

AGENDA
City of Hobbs Planning Board – Regular Meeting
October 18, 2016 at 10:00 AM

W. M. “Tres” Hicks, Chairman
Bill Ramirez
Brett Drennan
Larry Sanderson

Guy Kesner, Vice Chairman
Bobby Shaw
Dwayne Penick

Tentative Agenda for the Planning Board Regular Session Meeting to be held on Tuesday, October 18, 2016 at 10:00 AM at the City of Hobbs Annex Building, First Floor Commission Chambers located at 200 E. Broadway, Hobbs, NM 88240.

AGENDA

- 1) Call To Order.**
- 2) Review and Consider Approval of Agenda.**
- 3) Review and Consider Approval of Minutes.**

September 20, 2016 – Regular Meeting

- 4) Communications from Citizens.**
- 5) Review and Consider Dedication Plat dedicating a portion of N. Grimes located northeast of the intersection of Apodaca and N. Grimes as submitted by High Five Capital LP., property owner.**
- 6) Review and Consider front yard setback variance request for Lots 7, 8, 9 & 10 of the Windsor Estates Subdivision as submitted by Hobbs Windsor Estates, LLC, property owner.**
- 7) Review and Consider Proposed amendment to MC 15.20 (Parking) to address on street parking of commercial vehicles.**
- 8) Review and Consider proposed amendment of Municipal Code Title 16 (Subdivision).**
- 9) Report of Subdivisions approved via MC 16.12 – Alternate Summary Procedure since July 19, 2016.**

The City will make every effort to provide reasonable accommodations for people with disabilities who wish to attend a public meeting. Please notify the City at least 24 hours before the meeting. Telephone 397-9351.

“Notice is hereby given that a quorum of the Hobbs City Commission may be in attendance at this meeting.”

**PLANNING BOARD MEETING
MINUTES
September 20, 2016**

The Hobbs Planning Board met on September 20, 2016 at 10:00 a.m. at City of Hobbs Annex Building, First Floor Commission Chambers, located at 200 E. Broadway, Hobbs, NM 88240 with Mr. W.M. “Tres” Hicks Chairman presiding.

Members Present:

Guy Kesner, Vice Chairman
Bobby Shaw
Bill Ramirez
Larry Sanderson

Members Absent:

Tres Hicks, Chairman
Brett Drennan
Dwayne Penick

Also present were members of the public and City staff as follows:

Kevin Robinson, Development Director
Todd Randall, City Engineer
Julie Nymeyer, Staff Secretary
Seborn South
Shawn Williams
Tim Woomer
Luis Vega
Tommy Miller

Commissioner Buie
Commissioner Newman
Dennis Holmberg
Manny Marquez
Mike Stone, City Attorney
Bruce Reid
Joann Felkins

- 1) Vice Chairman Guy Kesner called the meeting to order at 10:02 am.
- 2) **Review and Consider Approval of Agenda.**

The first item of business was to review and approve the Agenda for the September 20, 2016 meeting. Mr. Kesner asked if there were any changes or additions to the Agenda? Mr. Robinson said there are no changes or additions to the agenda. Mr. Ramirez made a motion, seconded by Mr. Shaw to approve the agenda as presented. The vote on the motion was 4-0 and the motion carried.

- 3) **Review and Consider Approval of Minutes.**

August 16, 2016 – Regular Meeting

Mr. Kesner asked if everyone has had a chance to read the Regular Minutes from August 16, 2016. Mr. Shaw made a motion seconded by Mr. Ramirez to approve the minutes as presented. The vote on the motion was 4-0 and the motion carried.

- 4) **Communications from Citizens.**

Ms. Joann Felkins said she lives at the corner of French Drive and W. Bender and they have had a terrible water problem out there. She said this last year with all the construction going on it has made it more of a problem than ever before. She said the city put in a drain that goes across W. Bender. She said the water has stood in her yard longer than it ever has before. She said one of their businesses is almost always totally under water. She said across W. Bender to the north there is always a huge pond of water. She wants to know why this hasn't been addressed before instead of giving out permits for construction. She said the drain across W. Bender has weeds that are thigh high because it has not been mowed out there for over two years. She said she would like to know what the plans are for the future for that area. She said the city has hired Ramirez & Sons pump water away from their house. She said they give the city the right-of-ways and the city doesn't keep them clean.

Mr. Randall said the flood zone out there is considered a zone A which means there has not been a detailed study. He said he has been in several conversations with Ms. Felkins and they have discussed the issues out there. He said the only improvements the city has done is there was an existing culvert that was buried in French Drive and he said the city cleaned it out and then later put a trench grade across it to improve it. He said there have been drainage issues out there for years. He said one of the questions that has come up is what is the city doing about development and assuring that new development is not increasing volumes of water into our right-of-ways. He said with incremental development as far as individual driveways there is nothing collectively done to insure that the drainage done is consistent with every development.

Mr. Randall said he shared with Ms. Felkins that the city has budgeted dollars to do preliminary engineering down W. Bender. He said that will identify the scope of work needed. He said there is only 50,000 dollars in the budget for this at this time. He said in these rural areas the city is not maintaining the bar ditches or culverts.

Mr. Randall said one of the things they are looking at is acquisition of properties and he is only going to address the property that the school owns. He said they own 10 acres in the flood zone of this location. He said the city can run an underground system up to W. Bender and down W. Bender to alleviate the ponding areas. He said he does not want to make any promises as far as eliminating all flooding. He said it will allow for water to collect and drain out in certain areas. He said some of the challenges are the recent rain that brought 5 inches there was so much water in some places and there was no good relief of that water. He said that amount of water will create flooding/ponding areas.

There were no other communications.

- 5) **Review and Consider proposed Montes Subdivision and Development Agreement located southeast of the intersection of Humble Street and Edwards Street, as presented by the property owner Luis O. Vega Montes.**

Mr. Robinson said this is located on the southeast corner of Humble and Edwards. He said this subdivision is noncompliant at this time. He said there is infrastructure that needs to be located within Edwards Street that is missing. He said this if the proposed subdivision and attached is the proposed development agreement. He said the agreement will run a line

down Edwards and Mr. Montes will be responsible for his fair share. Mr. Ramirez asked where the existing water line is? Mr. Randall said it is on the north side but it is not served on the west portion of it. He said it will be brought all the way down Edwards Street to Humble. Mr. Ramirez made a motion, seconded by Mr. Sanderson to approve the Subdivision and Development Agreement. The vote on the motion was 4-0 and the motion carried.

- 6) **Review and Consider proposed subdivision and dedication of Hobbs Municipal School property comprised of the parcels containing Highland Junior High and Coronado Elementary, as presented by the property owner Hobbs Municipal Schools.**

Mr. Robinson said in April or May of this year the city entered into an understanding with the Hobbs Municipal Schools. He said the understanding is for a subdivision and dedication for property that contains Coronado and Highland Jr. High. He said the dedication will allow for the projection of E. Gold and that property is now a dirt road. He said within the letter of understanding and the real estate conveyance agreement there are provisions that the municipality will make improvements to that property such as paving E. Gold within the next five years. He said there has been a long standing issue for the property owners for the maintenance of the dirt road that is located north of Highland.

Mr. Shaw made a motion, seconded by Mr. Ramirez to approve the subdivision and the dedication. The vote on the motion was 4-0 and the motion carried.

- 7) **Review and Consider a variance from the City of Hobbs Address Assignment Manual for a second habitable structure to be located on property owned by the Boy Scouts of America located off of Jim Murray south of the County Club.**

Mr. Robinson said the Boy Scouts of America are planning on putting a new habitable structure on their property. He said currently they have a single structure which is located at 1201 S. Jim Murray. He said in discussion with the Boy Scouts, staff has recommended for them to place the new structure within the setbacks as close as possible and adjacent to the existing gravel packed roadway. He said the new structure will require a handicap parking spot. He said the IBC will also require access from the handicap parking to Jim Murray. He said locating the structure at the recommended location will be the least amount of paving. He said they are asking the Planning Board to allow a variance to not have to pave the existing roadway. Mr. Kesner asked if they will need a second address? Mr. Robinson said there will be a primary address and a secondary address which is compliant with our policy. Mr. Shaw made a motion, seconded by Mr. Sanderson to approve the variance. The vote on the motion was 4-0 and the motion carried.

- 8) **Review and Consider a variance from MC 15.40 (Landscape) for the Sanger Street Plaza located southeast of the intersection of Sanger and N. Fowler. Development as proposed would require 1,568 sq. ft. of landscaping however, 843 sq. ft. is being provided.**

Mr. Robinson said that this development has been condemned and now there is a new developer who would like to put in a retail shop. He said they will have to meet parking requirements. He said additionally there will have to be landscaping. Mr. Kesner said the landscaping on the southeast corner doesn't make any sense at all. Mr. Robinson said the

landscape ordinance requires 75% landscaping. Mr. Kesner said if we are doing a variance then as a community we should be grateful that an area that is in need of development is being developed so he would be mindful to him to delete some of the landscaping requirements. Mr. Robinson said is if it is this Boards wishes staff can do a lower percent of the requirements and work with the developer on the landscaping. Mr. Shaw made a motion, seconded by Mr. Sanderson to give staff the ability to work with the developer on the percentage of landscaping and approve a variance. The vote on the motion was 4-0 and the motion carried.

- 9) **Review and Consider fence height variance request for 2743 & 4809 Steel Driver as submitted by property owners. The City of Hobbs Major Thoroughfare Plan requires a maximum of 2' height for a fence located at the front property line; the property owners are requesting a height of 3'6" at the front property line.**

Mr. Robinson said this is a fence height variance for two properties located in the Zia Crossing Unit 2 subdivision. He said both properties are requesting a fence at the property line which will be 3.6" instead of the 2 foot fence. He said the fence being proposed is a wrought iron fence so there will not be a visual problem. He said staff has notified the developer because this could be against the developer's restricted covenants. Mr. Shaw asked Mr. Stone if the Board is putting themselves in an odd position if they approve something that is against the restrictive covenants? Mr. Stone said if someone comes with a variance and we know that it is a violation of the restrictive covenants what we generally do is tell them we approve or disapprove your variance but understand that you have to make sure you are not in violation of their restrictive covenants. He said that has been our position in the past and that is what they will continue to do. He said in a legal sense they have no standing to assert or not assert the covenants. He said their neighbors could sue them. Mr. Ramirez asked if they have done a variance in this area before? Mr. Robinson said no this will be the first variance in this subdivision. Mr. Shaw made a motion, seconded by Mr. Sanderson to approve the variance for the 48" ornamental fence but the owner needs to make sure they are in compliance with their restrictive covenants. The vote on the motion was 4-0 and the motion carried. Mr. Kesner stated that the approval of this variance does not make a statement that it is approved by the restricted covenants of their property.

10) **Discussion Item:**

- A) **Proposed amendment to MC 15.20 (Parking) to address on street parking of commercial vehicles.**

Mr. Robinson said at the last Planning Board Meeting it was mentioned by a member of the public that we should look at this Municipal Code. He said staff has proposed an amendment to the Municipal Code which is our existing off street parking guide. He said this will restrict the parking on the street by a commercial vehicle that will not fit within 8.5 x 20 foot parking space in any location that is within 300 linear feet of a structure utilized for residential purposes. Mr. Shaw said in the meeting held about this issue a lot of the discussion was about how far we go with the restrictions. He said where is the line drawn with being commercial or not. Mr. Kesner asked if it include trailers and RV's? Mr. Shaw said that a motorhome or a 40' gooseneck RV is just as restrictive as a two ton gang truck. Mr. Stone said the basis for the ability for the city to regulate is health, welfare

and safety. He said it doesn't really matter if it is a commercial vehicle or not because clearly 90% of the time an RV is not commercial vehicle. He said it would still fit the size for the city to be able to regulate. He said a large RV is probably more obtrusive than a welding truck. He asked about the hours of limitations of the time set? He said the loading and unloading activities are what are being modified not the time. Mr. Robinson asked if he should modify it or strike it out? Mr. Kesner said maybe they should get rid of the word commercial and put large vehicles. Mr. Shaw asked about the plumber with a van and is on call and has to have his vehicle parked at his house. Mr. Robinson said he will have to park onsite. Mr. Kesner said that may be burdensome. Mr. Stone suggested using a width, length instead of "commercial vehicles". Mr. Newman said they have to look at the individual that has to enforce these violations and make it clear for them.

Mr. Stone said it might be wise to address only the on street parking for now. He said to begin to understand what the city and some of the residents want. He said that would be a good start. Mr. Robinson said he agreed with that but if we are going to have public discussion do we want to discuss the issue in its entirety. Mr. Kesner said let's bring it to the next Planning Board Meeting.

11) Adjournment.

With nothing further to discuss the meeting adjourned at 10:57 am.

W.M. "Tres" Hicks, Chairman

September 20, 2016 Planning Board Regular Meeting Agenda

- 5) **Review and Consider Dedication Plat dedicating a portion of N. Grimes located northeast of the intersection of Apodaca and N. Grimes as submitted by High Five Capital LP., property owner.**

HIGH FIVE CAPITOL SUBDIVISION
DEDICATION OF GRIMES STREET
SECTION 15, TOWNSHIP 18 SOUTH, RANGE 38 EAST,
N.M.P.M., LEA COUNTY, NEW MEXICO.

LEGAL DESCRIPTION – TRACT 1

A tract of land located in the Southwest quarter of Section 16, Township 18 South, Range 38 East, NMPM, Lea County, New Mexico and being more particularly described as follows:

Beginning at a point which lies East, 50.0 feet from the West quarter corner of said Section 16. Thence East, 610.0 feet; thence South, 165.0 feet; thence West, 610.0 feet, thence North, 165.0 feet to the point of beginning.

LEGAL DESCRIPTION – TRACT 2 (DEDICATED)

A tract of land located in the Southwest quarter of Section 16, Township 18 South, Range 38 East, NMPM, Lea County, New Mexico and being more particularly described as follows:

Beginning at the West quarter corner of said Section 16. Thence East, 50.0 feet; thence South, 165.0 feet; thence West, 50.0 feet; thence North, 165.0 feet to the point of beginning.

Said Tracts being subdivided with the free consent and in accordance with the desires of the undersigned owners thereof surveyed and subdivided according to the tracts as they appear on the plat affixed hereon, with Tract 2 as shown being dedicated to the public with fee vesting in the City of Hobbs, New Mexico.

In witness whereof, the undersigned owners of said tracts, have hereunto set their hand this ____ day of _____, 2016.

 Mark Allsup for High Five Capitol LP

STATE OF NEW MEXICO }
 COUNTY OF LEA } ss

The Foregoing Instrument was Acknowledged before me this ____ day of _____, 2016 by Mark Allsup.

My commission expires _____

CERTIFICATE OF MUNICIPAL APPROVAL

I, Jan Fletcher, duly appointed City Clerk for the City of Hobbs, Lea County, New Mexico, do hereby certify that the foregoing plat, a Dedicated Tract of land to the City of Hobbs, Lea County, New Mexico, was approved by the Commission of the City of Hobbs by Ordinance No. _____ on the ____ day of _____, 2016.

 Jan Fletcher, City Clerk

STATE OF NEW MEXICO }
 COUNTY OF LEA } ss

The Foregoing Instrument was Acknowledged before me this ____ day of _____, 2016 by Jan Fletcher.

My commission expires _____
 Notary Public

CERTIFICATE OF APPROVAL BY THE CITY PLANNING BOARD

The Plat, Restrictions and Dedication approved and accepted the ____ day of _____, 2016 by the City Planning Board of Hobbs, New Mexico.

 William Hicks – Chairman

STATE OF NEW MEXICO }
 COUNTY OF LEA } ss

The Foregoing Instrument was Acknowledged before me this ____ day of _____, 2016 by William Hicks of the City of Hobbs Planning Board.

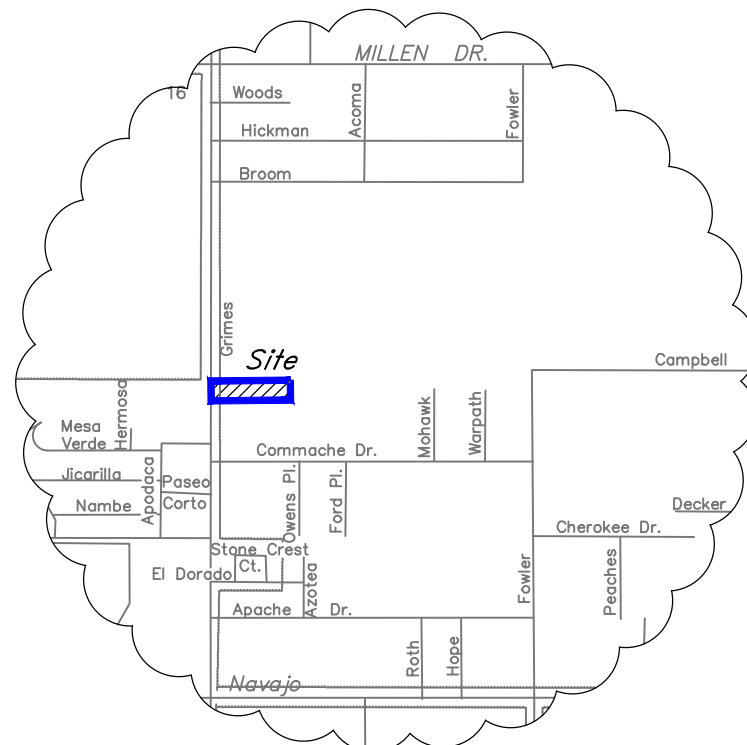
My commission expires _____
 Notary Public

CERTIFICATE OF SURVEY

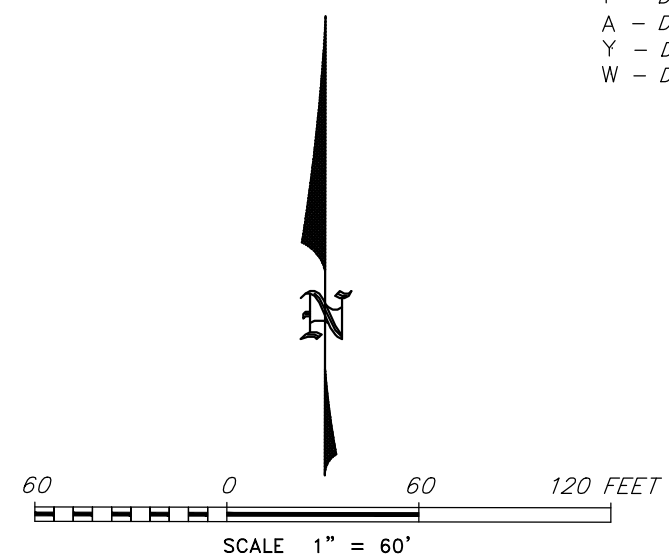
I HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY AND MEETS OR EXCEEDS ALL REQUIREMENTS FOR LAND SURVEYS AS SPECIFIED BY THIS STATE. THIS IS A SUBDIVISION OF LAND INTO TWO TRACTS AND IS BEING SUBDIVIDED ACCORDING TO THE RULES AND REGULATIONS OF THE CITY OF HOBBS, NM.

