

**CLAIM OF EXEMPTION
RE-ALIGN TRACT LINES
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°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; THENCE N60°55'01"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 6.27 FEET; THENCE N62°16'51"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 71.40 FEET TO THE PLACE OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE CONTINUING N62°16'51"W ALONG SAID RIGHT-OF-WAY LINE ALONG THE ARC OF A SPIRAL CURVE TO THE LEFT WHOSE FULL SPIRAL ANGLE IS 04°00'00" AND WHOSE CHORD BEARS N62°16'51"W A CHORD DISTANCE OF 128.55 FEET; THENCE N00°02'43"W A DISTANCE OF 604.59 FEET; THENCE N86°59'41"E A DISTANCE OF 182.65 FEET; THENCE N88°08'52"E A DISTANCE OF 666.37 FEET; THENCE S00°00'20"W A DISTANCE OF 13.58 FEET TO THE CENTERLINE OF A 50-FOOT ACCESS AND UTILITY EASEMENT; THENCE S84°46'34"W ALONG SAID CENTERLINE A DISTANCE OF 185.36 FEET; THENCE ALONG SAID CENTERLINE ALONG THE ARC OF A CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 64°22'24" AND WHOSE RADIUS IS 150.00 FEET AN ARC DISTANCE OF 168.53 FEET; THENCE S20°24'10"W ALONG SAID CENTERLINE A DISTANCE OF 435.50 FEET; THENCE N76°15'32"W ALONG SAID CENTERLINE A DISTANCE OF 225.45 FEET; THENCE S20°43'47"W ALONG SAID CENTERLINE A DISTANCE OF 50.66 FEET; THENCE S07°54'56"W ALONG SAID CENTERLINE A DISTANCE OF 121.40 FEET; THENCE S20°34'31"W ALONG SAID CENTERLINE A DISTANCE OF 48.83 FEET TO THE SAID PLACE OF BEGINNING, AND CONTAINING 6.148 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°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°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°00'00" AND WHOSE CHORD BEARS N62°16'51"W A CHORD DISTANCE OF 71.40 FEET TO THE CENTERLINE OF A 30-FOOT DRIVEWAY EASEMENT; THENCE N20°34'31"E ALONG SAID CENTERLINE A DISTANCE OF 48.83 FEET; THENCE N07°54'56"E ALONG SAID CENTERLINE A DISTANCE OF 121.40 FEET; THENCE N20°43'47"E ALONG SAID CENTERLINE A DISTANCE OF 50.66 FEET; THENCE S76°15'32"E A DISTANCE OF 225.45 FEET; THENCE N20°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°22'24" AND WHOSE RADIUS IS 150.00 FEET AN ARC DISTANCE OF 168.53 FEET; THENCE N84°46'34"E ALONG SAID CENTERLINE A DISTANCE OF 185.36 FEET; THENCE S00°00'20"W A DISTANCE OF 923.28 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°00'00" AND WHOSE CHORD BEARS N84°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°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°00'00" AND WHOSE CHORD BEARS N62°32'07"W A CHORD DISTANCE OF 199.93 FEET TO A POINT OF SPIRAL TO TANGENT; THENCE N60°55'01"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 29.09 FEET TO THE SAID PLACE OF BEGINNING, AND CONTAINING 9.688 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.

CERTIFICATE
I, KLAD ZIMMERLE, A NEW MEXICO LICENSED PROFESSIONAL SURVEYOR, CERTIFY THAT I CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO.

