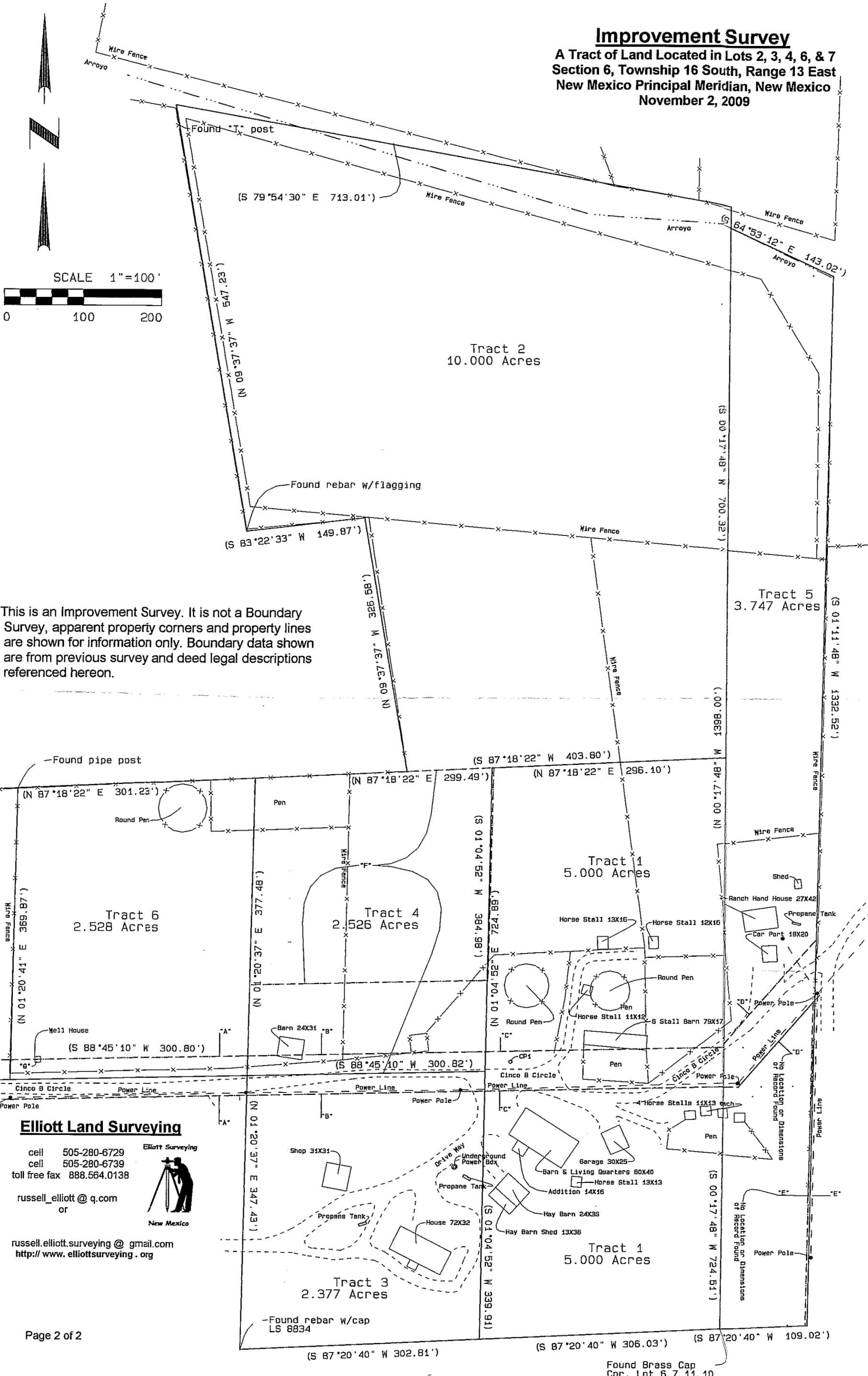


**Improvement Survey**  
 A Tract of Land Located in Lots 2, 3, 4, 6, & 7  
 Section 6, Township 16 South, Range 13 East  
 New Mexico Principal Meridian, New Mexico  
 November 2, 2009



This is an Improvement Survey. It is not a Boundary Survey, apparent property corners and property lines are shown for information only. Boundary data shown are from previous survey and deed legal descriptions referenced hereon.

