

AMENDED DISCLOSURE STATEMENT

Lands of Bradshaw/Hecker
Within Sections 10, 14, 15 & 22 Township 3 North
Range 6 East, N.M.P.M., Torrance County New Mexico

Please 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 permit you 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 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. 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) month period, you have three (3) days to rescind the transaction and receive all of your money back from the sub-divider when merchantable title is re-vested in the subdivider. To rescind the transaction, you must give the subdivider notice of your intent to rescind within three (3) days of your inspection of the property.



Date 04/11/2007
Time 12:16 PM
Instrument # 2071512
Book 312 Page 04427
No of Pages 1+ 6



Document was filed for record.
Witness my hand and Seal Linda Kayser
County Clerk, Torrance County, NM

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 Torrance County Clerk.

Name of Subdivision:

Valentine Ranch Subdivision

Name and Address of Subdivision:

Valentine Ranch, LLC, P.O. Box 217, Mountainair, New Mexico 87036

Name and Address of Person in Charge of Sales, Leasing Or Other Conveyance in New Mexico:

Diann Bradshaw, P.O. Box 217, Mountainair, New Mexico 87036

Size of Subdivision Both Present and Anticipated:

Present:	18	Anticipated:	18
Number of Acres in subdivision:	800+	Number of acres in subdivision:	800+

Size of Largest Parcel Offered For Sale, Lease or Conveyance within the Subdivision:

61.98 acres

Size of Smallest Parcel Offered for Sale, Lease or Conveyance within the Subdivision:

39.23 acres

Proposed Range of prices for Sales, Leases or other Conveyances:

(Lowest amount) <u>\$120,000</u>	(Size of parcel sold, leased or conveyed) <u>39.23 acres</u>
(Highest amount) <u>\$185,000</u>	(Size of parcel sold, leased or conveyed) <u>61.98 acres</u>

Financing Terms:

Cash

Closing Costs:

Less than \$500.00

Name and Address of Holder of Legal Title:

Lynn & Judy Chilton, 7020 Scenic View, Brentwood, TN 37027

Name and Address of Person having Equitable Title:

Valentine Ranch LLC, P.O. Box 217, Mountainair, New Mexico 87038

Condition of Title (Name and Address of each person holding a real estate contract as owner of the subdivision land for which the subdivider is making payments as a purchaser):

Currently, there is only one real estate contract for the development. The owners of the real estate contract are: Lynn & Judy Chilton, 7020 Scenic View, Brentwood, TN 37027

Balance owing on the real estate contract:

\$625,000.00

A release of the real estate contract will be issued for each property sold in the development.

There are no mortgages or any other encumbrances currently associated with this development.

Statement of All Restrictions or Reservations of Record that Subject the Subdivided Land to Any Conditions Affecting Its Use or Occupancy:

See attached Restrictive Covenants, as filed for record in the office of the Torrance County Clerk in Book 309 Page 2765.

Environmental Protection Agency's (EPA) National Pollution Discharge Elimination System (NPDES) Compliance is applicable to this subdivision. Disclosures of the Acts and compliance thereof are outlined in the High Desert Consulting memo attached herewith.

Condition Of Title:

Fee Simple

Adverse or Unusual Conditions:

None

Recreational Facilities:

None

Escrow Agent:

Weststar Escrow, Inc., 6200 Uptown Boulevard NE, Albuquerque, New Mexico 87110

Subdivider does not have any interest in or financial ties to the escrow agent.

Gas:

Propane is available from Fox LPG in Belen, Lopez Propane, New Mexico Propane and other propane delivery companies within the are. Tanks available for lease at the property owner's expense. Current lease fee is \$85.00 per year on average.

Solid Waste Disposal Plan:

Arrangements for trash collection service may be made by the individual lot owner. The Estancia Valley Solid Waste Authority charges \$33.00 per quarter and property owner is responsible for taking his trash to the transfer station located east on Highway 60. It is open on Wednesday, Friday and Saturday.

Utility Location:

Electricity distribution will be provided along all Private road and current power lines along County Roads B0-19 and Golf Course Road. Electrical lines will be furnished by subdivider to each property line. Within the subdivision, power will be underground only. Providing power from the property line to the property will at the property owner's expense. At the time of the writing of this disclosure statement, Central New Mexico Rural Electric Coop issues a credit of \$1,200 to user if power is brought to house and occurs at time of obtaining a building permit.

Description of Utilities provided by Developer:

Electricity service is available from: Central New Mexico Electric Co-op. Electricity will be provided to each property lot line by the subdivider. Service lines will be the responsibility of each lot owner from the property line to the building site and must be underground.

Telephone service is available from: Satellite service is now available and will be utilized for this subdivision. The subdivider will provide an allowance of \$500 for each lot as a rebate to each lot purchaser. Wildblue High Speed Internet Access and Vonage telephone available through Worldlynk.