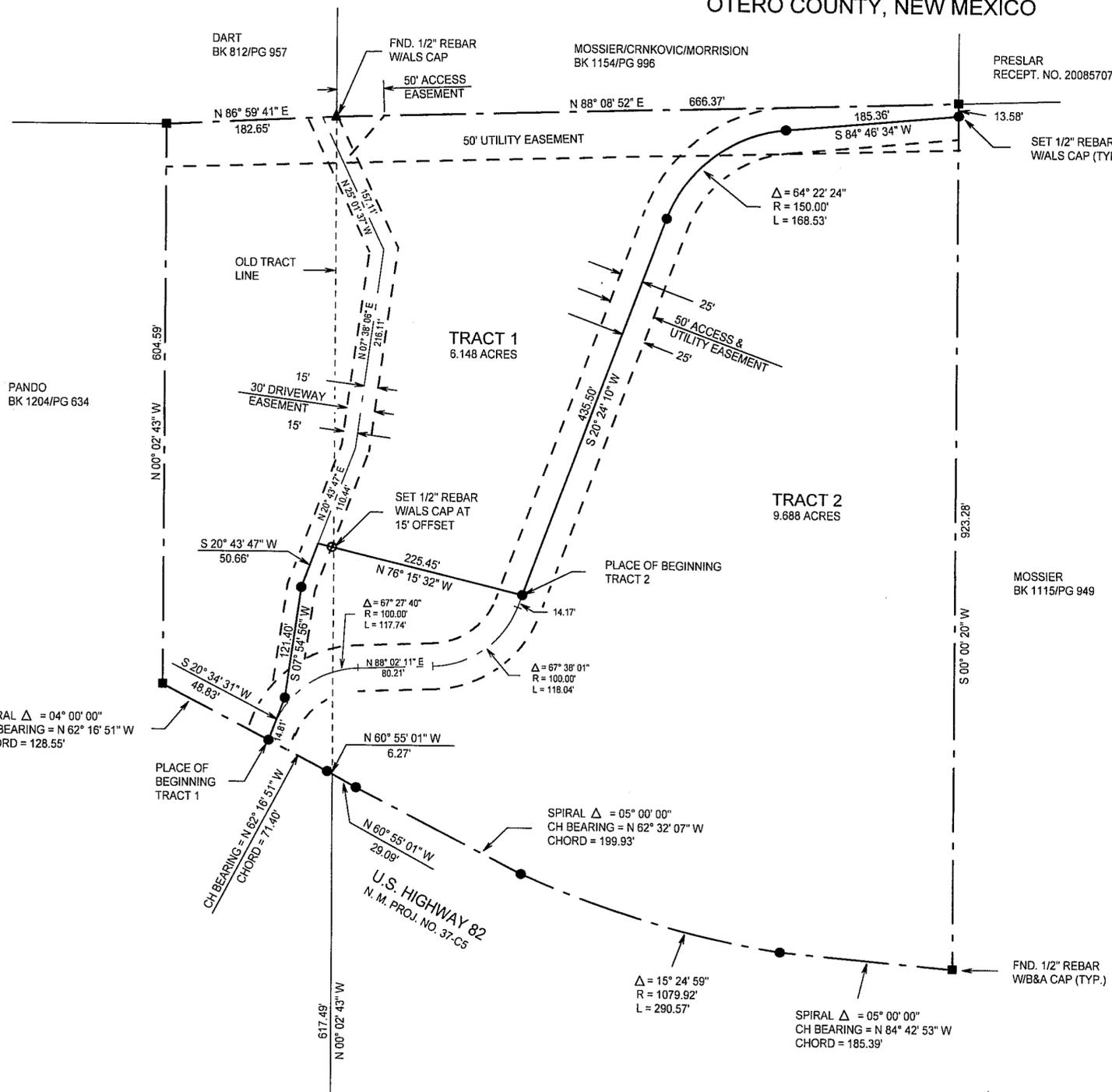


NOTE: IF THE SURVEY IS NOT FILED OR RECORDED AND THE SIGNATURE IS BLACK, THIS IS AN UNAUTHORIZED COPY AND THE CERTIFICATIONS ARE NULL AND VOID.

PRESLAR COE-09-EX-09

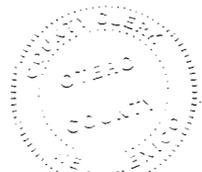
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DATE: 01/20/09 SCALE: 1" = 100'
DRAWN BY: LTR JOB NO.: 08615(L)
CHECKED BY: KZ SHEET 2 OF 2



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 43
RECEPTION # 200904391
Kobyn Holmes COUNTY CLERK
Chris Deniski DEPUTY



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

LTRPLAT-08