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**Improvement Survey**  
**A Tract of Land Located in Lots 2, 3, 4, 6 & 7**  
**Section 6, Township 16 South, Range 13 East**  
**November 2, 2009**

**Survey Notes:**

1. Bearings are New Mexico State Plane Grid bearings, NM, Central Zone.
2. Distances are ground.
3. Apparent property corners are labeled and described. No corners were set.
4. The field survey was performed October 24 & 25, 2009.
5. The Title Commitment Number 20090727, Alamogordo Title Company, Effective September 30, 2009, Lawyers Title Insurance Corporation.
6. This property does not lie within a Flood Zone with the exception that the shown arroyo lies within Flood Zone A per F.E.M.A. FIRM Map 3500440015B dated 8/1/1987.
7. Property may be subject to covenants, conditions, restrictions, terms, provisions and easements as stated in the exceptions, not shown hereon.
8. This is an Improvement Survey. It is not a Boundary Survey, apparent property corners and property lines are shown for information only. Boundary data shown are from previous survey and deed legal descriptions referenced hereon. No property corners were set as part of this survey.

**Control:**

1. State Plane coordinates for the NGS-OPUS Solution are as follows: Northing (Y) = 711794.674 USF, Easting (Y) = 1822795.205 USF, Convergence (degrees) = 0.32345587, Point Scale = 0.99993809, Combined Factor = 0.99956072. Shown on the plat as CP1.

**Deed Legal Descriptions:**

1. Tract 1 (Warranty Deed, Book 677, Page 650, Otero County) – A track of land in Lot 6, Section 6, Township 16 South, Range 13 East, NMPM, Otero County, New Mexico, described by metes and bounds as follows: Beginning at the Southeast corner of said Lot 6 and going S 87°20'40" W a distance of 306.03 feet; thence N 01°04'52" E a distance of 339.91 feet to the centerline of a 50-foot Road and Utility Easement; thence Continuing; N 01°04'52" E a distance of 384.98 feet; thence N 87°18'22" E a distance of 296.10 feet; thence S 00°17'46" W a distance of 392.28 feet to the centerline of said 50-foot Road and Utility Easement; thence continuing S 00°17'48" W a distance of 332.23 feet to the Place of Beginning and containing 5.000 acres, more or less.
2. Tract 2 (Warranty Deed, Book 677, Page 651, Otero County)- A Tract of Land in Lot 3 and Lot 4 of Section 6, Township 16 South, Range 13 East, NMPM, Otero County, New Mexico, described by metes and bounds as follows: Starting at the Southwest corner of said Lot 6 and going N 01°20'45" E along the West line of said Lot 6 a distance of 724.51 feet; thence N 87°18'22" E a distance of 794.35 feet to the Place of Beginning of the tract of land herein described; thence N 09°37'37" W a distance of 326.58 feet; thence S 83°22'53" W a distance of 149.87 feet; thence N 09°37'37" W a distance of 547.23 feet; thence S 79°54'30" E a distance of 713.01 feet; thence S 00°17'48" W a distance of 700.32 feet; thence S 87°18'22" W a distance of 403.80 feet to the Place of Beginning and containing 10.000 acres, more or less.
3. Tract 3 (Warranty Deed, Book 676, Page 536, Otero County) –A tract of land in Lot 6, Township 16 South, Range 13 East, NMPM, Otero County, New Mexico, described by metes and bounds as follows: Starting at the Southeast corner of said Lot 6 and going S 87 20 40 W along the South line of said Lot 6 a distance of 306.03 feet to the Place of Beginning of the tract of land herein described; thence continuing S 87°20'40" W a distance of 302.81 feet; thence N 01°20'37" E a distance of 347.43 feet to the centerline of a 50-foot Road and Utility Easement; thence N 88°45'10" E along said centerline a distance of 300.82 feet; thence S 01°04'52" W a distance of 339.91 feet to the said Place of Beginning and containing 2.377 acres, more or less.
4. Tract 4 (Warranty Deed, Book 687, Page 998, Otero County) – A tract of land in Lot 6, Section 6, Township 16 South, Range 13 East, NMPM, Otero County, New Mexico, described by metes and bounds as follows: Starting at the Southeast corner of said Lot 6 and going S 87°20'40" W along the South line of said Lot 6 a distance of 608.83 feet; thence N 01°20'37" E a distance of 347.43 feet to the Place of Beginning of the tract of land herein described; thence continuing N 01°20'37" E a distance of 377.48 feet; thence N 87°18'22" E a distance of 299.49 feet; thence S 01°04'52" W a distance of 384.98 feet to the centerline of a 50-foot Road and Utility Easement; thence S 88°45'10" W along said centerline a distance of 300.82 feet to the said Place of Beginning, and containing 2.623 acres, more or less.
5. Tract 5 (Warranty Deed, Book 679, Page 691, Otero County) - A tract of land in Lot 2 and 7 of Section 6, Township 16 South, Range 13 East, NMPM, Otero County, New Mexico, described by metes and bounds as follows: Beginning at the Lot corner common to Lots 6, 7, 10 and 11 of said Section 6, as the place of beginning of the tract of land herein described; Thence N 00°17'48" E along the West line of said Lots 2 & 7 a distance of 1398.00 feet to the centerline of the existing James Canyon Arroyo; Thence S 64°53'12" E along said arroyo centerline a distance of 143.02 feet; Thence leaving said arroyo centerline and going S 01°11'48" W a distance of 1332.52 feet; Thence S 87°20'40" W along the South line of said Lot 7 a distance of 109.02 feet to the place of beginning and containing 3.747 acres, more or less.
6. Tract 6 (Warranty Deed, Book 838, Page 941, Otero County) - A tract of land in Lot 6, Section 6, Township 16 South, Range 13 East, NMPM, Otero County, New Mexico, described by metes and bounds as follows: Starting at the Southwest corner of said Lot 6 and going N 01 20 45 E along the West line of said Lot 6 a distance of 362.25 feet. Thence N 88°45'10" E a distance of 380.88 feet to the Place of Beginning of the tract of land herein described; Thence N 01°20'41" E a distance of 369.87 feet; Thence N 87°18'22" E a distance of 301.23 feet; Thence S 01°20'37" W a distance of 377.48 feet to the centerline of a 50 foot road and utility easement; Thence S 88°45'10" W along said road centerline a distance of 300.80 feet to the said Place of Beginning and containing 2.578 acres, more or less.