Liquid Waste Disposal:

Every parcel on this plat shall have an on-site wastewater system in compliance with the most current Environmental Department regulations at the time of development. Each lot purchaser shall be responsible for obtaining his/her own permit and septic system from Torrance County and New Mexico's Environmental Department. Appropriate septic systems will be done at owner's expense. Costs currently run between \$4,500 and \$5,000. Several installers are available locally.

Water Availability:

Each lot will be provided, by the subdivider, with individual wells. The lot owner is limited to .55 acre feet of water use per annum as set forth in the restrictive covenants filed in the office of the Torrance County Clerk in Book 309 Page2765.

Upon development, every parcel on this plat shall be served by individual wells which will be provided by the subdivider. The existing well is currently providing 20 gallons per minute at a depth of 160 feet, according to J. Lynn Chilton, previous owner. This well was drilled in the 1930's prior to registration of wells.

Water Restrictions:

The following water restrictive covenants shall apply to the use and occupancy of all tracts on the plat noted above. Any existing dwelling units shown on the plat must meet provisions (B) through (D) at the time of fixture or appliance replacement or installation of additional landscaping; Provision A is applicable immediately.

- (A) Domestic water is restricted to .55 acre feet each, per year (179, 218 gallons per year) per tract.
- (B) Water conserving appliances shall be installed and used at the time of construction or replacement of appliances.
- (C) Low water use landscaping techniques applying the principles of xeriscaping shall be utilized. Drip irrigation and mulching are encouraged whenever possible.
- (D) Use of harvested rain water by means confined to the property or with recycled household gray water is encouraged. Gray water systems shall meet the requirements of the New Mexico Environment Department and the Uniform Plumbing Code.

Life Expectancy of Water Supply and Quality:

70 Year Study is Affirmative. The Quality is Good.

Terrain Management:

The U.S.D.A. Soils Survey-Torrance County shows the soils series in the subdivision to be the Chilton gravelly loam, La Fonda loam, Sholle gravelly loam and Witt loam.

Subdivision Access:

The subdivision is situated approximately 3 miles Southwest of the town of Mountainair. The proposed subdivision is accessed from Mountainair by traveling southwest on US 60 to County Road BO-17 (Golf Course Road). Private roads will be built to County specification along easement granted for that purpose.

The subdivision is accessible year round by conventional vehicle. 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 required for construction of additional improvements before you occupy the property.

Maintenance:

Maintenance of the private roads and driveways will be the responsibility of the lot owners/users as stated in the Road Maintenance Agreement.

Construction Guarantees:

Upon approval of the subdivision, all private roads will be built to county standards and specifications. Also, driveways will be built to conform to county standards and specifications except for dimension, which will be the property owner's choice and at the property owner's expense.

Fire Protection:

Fire protection will be provided by the Mountainair Volunteer Fire Department located on Highway 55 in Mountainair approximately 6 miles from the subdivision. Fire protection is limited due to the rural nature of the properties and lack of a central water supply. Lot owners are encouraged to consider residential sprinkler systems when building a home as response time by the fire department could be lengthy.

Police Protection:

The State of New Mexico and County Sheriff's Department have jurisdiction in the area of the subdivision.



HIGH DESERT CONSULTING
ENVIRONMENTAL GEOLOGY GIS/CAD
3 RIDGE ROAD EDGEWOOD, NM 87015

January 8, 2006

Abo Property Company
Attn: Diann Bradshaw
P.O. Box 217
Mountainair, NM 87036

**RE: VALENTINE RANCH - ENVIRONMENTAL PROTECTION AGENCY
(EPA) AND THE NATIONAL POLLUTION DISCHARGE ELLIMINATION
SYSTEM (NPDES) COMPLIANCE DISCLOSURE**

Dear Ms. Bradshaw,

Please include this statement of disclosure for all lots associated with the Valentine Ranch development project west of Mountainair, New Mexico.

All development within the borders of United States of America are required by law under the Clean Water Act (1972) to follow the EPA guidelines during construction activities. These guidelines have been develop and are referred to as NPDES.

Phase II rules established on December 8, 1999 require disturbances of one to five acres or less that one acre if the disturbance is part of a common plan or sale to follow the NPDES guidelines.

NPDES guidelines require developments to have a Storm Water Pollution Prevention Plan (SWPPP), a NPDES approved Construction General Permit (CGP), regular inspections by a Qualified Inspector, and records preserved for three years after completion.

Additional requirements made by the New Mexico Environment Department - Surface Water Quality Bureau (NMED-SWQB) to the NPDES requirements include a Sediment Control Plan (SCP).

The EPA and NMED-SWQB are the regulating agencies for New Mexico.

The current fines can reach \$32,500 per day retroactive from the start of construction.

If you have any questions, please feel free to contact me at 505-379-3276 or by email at ChrisTheRED@hotmail.com.

Sincerely,

Christopher Burrus
President/Chief Environmental Scientist
High Desert Consulting, Inc.