DATE: 10-03-2016

GARY L. JONES N.M. P.S. No. 7977



- LEGEND**
- X - DENOTES FND CP
 - T - DENOTES FND 1/2" REBAR
 - A - DENOTES SET 1/2" REBAR
 - Y - DENOTES FND ALUM CAP
 - W - DENOTES FND BRASS CAP



BASIN SURVEYS
 1120 N. WEST COUNTY RD. - Hobbs, New Mexico
 (575)393-7316

STATE OF NEW MEXICO
 COUNTY OF LEA
 FILED

_____, 2016
 AT _____ O'CLOCK _____ M
 AND RECORDED IN BOOK _____
 PAGE _____
 MELINDA HUGHES, LEA COUNTY CLERK
 BY _____ DEPUTY

Preliminary
 Not For
 Construction
 XX-XX-XX

DESIGN TEAM:

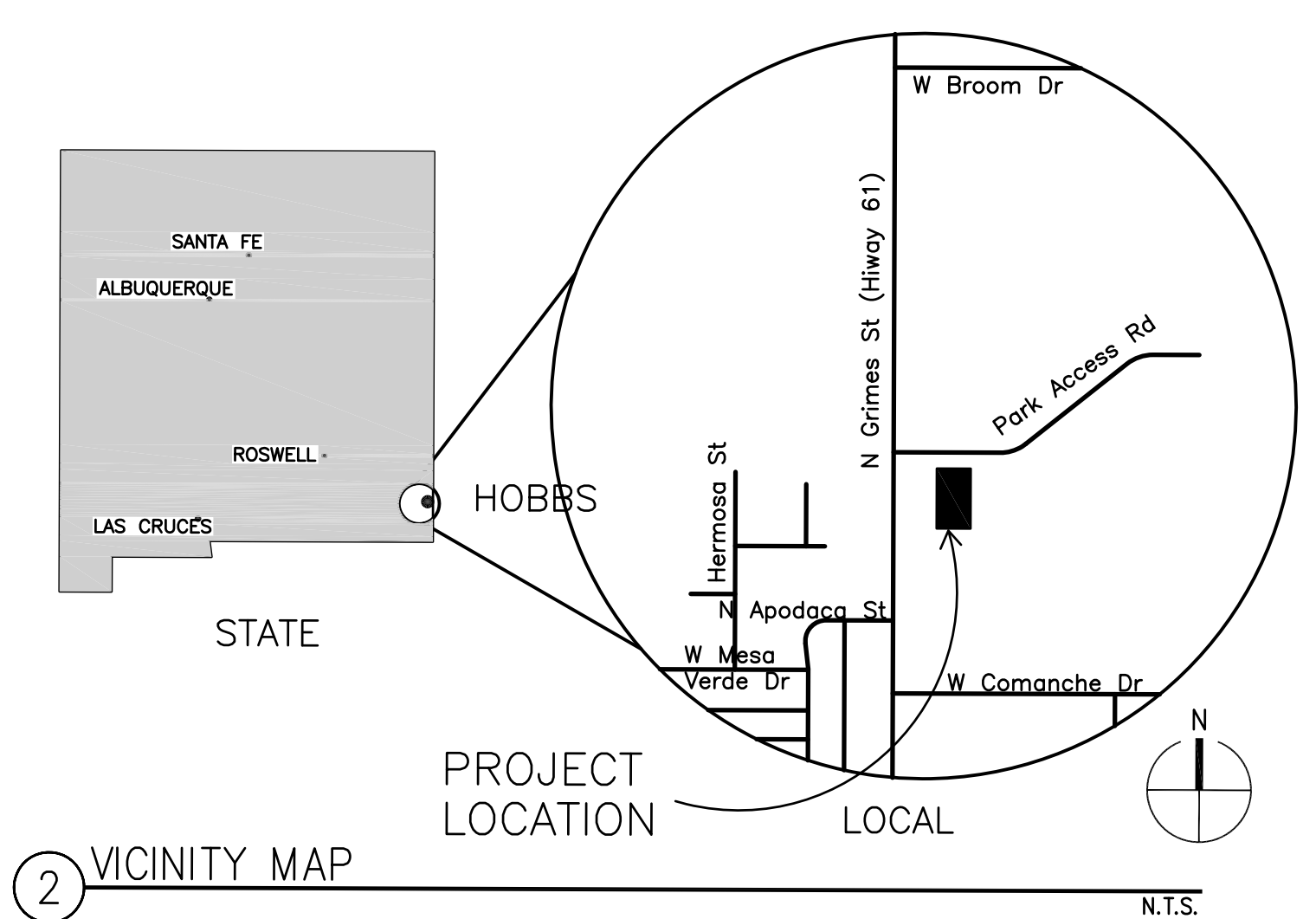
ARCHITECTURAL
 DARREN SOWELL ARCHITECTURE, LLC
 DARREN SOWELL, RA
 4700 LINCOLN RD NE, SUITE #111
 ALBUQUERQUE, NM 87109
 505 342 6200
 352 429-2229 FAX
 NEW MEXICO LIC. 3798

CANOPY DESIGN
 RICHARD D. MCCASKEY, P.E.
 CLOVIS SIGN COMPANY
 120 FAIRVIEW
 ARLINGTON, TX 76010
 817 261 9116
 NEW MEXICO LIC. 15645

CIVIL
 JEFF WOOTE, P.E.
 1005 21st STREET SE, SUITE B1
 RIO RANCHO, NM 87124
 505 980 3560
 NEW MEXICO LIC. 88693

GENERAL CONTRACTOR
 STEWARD BUILDERS, LTD
 P.O. BOX 65537
 ALBUQUERQUE, NM 87193
 817 341 3000
 817 341 0235 FAX
 NEW MEXICO LIC. 361793

ELECTRICAL
 FRED J. (BUD) TELCK
 A C ENGINEERING ENTERPRISES, INC.
 120 ALISO DRIVE, SE
 ALBUQUERQUE, NM 87108
 505 842 5787
 NEW MEXICO LIC. 6297



PROJECT ADDRESS:
 4308 NORTH GRIMES STREET
 HOBBS, NEW MEXICO

PROJECT DESCRIPTION:
 DIESEL CANOPY AND FUELING
 FOR ALLSUP'S NO. 138

GENERAL SITE NOTES:

- EXISTING CONDITIONS ARE APPROXIMATE. VERIFY ALL EXISTING CONDITIONS, IMPROVEMENTS AND DIMENSIONS PRIOR TO CONSTRUCTION AND COORDINATE DISCREPANCIES WITH OWNER AND ARCHITECT IMMEDIATELY UPON DISCOVERY OF VARIATIONS FROM THESE CONSTRUCTION DOCUMENTS.
- COORDINATE ANY WORK OUTSIDE THE PROPERTY LINES WITH ADJACENT PROPERTY OWNERS AND AUTHORITIES HAVING JURISDICTION.
- SITE PLAN IS TO BE USED FOR LOCATION OF NEW CANOPY. REFER TO ATTACHED CANOPY, CIVIL, AND ELECTRICAL SHEETS FOR ALL CONSTRUCTION AND DETAILING.

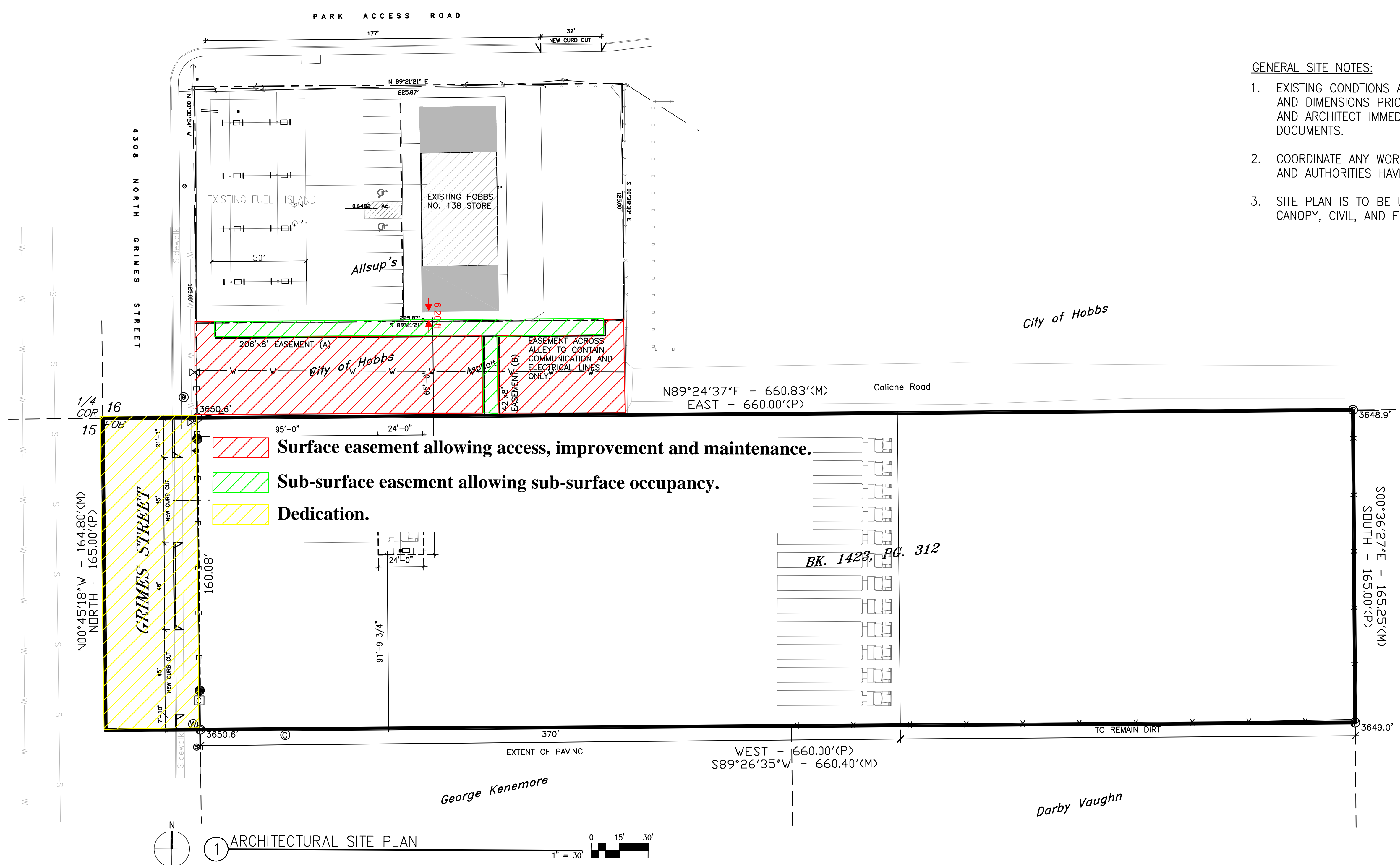
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CODE DATA

2009 NEW MEXICO BUILDING CODE
 2009 INTERNATIONAL BUILDING CODE
 2009 INTERNATIONAL EXISTING BUILDING CODE
 2009 NEW MEXICO PLUMBING & MECHANICAL CODE
 2009 NEW MEXICO ELECTRICAL CODE
 2009 NATIONAL ELECTRICAL CODE
 ICC/ANSI A117.1-2003 (ACCESSIBILITY)
 2009 NEW MEXICO ENERGY CONSERVATION CODE
 AMENDMENTS AS PER CONSTRUCTION
 INDUSTRIES DIVISION (CID)
 (505) 222-9800 ALBUQUERQUE

Allsup's Store #138
Diesel Canopy & Fueling
 4308 North Grimes Street
 Hobbs, New Mexico

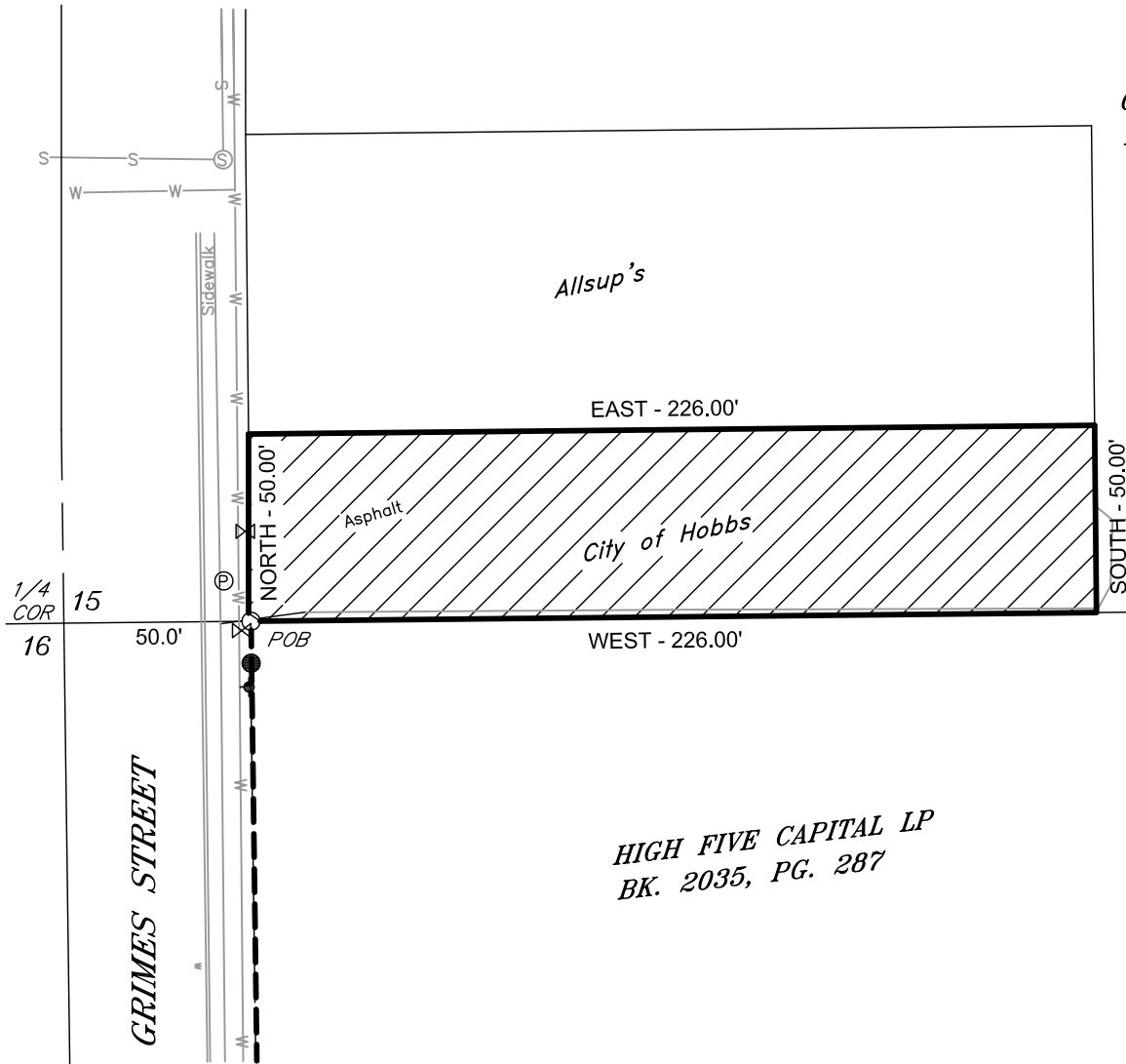


1 ARCHITECTURAL SITE PLAN

| | |
|--|-----------------|
| Project Number | 1612 |
| Drawn By | JS |
| Checked | DS |
| Issue Date | August 30, 2016 |
| COVER SHEET & ARCHITECTURAL SITE PLAN | |
| AS SHOWN | |

EASEMENT
Section 15, Township 18 South, Range 38 East,
NMPM, Lea County, New Mexico.

*CITY OF HOBBS
 BK. 782, PG. 208*



*HIGH FIVE CAPITAL LP
 BK. 2035, PG. 287*

A tract of land located in Section 15, Township 18 South, Range 38 East, NMPM, Lea County, New Mexico, and being more particularly described as follows:

Beginning at a point being 50.0 feet East of the West quarter corner of said Section 15. Thence North, 50.0 feet; Thence East, 226.0 feet; Thence South, 50.0 feet; Thence West, 226.0 feet to the point of beginning,

I HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY AND MEETS OR EXCEEDS ALL REQUIREMENTS FOR LAND SURVEYS AS SPECIFIED BY THIS STATE.



GARY L. JONES N.M. P.S. No. 7977
 TEXAS P.L.S. No. 5074

BASIN SURVEYS P.O. BOX 1786 - HOBBS, NEW MEXICO

W.O. Number: 30489 Drawn By: K. GOAD

Date: 10-4-2016 Disk: KJG - 30489

| |
|---|
| CITY OF HOBBS |
| REF: EASEMENT |
| A TRACT OF LAND LOCATED IN SECTION 15 TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., LEA COUNTY, NEW MEXICO. |
| Survey Date: NA |
| Sheet 1 of 1 Sheets |

GRANT OF EASEMENT

THIS GRANT OF SURFACE EASEMENT, entered into on this _____ day of _____, 2016 is granted by the City of Hobbs, a New Mexico Municipal Corporation ("Property Owner") to _____, ("Grantee"), a _____ Corporation.

For valuable consideration, Property Owner does hereby warrant, grant, bargain, sell and convey unto _____, a _____ corporation, with an address of _____, _____, _____, hereinafter called "Grantee", its successors and assigns, a non-exclusive surface easement (the "Easement") for the purpose of access, to construct, maintain, protect, repair, replace surface concrete, and, for the purpose of daily access, in, over, through and across the real property owned by Property Owner located in Section _____, Township _____, Range _____, NMPM in Lea County, New Mexico, more particularly described as follows:

LEGAL DESCRIPTION:

TO HAVE AND TO HOLD such Easement unto Grantee, its successors and assigns, for so long thereafter as the surface access shall be used or maintained, together with all necessary rights of ingress and egress upon, over, through, and across the Property for the purposes set forth herein, including, without limitation, the right from time to time to maintain and repair improvements, if any, and other obstructions that may injure, endanger or interfere with the operation and maintenance of the surface access. In exchange for the grant of easement and by accepting this Easement, Grantee agrees to the following:

1. Grantee agrees to limit the Easement areas as defined above.
2. Grantee agrees to use the easement property in a workmanlike manner. Grantee agrees to carry out final clean-up within the easement following construction.
3. When or if the surface easement ceases to be used by Grantee or assigns, Grantee agrees to 1) remove the improvements and return the land to the original condition prior to Grantees usage, including removal of concrete, rock, etc., re-grading, re-seeding and restoration of land and soil back to its original condition; 2) Provide the City with a Phase I Environmental Assessment Report indicating that there are no recognized environmental conditions on the site and that the site is a clean site; and 3) Send the City and Lea County Clerk a Letter of Abandonment to be recorded by the City in the Lea County Clerk's Records.
4. Grantee agrees to and shall indemnify, defend and hold the City, the City Commission of the City of Hobbs, its individual Commissioners, its officers, employees and agents harmless from any and all causes of action, suits, claims, judgments, losses, costs, expenses, and liens of every kind and nature, including but not limited to court costs and attorney's fees, arising or alleged to have arisen out of Grantee's negligent operations or provision of services or failure to render services, or any breach by Grantee of the Easement conditions.
5. Relocation of Facilities - In the event that any time during the period of this easement, the City shall elect to alter or change the grade or location of any publicly owned utility, street, easement, alley, or other public way for the purpose of utilities or street improvement, the Company, upon reasonable notice by the City of the necessity, shall remove improvements and replace or repair, at Company's determination, the improvements upon the easement at its own cost and expense.

Grantor shall have the right to use and enjoy the Easement; provided, however, Grantor shall not exercise such use and enjoyment in a manner that will impair or interfere with the exercise by Grantee of any of the rights herein granted.

The consideration paid hereof covers, and Grantee is hereby released from liability for, all damages reasonably resulting from or incidental to the original installation of improvements, except for the damages resulting from the negligence of Grantee.

The rights of either party hereunder may be assigned in whole or in part, and all covenants and agreements herein contained shall extend to and be binding on the respective heirs, devisees, legal representatives, successors or assigns of the parties hereto. Grantor warrants that they are the owners of the lands herein conveyed and have the right to make this conveyance and receive payment therefor. Grantor agrees to execute and deliver to Grantee, without additional compensation, any additional documents needed to correct or redefine the legal description of the easement area to confirm to the installation of improvements.

This grant of easement shall be governed by and construed under the laws of the State of New Mexico, excluding any conflict of law rules which may require the application of the laws of another jurisdiction. If the Easement property is not used and maintained by Grantee, its successors or assigns, then the easement shall terminate and the Property Owner shall be entitled to file a Certificate of Abandonment with the County Clerk.

IN WITNESS WHEREOF, the Property Owner sets its hand and seal on the date first written above.

PROPERTY OWNER

By _____, City Manager, City of Hobbs

(SEAL)

ATTEST:

Jan Fletcher, City Clerk

STATE OF NEW MEXICO)
 (SS.
COUNTY OF LEA)

The foregoing instrument was acknowledged before me on this _____ day of _____, 2016 by _____, as Manager of the City of Hobbs, a New Mexico Municipal Corporation, to me personally known, who being by me duly sworn did say that he is the duly appointed Manager and signing officer of the City of Hobbs, and that said instrument was signed on behalf of said Municipal Corporation, and _____ acknowledged said instrument, and acknowledged that he executed the same as his free act and deed and on behalf of the respective Corporation.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal in the County and State aforesaid and year first written above.

Notary Public

My Commission Expires:

**GRANT OF SUB-SURFACE
PRIVATE UTILITY EASEMENT**

THIS GRANT OF SUB-SURFACE PRIVATE UTILITY EASEMENT, entered into on this _____ day of _____, 2016 is granted by the City of Hobbs, a New Mexico Municipal Corporation ("Property Owner") to _____, ("Grantee"), a _____ Corporation.

