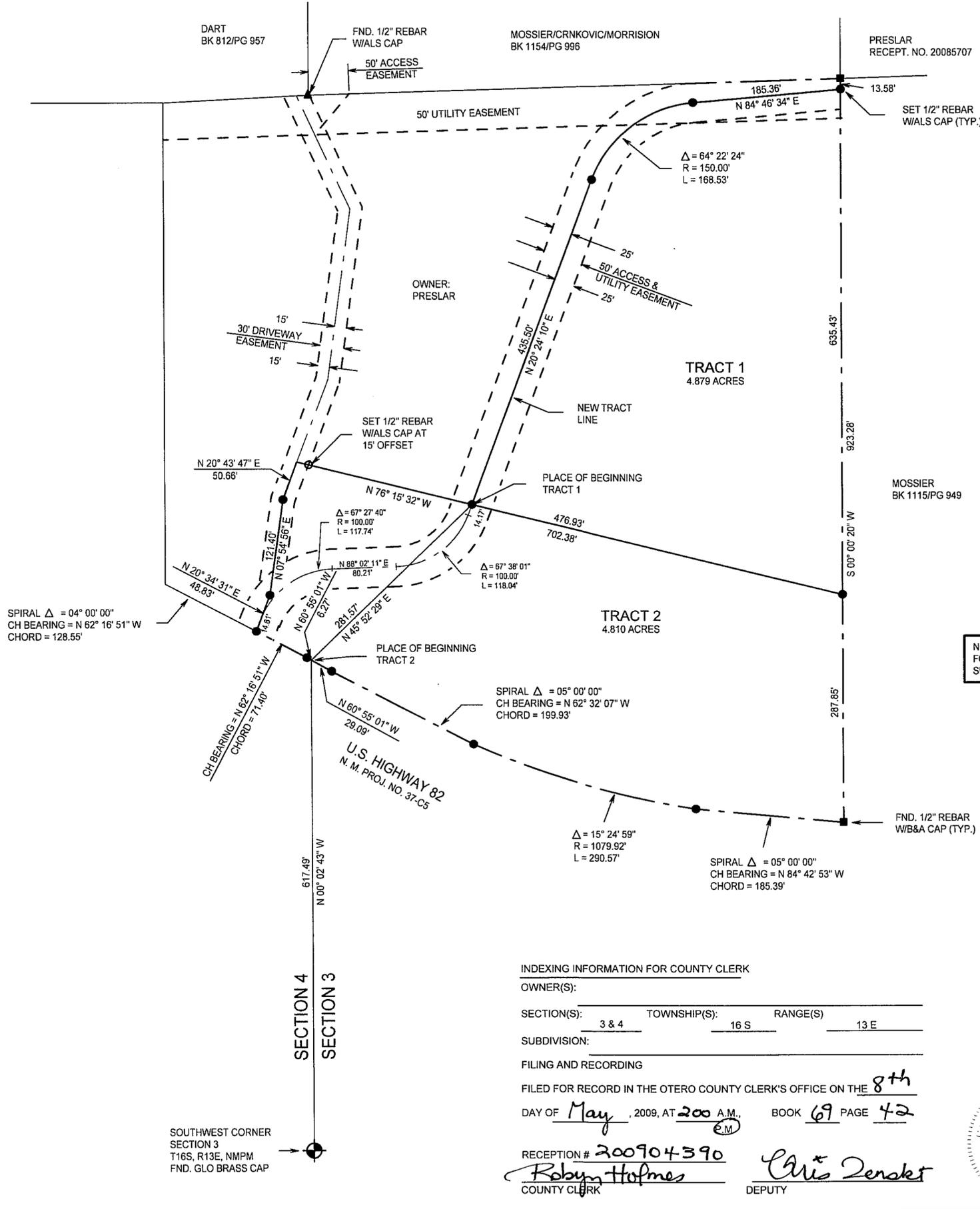


CLAIM OF EXEMPTION 5 YEAR HOLD A SURVEY PLAT OF TWO TRACTS OF LAND IN THE SW 1/4 OF SECTION 3 AND THE SE 1/4 OF SECTION 4, T16S, R13E, NMPM OTERO COUNTY, NEW MEXICO



DESCRIPTION - TRACT ONE

A TRACT OF LAND IN THE SW1/4 OF SECTION 3 AND THE SE1/4 OF SECTION 4, T16S, R13E, NMPM, DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

STARTING AT THE SOUTHWEST CORNER OF SAID SECTION 3 AND GOING $N00^\circ 02' 43'' W$ ALONG THE WEST LINE OF SAID SECTION 3 A DISTANCE OF 617.49 FEET; THENCE $N45^\circ 52' 29'' E$ A DISTANCE OF 281.57 FEET TO THE CENTERLINE OF A 50-FOOT ACCESS AND UTILITY EASEMENT AND THE PLACE OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE $N20^\circ 24' 10'' E$ ALONG SAID CENTERLINE A DISTANCE OF 435.50 FEET; THENCE ALONG SAID CENTERLINE ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE CENTRAL ANGLE IS $64^\circ 22' 24''$ AND WHOSE RADIUS IS 150.00 FEET AN ARC DISTANCE OF 168.53 FEET; THENCE $N84^\circ 46' 34'' E$ ALONG SAID CENTERLINE A DISTANCE OF 185.36 FEET; THENCE $S00^\circ 00' 20'' W$ A DISTANCE OF 635.43 FEET; THENCE $N76^\circ 15' 32'' W$ A DISTANCE OF 476.93 FEET TO THE SAID PLACE OF BEGINNING, AND CONTAINING 4.879 ACRES, MORE OR LESS.

