQUID WASTE DISPOSAL

(Describe the precise type of liquid waste disposal system that is proposed for use within the subdivision)

Domestic service septic tanks with leach fields which are permitted by NMED.

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.

12. TERRAIN MANAGEMENT

(Describe the suitability for residential use of the soils in the subdivision as defined in the Natural Resources Conservation District's soil survey for Otero County)
"Soil name: Firo Variant. Very cobbly, silty clay loam, 30 to 80 percent slopes."
"Present and potential uses: Forestry and Homesites."
"Septic tank/absorption field use: severe rating, slow percolation; increase field size or use holding tanks."
"Dwellings: severe rating. Restrictions: slope, low soil strength, large stones, and depth to rock. Design considerations: large stones removal, blasting, import bedding material, split-level construction."

(Describe any measures necessary for overcoming soil and topographic limitations, and who will be responsible for implementing these measures)
Both lots in this subdivision are very steep and the buyers will be required to grade and level building sites. Subsurface rock ledges will likely be encountered and blasting may be necessary. Steep driveways are to be expected and the buyers will be responsible for providing all-weather surfacing, i.e. compacted gravel. The lots are presently covered with heavy brush and trees and the buyers will be responsible for all necessary clearing and refuse disposal for building sites.
The buyer will be responsible for seeking the advice of a professional soils and structural engineer for building site development and foundation design.

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

The current FEMA maps of Otero County do not indicate any of these lots to be subject to flooding.

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

Both lots in this subdivision.

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

Both lots drain in a northeasterly direction. They are very steep and do not have significant drainage areas above them. There are no drainage ditches or arroyos leading to or through the lots.

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

Severe to slow through rocky soils that have slow percolation rates.
Septic tank absorption fields may be limited due to slopes and depth to rock and expanding the absorption field size is recommended.

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

N. A.

13. SUBDIVISION ACCESS

(Name of town nearest the subdivision)

The Village of Cloudcroft.

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

The subdivision is 3 miles east of Cloudcroft, New Mexico via US Highway 82, then south 1.5 miles on Young Canyon Road.

(Describe access roads to the subdivision)

US Highway 82 is paved and is maintained by the New Mexico State Highway Department. Young Canyon Road is graveled, approximately 22 feet wide, is not dedicated to the public and is not maintained by the Otero County Road Department.

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

The subdivision is accessible by conventional vehicle.

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

The subdivision is ordinarily accessible at all times of the year and all weather conditions, except winter during heavy snowfall.

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

There are no roads within this subdivision.

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

N. A. _____

(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 owner's responsibility and obligations with respect to road maintenance; state whether the roads and other improvements within the subdivision 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)

There are no roads within the subdivision.

14. CONSTRUCTION GUARANTEES (if applicable)

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

improvement)

N. A. _____

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

15. ADVERSE AND 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)

N. A.

16. FIRE PROTECTION

(Distance to nearest fire station from subdivision)

The nearest fire station is approximately 4.5 miles away at Wimsatt, NM. From the ~~Wimsatt~~ James Canyon Volunteer Fire Department Building go west on US Highway 82 approximately 3 miles to Young Canyon Road, then south on Young Canyon Road 1.5 miles to this subdivision.

Nearest fire station: ☐ Municipality Alamogordo, NM _____ **X Volunteer ~~Wimsatt~~ James Canyon VFD**
(State name of Municipality or Volunteer Fire Department)

17. POLICE PROTECTION

(Show the various police units that patrol the subdivision)

☐ NM State Patrol **X Otero County Sheriff's Department** ☐ Alamogordo Police Department

Signed: _____ _____
John Lassiter **Virginia Lassiter**
528 Northridge, Denton, Texas 76201 **528 Northridge, Denton, Texas 76201**

ACKNOWLEDGMENT

STATE OF ~~NEW MEXICO~~ TEXAS)
COUNTY OF ~~OTERO~~)

The foregoing instrument was acknowledged before me this 15th day of May, 1998 by **John and Virginia Lassiter**

_____ Notary Public My commission expires: 04-14-2000

ART BEHRENS
MY COMMISSION EXPIRES
April 14, 2000

STATE OF NEW MEXICO, County of Otero, ss, Filed for record in my office this 17th day of August, 1998 at 1:00 o'clock P. M, and duly recorded in Book 897 Page 432-437 of the Records of said county.

Mary D. Quintana by Denise Kelford
COUNTY CLERK DEPUTY

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