For valuable consideration, Property Owner does hereby warrant, grant, bargain, sell and convey unto _____, a _____ corporation, with an address of _____, _____, _____, hereinafter called "Grantee", its successors and assigns, an non-exclusive sub-surface private utility easement (the "Easement") for the purpose, from time to time, to lay, construct, operate, inspect, maintain, protect, mark, repair, replace, change the size of, survey, and remove electrical and control conduits, and appurtenances (including line markers), equipment, and facilities useful or incidental to or for the operation or protection thereof, for the purpose of providing electrical and control wiring for a fuel delivery system, in, over, through and across the real property owned by Property Owner located in Section ____, Township _____, Range _____, NMPM in Lea County, New Mexico, more particularly described as follows:

LEGAL DESCRIPTION:

TO HAVE AND TO HOLD such Easement unto Grantee, its successors and assigns, for so long thereafter as the fuel delivery shall be used or maintained, together with all necessary rights of ingress and egress upon, under, through, and across the Property for the purposes set forth herein, including, without limitation, the right from time to time to cut and remove trees and undergrowth, if any, and other obstructions that may injure, endanger or interfere with the operation and maintenance of the fuel delivery system. In exchange for the grant of easement and by accepting this Permanent Easement, Grantee agrees to the following:

1. Grantee agrees to limit the sub-surface occupation to the Easement areas as defined above. Additionally Grantee agrees to maintain a minimum of 20" depth below any and all municipal facility crossings and concrete encase such crossings.
2. Grantee agrees to use the easement property in a workmanlike manner. Grantee agrees to carry out final clean-up within the easement following construction.
3. When or if the fuel delivery system ceases to be used by Grantee or assigns, Grantee agrees to 1) remove the private utility and return the land to the original condition prior to excavations for the conduits removal, including removal of waste materials, rock, etc., re-grading, re-seeding and restoration of land and soil back to its original condition; 2) Provide the City with a Phase I Environmental Assessment. Report indicating that there are no recognized environmental conditions on the site and that the site is a clean site; and 3) Send the City and Lea County Clerk a Letter of Abandonment to be recorded by the City in the Lea County Clerk's Records.
4. Grantee agrees to and shall indemnify, defend and hold the City, the City Commission of the City of Hobbs, its individual Commissioners, its officers, employees and agents harmless from any and all causes of action, suits, claims, judgments, losses, costs, expenses, and liens of every kind and nature, including but not limited to court costs and attorney's fees, arising or alleged to have arisen out of Grantee's negligent operations or provision of services or failure to render services, or any breach by Grantee of the Permanent Easement conditions.

- 5. Relocation of Facilities - In the event that any time during the period of this easement, the City shall elect to alter or change the grade or location of any publicly owned utility, street, easement, alley, or other public way for the purpose of utilities or street improvement, the Company, upon reasonable notice by the City of the necessity, shall remove, relay or relocate, at Company's determination, its private utility lines and other related fixtures on the City's right-of-way at its own cost and expense.

Grantor shall have the right to use and enjoy the Easement; provided, however, Grantor shall not exercise such use and enjoyment in a manner that will impair or interfere with the exercise by Grantee of any of the rights herein granted.

The consideration paid hereof covers, and Grantee is hereby released from liability for, all damages reasonably resulting from or incidental to the original laying of said private utility, except for the damages resulting from the negligence of Grantee.

The rights of either party hereunder may be assigned in whole or in part, and all covenants and agreements herein contained shall extend to and be binding on the respective heirs, devisees, legal representatives, successors or assigns of the parties hereto. Grantor warrants that they are the owners of the lands herein conveyed and have the right to make this conveyance and receive payment therefor. Grantor agrees to execute and deliver to Grantee, without additional compensation, any additional documents needed to correct or redefine the legal description of the easement area to confirm to the right-of-way actually occupied by the private utility.

This grant of right-of-way and easement shall be governed by and construed under the laws of the State of New Mexico, excluding any conflict of law rules which may require the application of the laws of another jurisdiction. If the Permanent Easement property is not used and maintained by Grantee, its successors or assigns, then the easement shall terminate and the Property Owner shall be entitled to file a Certificate of Abandonment with the County Clerk.

IN WITNESS WHEREOF, the Property Owner sets its hand and seal on the date first written above.

PROPERTY OWNER

By _____, City Manager, City of Hobbs

(SEAL)

ATTEST:

Jan Fletcher, City Clerk

STATE OF NEW MEXICO)
 (SS.
COUNTY OF LEA)

The foregoing instrument was acknowledged before me on this _____ day of _____, 2016 by _____, as Manager of the City of Hobbs, a New Mexico Municipal Corporation, to me personally known, who being by me duly sworn did say that he is the duly appointed Manager and signing officer of the City of Hobbs, and that said instrument was signed on behalf of said Municipal Corporation, and _____ acknowledged said instrument, and acknowledged that he executed the same as his free act and deed and on behalf of the respective Corporation.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal in the County and State aforesaid and year first written above.

Notary Public

My Commission Expires:

September 20, 2016 Planning Board Regular Meeting Agenda

- 6) **Review and Consider front yard setback variance request for Lots 7, 8, 9 & 10 of the Winsor Estates Subdivision as submitted by Hobbs Windsor Estates, LLC, property owner.**

**Hobbs Windsor Estates, LLC
1819 N. Turner Suite B
Hobbs, New Mexico 88240
575-393-7706**

October 12, 2016

City of Hobbs
Mr. Kevin Robinson
HAND DELIVERED

**RE: Setback Variance Request
Lots 7, 8, 9 and 10 of the Windsor Estates Subdivision**

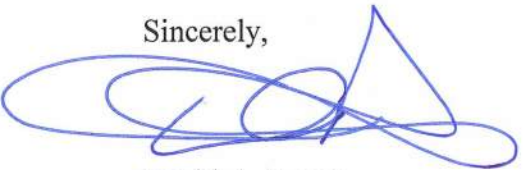
Dear Mr. Robinson

Please find enclosed herewith an Application for a variance of the front yard setback for the captioned lots.

Due to the current front setbacks being 21 feet, it is difficult to find a house plan that would fit on the lots and not violate the setbacks. Since these lots are within a semi cul-de-sac, if the variance is granted, future homes would still be set back substantially from Jesifer Court and would not create a visibility hazard.

We respectfully request the City to grant the requested variance.

Sincerely,



David A. Pyeatt
Member

DAP/dp



VARIANCE APPLICATION

Application Date: 9-8-16

Variance for (circle one): front yard/ side yard

Property Owner: Hobbs Windsor Estates, LLC

Phone: 575-393-7706 (David Pyeatt)

Address of proposed structure: Vacant Lots on Jesifer Court

Subdivision (if known): Windsor Estates Lot & Block # (if known): Lots 7, 8, 9 and 10

Type of proposed structure: Single Fam Home Dimensions of proposed structure: To be Determined

Are subdivision covenants and/or deed restrictions available? yes If so, please attach a copy.

The existing front/side setback for the structure at the above address is 21 feet. If the variance is approved, the new front/side setback with the front improvement will be 12 feet.

* The Planning Board of the City of Hobbs has established a procedure to require each applicant for a setback variance to notify property owners within 150 feet of the proposed improvement. In addition, front-yard setbacks of less than 10' for buildings (excluding carports) are generally not permitted.

Addresses of existing carports/fences/porches in vicinity (if any):

Table with 2 columns: Address, Name. Rows include 1503 W. Jesifer Court, 1523 W. Jesifer Court, 1527 W. Jesifer Court, 1504 W. Jesifer Court, 1526 W. Jesifer Court.

Please attach the following documents:

- Copy of Building Permit Application.
• Sketch Plan showing dimensions of existing and proposed improvements and distances from proposed improvement to sidewalk, curb, and/or edge of street.
• Copy of Covenants and/or Deed Restrictions, if any.
• Signature Sheet containing signatures of adjacent property owners within 150 feet of above referenced lot.

Return completed form to: City-Hall - Planning Division, 200 E. Broadway St., Hobbs, NM 88240, P: 575-397-9232, F: 575-397-9227

Handwritten signature in blue ink

Property Owner Signature

Date

**CITY OF HOBBS, NM
PLANNING DIVISION
VARIANCE APPLICATION**
(To Front and/or Side Yard Setback Requirement)
Adjoining Property Owner Notification

Note: The Planning Board of the City of Hobbs has established a procedure to require each applicant for a front or side yard setback variance to notify property owners within 150 feet of the proposed improvement. In addition, front-yard setbacks of less than 10' for buildings (excluding carports) are generally not permitted.

Date: 9-8-16

Applicant: Hobbs Windsor Estates, LLC

Phone: 575-393-7706 (David Pyeatt)

Neighboring Property Owner:

For your information, a variance application has been submitted to build a structure in the front or side setback at:

Applicant address: 1819 N. Turner, Suite B, Hobbs, NM 88240

Address of proposed structure: vacant lots on Jesifer Court

Subdivision (if known): Windsor Estates Lot & Block # (if known): Lots 7, 8, 9 and 10

Type and dimensions of proposed structure (see attached drawing for details): Single Family Residences

The existing front/side setback for the structure at the above address is 21 feet. If the variance is approved, the new front/side setback with the front/side improvement will be 12 feet.

If any adjoining property owner has questions, please call the Planning Division at 397-9232. The City reserves the right to contact adjacent property owners to verify accuracy of signatures.

Signatures of adjoining property owners and acknowledgement of request:

| Adjacent Property Owner Name(s) | Address | Signature(s) | Phone # | Do you support request? Y / N |
|---------------------------------|--------------------|------------------------|--------------|-------------------------------|
| Arturo/Elda Estrello | 1503 W. Jesifer Ct | <i>Arturo Estrello</i> | 575 441 6037 | |
| Berry & Gomez, LLC | 1523 W. Jesifer Ct | | | 51 |
| Simpson/Poortman | 1527 W. Jesifer Ct | | | |
| Santos/Amie Marquez | 1504 W. Jesifer Ct | | | |
| Tyler Wittman | 1526 W. Jesifer Ct | | | |
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*Deed Restrictions, if available, are located in the Planning Division.

**PLANNING DIVISION
VARIANCE APPLICATION**

(To Front and/or Side Yard Setback Requirement)
Adjoining Property Owner Notification

Note: The Planning Board of the City of Hobbs has established a procedure to require each applicant for a front or side yard setback variance to notify property owners within 150 feet of the proposed improvement. In addition, front-yard setbacks of less than 10' for buildings (excluding carports) are generally not permitted.

Date: 9-8-16

Applicant: Hobbs Windsor Estates, LLC

Phone: 575-393-7706 (David Pyeatt)

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Applicant address: 1819 N. Turner, Suite B, Hobbs, NM 88240

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Subdivision (if known): Windsor Estates Lot & Block # (if known): Lots 7, 8, 9 and 10

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| Adjacent Property Owner Name(s) | Address | Signature(s) | Phone # | Do you support request? Y / N |
|---------------------------------|--------------------|---------------------|--------------|-------------------------------|
| Arturo/Elda Estrello | 1503 W. Jesifer Ct | | | |
| Berry & Gomez, LLC | 1523 W. Jesifer Ct | <i>Brenda Berry</i> | 575-740-0949 | yes |
| Simpson/Poortman | 1527 W. Jesifer Ct | | | |
| Santos/Amie Marquez | 1504 W. Jesifer Ct | | | |
| Tyler Wittman | 1526 W. Jesifer Ct | | | |
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**CITY OF HOBBS, NM
PLANNING DIVISION
VARIANCE APPLICATION**

(To Front and/or Side Yard Setback Requirement)
Adjoining Property Owner Notification

The Planning Board of the City of Hobbs has established a procedure to require each applicant for a front or side yard setback variance to notify property owners within 150 feet of the proposed improvement. In addition, front-yard setbacks of less than 10' for buildings (excluding carports) are generally not permitted.

Date: 9-8-16

Applicant: Hobbs Windsor Estates, LLC

Phone: 575-393-7706 (David Pyeatt)

Neighboring Property Owner:

For your information, a variance application has been submitted to build a structure in the front side setback at:

Applicant address: 1819 N. Turner, Suite B, Hobbs, NM 88240

Address of proposed structure: vacant lots on Jesifer Court


Division (if known): Windsor Estates Lot & Block # (if known): Lots 7, 8, 9 and 10

Use and dimensions of proposed structure (see attached drawing for details): Single Family Residences

Existing front/side setback for the structure at the above address is 21 feet. If the variance is approved, the new front/side setback with the front/side improvement will be 12 feet.

If an adjoining property owner has questions, please call the Planning Division at 397-9232. The City reserves the right to contact adjacent property owners to verify accuracy of signatures.

Signatures of adjoining property owners and acknowledgement of request:

| Adjacent Property Owner Name(s) | Address | Signature(s) | Phone # | Do you support request? Y / N |
|---------------------------------|--------------------|---|--------------|-------------------------------|
| Alvarez/Elda Estrello | 1503 W. Jesifer Ct | | | |
| Alvarez & Gomez, LLC | 1523 W. Jesifer Ct | | | |
| Alvarez/Poortman | 1527 W. Jesifer Ct |  | 505 348-1351 | Yes |
| Alvarez/Amie Marquez | 1504 W. Jesifer Ct | | | |
| Alvarez/Wittman | 1526 W. Jesifer Ct | | | |
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**CITY OF HOBBS, NM
PLANNING DIVISION
VARIANCE APPLICATION**
(To Front and/or Side Yard Setback Requirement)
Adjoining Property Owner Notification

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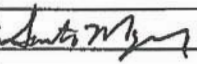
Subdivision (if known): Windsor Estates Lot & Block # (if known): Lots 7, 8, 9 and 10

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Signatures of adjoining property owners and acknowledgement of request:

| Adjacent Property Owner Name(s) | Address | Signature(s) | Phone # | Do you support request? Y / N |
|---------------------------------|--------------------|---|--------------|-------------------------------|
| Arturo/Elda Estrella | 1503 W. Jesifer Ct | | | |
| Berry & Gomez, LLC | 1523 W. Jesifer Ct | | | |
| Simpson/Poortman | 1527 W. Jesifer Ct | | | |
| Santos/Amie Marquez | 1504 W. Jesifer Ct |  | 575-602-8077 | Y |
| Tyler Wittman | 1526 W. Jesifer Ct | | | |
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**CITY OF HOBBS, NM
PLANNING DIVISION
VARIANCE APPLICATION**
(To Front and/or Side Yard Setback Requirement)
Adjoining Property Owner Notification

Note: The Planning Board of the City of Hobbs has established a procedure to require each applicant for a front or side yard setback variance to notify property owners within 150 feet of the proposed improvement. In addition, front-yard setbacks of less than 10' for buildings (excluding carports) are generally not permitted.

Date: 9-8-16

Applicant: Hobbs Windsor Estates, LLC

Phone: 575-393-7706 (David Pyeatt)

Neighboring Property Owner:

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Address of proposed structure: vacant lots on Jesifer Court


Subdivision (if known): Windsor Estates Lot & Block # (if known): Lots 7, 8, 9 and 10

Type and dimensions of proposed structure (see attached drawing for details): Single Family Residences

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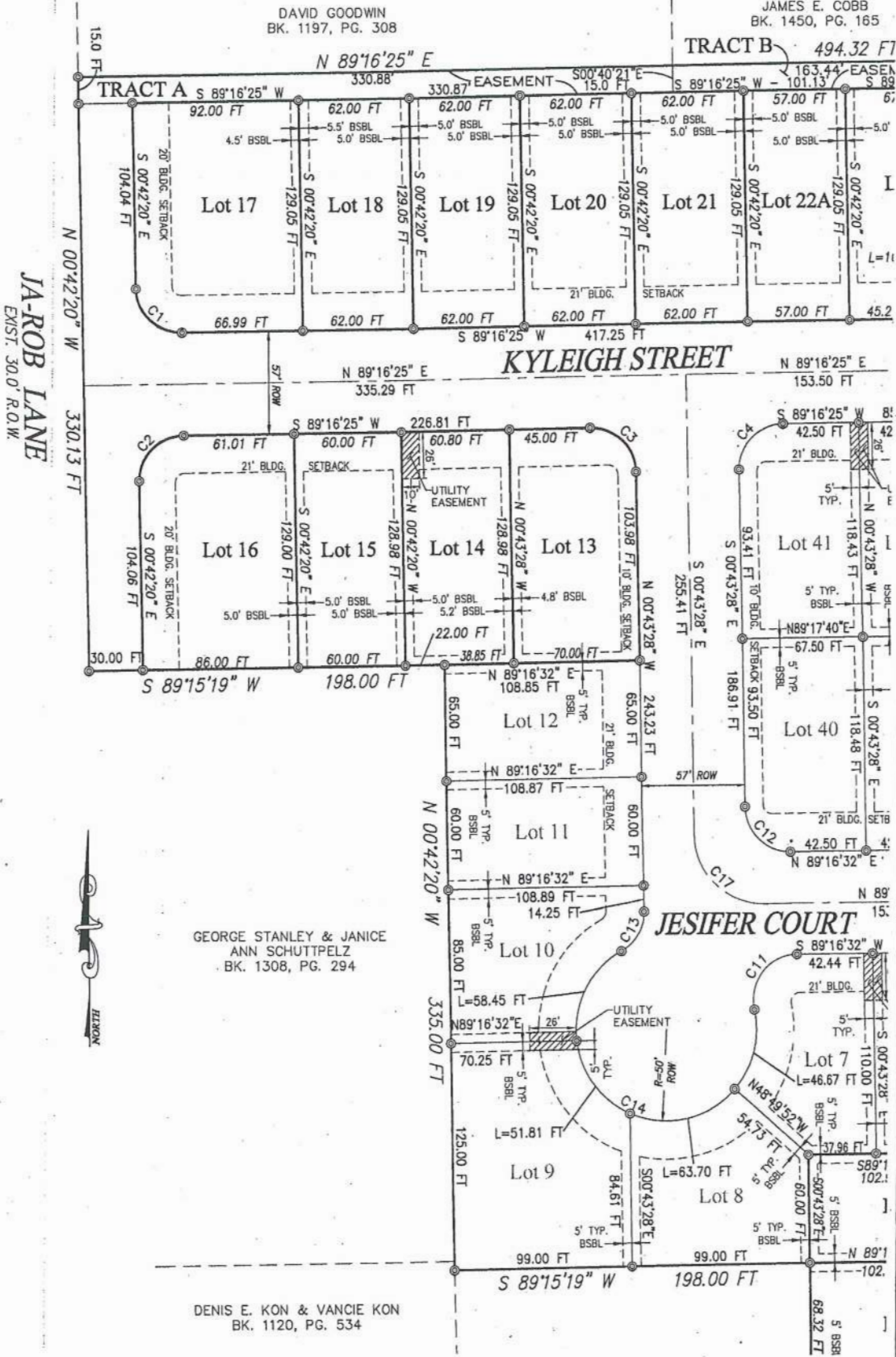
Signatures of adjoining property owners and acknowledgement of request:

| Adjacent Property Owner Name(s) | Address | Signature(s) | Phone # | Do you support request? Y / N |
|---------------------------------|--------------------|---|--------------|-------------------------------|
| Arturo/Elda Estrella | 1503 W. Jesifer Ct | | | |
| Berry & Gomez, LLC | 1523 W. Jesifer Ct | | | |
| Simpson/Poortman | 1527 W. Jesifer Ct | | | |
| Santos/Amie Marquez | 1504 W. Jesifer Ct | | | |
| Tyler Wittman | 1526 W. Jesifer Ct |  | 575-263-4294 | Yes |
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***Deed Restrictions, if available, are located in the Planning Division.**

SECOND AME

C



DAVID GOODWIN
BK. 1197, PG. 308

JAMES E. COBB
BK. 1450, PG. 165

TRACT B 494.32 FT

JA-ROB LANE
EXST. 30.0' R.O.W.

