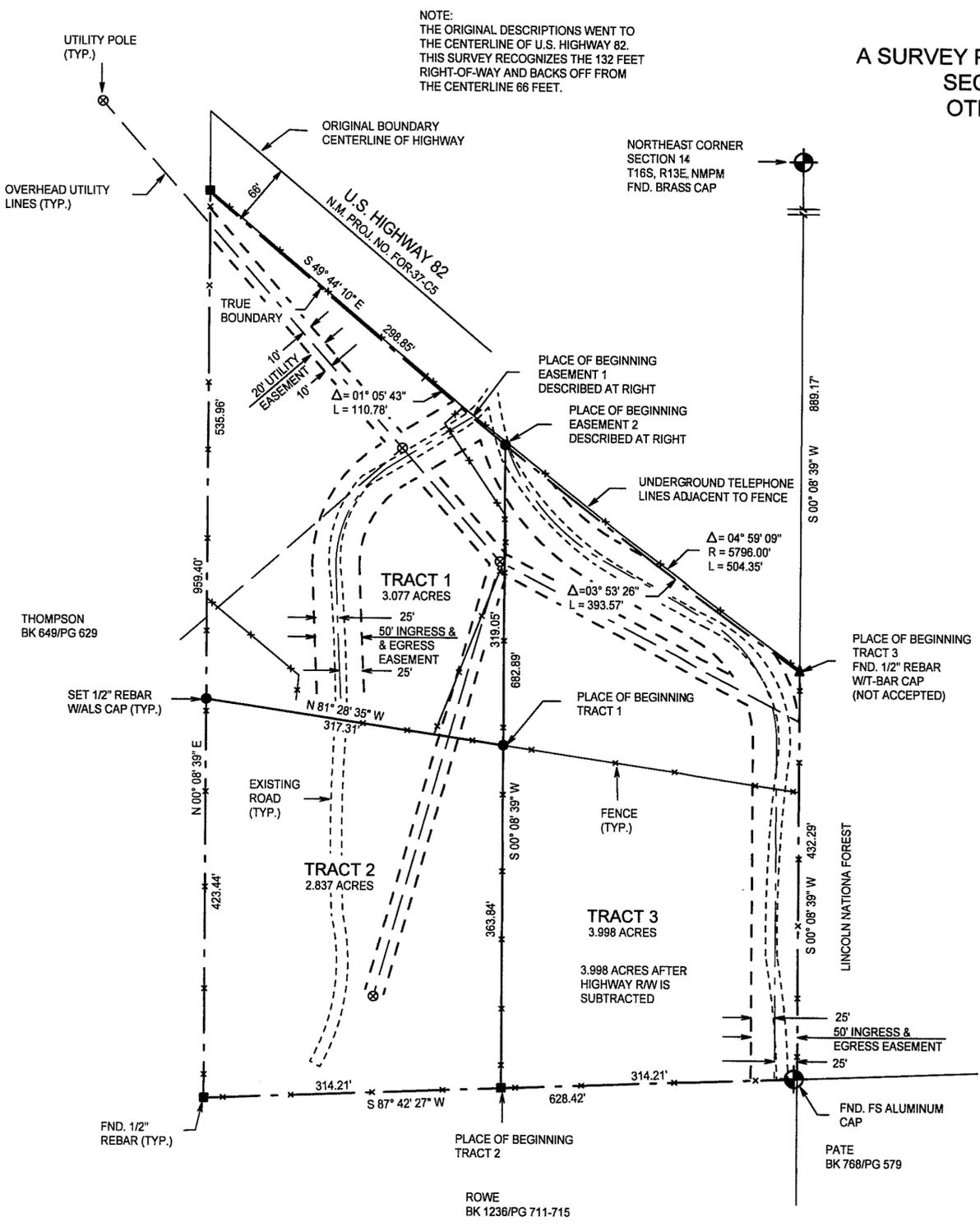


**CLAIM OF EXEMPTION
 5 YEAR HOLD
 A SURVEY PLAT OF THREE TRACTS OF LAND IN
 SECTION 14, T16S, R13E, NMPM
 OTERO COUNTY, NEW MEXICO**