SUBJECT TO ANY RIGHTS-OF-WAY OR OTHER EASEMENTS AS GRANTED OR RESERVED BY INSTRUMENTS OF RECORD OR AS NOW EXISTING ON SAID TRACT.

DESCRIPTION - TRACT TWO

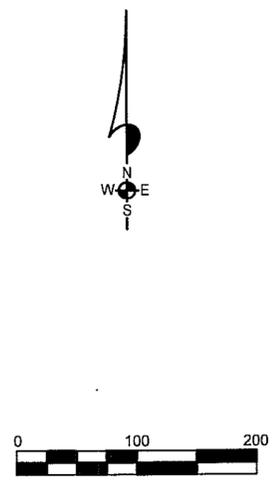
A TRACT OF LAND IN THE SW1/4 OF SECTION 3 AND THE SE1/4 OF SECTION 4, T16S, R13E, NMPM, DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

STARTING AT THE SOUTHWEST CORNER OF SAID SECTION 3 AND GOING $N00^\circ 02' 43'' W$ ALONG THE WEST LINE OF SAID SECTION 3 A DISTANCE OF 617.49 FEET TO THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 82 AND THE PLACE OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE $N60^\circ 55' 01'' W$ ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 6.27 FEET TO A POINT OF TANGENT TO SPIRAL; THENCE ALONG SAID RIGHT-OF-WAY LINE ALONG THE ARC OF A SPIRAL CURVE TO THE LEFT WHOSE FULL SPIRAL ANGLE IS $04^\circ 00' 00''$ AND WHOSE CHORD BEARS $N62^\circ 16' 51'' W$ A CHORD DISTANCE OF 128.55 FEET TO THE CENTERLINE OF A 30-FOOT DRIVEWAY EASEMENT; THENCE $N20^\circ 34' 31'' E$ ALONG SAID CENTERLINE A DISTANCE OF 48.83 FEET; THENCE $N07^\circ 54' 56'' E$ ALONG SAID CENTERLINE A DISTANCE OF 121.40 FEET; THENCE $N20^\circ 43' 47'' E$ ALONG SAID CENTERLINE A DISTANCE OF 50.66 FEET; THENCE $S76^\circ 15' 32'' E$ A DISTANCE OF 702.38 FEET; THENCE $S00^\circ 00' 20'' W$ A DISTANCE OF 287.85 FEET TO THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 82; THENCE ALONG SAID RIGHT-OF-WAY LINE ALONG THE SPIRAL CURVE TO THE RIGHT WHOSE FULL SPIRAL ANGLE IS $05^\circ 00' 00''$ AND WHOSE CHORD BEARS $N84^\circ 42' 53'' W$ A CHORD DISTANCE OF 185.39 FEET TO A POINT OF SPIRAL TO CURVE; THENCE ALONG SAID RIGHT-OF-WAY LINE ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE CENTRAL ANGLE IS $15^\circ 24' 59''$ AND WHOSE RADIUS IS 1079.92 FEET AN ARC DISTANCE OF 290.57 FEET TO A POINT OF CURVE TO SPIRAL; THENCE ALONG SAID RIGHT-OF-WAY LINE ALONG THE SPIRAL CURVE TO THE RIGHT WHOSE FULL SPIRAL ANGLE IS $05^\circ 00' 00''$ AND WHOSE CHORD BEARS $N62^\circ 32' 07'' W$ A CHORD DISTANCE OF 199.93 FEET TO A POINT OF SPIRAL TO TANGENT; THENCE $N60^\circ 55' 01'' W$ ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 29.09 FEET TO THE SAID PLACE OF BEGINNING, AND CONTAINING 4.810 ACRES, MORE OR LESS.

SUBJECT TO ANY RIGHTS-OF-WAY OR OTHER EASEMENTS AS GRANTED OR RESERVED BY INSTRUMENTS OF RECORD OR AS NOW EXISTING ON SAID TRACT.

NOTE: THESE TRACTS MAY NOT BE RESUBDIVIDED, FOR FIVE (5) YEARS, UNLESS THE APPROPRIATE SUBDIVISION PROCEDURE IS FOLLOWED.

NOTE: BOOK AND PAGE NUMBERS REFERRED TO ARE OF THE RECORDS OF OTERO COUNTY, NEW MEXICO, OBTAINED FROM THE FILES OF THE OTERO COUNTY ASSESSOR'S OFFICE.



INDEXING INFORMATION FOR COUNTY CLERK

OWNER(S): _____

SECTION(S): 3 & 4 TOWNSHIP(S): 16 S RANGE(S): 13 E

SUBDIVISION: _____

FILING AND RECORDING

FILED FOR RECORD IN THE OTERO COUNTY CLERK'S OFFICE ON THE 8th

DAY OF May, 2009, AT 2:00 A.M. BOOK 69 PAGE 42

RECEPTION # 200904390

Robyn Holmes COUNTY CLERK

Chris Zensker DEPUTY

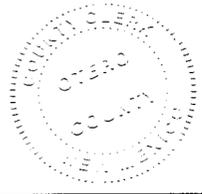


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PRESLAR COE-09-EX-10

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DATE: 01/20/09 SCALE: 1" = 100'
 DRAWN BY: LTR JOB NO.: 08615(5)
 CHECKED BY: KZ SHEET 2 OF 2



SOUTHWEST CORNER SECTION 3 T16S, R13E, NMPM FND. GLO BRASS CAP