KYLEIGH STREET

JESIFER COURT

GEORGE STANLEY & JANICE
ANN SCHUTTPELZ
BK. 1308, PG. 294

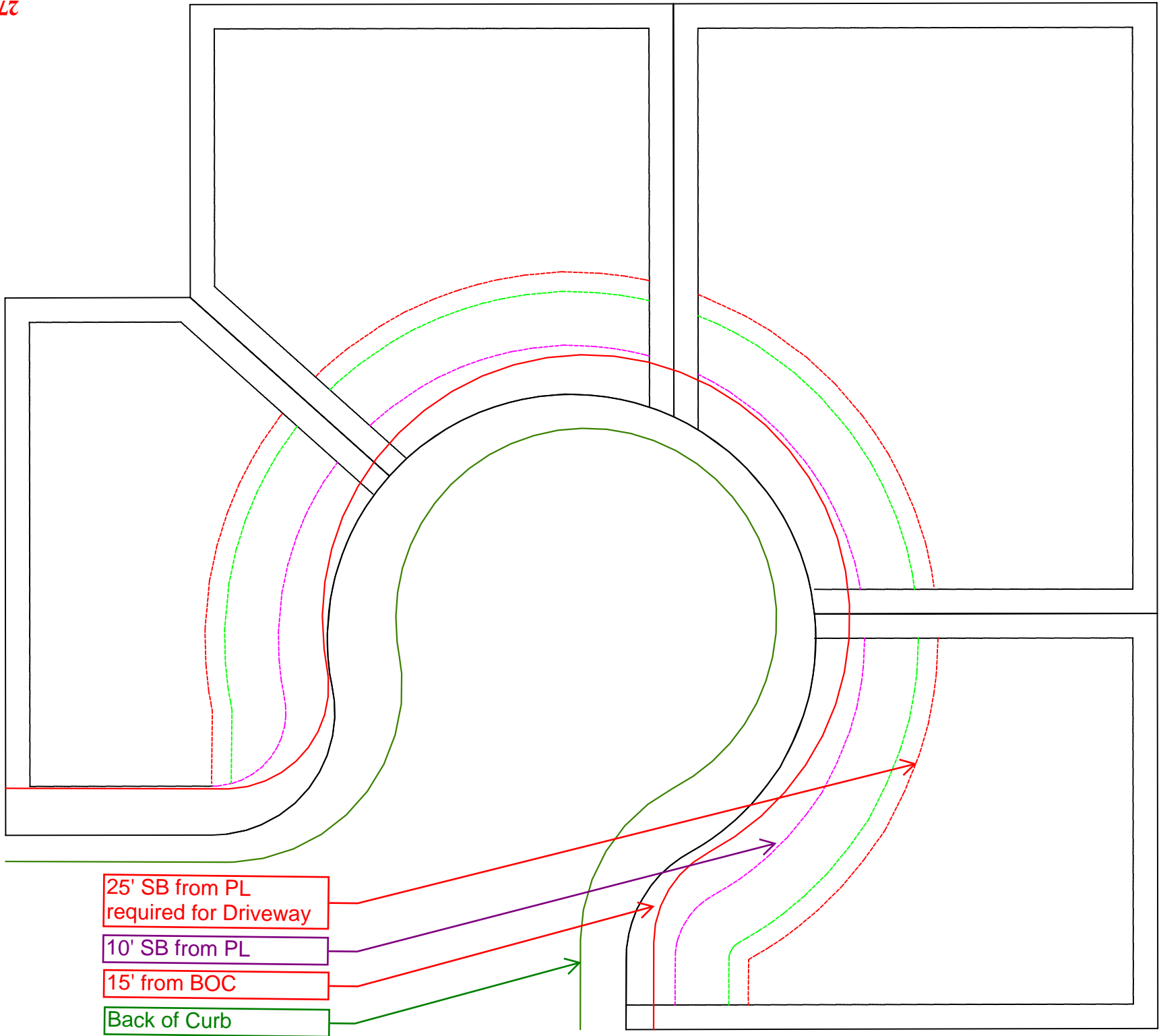
DENIS E. KON & VANCIE KON
BK. 1120, PG. 534

Subject Properties



Google Earth Pro





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**WINDSOR ESTATES SUBDIVISION
COVENANTS AND RESTRICTIONS**

KNOW ALL MEN BY THESE PRESENTS

That Hobbs Windsor Estates, LLC, a New Mexico Limited Liability Company, owner and developer (hereinafter "Developer") of Lots 1 through 41 ("Lots") located in the Windsor Estates Subdivision located in Hobbs, Lea County, New Mexico ("Subdivision"), and which is more fully described in a plat thereof recorded in the office of the Lea County Clerk, which is adopted by reference as if set out in full herein ("Plat") does hereby declare that all of the lots shall have and be subject to the following Covenants and Restrictions ("Restrictions") which shall run with the land and be binding upon all owners or purchasers of the Lots, their heirs, successors, personal representative and assigns.

1. RESIDENTIAL LOTS.

No building or structure shall be erected, altered, or permitted to remain on any Lot other than a single family residence and its customary and usual accessory structures (unless otherwise prohibited herein). Prohibited structures, uses and operations shall include, but not be limited to, duplex houses, apartment houses, pre-manufactured houses, pre-built houses, pre-cut houses or placement of manufactured homes, mobile homes, modular homes, or placement of any buildings not constructed at the building site, commercial and professional uses (except for the initial construction and sale of a single family dwellings), drilling for oil, gas or other minerals, quarrying or mining, placing or maintaining on the premises any tanks, wells, shafts, mineral excavations, derricks, or structures or any kind incident to any such oil, gas or other mineral operation.

2. STRUCTURAL RESTRICTION.

No structure shall be erected on any Lot with materials other than stucco which must constitute at least 75% of the total outside area. Openings and glass areas shall be considered to be of the material which is on either side of it.

Stone, including man-made stone shall be permitted to be placed on the front of the structure but shall not exceed 20% of the total front of the structure.

The total heated and cooled floor area of the main structure exclusive of porches, garages, terraces and breeze-ways shall not be less than 1800 square feet.

No dwelling or any other structure shall be designed, planned or constructed of more than one story in height.

3. **CONSTRUCTION ON LOTS**

Construction of the principal dwelling on each Lot must be commenced within two years from the date of the initial deed out of the Developer. In the event, construction is not commenced within said time period, Developer shall have the right but not the obligation to re-purchase the Lot within 90 days from the end of said two year period at the same purchase price that the lot was originally sold for. No structure with an unfinished exterior shall be permitted to remain on any Lot for a period exceeding six months from the date of commencement of it's construction.

4. **ARCHITECTURAL CONTROL COMMITTEE (hereinafter "ACC")**

No structure shall be erected, placed, or altered on any Lot until two complete sets of building plans and specifications, stucco sample, color scheme, and two plot plans of the location of such building shall have been delivered to the ACC designated as hereinafter provided, and until such building plans, specifications and plot plan shall have been approved in writing by the ACC as being in conformity and harmony with the external design and location of the existing structures of the Subdivision and in compliance with the restrictions herein contained. One copy of such plans, specifications and plot plan shall be retained by the ACC and the second copy shall be redelivered to the owner of the lot with the approval of the ACC appropriately endorsed thereon.

The Developer shall have authority to appoint the ACC and to remove without cause any person serving on the ACC. The ACC shall consist of not less than three members, and Developer shall also have the authority to fill any vacancies in the ACC. The ACC is authorized to delegate to one or more representatives the authority to perform the duties of the ACC as set forth herein. At such time that the Developer does not own any Lots in the Subdivision and the Developer fails to fill any vacancy in the ACC, a majority of the Lot owners of record shall appoint the members of the ACC and if said owners fail to act the City Commission of the City of Hobbs is hereby authorized to designate a successor member or members.

In the event the ACC, or its designated representative, fails to approve or disapprove any building plans, specifications, stucco sample, color scheme, or plot plans within thirty days after the same are submitted to it, and if all terms contained in these restrictions have been complied with, the ACC shall be deemed to have approved such plans, specifications and stucco sample, within thirty days after the same are submitted to it. The ACC shall in no event be liable in damages for any action or failure or refusal to act pursuant to the provisions hereof. The ACC shall receive no fees or compensation for its services.

The ACC, in its sole discretion, may approve, waive or issue variations from these restrictions as said ACC deems not to be inconsistent with the general tenor and purpose of these restrictions

5. SETBACKS; MULTIPLE LOTS.

All dwellings erected on any Lot shall face the street upon which the Lot faces, as the same is platted on the Plat and no portion of any structure shall be nearer to the road or street property line of said Lot than as designated on said Plat.

No portion of any structure shall be nearer than 5 feet to any side Lot line except for Lots 1 thru 5 and Lots 14 thru 23. The North wall of all dwellings built on Lots 1 thru 5 shall be built on the North Lot line and no structure shall be built nearer than 10 feet from the South Lot line. The East wall of all dwellings built on Lots 14 thru 23 shall be built on the East Lot line and no structure shall be built nearer than 10 feet from the West Lot line.

Each Lot which has a zero lot line is subject to a two foot (2') eave overhang easement and a Five foot (5') construction, maintenance and repair easement immediately adjoining the side building lot line of the adjacent Lot.

All eaves on the zero lot line shall be guttered in such a manner that drainage water is channeled back to the lot whereas the residence is built upon.

6. FENCES.

Each Lot must be fenced within 90 days of the completion of the main dwelling, and must be faced (as viewed from the front and/or side street) with the same exterior material used to cover at least 75% of the main structure. No fence, wall or hedge shall be erected, placed or altered on any Lot nearer to any street than the minimum building setback line indicated on the Plat. Fences, walls, or hedges shall be a minimum of 6 feet but shall not exceed 6 feet in height unless specifically approved otherwise by the ACC. No wood, chain link or other metal fences are allowed. All fence materials and fence heights must be approved by the ACC prior to any fence construction.

7. OFFENSIVE ACTIVITIES.

No noxious or offensive activity of any kind whatsoever shall be carried on upon any Lot, nor shall there be permitted any act thereon that may be or become any annoyance or nuisance to the owners or occupants of any Lot. No trade or business shall be carried on upon any Lot.

No inoperable junk or unlicensed vehicles shall be stored on any Lot. Any boat, boat trailer, trailer, mobile home, campmobile, camper, or any vehicle other than a conventional automobile, pick-up truck, or van shall be stored, placed or parked within the garage of the appropriate Lot and shall not be permitted to be parked or stored in the street or driveway except for loading and unloading purposes but shall not be permitted to remain more than 48 hours.

8. GARAGES AND CARPORTS

Carports shall not be permitted on any Lot. Storage rooms may be unattached to the main structure if allowed by the ACC. Each garage shall open to the front of the Lots unless approved by the ACC. Garages shall provide space for a minimum of two conventional automobiles. The entire space from the garage opening to the street must be of concrete construction as approved by the ACC.

9. PETS.

No animals, livestock or poultry of any kind shall be raised, bred or kept on any Residential Lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for commercial purposes..

10. EASEMENTS.

All easements shown on the Plat for the purpose of installation of any maintenance of public utilities and all easements hereafter granted for such purposes by the undersigned shall be strictly observed and shall not be in any manner obstructed so as to hinder any such easements

11. SIGNS.

No signs for the advertising purposes shall be displayed to the public view by homeowners or builders, excepting only signs of customary dimensions (2' x 3' maximum) advertising said property, or portions thereof for sale.

12. MAIL BOXES.

Individual mailboxes for each Lot are not allowed unless approved by the ACC and the United States Postal Service. Any mail box their location and construction must have prior approval by ACC.

13. ROOFS.

All structures constructed on any Lot must have a roof of slate, clay, concrete tile or a 40 year rating composite shingle, unless otherwise approved by the ACC. Any metal roofing material for any structure on any Lot must be approved by the ACC. No wood or shake shingles are allowed on the roof of any structure constructed on any Lot. The roof pitch of any structure shall be 6 in 12 minimum and 12 in 12 maximum.

14. GARBAGE- WEEDS.

Garbage containers shall be stored so as not to be visible from any street or Lot. Garbage and other household trash shall be taken to the curb only in such containers and at such pick up times as specified by the City of Hobbs, and shall be returned to the storage point on the same day as pick up. The owners of Lots, whether built on or not, must keep the Lots free of weeds and debris. The owners of Lots must mow such Lots whether built on or not on a regular basis and not allow weeds to exceed 12 inches.

15. ANTENNAS, AERIALS, AND POLES.

All television antennas and other antennas shall be located inside the attic of a structure on any Lot. No poles on any Lot may be erected without prior approval by the ACC.

16. LANDSCAPING AND DRAINAGE.

Landscaping of a Lot must be completed within one hundred eighty days after the date on which the main structure is 95% complete. All Lots shall be graded so that surface water will flow to street.

17. SERVICE FACILITIES.

All clothes lines or service facilities must be enclosed within walls, fences or, landscaping as not to be visible from outside the Lot.

18. EQUIPMENT

No evaporative cooler, air conditioning equipment, heating equipment, cooling or heating ducts, water tanks, or other equipment shall be placed, installed or maintained on the roof or wall or windows of any building or structure on any of the Lots. All Mechanical equipment shall be concealed from view from the street and from adjoining Lots by the enclosure of such equipment with walls or fences.

19. UTILITIES.

All utility lines including, but not limited to television cables, electrical lines and telephone lines, shall be placed underground from the point of service to the dwelling for all Lots. Such underground services shall be in compliance with the requirements of the respective utility companies.

Each Lot owner shall install the service lateral from the meter pedestal at the Lot owner's expense.

20. UTILITY EASEMENTS.

Various Lots of the Subdivision are subject to easements in favor of the utility companies and the City of Hobbs for the installation and maintenance of the services provided by the utility companies or the City of Hobbs. The exact location of said easements are shown on the Plat. Each Lot owner shall keep said easements free and clear of all buildings and other obstructions or fences, except for perimeter fences and no Lot owner shall be compensated in any manner whatsoever for use of said easements. Each Lot owner shall furnish the access path to said easements where necessary. The easements grant the utility companies and the City of Hobbs permission to, among other things, repair, remove or replace their facilities and to take whatever action is necessary on the easement to enable them to provide utility service, including excavation work

All electrical and other utility services, including sewer and water, for the improvement of each Lot shall be taken from connection points designated by the ACC.

21. NATURAL GAS.

In order to obtain natural gas service to the Lots, the following restrictions and obligations apply:

- (A) Each Lot owner may have Zia Natural Gas Company, its successors or assigns (the "Company"), install a yard line (the "Yard Line") to the Point of Delivery (Point of Delivery shall mean the outlet side of a valve to be provided by the Company on its service pipe to be located at or near the property line of each Lot nearest to the Company's main line) to the point of metering and will pay the Company, in advance, the estimated cost of

materials and installation of said yard line.

- (B) Each Lot owner shall assume in writing, before service is provided, full responsibility for the maintenance of the Yard Line and shall accept ownership of all natural gas delivered beyond the Point of Delivery. Additionally, each Lot owner shall hold the company harmless from any loss or damage to any person or property whatsoever resulting directly or indirectly from the uses, misuse or presence of said gas after its delivery past the Point of Delivery or damage resulting from any failure of equipment or facilities located past the Point of Delivery, except where such loss or damage shall be shown to have been occasioned solely by the negligence of the Company.
- (C) The location of the point of metering shall be subject to the Company's prior approval and shall be in an area along an exterior side wall not more than two feet behind the front wall of the residence. The meter and the regulator located at the point of metering shall be accessible at all times to the company's representatives for inspection, reading testing, or change-out. Said point of metering shall not be located behind any obstruction, barrier, or fence, and the area surrounding the point of metering shall be maintained to provide adequate ventilation and in such a manner that the meter and regulator will not be damaged. The Company shall not be liable for any damage caused to the Lot owner's property in the reasonable exercise of its rights under this subparagraph C, and its hereby granted an easement and right of way sufficient to enable it to exercise its rights hereunder.

22. EXTERIOR BOUNDARY FENCE.

Developer shall install entry fences along Millen Drive and JaRob Lane and also a perimeter fence around the Western borders of the Subdivision that currently doesn't not have an existing fence, to be known as the Windsor Fence. Tie-ins, modifications or alterations may not be made to the Westminster Fence. Modifications or alternations are not permitted to the Windsor Fence but tie-ins are permitted only in a manner that would not harm or jeopardize said fence. Each Lot owner shall maintain that portion of the Windsor Fence that is located on their respective Lots. In the event the Lot owner does not maintain and/or repair the Windsor Fence located on their respective Lot, the Developer, the ACC or anyone that owns a lot in the Subdivision shall have the right but not obligation to maintain or repair said fence and assess the owner of the Lot for the actual cost thereof. In the event the Lot owner does not pay the assessment, upon filing with the Lea County Clerk of a notice of lien with invoices attached reflecting the work performed, shall constitute a lien on the Lot and shall be effective on the date said lien is filed. This lien shall be inferior and subordinate to any existing mortgage filed with the Lea county Clerk. Each Lot contiguous to the Windsor or Westminster Fence shall be subject to an easement for access to repair or maintain the perimeter fence.

23. SIDEWALK.

Upon the earlier of (i) occupancy of the dwelling on a Lot or (ii) within 6 months from the date of the initial deed out of the Developer, a sidewalk four feet in width must be constructed at the front (and side on corner Lots) of each Lot. In the event such sidewalk is not built within the time period set forth herein, the Developer may, but is not required to, build such sidewalk. Any amount spent by the Developer for construction of a sidewalk is an assessment against the Lot. In the event the Lot owner does not pay the assessment, upon filing with the Lea County Clerk of a notice of lien with invoices attached reflecting the work performed, shall constitute a lien on the Lot and shall be effective on the date said lien is filed. This lien shall be inferior and subordinate to any existing mortgage filed with the Lea county Clerk.

24. ENFORCEMENT.

Enforcement of these covenants and restrictions may be by a proceeding initiated by a person or persons owning any Lot or by any member of the ACC, or by the City of Hobbs, to the extent lawful, against any person or persons violating or attempting to violate any covenant or restriction herein contained, either restrain violation or to recover damages for violation or both. The ACC, and each of its appointed members, shall have an election and right, but not an obligation or duty, to enforce these covenants and restrictions by a proceeding or proceedings at law or in equity.

25. DURATION

The restrictions herein above set forth, each of which shall be deemed to be a real property covenant shall run with the land and shall be binding upon the Developer and all persons claiming under the Developer, and their respective successors, heirs, personal representatives and assigns until December 31, 2027, and said restrictions shall be automatically extended thereafter for successive ten year periods, unless a three-fourths majority of the then owners of the Lots shall in writing change or modify the same in whole or in part by action taken during the year 2027 or during the last year of any succeeding ten year renewal period.

26. AMENDMENTS.

At any time, the owner of the legal title to seventy percent (70%) of the Lots (as shown by the records of Lea County, New Mexico) may amend the restrictions set forth herein by filing an instrument containing such amendment signed by said owners except that so long as Developer owns at least one Lot no such amendment shall be valid or effective without the joinder of Developer.

52122

STATE OF NEW MEXICO
COUNTY OF LEA
FILED

FEB 29 2008
at 9:51 o'clock A M
and recorded in Book _____
Page _____
Mallada Hughes, Lea County Clerk
By [Signature] Deputy



BOOK 1566 PAGE 656

13

59
13

15021
AMENDED WINDSOR ESTATES SUBDIVISION
COVENANTS AND RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS

The undersigned being at least 70% of the Owners of the Lots within the Windsor Estates Subdivision as show on the official Plat thereof recorded in Book 1566, Page 657 as amended in Amended Plat recorded in Book 1594, Page 238 and further amended in Second Amended Plat recorded 1-24-14 Under File number 15020 do hereby amend the Covenants and Restrictions originally recorded in **Book 1566, Page 648**, Lea County Records, Lea County, New Mexico (hereinafter "Original Restrictions") as follows;

Paragraph 2. Is hereby deleted and replaced with the following;

STRUCTURAL RESTRICTIONS.

No structure shall be erected on any Lot with materials other than stucco which must constitute at least 75% of the total outside area. Openings and glass areas shall be considered to be of the material which is on either side of it.

Stone, including man-made stone shall be permitted to be placed on the front of the structure but shall not exceed 20% of the total front of the structure.

The total heated and cooled floor area of the main structure exclusive of porches, garages, terraces and breeze-ways shall not be less than 1800 square feet.

No dwelling or any other structure shall be designed, planned or constructed of more than one story in height, Except however, not more than two stories shall be permitted on Lots 8, 9, 10, 11 and 12.

Paragraph 5. Is hereby deleted and replaced with the following;

SETBACKS; MULTIPLE LOTS.

All dwellings erected on any Lot shall face the street upon which the Lot faces, as the same is platted on the Plat, Amended Plat and Second Amended Plat and no portion of any structure shall be nearer to the road, street, side or rear property lines other than as designated on the Second Amended Plat.

Whenever multiple Lots are purchased for the construction of a one single family residence, the interior lot lines and related setbacks may be disregarded and all exterior lot lines shall be adhered to.

Paragraph 6. Is hereby deleted and replaced with the following:

FENCES.

Each Lot must be fenced within 90 days of the completion of the main dwelling, and must be faced (as viewed from the front and/or side street) with the same exterior material used to cover at least 75% of the main structure. No fence, wall or hedge shall be erected, placed or altered on any Lot nearer to any street than the minimum building setback line indicated on the Plat. Fences, walls, or hedges shall be a minimum of 6 feet but shall not exceed 6 feet in height unless specifically approved otherwise by the ACC. No wood, chain link or other metal fences are allowed. Fences located on the North line of Lots 17 through 24 must be a solid fence without openings to the Easement being North of the Lots. All fence materials and fence heights must be approved by the ACC prior to any fence construction.

Any covenant, provision and/or restriction contained in the Original Restrictions that have not been addressed herein shall remain in full force and effect in accordance with the Original Restrictions.

This document may be executed in multiple counterparts.