**Easement Notes:**

1. "A" 50-foot Road and Utility Easement, 25-foot each side of centerline. (Warranty Deed, Book 838, Page 941, Otero County).
2. "B" 50-foot Road and Utility Easement, 25-foot each side of centerline. (Warranty Deed, Book 676, Page 536, Otero county) and (Warranty Deed, Book 687, Page 998, Otero County).
3. "C" 50-foot Road and Utility Easement, 25-foot each side of centerline. Tract 1 (Warranty Deed, Book 677, Page 650, Otero County)
4. "D" (a) "Any rights-of-way or other easements as granted or reserved by instruments of record or as now existing on said tract." Note: No dimensions of existing rights-of-way or easements were provided for this Improvement Survey of Tract 5. If the existing easement on Tract 1 and Tract 2 were to continue east the easement may appear as that noted in "D", however, this location or width does not represent an easement of record. Tract 5 (Warranty Deed, Book 679, Page 691, Otero County) **No Location or dimensions of Record.**
5. "E" (a) "Any rights-of-way or other easements as granted or reserved by instruments of record or as now existing on said tract." Note: No dimensions of existing rights-of-way or easements were provided for this Improvement Survey of Tract 5. If the existing power line had a record easement it may appear as that noted in "E", however, this location or width does not represent an easement of record. Tract 5 (Warranty Deed, Book 679, Page 691, Otero County) **No Location or dimensions of Record.**
6. "F" A ¼ interest in that well located in Tract 4 as described in Tract 1 (Warranty Deed, Book 677, Page 650, Otero County), 2.526 acres, more or less. Also being described in Tract 3 (Warranty Deed, Book 676, Page 536, Otero County) as being a 1/8 interest in that well located in Tract 4, 2.526 acres, more or less. Also being described in Tract 4 (Warranty Deed, Book 687, Page 998, Otero County) as being a 1/8 interest in that well located in Tract 4, 2.526 acres, more or less. **Note: there are discrepancies in the legal descriptions for this easement.**
7. "G" Maintenance and interest in a water well and for all deed restrictive covenants. (Warranty Deed, Book 838, Page 941, Otero County). **No Location or dimensions of Record.**

**Surveyors Certification:**

I, Russell D. Elliott, New Mexico Professional Surveyor number 13838, do hereby certify that this Improvement Survey and the actual survey on the ground upon which it is based were performed by me our under my direct supervision; that I am responsible for this survey; that this survey meets the Minimum Standards for surveying in New Mexico; section 12.8.2.15 Unclassified Surveying; and that it is true and correct to the best of my knowledge and belief. I further certify that this survey is not a land division or subdivision as defined in the New Mexico Subdivision Act and that this instrument is an Improvement Survey of an existing tract or tracts.

*Russell D Elliott*

11/2/2009

Russell D. Elliott

NMPS # 13838

Date

**Elliott Land Surveying**

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