DESCRIPTION - TRACT ONE
 A TRACT OF LAND IN THE NE1/4 NE1/4 OF SECTION 14, T16S, R13E, NMPM, DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

STARTING AT THE NORTHEAST CORNER OF SAID SECTION 14 AND GOING S00°08'39"W ALONG THE EAST LINE OF SAID SECTION 14 A DISTANCE OF 1321.46 FEET; THENCE S87°42'27"W A DISTANCE OF 314.21 FEET; THENCE N00°08'39"E A DISTANCE OF 363.84 FEET TO THE PLACE OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE N81°28'35"W A DISTANCE OF 317.31 FEET; THENCE N00°08'39"E A DISTANCE OF 535.96 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 82, NM PROJECT NO. FOR-37-C5; THENCE S49°44'10"E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 298.85 FEET; THENCE ALONG SAID RIGHT-OF-WAY LINE ALONG THE ARC OF A CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 01°05'43" AND WHOSE RADIUS IS 5796.00 FEET AN ARC DISTANCE OF 110.78 FEET; THENCE S00°08'39"W A DISTANCE OF 319.05 FEET TO THE SAID PLACE OF BEGINNING, AND CONTAINING 3.077 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 NE1/4 NE1/4 OF SECTION 14, T16S, R13E, NMPM, DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

STARTING AT THE NORTHEAST CORNER OF SAID SECTION 14 AND GOING S00°08'39"W ALONG THE EAST LINE OF SAID SECTION 14 A DISTANCE OF 1321.46 FEET; THENCE S87°42'27"W A DISTANCE OF 314.21 FEET TO THE PLACE OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE CONTINUING S87°42'27"W A DISTANCE OF 314.21 FEET; THENCE N00°08'39"E A DISTANCE OF 423.44 FEET; THENCE S81°28'35"E A DISTANCE OF 317.31 FEET; THENCE S00°08'39"W A DISTANCE OF 363.84 FEET TO THE SAID PLACE OF BEGINNING, AND CONTAINING 2.837 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 THREE
 A TRACT OF LAND IN THE NE1/4 NE1/4 OF SECTION 14, T16S, R13E, NMPM, DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

STARTING AT THE NORTHEAST CORNER OF SAID SECTION 14 AND GOING S00°08'39"W ALONG THE EAST LINE OF SAID SECTION 14 A DISTANCE OF 889.17 FEET TO THE PLACE OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE CONTINUING S00°08'39"W A DISTANCE OF 432.29 FEET; THENCE S87°42'27"W A DISTANCE OF 314.21 FEET; THENCE N00°08'39"E A DISTANCE OF 682.89 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 82, NM PROJECT NO. FOR-37-C5; THENCE ALONG SAID RIGHT-OF-WAY LINE ALONG THE ARC OF A CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 03°53'26" AND WHOSE RADIUS IS 5796.00 FEET AND WHOSE CHORD BEARS S52°46'33"E AN ARC DISTANCE OF 393.57 FEET TO THE SAID PLACE OF BEGINNING, AND CONTAINING 3.998 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 - EASEMENT NO. 1
 A 50-FOOT INGRESS AND EGRESS EASEMENT IN THE NE1/4 NE1/4 OF SECTION 14, T16S, R13E, NMPM, LYING 25-FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE;