Owner of Lots 18 and 22A

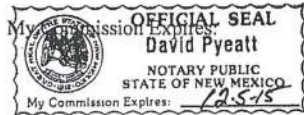
WITNESS this 21 day of Jan, 2014

G.L. Green & Associates, LLC

By: Caleb Neskahi
Caleb Neskahi,

STATE OF NEW MEXICO)
) SS
COUNTY OF LEA)

The foregoing instrument was acknowledged before me this 21 day of Jan, 2013
by Caleb Neskahi, Manager on behalf of G.L. Green & Associates, LLC, a New Mexico
limited liability company



[Signature]
Notary Public

BOOK 1875 PAGE 503

Owner of Lot 17

WITNESS this 8 day of January 2018

SCB
Shane Christopher Blevins
Carrie Nicole Blevins
Carrie Nicole Blevins

STATE OF NEW MEXICO)
) SS
COUNTY OF LEA)

The foregoing instrument was acknowledged before me this 8 day of Jan, 2018
by Shane Christopher Blevins and Carrie Nicole Blevins, husband and wife

My Commission Expires: Angela D Sloan
Notary Public 4816



BOOK 1875 PAGE 508

Owner of Lot 13

WITNESS this 8 day of Jan, 2018

Bill Jason Weatherbee
Bill Jason Weatherbee
Amanda Weatherbee
Amanda Weatherbee

STATE OF NEW MEXICO)
) SS
COUNTY OF LEA)

The foregoing instrument was acknowledged before me this 8 day of Jan, 2018
by Bill Jason Weatherbee and Amanda Weatherbee, husband and wife

My Commission Expires:

Angela Sloan 4.8.16
Notary Public OFFICIAL SEAL
ANGELA D. SLOAN
NOTARY PUBLIC-STATE OF NEW MEXICO
My Commission Expires: 4.8.16

BOOK 1875 PAGE 509

Owner of Lots 24 and 25

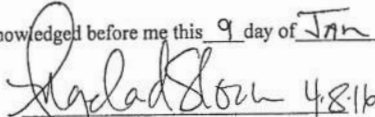
WITNESS this 9 day of JAN, 2018


Albert Gonzales

STATE OF NEW MEXICO)
) SS
COUNTY OF LEA)

The foregoing instrument was acknowledged before me this 9 day of Jan, 2018
by Albert Gonzales

My Commission Expires:


Notary Public

OFFICIAL SEAL
ANGELA D. SLOAN
NOTARY PUBLIC-STATE OF NEW MEXICO
My Commission Expires: 4-8-16

BOOK 1875 PAGE 511

Owner of Lot 37

WITNESS this 31 day of Dec, 2013

Bruce L. Lanier
Bruce L. Lanier

Lori J. Lanier
Lori J. Lanier

STATE OF NEW MEXICO)
) SS
COUNTY OF LEA)

The foregoing instrument was acknowledged before me this 31 day of Dec, 2013
by Bruce L. Lanier and Lori J. Lanier, husband and wife

My Commission Expires:

Angela D. Sloan 4.8.16
Notary Public



STATE OF NEW MEXICO
COUNTY OF LEA
FILED

15021

JAN 24 2014

at 2:22 o'clock PM
and recorded in Book _____
Page _____
Pat Chappelle, Lea County Clerk
By J. Carlson Deputy

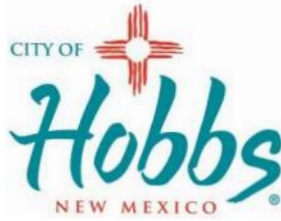


BOOK 1875 PAGE 512

EW
David

September 20, 2016 Planning Board Regular Meeting Agenda

- 7) **Review and Consider Proposed amendment to MC 15.20 (Parking) to address on street parking of commercial vehicles.**



City of Hobbs Contact:
Meghan Mooney, Dir. of Communications
575-391-4169
mmooney@hobbsnm.org

September 28th, 2016

FOR IMMEDIATE RELEASE

City of Hobbs Planning Board to Review Parking Code

The City of Hobbs Planning Board will be considering an amendment to Municipal Code 15.20 (Parking Code) to regulate on-street parking within primarily residential neighborhoods. This discussion will be held at the next regularly scheduled public Planning Board meeting at 10:00 a.m. on October 18, 2016 in the City of Hobbs Commission Chambers.

The consideration of this amendment was prompted by concerns regarding large vehicles parked on-street within residential neighborhoods. The proposed amendment would restrict parking of commercial trucks as well as other similar vehicles and equipment unable to fit in an area eight and a half (8.5) feet by twenty-two (22) feet space within 300 feet of a structure utilized for residential purposes. This amendment is being proposed in an effort to further protect the health, safety, and general well-being of the residents of the City of Hobbs. When said vehicles and equipment are parked on-street, this equipment tends to block the view of other vehicles and children playing in these neighborhoods, thus negatively impacting the safe interaction of motorists and pedestrians.

Public comments will be heard during the consideration of this amendment and all those concerned about on-street parking are encouraged to attend. For more information, call the City of Hobbs Planning and Engineering Department at (575)397-9232.

#####

Proposed Amendment to MC 15.20.030

15.20.030 Purpose

The purpose of this ordinance is to regulate the on-street ~~and off-street~~ parking within the City of Hobbs and regulate parking of commercial trucks, trailers and other similar ~~vehicles and~~ motorized or non-motorized equipment of a certain size within ~~neighborhoods consisting primarily of~~ 300 feet of a residential-structures utilized for residential purposes in order to further protect the health, safety and general well-being of the residents of the City of Hobbs. Said vehicles and equipment parked on-street tend to block the view of other vehicles and children playing in these neighborhoods thereby negatively impacting the safe interaction of motorists and pedestrians. ~~This ordinance further provides for a restriction of the parking of said vehicles upon individual properties, off-street parking, within neighborhoods consisting primarily of residential structures in order to further protect the health, safety and general well-being of the residents of the City of Hobbs.~~

15.20.040 Definitions

On-street parking – parking of vehicles upon property owned by the public designated as a thoroughfare.

~~Off-street parking – parking of vehicles fully within a privately-owned property's boundaries.~~

Commercial trucks, trailers and other similar vehicles – any ~~commercial-vehicle that cannot be legally parked in a standard eight and a half (8.5) foot by twenty (22) foot parking space~~ having a manufacturer's gross vehicle weight rating of 10,000 pounds or more or a vehicle of lesser weight used for more than personal transportation or the transportation of personal property.

~~Neighborhoods consisting primarily of residential structures – An area within a three hundred (300) foot radius wherein twenty five (25%) percent of the existing structures are utilized for residential purposes.~~

15.20.050 On-Street Regulation

There is hereby prohibited the on-street parking of any ~~commercial~~ truck, trailer or other similar ~~vehicle motorized or non-motorized or commercial~~ equipment of a certain size, any vehicle that cannot be legally parked in a standard eight and a half (8.5) foot by twenty two (22) foot parking space, within 300 feet of a structure utilized for residential purposes, unless engaged in legitimate loading or unloading activities. Non-motorized trailers, of any type, disconnected from a motorized vehicle are prohibited from on-street parking. any neighborhood consisting primarily of residential structures for a period in excess of one hour unless engaged in legitimate loading or unloading activities or between the hours of 6:00 p.m. to 6:00 a.m. daily.

15.20.060 — Off-Street Regulation

~~All off-street parking surfaces shall be designed and constructed utilizing the following types of~~

~~acceptable coverage, extending to the back of curb or the edge of asphalt; asphalt or chipseal over compacted base course, pavers, concrete, compacted gravel or crushed stone.~~

~~Parking surfaces constructed of compacted gravel or crushed stone must have a delineated edge. _____~~

~~Grass and bare earth parking areas are prohibited.~~

15.20.070-060 – Commercial Off-street parking.

A. The following is the minimum off-street parking requirements for all **new** commercial **properties construction**. Off-street parking shall be any vehicle parked on private property. No vehicle shall exit an off-street parking area by backing up into a public street. Parking shall be a minimum of fifteen (15) feet from front or side street curb or pavement edge or as directed by the Engineering Department to minimize visibility hindrances. All existing and proposed public parking areas, including accesses from the public right-of-way, shall be maintained to assure safe passage of motor vehicles. Parking requirements are as follows:

1. Office or lease space (GFA less storage/warehouse) = One (1) space per two hundred (200) sq. ft.
2. Assembly areas = One (1) space per four (4) occupants.
3. Employee parking (areas within parcel not used to meet parking requirements) = Must be contained within a parcel.
4. All parking shall be accessible from an all-weather asphalt or concrete surface at least fifty (50) feet in length.
5. Minimum parking stall dimensions shall be eight and a half (8.5) feet by twenty (22) for a non-handicapped parking space.

B. Accessible parking shall be as required by the New Mexico Building Code, Table 1106.1.

C. A development in existence prior to the adoption of this Code or at the time of its annexation to the City, if later, which does not have the required parking space per this Code, may continue to operate with the parking deficiency as long as no enlargement or occupancy change is made which would require additional parking spaces.

When a preexisting use is enlarged so as to require additional parking spaces, the requirements of this section shall apply only to the enlargement. When a preexisting use is terminated, the area vacated shall not be occupied by a use requiring more parking spaces than the terminated use, unless the required additional parking spaces are provided.

When a preexisting building, which does not have sufficient parking, is remodeled or rehabilitated but is not enlarged, the existing use of the building may continue without providing additional parking. In such event that the occupancy is changed, the minimum level of parking required consistent with the new occupancy must be met.

September 20, 2016 Planning Board Regular Meeting Agenda

- 8) **Review and Consider proposed amendment of Municipal Code Title 16 (Subdivision).**

Title 16 - SUBDIVISIONS

Chapter 16.04 - GENERAL PROVISIONS AND ADMINISTRATION

16.04.010 - Definitions.

For the purposes of this title, the following words and phrases shall have the meanings respectively ascribed to them by this section:

- A. Streets and Alleys. The term "street" means a way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, place or otherwise.
1. "~~Major and Minor~~ Arterial streets and highways" are those which are used primarily for large volumes of traffic. For development purposes, arterial streets are generally located along section lines.
 2. "~~Major~~ Collector streets" are those which carry moderately high volumes of traffic and, for development purposes, are generally located along half section lines.
 3. "~~Minor Residential~~ Collector streets" are those which carry moderate volumes of traffic ~~between from local streets and~~ major collectors or arterials. For development purposes, these streets are generally located halfway between collector or arterial streets.
 4. "~~Local streets~~ Minor Residential streets" are those which are used primarily for access to abutting properties. This category carries low traffic volumes and includes residential or industrial streets.
 5. "Marginal access streets" are minor streets which are parallel to and adjacent to arterial streets and highways and which provide access to abutting properties and protection from through traffic.
 6. "Cul-de-sac" is a local street with only one (1) outlet and having an appropriate vehicle turnaround terminal for the safe and convenient reversal of traffic flows.
 7. "Alleys" are minor ways which are used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street
 8. Pavement widths shall be ~~measured back to back of curbs, where curbs are required~~ as prescribed within the City of Hobbs Major Thoroughfare Plan.
- B. "Subdivide" or "subdivision" for the purpose of approval by a Municipal Planning Authority means:
1. For the area of land within the corporate boundaries of the municipality, or within the extraterritorial planning and platting jurisdiction, the division of land into two (2) or more parts by platting or by metes and bounds description into tracts for the purposes set forth in subsection C of this section; ~~and,~~
 2. ~~For the area of land within the municipal extraterritorial subdivision and platting jurisdiction, the division of land into two (2) or more parts by platting or by metes and bounds description into tracts of less than five (5) acres in any one (1) calendar year for the purposes set forth in subsection C of this section.~~
- C. The division of land pursuant to subsection (B)(1) ~~or (2)~~ of this section shall be for the purpose of:
1. Sale;
 2. Laying out a municipality or any part thereof;
 3. Adding to a municipality;

4. Laying out of lots; or
5. Resubdivision.

(Ord. 842 § 2, 1998: prior code § 25-1)

16.04.020 - Variances and modifications.

- A. Hardships. Where the Planning Board finds that extraordinary hardships may result from strict compliance with this title, it may vary the regulations contained in this title, so that substantial justice may be done and the public interest secured; provided, provided that such variation will not have the effect of nullifying the intent and purpose of such regulations.
- B. Large Scale Developments. The standards and requirements of this title may be modified by the Planning Board in the case of a plan and program for a new town, complete community or neighborhood unit which, in the judgment of the Planning Board, provide adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and populated, and which also provide such covenants or other legal provisions as will assure conformity to and achievement of the plan.
- C. Conditions in Granting. In granting variances and modifications, the Planning Board may require such conditions as will, in its judgment, assure substantially the objectives of the standards or requirements so varied or modified.

(Prior code § 25-2)

Chapter 16.08 - PLATS AND PLATTING PROCEDURE

16.08.010 - Application fee.

Upon ~~the filingsubmittal~~ of any plat ~~application~~ as set forth in this chapter for consideration, the applicant shall pay to the City ~~an applicationa~~ fee in the sum of ~~twenty-fivefifty~~ dollars (\$~~25~~50.00), ~~plus twenty-five cents (\$0.25) an acre for each acre of the proposed subdivisionfor a subdivision eligible for summary process approval, or one hundred dollars (\$100.00) for a subdivision ineligible for summary process approval.~~ No action shall be taken on such application unless such fee is paid.

(Prior code § 25-3)

16.08.020 ~~— Sketch Plan Preliminary plat—GenerallyReview.~~

- A. For the purpose of expedience and reducing subdivision design and development costs, a subdivider may submit a Sketch Plan for Preliminary Review in accordance with the requirements provided herein. The Sketch Plan Review is intended to provide general advice to the subdivider about the procedures and data requirements for subdivision review and approval.
- B. No fee shall be required for the Sketch Plan Preliminary Review.
- C. Neither the subdivider nor the municipality shall be bound by any statements or determinations made during the Sketch Plan Preliminary Review.
- D. A sketch plan submitted for preliminary review by the subdivider shall show the proposed layout of streets and lots, with estimated dimensions and other relevant site information. The location of the proposed subdivision must be adequately described on a general map of the area.

16.08.030 - Preliminary plat—Generally

- A. The subdivider shall submit to the Planning Board a preliminary plat, together with improvement stamped construction plans and other supplementary material as specified in Section 16.08.030.
- B. Four (4) copies of the preliminary plat, stamped construction plans and supplementary material shall be submitted to the Planning ~~Board with a written application for conditional approval. At the time the preliminary application is filed,~~Department along with the preliminary application fee ~~shall be paid.~~ The Planning ~~Board Department and~~shall thereupon refer the application to the City Engineer for his or her considerations shall review such submittal for compliance hereto.
- C. Following ~~review of the preliminary plat and other material submitted, for conformity thereof to this title, and~~ negotiations with the subdivider on changes deemed advisable and the kind and extent of improvements to be made by him or her, the City Engineer shall, within fifteen (15) days, act thereon as submitted or modified. If approved, the City Engineer shall express his approval as conditional approval and state the conditions of such approval, if any, or if disapproved, shall express his disapproval and his or her reasons therefor, to the Planning Board.
- D. The action of the City Engineer shall be noted on two (2) copies of the preliminary plat, referenced and attached to any conditions determined. One (1) copy shall be returned to the subdivider and the other retained by the City Engineer.
- E. Conditional approval of a preliminary plat shall not constitute approval of the final plat (subdivision plat). Rather, it shall be deemed an expression of approval to the layout submitted on the preliminary plat as a guide to the preparation of the final plat.

(Prior code § 25-4)

16.08.0430 - Preliminary plat—Form and contents—Supplementary material.

The preliminary plat and accompanying supplementary material shall meet the following requirements:

- A. General Subdivision Information. General subdivision information shall describe or outline the existing conditions of the site and the proposed development, as necessary to supplement the drawings required in this section. This information shall include data on existing covenants, land characteristics and available community facilities and utilities and information describing the subdivision proposal, such as number of residential lots, typical lot width and depth, business area, playgrounds, park areas and other public areas, proposed protective covenants and proposed utilities and street improvements. Municipal franchisee utility service providers shall be notified of the proposed subdivision and such notice submitted to the City on a form acceptable by the City Engineer.
- B. Location Map. A location map shall show the relationship of the proposed subdivision to existing community facilities which serve or influence such subdivision. Such map shall include development name and location; main traffic arteries; public transportation lines; shopping centers, elementary and high schools, parks and playgrounds and other community features, such as railroad stations, hospitals and churches; title scale; north arrow; and date. Proper certification shall be made upon the plat by a reputable, registered civil engineer or land surveyor, ascertaining that the plan represents a survey made by him and that all necessary monuments are accurately and correctly shown upon the plan. The engineer shall place such monuments as required by the City or by the City Engineer, and they shall be set at all corners and angle points of curve and at such intermediate points as shall be required by the City.
- C. Topographic Data. Topographic data required as a basis for the preliminary plat, pursuant to subsection D of this section, shall include existing conditions as follows, except when otherwise specified by the Planning Board:

1. Boundary lines: bearings and distances;
 2. Easements: location, width and purpose;
 3. Streets on and adjacent to the tract: names and rights-of-way, width and location; type, width and elevation of surfacing; any legally established centerline elevations; walks, curbs, gutters, culverts, etc.
 4. Utilities on and adjacent to the tract: location, size and invert elevation of sanitary, storm and combined sewers; location and size of water mains; location of gas lines, fire hydrants, electric and telephone poles and street lights; if water mains and sewers are not on or adjacent to the tract, indicate the direction and distance to and size of nearest ones, showing invert elevation of sewers;
 5. Ground elevations on the tract, based on a datum plane approved by the City Engineer, along all drainage channels or swales and at selected points not more than one hundred (100) feet apart in all directions; show contours with an interval of not more than one (1) foot if ground slope is regular and such information is sufficient for planning purposes;
 6. Subsurface conditions on the tract, if required by the Planning BoardCity Engineer: location results of tests made to ascertain subsurface soil, rock and ground water, unless test pits are dry at a depth of five (5) feet; location and results of soil percolation tests if individual sewage disposal systems are proposed.
 7. Other conditions on the tract: watercourses, marshes, rock outcrop, wooded areas, isolated preservable trees, houses, barns, shacks and other significant features;
 8. Other conditions on adjacent land: approximate direction and gradient of ground slope, including any embankments or retaining wall; character and location of buildings, railroads, power lines, towers and other nearby land uses or adverse influences; owners of adjacent unplatted land; for adjacent platted land, refer to subdivision plat by name, recordation date and number and show approximate percent built up, typical lot size and dwelling type;
 9. Photographs, if required by the Planning BoardDepartment; camera locations, directions of views and key numbers;
 10. Zoning-Proposed or existing land use on and adjacent to the tract;
 11. When known, proposed public improvements: highways or other major improvements planned by public authorities for future construction on or near the tract;
 12. Key plan, showing location of the tract;
 13. Title and certificates: present tract designation according to official records in office of appropriate records; title under which proposed subdivision is to be recorded, with names and addresses of owners, notation stating acreage, scale, north arrow, datum, benchmarks, certification of registered civil engineer or surveyor and date of survey.
- D. Scale—Proposals. The preliminary plat (general subdivision plan) shall be at a scale of one hundred (100) feet to one (1) inch or larger. It shall show all existing conditions required in subsection C of this section and shall show all proposals, Includingincluding the following:
1. Streets: names; right-of-way and roadway widths; approximate grades and gradients; similar data for alleys, if any;
 2. Other rights-of-way or easements: location, widths and purpose;
 3. Location of utilities, if not shown on other exhibits;
 4. Lot lines, lot numbers and block numbers;
 5. Sites to be reserved or dedicated for parks, playgrounds or other public uses;
 6. Sites, if any, for multifamily dwellings, shopping centers, churches, industry or other nonpublic uses, exclusive of single-family dwelling;

- 7. Minimum building setback lines;
 - 8. Site data, including number of residential lots, typical lot size and acres in parks, etc.;
 - 9. Title, scale, north arrow and date.
- E. Other Preliminary Plans. When required by the City Engineer, the preliminary plat shall be accompanied by profiles showing existing ground surface and proposed street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision; typical cross section of the proposed subdivision; typical cross section of the proposed grading, roadway ~~and sidewalks~~; and preliminary plan for proposed sanitary and storm sewers, with grades and sizes indicated. All elevations shall be based on a datum plane approved by the City Engineer.
- F. Draft of Protective Covenants. A draft of protective covenants, whereby the subdivider proposes to regulate land use in the subdivision and otherwise protect the proposed development, shall be included if proposed by the developer.
- G. Base flood elevation data shall be generated for subdivision proposals and other proposed development and subdivisions which is greater than fifty (50) lots or five (5) acres, whichever is lesser.

(Prior code § 25-5)

16.08.~~040-050~~ - Final Plat—Generally.

- A. The final plat shall conform substantially to the preliminary plat as approved, and if desired by the subdivider, it may constitute only that portion of the approved preliminary plat which he or she proposes to record and develop at the time; provided, that such portions conform to all requirements of this title.
- B. Application for approval of the final plat shall be submitted in writing to the ~~City Engineer~~Planning Department at least ten (10) days prior to the meeting at which it is to be considered. ~~At the time the final subdivision plat is filed, the required fee shall be paid~~All submittals for final plat approval shall include a Certification of Compliance from the Engineer of Record certifying that all municipal infrastructures are in place and has been installed as per plans and City of Hobbs Standards. Such certification shall be in a form acceptable to the City Engineer.
- C. ~~Four (4) copies of the final plat and other exhibits required for approval~~A set of as-builts in printed and electronic format shall be prepared as specified in Section 16.08.050 and shall be submitted to the City Engineer ~~within six (6) months after approval of the preliminary plat; otherwise, such approval shall become null and void, unless an extension of time is applied for and granted by the Planning Board~~concurrently with the application for final plat approval.
- D. The Planning Board shall approve or disapprove the final plat within thirty-five (35) days after final submission thereof and thereafter forward to the City Commission the report of their approval or disapproval.
- E. The City Commission shall, at their next regular meeting and within thirty (30) days, approve or disapprove the final plat.

(Prior code § 25-6)

16.08.~~050-060~~ - Final plat—Form and contents—Supplementary material.