STARTING AT THE NORTHEAST CORNER OF SAID SECTION 14 AND GOING S00°08'39"W ALONG THE EAST LINE OF SAID SECTION 14 A DISTANCE OF 889.17 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 82, NM PROJECT NO. FOR-37-C5; THENCE ALONG SAID RIGHT-OF-WAY LINE ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE CENTRAL ANGLE IS 04°20'31" AND WHOSE RADIUS IS 5796.00 FEET AN ARC DISTANCE OF 439.24 FEET TO THE PLACE OF BEGINNING OF THE HEREIN DESCRIBED CENTERLINE; THENCE S58°41'37"W ALONG SAID CENTERLINE A DISTANCE OF 97.23 FEET; THENCE ALONG SAID CENTERLINE ALONG THE ARC OF A CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 60°57'01" AND WHOSE RADIUS IS 125.00 FEET AN ARC DISTANCE OF 132.97 FEET; THENCE S02°15'24"E A DISTANCE OF 160.26 FEET TO THE END OF SAID CENTERLINE.

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 - EASEMENT NO. 2
 A 50-FOOT INGRESS AND EGRESS EASEMENT IN THE NE1/4 NE1/4 OF SECTION 14, T16S, R13E, NMPM, LYING 25-FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE;

STARTING AT THE NORTHEAST CORNER OF SAID SECTION 14 AND GOING S00°08'39"W ALONG THE EAST LINE OF SAID SECTION 14 A DISTANCE OF 889.17 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 82, NM PROJECT NO. FOR-37-C5; THENCE ALONG SAID RIGHT-OF-WAY LINE ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE CENTRAL ANGLE IS 03°53'34" AND WHOSE RADIUS IS 5796.00 FEET AND WHOSE CHORD BEARS N52°46'29"W AN ARC DISTANCE OF 393.80 FEET TO THE PLACE OF BEGINNING OF THE HEREIN DESCRIBED CENTERLINE; THENCE ALONG SAID CENTERLINE ALONG THE ARC OF A CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 41°50'00" AND WHOSE RADIUS IS 225.00 FEET AND WHOSE CHORD BEARS S39°58'19"E AN ARC DISTANCE OF 164.28 FEET; THENCE S60°53'20"E ALONG SAID CENTERLINE A DISTANCE OF 123.71 FEET; THENCE ALONG SAID CENTERLINE ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE CENTRAL ANGLE IS 61°01'59" AND WHOSE RADIUS IS 150.00 FEET AN ARC DISTANCE OF 159.78 FEET; THENCE S00°08'39"W ALONG SAID CENTERLINE A DISTANCE OF 356.73 FEET TO THE END OF SAID CENTERLINE.

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.

INDEXING INFORMATION FOR COUNTY CLERK
 OWNER(S):
 SECTION(S): 14 TOWNSHIP(S): 16 S RANGE(S): 13 E
 SUBDIVISION:
 FILING AND RECORDING
 FILED FOR RECORD IN THE OTERO COUNTY CLERK'S OFFICE ON THE 21
 DAY OF September, 2009, AT 1:45 A.M., BOOK 200908934 PAGE 1
 RETURN # 200908934
 COUNTY CLERK: Robyn Holmes DEPUTY: K Chad

NOTE:
 TRACT 3 IS ALREADY A SEPERATE TRACT AND SHOWN FOR SURVEY PURPOSES ONLY TO CORRECT THE ACREAGE BY SUBTRACTING THE HIGHWAY RIGHT-OF-WAY.

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.



NOTE: TRACTS 1 & 2 MAY NOT BE RESUBDIVIDED, FOR FIVE (5) YEARS, UNLESS THE APPROPRIATE SUBDIVISION PROCEDURE IS FOLLOWED.

ROWE COE-09-EX-58

ALAMOTERO LAND SURVEYS, P.C.
 PROFESSIONAL LAND SURVEYORS
 1101 NORTH FLORIDA AVENUE
 ALAMOGORDO, NEW MEXICO
 PHONE 575-437-7074 FAX 575-437-7075
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DATE: 07/01/09 SCALE: 1" = 100'
 DRAWN BY: LTR JOB NO.: 09368
 CHECKED BY: KZ SHEET 2 OF 2