The final plat and accompanying supplementary material shall meet the following requirements:

- A. Generally. The final plat shall be drawn in ink on tracing cloth on sheets eighteen (18) inches wide by twenty-four (24) inches long or twenty-six (26) inches wide by thirty-four (34) inches

long and shall be at a scale of one hundred (100) feet to one (1) inch, or larger where necessary; the plat may be on several sheets, accompanied by an index sheet showing the entire subdivision. For larger subdivisions, the final plat may be submitted for approval progressively in continuous sections, satisfactory to the Planning ~~Board~~Department. The final plat shall show the following:

1. Primary control points, approved by the City Engineer, or description and ties to such control points, to which all dimensions, angles, bearings and similar data on the plat shall be referred;
 2. Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way and property lines of residential lots and other sites, with accurate dimensions, bearing or deflection angles and radii, arcs and central angles of all curves;
 3. Name and right-of-way width of each street or other right-of-way;
 4. Location, dimensions and purpose of any easements;
 5. Number to identify each lot or site;
 6. Purpose for which sites, other than residential lots, are dedicated or reserved;
 7. Location and description of monuments;
 8. Names of record owners of adjoining unplatted land;
 9. Reference to recorded subdivision plats of adjoining platted land by record name, date and number;
 10. Certification by surveyor or engineer, certifying to accuracy of surveys and plat;
 11. Certification title, showing that applicant is the land owner.
 12. Statement by owner dedicating streets, rights-of-way and any sites for public use;
 13. Title, scale, north arrow and date;
 14. Certificates for approval by the ~~City Engineer and by the~~ Planning Board;
 15. Certificates for approval by the City Commission.
- B. Cross Sections and Profiles of Streets. Cross sections and profiles of streets shall be included, showing grades approved by the City Engineer. The profiles shall be drawn by City standard scales and elevations and shall be based on a datum plane approved by the City Engineer.
- C. Certificate Concerning Improvements. A certificate by the City Engineer shall be included, certifying that the subdivider has complied with one (1) of the following alternatives:
1. All improvements have been installed in accordance with the requirements of this title and with the action of the City Engineer giving conditional approval of the preliminary plat. The City is in receipt of Certification by the Engineer of Record that all municipal infrastructures are in place and has been installed as per plans and City of Hobbs Standards.
 2. A surety company bond, City of Hobbs Resolution accepting a Development Agreement or other security acceptable to the Planning Board has been filed with the City Clerk, in sufficient amount to assure such completion of all required improvements.
 3. Other Data. Such other certificates, affidavits, endorsements or deductions shall be included as may be required by the Planning ~~Board~~Department in the enforcement of this title.

(Prior code § 25-7)

Chapter 16.12 - ALTERNATE SUMMARY PROCEDURE

16.12.010 - Eligible subdivisions.

- A. Division of land into two (2) or more parcels by platting or metes and bounds description for specific purposes listed in Section 16.04.010(C) requires subdivision approval by the Municipal Planning Authority. To expedite the process for ~~two (2) or three (3) lot~~proposed subdivisions containing no more than 3 (three) lots excluding areas for dedication, subdivisions or resubdivision of property may be approved by summary procedure for the following:
1. Subdivisions of not more than three (3) parcels of land; or
 2. Resubdivisions, where the combination or recombination of portions of previously platted lots does not increase the total number of lots.
- B. The land shall abut on a street or streets of adequate width in a partially platted area and is so situated that no additional streets, alleys, easements for utilities or other public property are required; or if required to conform to other public streets, alleys or other public ways and such additional property is shown on the plat as "Herein Dedicated."

(Ord. 843 (part), 1998: prior code § 25-15)

16.12.020 - Submittal requirements.

To be considered, four (4) copies of a summary plat meeting the following conditions shall be submitted to the City Manager's designated representative:

The summary plat for both residential and nonresidential developments shall be in conformance with the ~~Step I and Step III~~final plat requirements for standard subdivisions. A certification of approval shall be on the plat for the signature of the City Manager's designated representative, to be attested by the City Clerk.

- A. For residential subdivisions, the summary plat shall be accompanied by support plans and documentation showing compliance with ~~Step III~~construction improvement requirements for a standard subdivision, as necessary.
- B. For a nonresidential subdivision being processed under this procedure, the plat shall include the following items necessary for the City Manager's designated representative to review and approve the following items of consideration: proposed property boundaries, existing adjacent streets or alleys, and existing intersection and driveway locations on streets or roadways adjacent to and across from the tracts. This information will be reviewed along with existing water and sewer locations to serve the site.

(Ord. 843 (part), 1998: prior code § 25-16)

16.12.030 - Approval procedure.

- A. The City Manager's designated representative is authorized to approve subdivisions meeting the conditions of this section and conforming to the provisions of this chapter and shall, within ten (10) days of final submittal of all requested information, accept the proposed subdivision or send a written rejection detailing the reason for the rejection. Any ~~required construction for residential~~municipal infrastructures serving the subdivisions, shall be completed or adequate surety provided prior to receiving final approval.
- B. The subdivider or the City Manager's designated representative may choose to have the subdivision reviewed by the Planning Board under the standard procedures if difficulties or unusual circumstances exist.

- C. Plats approved under this section shall be signed by the City Manager's designated representative and attested by the City Clerk and shall be reported to the Planning Board at its next regularly scheduled meeting and shall be included in the minutes of the meeting indicating such approval as coming under this section.

(Ord. 843 (part), 1998: prior code § 25-17)

16.12.040 - [Required improvements; summary process approval; city building permits, etc.]

- A. For all new subdivisions and re-subdivisions, all improvements will be required to be completed at the summary process approval or at the final plat filing, unless adequate financial security has been approved by the Planning Board and City Commission.
- B. For all City building permits, the permit application must contain plans for the complete construction of all of the required improvements within the abutting right-of-way to the property, including City utilities, paved streets, sidewalks, curbing, and traffic signals if applicable. The City will furnish required street signs ~~and street lights, if needed~~. For properties with two (2) or more un-built platted streets abutting the property, the Developer shall build to the length of the longest frontage.
- C. For all City building permits for new residential structures and mobile home placement permits, the lot, tract, parcel or real property containing the location of the new structure shall abut a dedicated public right-of-way with a paved street pursuant to minimum standards as specified by the City Engineer. If the permit location does not abut a paved dedicated street or is both unpaved and not dedicated, the permit applicant must cause the street to be dedicated and paved prior to the building permit being issued, unless adequate financial security has been approved by the Planning Board and City Commission. ~~The City will post notice signs to inform the public of this policy on affected streets.~~
- D. If the permit location's nearest property line is two hundred (200) feet or more from the nearest paving, it shall be exempt from the paving requirement, providing a future assessment agreement is executed by the owner of record. ~~but in~~ no case shall a permit be granted unless a public dedicated right-of-way exists for access.

(Ord. No. 1012, §§ 1, 2, 5-4-2009; Ord. No. 1027, 12-7-2009)

Editor's note— Ord. No. 1012, § 1, adopted May 4, 2009, repealed former § 16.12.040, which pertained to construction of nonresidential lot improvements. Section 2 of said ordinance enacted provisions designated as a new § 16.12.040 to read as herein set out. See also the Code Comparative Table and Disposition List.

Chapter 16.16 - DESIGN STANDARDS AND IMPROVEMENTS

16.16.010 - Streets.

- A. Arrangement and Character Generally. The arrangement, character, extent, width, grade and location of all streets shall conform to the current ~~official City map~~ City of Hobbs Major Thoroughfare Plan Map, master plan or part thereof, and shall be considered in their relation to existing and planned streets, to topographical conditions and to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.
- B. Arrangement Where Samesame not Shown in City of Hobbs Major Thoroughfare Plan Map ~~City Map or Master Plan~~. Where such is not shown in the current City of Hobbs Major Thoroughfare Plan

~~Map~~official City map, master plan or part thereof, the arrangement of streets in a subdivision shall either:

1. Provide for the continuation of appropriate projection of existing ~~principal~~ streets in surrounding areas; or
 2. Conform to a plan for the neighborhood approved or adopted by the Planning Board to meet a particular situation, where topographical or other conditions make continuance or conformance to existing streets impracticable.
- C. Minor Residential Streets. Minor streets shall be so laid out that their use by through traffic will be discouraged.
- D. Special Treatment for Subdivisions Containing Major or Minor Arterial-Collector Streets. Where a subdivision abuts or contains an existing or proposed arterial street, the Planning Board may require marginal access streets, reverse frontage with screen planting or walls contained in a non-access reservation along the rear property line, deep lots with rear service alleys or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
- E. Subdivisions Bordering on or Containing Railroad or Limited Access Highway Rights-of-Way. Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the Planning Board may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, as for park purposes in residential districts or for commercial or industrial purposes in appropriate districts. Such distance shall be determined with due regard for the requirements of approach grades and future grade separations.
- F. Reserve Strips. Reserve strips controlling access to streets shall be prohibited, except where their control is definitely placed in the City under conditions approved by the Planning Board.
- G. Street Jogs. Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall be avoided.
- H. Tangents. A tangent at least one hundred (100) feet long shall be introduced between reverse curves on arterial and collector streets.
- I. Curves Connecting Street Lines. When connecting street lines deflect from each other at any one (1) point by more than ten (10) degrees, they shall be connected by a curve, with a radius adequate to insure a sight distance of not less than two hundred (200) feet for minor residential and collector streets and of such greater radius as the Planning Board shall determine for special cases.
- J. Angle of Intersection. Streets shall be laid out as to intersect as nearly as possible at right angles, and no street shall intersect any other street at less than sixty (60) degrees.
- K. Right-of-Way Widths. Street right-of-way widths shall be as shown in the ~~master plan and, where not shown therein, shall not be less than as follows:~~

| | |
|---|--------------------|
| Arterial streets | 80 feet |
| Collection, minor and marginal streets | 60 feet |

~~City of Hobbs Major Thoroughfare Plan.~~

- L. Half Streets. Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of this title. Where the Planning Board finds it will be ~~practicable-feasible~~ to require the dedication of the other half when the adjoining property is subdivided wherever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.

- M. Dead-End Streets. Dead-end streets, designed to be so permanently, shall not be longer than five hundred (500) feet and shall be provided at the closed end with a turnaround having an outside roadway diameter of at least eighty (80) feet and a street property line diameter of at least one hundred (100) feet.
- N. Street Grades. No street grade shall be less than 0.1 percent.

(Prior code § 25-8)

16.16.020 - Alleys.

- A. Required—Exceptions. Alleys shall be provided in all areas; except, that the Planning Board may waive this requirement in residential or commercial areas where other definite and assured provision is made for service access, such as off-street loading, unloading and parking consistent with an adequate provision for the uses proposed.
- B. Width. The width of an alley shall not be less than twenty (20) feet.
- C. Alley Intersections. Alley intersections and sharp changes in alignment shall be avoided, but where necessary, the corner shall be cut off sufficiently to permit safe vehicular movement.
- D. Dead-End Alleys shall be avoided where possible but, if unavoidable, shall be provided with adequate turning around facilities at the dead end, as determined by the Planning Board.
- E. If secondary continual vehicular access to the rear of residential lots is desired by a Developer, the secondary access to the lots must be created by a ~~dedicated public street or a~~ dedicated public rear access alley with a right of way width of no less than twenty four (24) feet and paving width of no less than twenty (20) feet. A private drive is not acceptable to serve as a rear alley to provide secondary continual vehicular access to residential lots unless a homeowner or similar association or organization has been created to permanently own and maintain the private rear access alley. Such an association must be legally created prior to approval of the final plat containing any private alleys in residential subdivisions.

(Prior code § 25-9)

(Ord. No. 1012, § 3, 5-4-2009)

16.16.030 - Easements.

- A. Generally. Easements across lots or centered on rear or side lot lines shall be provided for utilities where necessary and shall be at least ten (10) feet wide.
- B. Stormwater Easements or Drainage Rights-of-Way. Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the alignment of such watercourse, or such construction as will be adequate for the purposes, and as approved by the Planning Board.

(Prior code § 25-10)

16.16.040 - Blocks.

- A. The lengths, widths and shapes of blocks shall be determined with regard to:
 - 1. Provision of adequate building sites suitable to the special needs of the type of use contemplated;
 - 2. ~~Zoning r~~Requirements as to lot sizes and dimensions;

3. Needs for convenient access, circulation, control and safety of street traffic;
 4. Limitations and opportunities of topography.
- B. Block lengths shall not exceed eight hundred eighty (880) feet, measured along the property lines.

(Prior code § 25-11)

16.16.050 - Lots.

- A. Appropriateness for Location and Type of Development and Use. The lot size, width, depth, shape and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
- B. Dimensions Generally.
 1. Minimum lot width for each lot containing a detached structure shall be thirty-five (35) feet.
 2. Minimum lot width for each lot containing an attached structure shall be twenty five (25) feet. For attached structures, lot width dimensions less than twenty-five (25) feet may also be approved by the City, pending review and approval of adequate parking, site design and other relevant factors by the Planning Board and City Commission. Minimum side yard setback on corner lots shall be ten (10) feet on the side of the lot contiguous to the side street.
- C. Commercial and Industrial Property. Depth and width of property reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.
- D. Corner Lots for Residential Use. Corner lots for residential use shall have extra width to permit appropriate building setback from and orientation to both streets.
- (E) Access to Existing Public Streets. The subdividing of the land shall be such as to provide, by means of a public street, and each lot shall be provided with a thirty-five (35) feet minimum access to an existing public street. Minimum access width for each lot fronting a cul-de-sac shall be thirty (30) feet minimum measured on the property line to the curb line, and a thirty-five (35) feet minimum width measured at the building setback line. Each "Flag" lot, defined herein as a parcel of land accessible only by an extension of land connecting a public access street to the building site area of the parcel, shall have a minimum continuous access width of thirty-five (35) feet. Access shall mean a contiguous and continuous direct property boundary connecting to the public street.
- F. Double and Reverse Frontage Lots. Double frontage and reverse frontage lots shall be avoided, except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten (10) feet, across which there shall be no right of access, shall be provided along the line of lots abutting such traffic artery or other disadvantageous use.
- G. Intersections of Side Lot and Street Right-of-Way Lines. Side lot lines at the intersection with street right-of-way lines shall be substantially at right angles or radial to street lines.

(Prior code § 25-12)

(Ord. No. 1041, §§ 1—3, 3-7-2011)

16.16.060 - Street or sidewalk improvements defined.

"Street or sidewalk improvements" include any installation of curbs, pavement, sidewalks, drainage, utilities, signs, lights and any other such improvements which meet the approval of the Planning Board and conform to standards and specifications prescribed by the City Commissions.

(Prior code § 25-13)

16.16.070 - Required improvements.

The following improvements shall be required pursuant to this chapter:

- A. Monuments. Monuments of a type and design as approved by the Planning ~~Board~~Department shall be placed at all block corners, angle points, points of curves in streets, street intersections and points as shall be required by the Planning ~~Board~~Department. Such monuments may be of iron pipe not less than three-quarters ($\frac{3}{4}$) of an inch in diameter and two (2) feet in length, driven securely into solid earth, with the grades of same being at grade with established paving, flush with natural grade of the earth's surface or on existing paving. A four-inch bolt and washer may be used.
- B. Street Improvements. Street improvements shall include substantial permanent street signs at each intersection, such signs to be of a material and design as prescribed by the City Commission.
- C. Design Details and Construction Standards. Design details and construction standards for utility and street improvements shall conform to standard details and specifications adopted by the City Engineer and approved by the City Commission.

(Prior code § 25-14)

September 20, 2016 Planning Board Regular Meeting Agenda

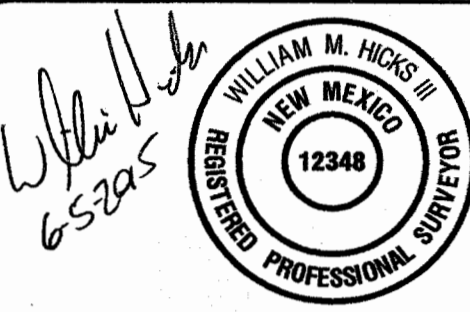
- 9) **Report of Subdivisions approved via MC 16.12 – Alternate Summary Procedure since July 19, 2016.**

XUAN LE SUMMARY PLAT

PART OF THE NW1/4 OF SECTION 22, T18S, R38E, N.M.P.M., CITY OF HOBBS, LEA COUNTY, NEW MEXICO

PETTIGREW & ASSOCIATES
 ENGINEERING | SURVEYING | TESTING
 DEFINING QUALITY SINCE 1954
 100 E. Navajo - Suite 100, Hobbs New Mexico
 T 575 393 9827 F 575 393 1543
 Pettigrew.us

PROJECT SURVEYOR: J. Baker
 DRAWN BY: D. Trevizo



INDEXING INFORMATION FOR COUNTY CLERK

OWNER:
 Ngoc Xuan Nguyen Le

LOCATION:
 Located in the NW1/4 of Section 22, R38E, N.M.P.M., Hobbs, Lea County, New Mexico.

REVISIONS

| No. | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |
| | | |

State of New Mexico, County of _____
 I here by certify that this instrument was filed for record on:

The _____ Day of _____
 20____ A.D.
 At _____ O'Clock _____
 Cabinet _____ Slide _____
 Book _____ Page _____
 By _____
 County Clerk
 By _____
 Deputy

SUMMARY PLAT

OF

XUAN LE TRACTS

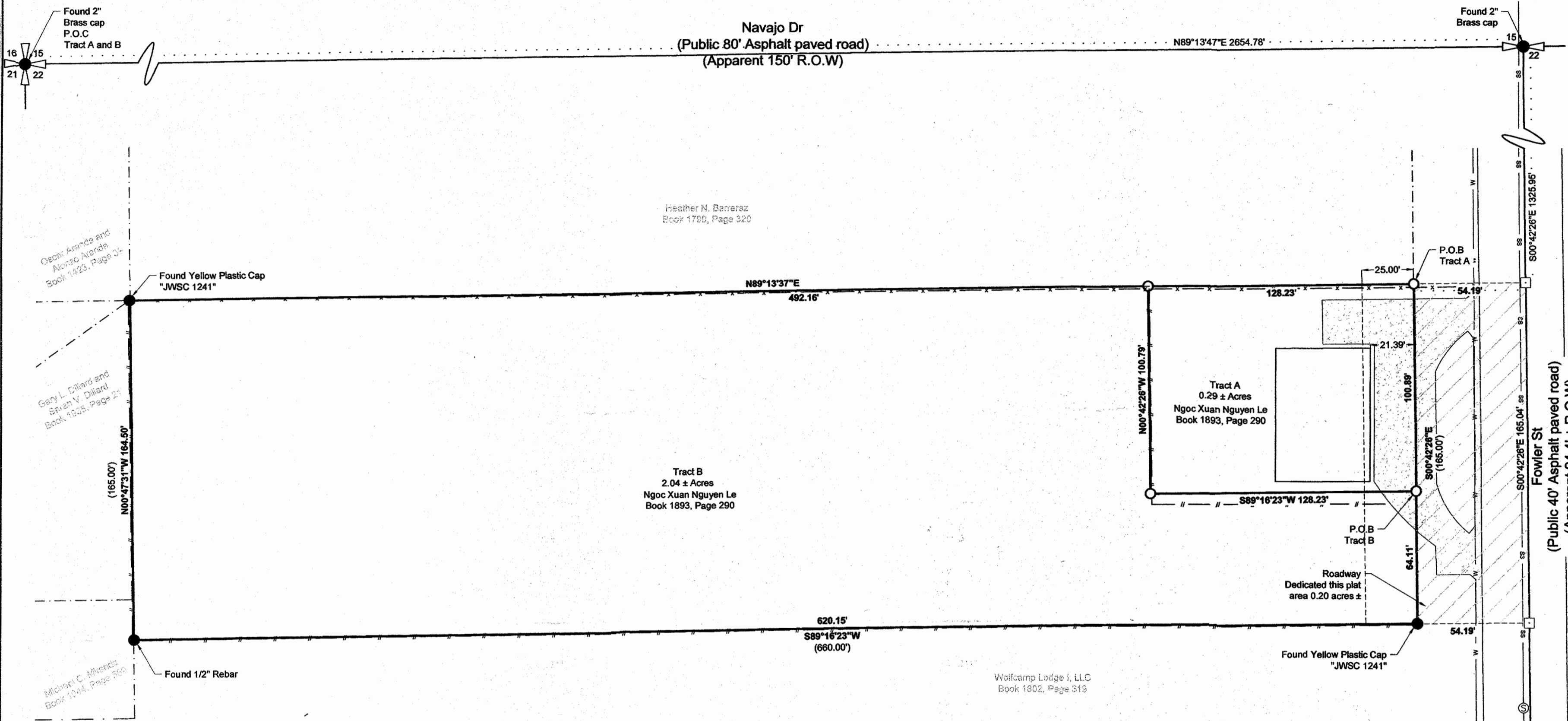
FOR
NGOC XUAN NGUYEN LE

PROJECT NUMBER:

2015.1097

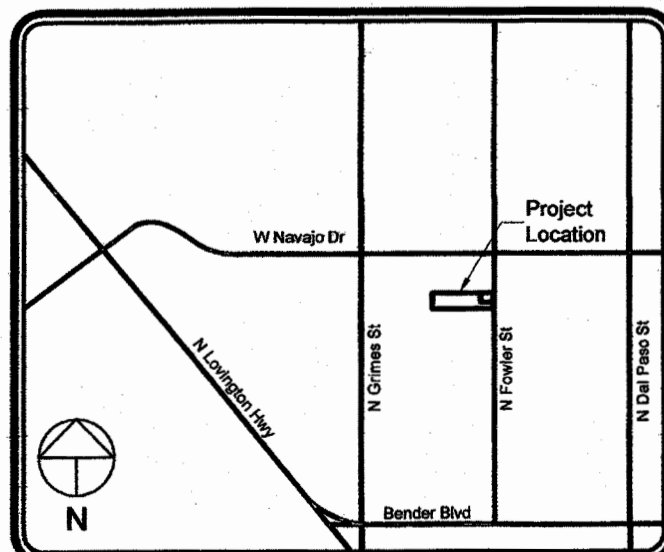
SHEET: 1 of 2

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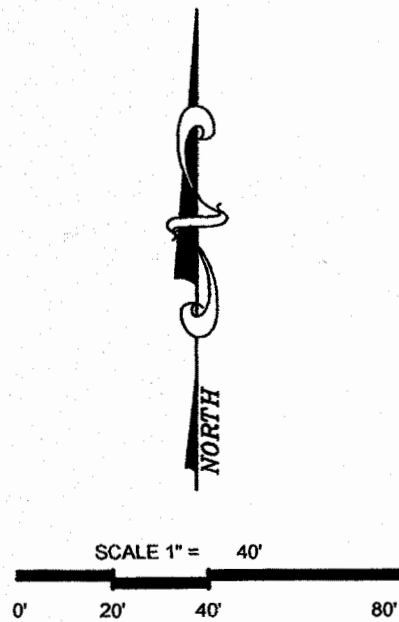
BASIS OF BEARING

The basis of bearing for this survey is Grid North based on the New Mexico State Plane Coordinate System, East Zone, as determined by GPS/GNSS observations. Ground coordinates are modified by scaling about a control point located at N32°40'03.64577", W103°10'44.87982" by a combined scale factor of 0.9998824473. True north can be obtained by applying a convergence angle of 00°38'50.34" at the Point of Beginning



LEGEND

| | | | |
|-----------|---|--------------------|-------------------------------|
| ● | Found as noted | — — — — — | Lot line |
| ○ | Set 5/8" rebar with red plastic cap marked "HICKS NMPS 12348" | — — — — — | Section line |
| □ | Calculated point | — — — — — | Property line |
| ⊕ | Found section corner | - x - x - | Barbed wire fence |
| ⊕ | Found quarter section corner | - // - // - | Wood picket fence |
| ⊙ | Sanitary Sewer Manhole | ▨ | Dedication |
| — w — | Water line | ▩ | Concrete |
| — ss — | Sewer line | XX°XX'XX" XX.XX' | Measured bearing and distance |
| — — — — — | Building line | (XX°XX'XX" XX.XX') | Record bearing and distance |
| — · — · — | Set back line | | |



RECORD DESCRIPTION - PER DEED BOOK 1893, PAGE 290

A tract of land located in the Northwest Quarter of Section 22 Township 18 South, Range 38 East, N.M.P.M., Lea County, New Mexico and being more particularly described as follows:

Beginning at a point 1320 feet South and 1980 feet East of the Northwest corner of Section 22; thence South 165 feet; thence East 660 feet; thence North 165 feet; thence West 660 feet to the point of beginning. The East 30 feet subject to an easment.

LEGAL DESCRIPTION NEW TRACT A

A Tract of land located of the Northwest Quarter (NW1/4) of Section 22, Township 18 South, Range 38 East, N.M.P.M., Lea County, New Mexico.

Commencing at a found 2" brass cap being used as the northwest corner of Section 22, thence N89°13'47"E along the north line of Section 22, to a found 2" brass cap at 2654.78 feet and S00°42'26"E along the east line of the NW 1/4 of Section 22, to a calculated point at 1325.95 feet and S89°13'37"W 54.19 feet to a set 5/8" rebar with red plastic cap marked "HICKS NMPS 12348" for a Point of Beginning; thence S00°42'26"E 100.89 feet to a set 5/8" rebar with red plastic cap marked "HICKS NMPS 12348"; thence S89°16'23"W 128.23 feet to a set 5/8" rebar with red plastic cap marked "HICKS NMPS 12348"; thence N00°42'26"W 100.79 feet to a set 5/8" rebar with red plastic cap marked "HICKS NMPS 12348"; thence N89°13'37"E 128.23 feet to the Point of Beginning.

Containing 0.29 acres, more or less.

LEGAL DESCRIPTION NEW TRACT B

A Tract of land located of the Northwest Quarter (NW1/4) of Section 22, Township 18 South, Range 38 East, N.M.P.M., Lea County, New Mexico.

Commencing at a found 2" brass cap being used as the northwest corner of Section 22, thence N89°13'47"E along the north line of Section 22, to a found 2" brass cap at 2654.78 feet and S00°42'26"E along the east line of the NW 1/4 of Section 22, to a calculated point at 1325.95 feet and S89°13'37"W 54.19 feet to a set 5/8" rebar with red plastic cap marked "HICKS NMPS 12348" and S00°42'26"E 100.89 feet to a set 5/8" rebar with red plastic cap marked "HICKS NMPS 12348" for a Point of Beginning; thence S00°42'26"E 64.11 feet to a found yellow plastic cap marked "JWSC 1241"; thence S89°16'23"W 620.15 feet to a found 1/2" rebar; thence N00°47'31"W 164.50 feet to a found yellow plastic cap marked "JWSC 1241"; thence N89°13'37"E 492.16 feet to a set 5/8" rebar with red plastic cap marked "HICKS NMPS 12348"; thence S00°42'26"E 100.79 feet to a set 5/8" rebar with red plastic cap marked "HICKS NMPS 12348"; thence N89°16'23"E 128.23 feet to the Point of Beginning.

Containing 2.04 acres, more or less.

DEDICATION TRACT DESCRIPTION

A Tract of land located of the Northwest Quarter (NW1/4) of Section 22, Township 18 South, Range 38 East, N.M.P.M., Lea County, New Mexico.

Commencing at a found 2" brass cap being used as the northwest corner of Section 22, thence N89°13'47"E along the north line of Section 22, to a found 2" brass cap at 2654.78 feet and S00°42'26"E along the east line of the NW 1/4 of Section 22, to a calculated point at 1325.95 feet for a Point of Beginning; thence S00°42'26"E 165.04 feet to a calculated point; thence S89°16'23"W 54.19 feet to a found yellow plastic cap marked "JWSC 1241"; thence N00°42'26"W 165.00 feet to a set 5/8" rebar with red plastic cap marked "HICKS NMPS 12348"; thence N89°13'37"E 54.19 feet to the Point of Beginning.

Containing 0.20 acres, more or less.

CERTIFICATE OF SURVEY

I, William M. Hicks, III New Mexico Professional Surveyor, hereby certify that this Summary Subdivision Plat was prepared from an actual ground survey performed by me or under my supervision, that this survey is true and correct to the best of my knowledge and belief. That this Summary Subdivision Plat and the field survey upon which it is based meet the Minimum Standards for Surveying in New Mexico.

William M. Hicks, III
 William M. Hicks, III NMPS #12348

6-5-2015
 Date

OWNERS STATEMENT AND AFFIDAVIT

State of New Mexico: _____
 County of Lea: _____

The undersigned first duly sworn on oath, state: On behalf of the owners and proprietors we have of our own free will and consent caused this plat with its tracts to be platted. The property described on this plat lies within the platting jurisdiction of City of Hobbs.

By *Ngoc Xuan Nguyen Le*
 Ngoc Xuan Nguyen Le

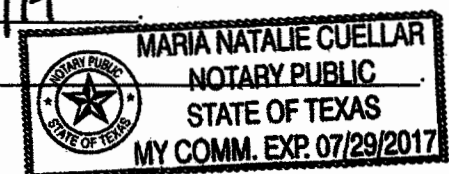
ACKNOWLEDGMENT

State Of ~~New Mexico~~ Texas
 County Of ~~Lea~~ El Paso

On this 15th day of June, 2015, before me, Ngoc Xuan Nguyen Le to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Witness my hand and official seal the day and year last above written.

My commission expires: 10/31/17
 Notary Public *Maria Natalie Cuellar*



CERTIFICATE OF MUNICIPAL APPROVAL

I, Kevin Robinson, Lead Project Manager for the City of Hobbs, Lea County, New Mexico, do hereby certify that the foregoing plat in the City of Hobbs, Lea County, New Mexico, was reviewed and deemed compliant with the Municipal Summary Process Regulations on this 19th day of June, 2015.

Kevin Robinson
 Kevin Robinson, Lead Project Manager



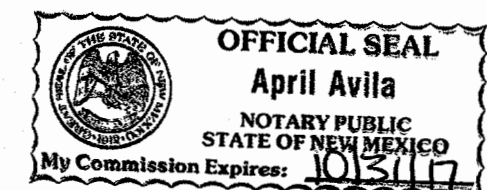
ACKNOWLEDGMENT

State of New Mexico: _____
 County of Lea: _____

On this 19th day of June, 2015, before me, Kevin Robinson and Jan Fletcher to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Witness my hand and official seal the day and year last above written.

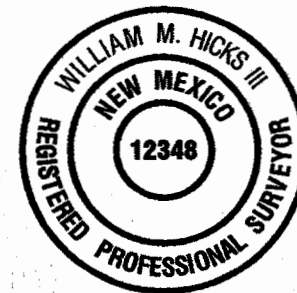
My Commission Expires: 10/31/17
April Avila
 Notary Public



(seal)

PETTIGREW & ASSOCIATES
 ENGINEERING | SURVEYING | TESTING
 DEFINING QUALITY SINCE 1954
 100 E. Navajo - Suite 100, Hobbs New Mexico
 T 575 393 9827 F 575 393 1543
 Pettigrew.us

PROJECT SURVEYOR: J. Baker
 DRAWN BY: D. Trevizo



INDEXING INFORMATION FOR COUNTY CLERK
 OWNER: Ngoc Xuan Nguyen Le
 LOCATION: Located in the NW1/4 of Section 22 R38E, N.M.P.M., Hobbs, Lea County, New Mexico.

| REVISIONS | | |
|-----------|------|-------------|
| No. | DATE | DESCRIPTION |
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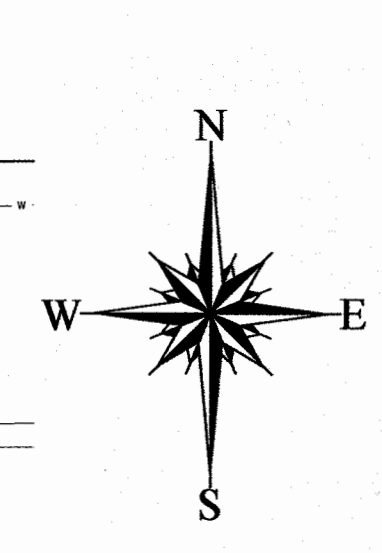
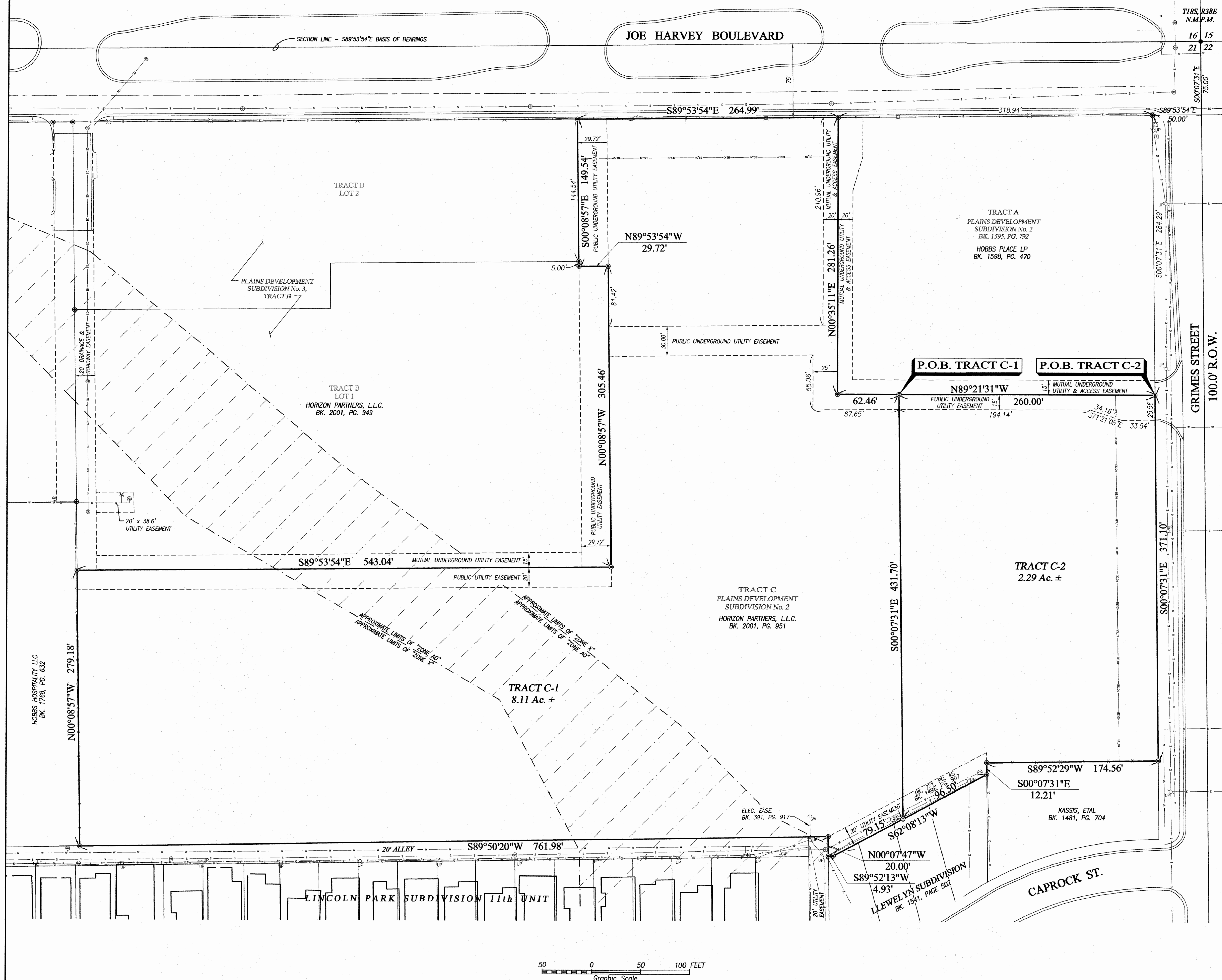
State of New Mexico, County of Lea
 I hereby certify that this instrument was filed for record on:
 The 28th Day of June, 2015 A.D.
 At 3:46 O'Clock P
 Cabinet _____ Slide _____
 Book _____ Page _____
Pat Chappello
 County Clerk
 By *BW*
 Deputy

SUBDIVISION PLAT OF XUAN LE TRACTS FOR NGOC XUAN NGUYEN LE

PROJECT NUMBER: 2015.1097

SHEET: 2 of 2
SU - 102

51262



PLAINS DEVELOPMENT SUBDIVISION No. 4, TRACT C
 LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER
 OF SECTION 21, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M.,
 CITY OF HOBBS, LEA COUNTY, NEW MEXICO

THE FOREGOING SUBDIVISION OF TRACT C, PLAINS DEVELOPMENT SUBDIVISION No. 2,
 FILED IN THE OFFICIAL RECORDS OF LEA COUNTY, NEW MEXICO IN BOOK 1595, PAGE
 792, SITUATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF
 SECTION 21, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., CITY OF HOBBS, LEA
 COUNTY, NEW MEXICO INTO THE FOLLOWING DESCRIBED TRACTS:

TRACT C-1
 BEGINNING AT A POINT ON THE SOUTH LINE OF TRACT A, PLAINS DEVELOPMENT SUBDIVISION No. 2, FOR THE NORTHEAST
 CORNER OF THE HEREIN DESCRIBED TRACT OF LAND, WHICH LIES S00°07'31"E 75.00 FEET, N89°53'54"W 50.00,
 S00°07'31"E 284.29 FEET AND N89°21'31"W 250.00 FEET FROM THE NORTHEAST CORNER OF SECTION 21;
 THEN S00°07'31"E A DISTANCE OF 431.70 FEET TO A POINT ON THE NORTH LINE OF THE LLEWELYN SUBDIVISION TO THE
 CITY OF HOBBS FOR THE SOUTHWEST CORNER OF THIS TRACT; THEN S62°08'13"W ALONG THE NORTH LINE OF SAID
 LLEWELYN SUBDIVISION A DISTANCE OF 79.15 FEET TO A CORNER OF SAID LLEWELYN SUBDIVISION; THEN S89°52'13"W A
 DISTANCE OF 4.93 FEET TO THE NORTHWEST CORNER OF SAID LLEWELYN SUBDIVISION AND BEING A POINT ON THE WEST
 LINE OF THE ELEVENTH UNIT, LINCOLN PARK SUBDIVISION TO THE CITY OF HOBBS; THEN N00°07'47"W A DISTANCE OF
 20.00 FEET TO THE NORTHEAST CORNER OF SAID ELEVENTH UNIT; THEN S89°50'20"W ALONG THE NORTH LINE OF SAID
 ELEVENTH UNIT A DISTANCE OF 761.98 FEET TO A POINT ON THE EAST LINE OF A TRACT CONVEYED TO HOBBS
 HOSPITALITY, LLC, THEN N00°08'57"W A DISTANCE OF 279.18 FEET ALONG SAID HOBBS HOSPITALITY, LLC TRACT TO THE
 SOUTHWEST CORNER OF TRACT B, PLAINS DEVELOPMENT SUBDIVISION No. 3; THEN S89°53'54"E ALONG THE SOUTH LINE OF
 SAID TRACT B, A DISTANCE OF 543.04 FEET TO THE SOUTHWEST CORNER OF SAID TRACT B; THEN N00°08'57"W ALONG THE
 EAST LINE OF SAID TRACT B, A DISTANCE OF 305.46 FEET; THEN N89°53'54"W A DISTANCE OF 29.72 FEET; THEN
 N00°08'57"W A DISTANCE OF 148.54 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF JOE HARVEY BOULEVARD
 AND BEING THE NORTHEAST CORNER OF SAID TRACT B; THEN S89°53'54"E ALONG SAID SOUTH RIGHT-OF-WAY LINE A
 DISTANCE OF 264.99 FEET TO THE NORTHWEST CORNER OF TRACT A, PLAINS DEVELOPMENT SUBDIVISION No. 2; THEN
 S00°07'31"E ALONG THE WEST LINE OF SAID TRACT A, A DISTANCE OF 281.26 FEET; THEN S89°21'31"E ALONG THE SOUTH
 LINE OF SAID TRACT A, A DISTANCE OF 72.46 FEET TO THE POINT OF BEGINNING, CONTAINING 8.11 ACRES MORE OR LESS.

TRACT C-2
 BEGINNING AT THE SOUTHWEST CORNER OF TRACT A PLAINS DEVELOPMENT SUBDIVISION No. 2 FOR THE NORTHEAST
 CORNER OF THE HEREIN DESCRIBED TRACT OF LAND, SAID CORNER BEING ON THE WEST RIGHT-OF-WAY LINE OF GRIMES
 STREET, WHICH LIES S00°07'31"E 75.00 FEET, N89°53'54"W 50.00 AND S00°07'31"E 284.29 FEET FROM THE NORTHEAST
 CORNER OF SECTION 21;
 THEN S00°07'31"E ALONG THE WEST RIGHT-OF-WAY LINE OF GRIMES STREET A DISTANCE OF 371.10 FEET TO THE
 NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO KASSIS, ETAL AND THE SOUTHWEST CORNER OF THIS TRACT; THEN
 S89°52'29"W ALONG THE NORTH LINE OF SAID KASSIS TRACT A DISTANCE OF 174.56 FEET TO THE NORTHWEST CORNER
 OF SAID KASSIS TRACT; THEN S00°07'31"E ALONG THE WEST LINE OF SAID KASSIS TRACT A DISTANCE OF 12.21 FEET TO
 NORTHEAST CORNER OF THE LLEWELYN SUBDIVISION TO THE CITY OF HOBBS; THEN S62°08'13"W ALONG THE NORTH LINE
 OF SAID SUBDIVISION A DISTANCE OF 96.50 FEET; THEN N00°07'31"W A DISTANCE OF 431.70 FEET TO A POINT ON THE
 SOUTH LINE OF TRACT A, PLAINS DEVELOPMENT SUBDIVISION No. 2 TO THE CITY OF HOBBS; THEN S89°21'31"E ALONG SAID
 SOUTH LINE OF TRACT A, A DISTANCE OF 280.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2.29 ACRES MORE OR
 LESS.

SAID TRACT BEING SUBDIVIDED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED
 OWNER THEREOF SURVEYED AND SUBDIVIDED ACCORDING TO THE TRACTS AS THEY APPEAR ON THE PLAT ATTACHED HERON.
 IN WITNESS WHEREOF, THE UNDERSIGNED OWNERS OF SAID LAND, HAVE HEREUNTO SET THEIR HAND THIS 8th DAY OF
June, 2016 A.D.
Rodger Gray
 RODGER GRAY
 HORIZON PARTNERS, L.L.C.

ACKNOWLEDGMENT:
 STATE OF NEW MEXICO
 COUNTY OF LEA
 THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 8th DAY OF June, 2016 A.D., BY
 RODGER GRAY, HORIZON PARTNERS, L.L.C.
Dag B. Edson
 NOTARY PUBLIC
 May 8, 2017
 My Commission Expires _____
 OFFICIAL SEAL
 GARY G. EIDSON
 Notary Public
 State of New Mexico
 My Commission Expires _____

CERTIFICATE OF MUNICIPAL APPROVAL:
 I, KEVIN ROBINSON, DEVELOPMENT DIRECTOR FOR THE CITY OF HOBBS, LEA COUNTY, NEW MEXICO, DO HEREBY CERTIFY
 THAT THE FOREGOING PLAT IN THE CITY OF HOBBS, LEA COUNTY, NEW MEXICO, WAS REVIEWED AND DEEMED COMPLIANT
 WITH THE MUNICIPAL SUMMARY PROCESS REGULATIONS ON THIS 8th DAY OF June, 2016 A.D.
Kevin Robinson
 KEVIN ROBINSON, DEVELOPMENT DIRECTOR
 ATTEST: *Jan Fletcher*
 JAN FLETCHER, CITY CLERK
 OFFICIAL SEAL
 CITY OF HOBBS
 LEA COUNTY, NEW MEXICO

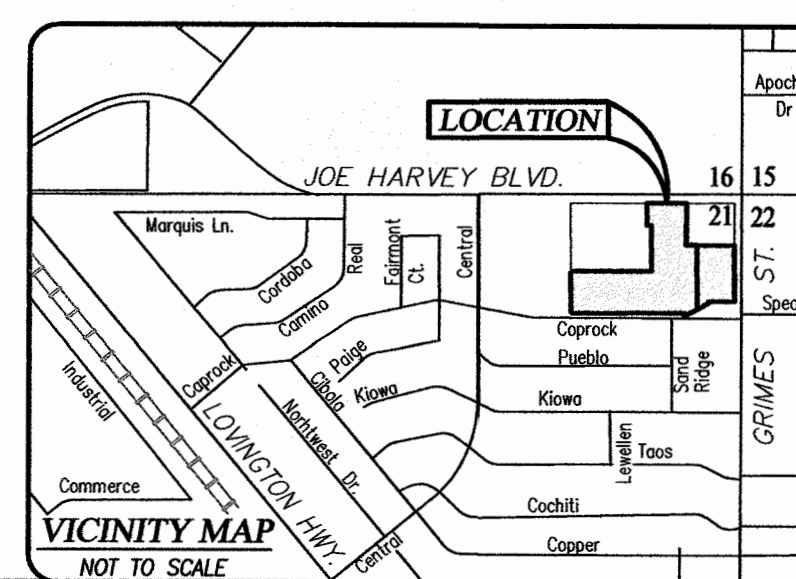
ACKNOWLEDGMENT:
 STATE OF NEW MEXICO
 COUNTY OF LEA
 THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 10th DAY OF June, 2016 A.D., BY
 KEVIN ROBINSON AND JAN FLETCHER.
April Avila
 NOTARY PUBLIC
 10/21/17
 My Commission Expires _____
 OFFICIAL SEAL
 April Avila
 Notary Public
 State of New Mexico
 My Commission Expires: 10/21/17

SURVEYOR'S CERTIFICATE:
 I, GARY G. EIDSON, NEW MEXICO PROFESSIONAL SURVEYOR
 No. 12641, DO HEREBY CERTIFY THAT THIS SURVEY PLAT AND
 THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED
 WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION,
 THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY
 MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO;
 AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY
 KNOWLEDGE AND BELIEF.
 GARY G. EIDSON *Dag B. Edson*
 DATE: 5/23/2016
 PROVIDING SURVEYING SERVICES
 SINCE 1946
 JOHN WEST SURVEYING COMPANY
 412 N. DAL PASO HOBBS, N.M. 88240
 (575) 393-3117 www.jwsc.biz
 TPL# 10021000



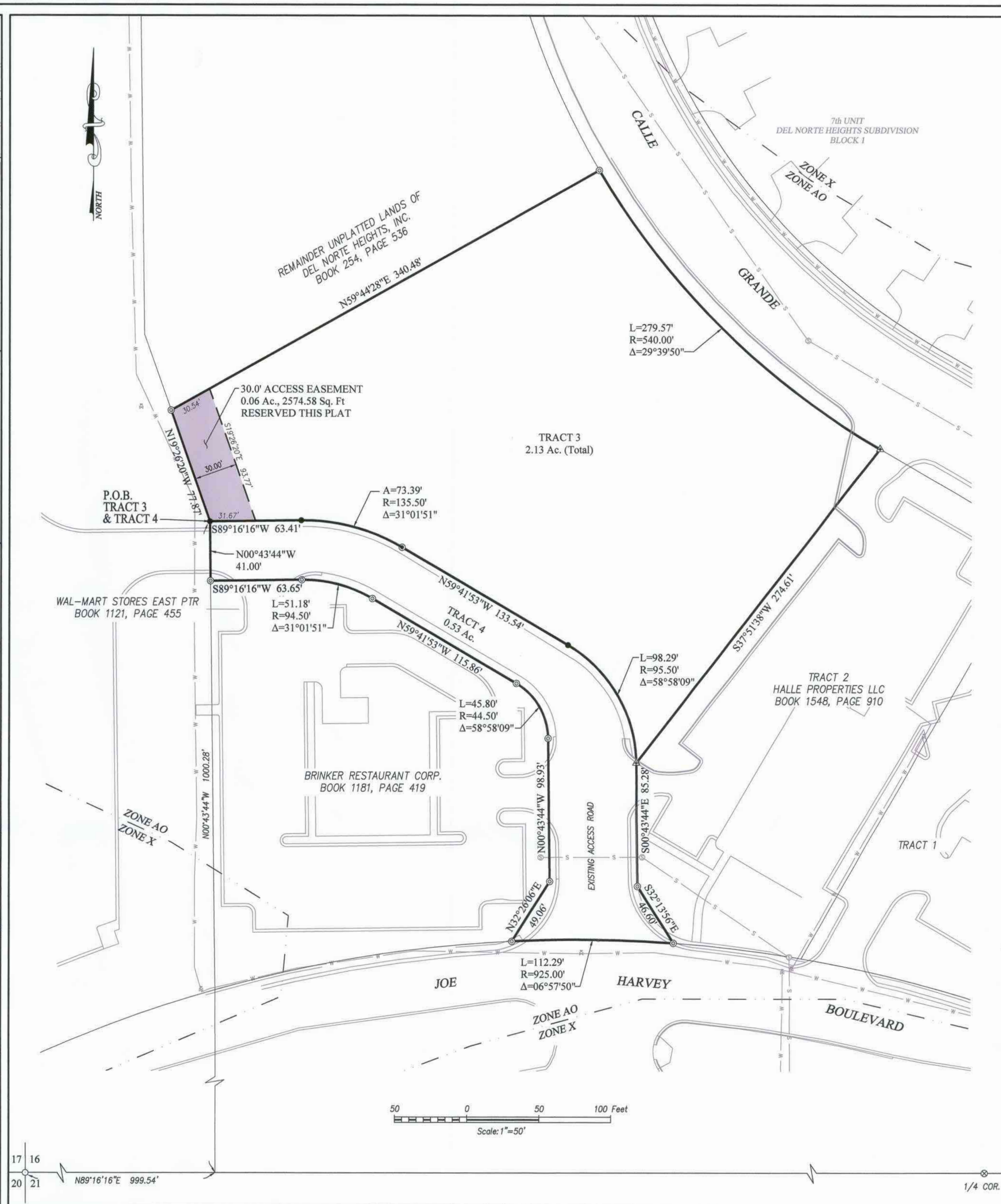
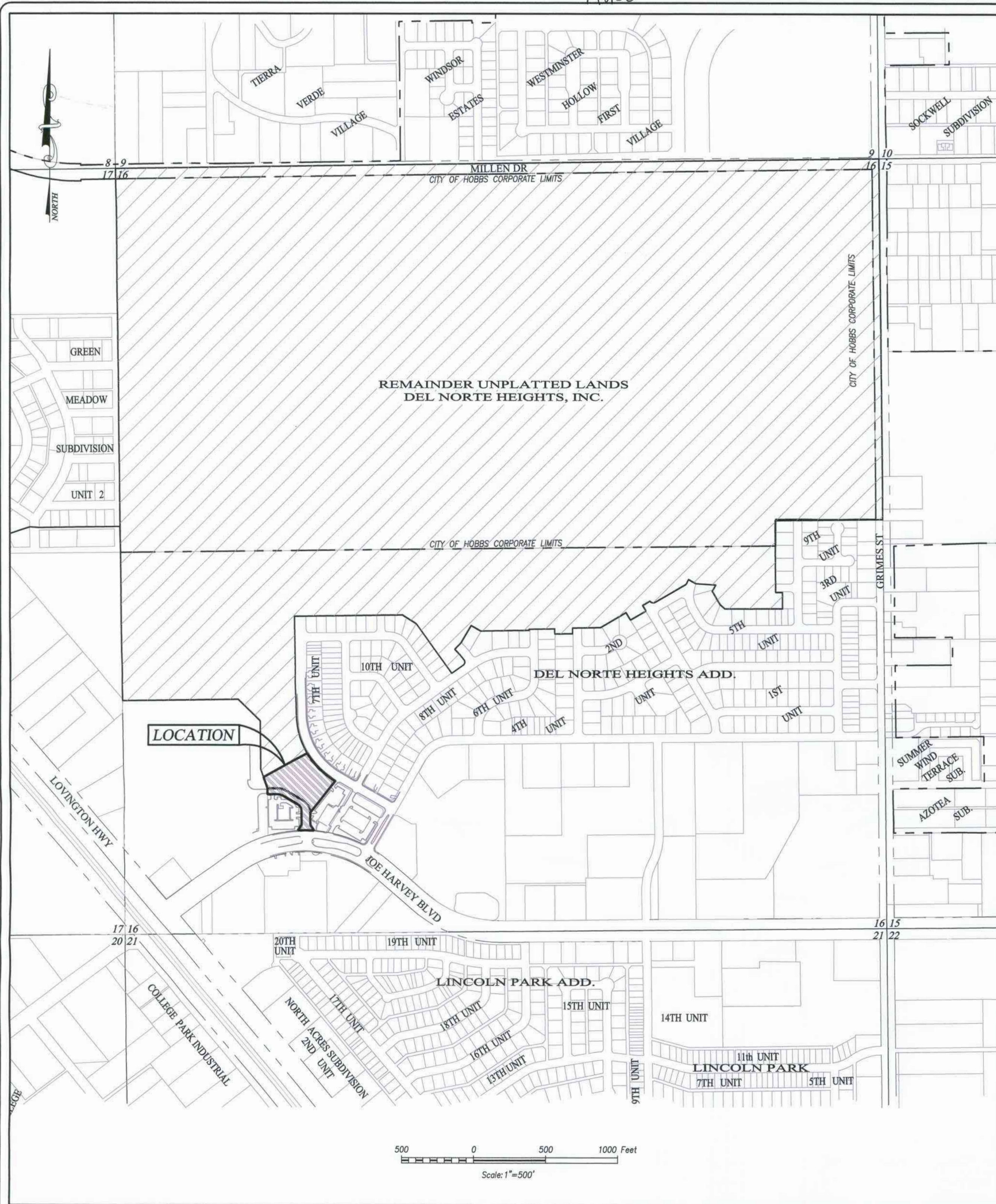
- LEGEND:**
- - DENOTES SET 1/2" STEEL ROD W/CAP MARKED "JWSC P.S. 12641"
 - - DENOTES FOUND 1/2" STEEL ROD W/CAP MARKED "JWSC P.S. 12641"
 - - DENOTES FOUND BRASS CAP IN CONCRETE
 - - DENOTES GAS LINE W/METER
 - - DENOTES SEWER LINE W/MANHOLE
 - - DENOTES SEWER LINE CLEANOUT
 - - DENOTES STORM DRAIN LINE W/MANHOLE
 - - DENOTES WATER LINE W/METER
 - ⊕ - DENOTES FIRE HYDRANT
 - — — — — DENOTES ELECTRIC LINE
 - — — — — DENOTES UTILITY POLE
 - — — — — DENOTES LIGHT POLE
 - — — — — DENOTES GUY/ANCHOR WIRE
 - ⊕ - DENOTES ELECTRIC PANEL BOX
 - — — — — DENOTES FENCE LINE
 - — — — — DENOTES SIGN
 - — — — — DENOTES 40' BUILDING SETBACK LINE

NOTE:
 1) BEARINGS SHOWN HEREON ARE BASED UPON RECORD BEARINGS SHOWN ON THAT CERTAIN PLAT "SUMMARY PLAT,
 PLAINS DEVELOPMENT SUBDIVISION No. 3, TRACT B, IN NE 1/4 OF THE NE 1/4 OF SECTION 21, TOWNSHIP 18 SOUTH,
 RANGE 38 EAST, N.M.P.M., CITY OF HOBBS, LEA COUNTY, NEW MEXICO, RECORDED ON APRIL 24, 2009, IN THE PLAT
 RECORDS OF LEA COUNTY, NEW MEXICO.
 2) UTILITY LOCATIONS SHOWN ON THIS PLAT ARE PLOTTED FROM INFORMATION OBTAINED FROM THE CITY OF HOBBS
 AND OBSERVED SURFACE EVIDENCE AND MAY NOT BE SHOWN IN THEIR TRUE LOCATION. ACTUAL LOCATIONS SHOULD
 BE VERIFIED.
 3) WITH RESPECT TO THE FLOOD INSURANCE RATE MAP FOR LEA COUNTY, NEW MEXICO AND INCORPORATED AREAS,
 PANEL 1335 OF 2150, MAP No. 39025C1335D, EFFECTIVE DATE, DECEMBER 16, 2008, A PORTION OF THE
 SOUTHWEST CORNER OF TRACT "C" IS LOCATED WITHIN "ZONE A0", DEFINED AS AREAS OF FLOOD DEPTHS OF 1 TO
 3 FEET (USUALLY SHEET FLOW ON SLOPING TERRAIN); AVERAGE DEPTH DETERMINED FOR AREAS OF ALLUVIAL FAN
 FLOODING; VELOCITIES ALSO DETERMINED. THE REMAINDER OF THIS TRACT IS WITHIN "ZONE X", DEFINED AS AREAS
 DETERMINED TO BE OUTSIDE OF THE 500-YEAR FLOOD PLAN, THE APPROXIMATE BOUNDARIES AS SHOWN HEREON.



LEA COUNTY SEAL
 STATE OF NEW MEXICO
 COUNTY OF LEA
 FILED
June 23, 2016
 at 2:00 o'clock A.M.
 and recorded in:
 Cabinet _____ Slide _____
 Book _____ Page _____
 Pat. Clerk _____
 By: _____ Deputy

55-1087



**DEL NORTE HEIGHTS, INC.
SUMMARY LAND DIVISION
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16,
TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M.,
CITY OF HOBBS, LEA COUNTY, NEW MEXICO**

TRACT 3
A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., CITY OF HOBBS, LEA COUNTY, NEW MEXICO, BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" STEEL ROD WITH AN ILLEGIBLE CAP, WHICH LIES N89°16'16"E A DISTANCE OF 999.54 FEET AND N00°43'44"W A DISTANCE OF 1000.28 FEET FROM A BRASS CAP IN CONCRETE FOUND FOR THE SOUTHWEST CORNER OF SAID SECTION 16 AND THE SOUTHWEST CORNER OF THIS TRACT; THEN N19°28'20"W A DISTANCE OF 77.87 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" SET FOR THE NORTHWEST CORNER OF THIS TRACT; THEN N59°44'28"E A DISTANCE OF 340.48 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" SET IN THE WEST RIGHT OF WAY LINE OF CALLE GRANDE FOR THE NORTHEAST CORNER OF THIS TRACT, BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 540.00 FEET; THEN SOUTHEASTERLY ALONG SAID WEST RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 29°39'50" A DISTANCE OF 279.57 FEET TO A NAIL WITH WASHER MARKED "NM12641 TX4735" SET FOR THE SOUTHEAST CORNER OF THIS TRACT; THEN S37°51'38"W A DISTANCE OF 274.61 FEET TO A NAIL WITH WASHER MARKED "NM12641 TX4735" SET FOR A CORNER OF THIS TRACT BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 85.50 FEET; THEN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 58°58'09" A DISTANCE OF 98.29 FEET TO A 1/2" STEEL ROD WITH ILLEGIBLE CAP FOUND FOR A CORNER OF THIS TRACT; THEN N59°41'53"W A DISTANCE OF 133.54 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "PS 3239 PS 12641" FOUND FOR A CORNER OF THIS TRACT BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 135.50 FEET; THEN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 31°01'51" A DISTANCE OF 73.39 FEET TO A 1/2" STEEL ROD WITH ILLEGIBLE CAP FOUND FOR A CORNER OF THIS TRACT; THEN S89°16'16"W A DISTANCE OF 63.41 FEET TO THE POINT OF BEGINNING, CONTAINING 2.13 ACRES MORE OR LESS.

TRACT 4
A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., CITY OF HOBBS, LEA COUNTY, NEW MEXICO, BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" STEEL ROD WITH AN ILLEGIBLE CAP, WHICH LIES N89°16'16"E A DISTANCE OF 999.54 FEET AND N00°43'44"W A DISTANCE OF 1000.28 FEET FROM A BRASS CAP IN CONCRETE FOUND FOR THE SOUTHWEST CORNER OF SAID SECTION 16; THEN N89°16'16"E A DISTANCE OF 63.41 FEET TO A 1/2" STEEL ROD WITH ILLEGIBLE CAP FOUND FOR A CORNER OF THIS TRACT AND A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 135.50 FEET; THEN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 31°01'51" A DISTANCE OF 73.39 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "PS 3239 PS 12641" FOUND FOR A CORNER OF THIS TRACT; THEN S59°41'53"E A DISTANCE OF 133.54 FEET TO A 1/2" STEEL ROD WITH ILLEGIBLE CAP FOUND FOR A CORNER OF THIS TRACT AND A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 85.50 FEET; THEN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 58°58'09" A DISTANCE OF 98.29 FEET TO A NAIL WITH WASHER MARKED "NM12641 TX4735" FOUND FOR A CORNER OF THIS TRACT; THEN S04°43'44"E A DISTANCE OF 85.28 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" FOUND FOR A CORNER OF THIS TRACT; THEN S32°13'56"E A DISTANCE OF 46.60 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" FOUND IN THE NORTH RIGHT OF WAY LINE OF JOE HARVEY BOULEVARD FOR A CORNER OF THIS TRACT AND A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 925.00 FEET; THEN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 06°57'50" A DISTANCE OF 112.29 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" FOUND FOR A CORNER OF THIS TRACT; THEN N32°26'06"E A DISTANCE OF 49.06 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" FOUND FOR A CORNER OF THIS TRACT; THEN N00°43'44"W A DISTANCE OF 98.93 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" FOUND FOR A CORNER OF THIS TRACT AND A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 44.50 FEET; THEN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 58°58'09" A DISTANCE OF 45.80 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" FOUND FOR A CORNER OF THIS TRACT; THEN N59°41'53"W A DISTANCE OF 115.89 FEET TO A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 94.50 FEET; THEN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 31°01'51" A DISTANCE OF 51.18 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" FOUND FOR A CORNER OF THIS TRACT; THEN S89°16'16"W A DISTANCE OF 63.65 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" FOUND FOR A CORNER OF THIS TRACT; THEN N00°43'44"W A DISTANCE OF 41.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.53 ACRES MORE OR LESS.

SAID TRACT BEING SUBDIVIDED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER THEREOF SURVEYED AND SUBDIVIDED ACCORDING TO THE TRACTS AS THEY APPEAR ON THE PLAT AFFIXED HERETO.

IN WITNESS WHEREOF, THE UNDERSIGNED OWNERS OF SAID LAND, HAVE HEREUNTO SET THEIR HAND THIS 13th DAY OF December, 2013.

DEL NORTE HEIGHTS, INC.
MADELINE MANN, SECRETARY

ACKNOWLEDGMENT:
STATE OF NEW MEXICO
COUNTY OF LEA
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 13th DAY OF December, 2013, BY MADELINE MANN, SECRETARY, DEL NORTE HEIGHTS, INC.
PATRICIA FLOYD
NOTARY PUBLIC
1-3-15
MY COMMISSION EXPIRES

- NOTE:**
- 1) BEARINGS SHOWN HEREON ARE RECORD BEARINGS. DISTANCES ARE SURFACE VALUES.
 - 2) WITH RESPECT TO THE FLOOD INSURANCE RATE MAP FOR LEA COUNTY, NEW MEXICO AND INCORPORATED AREAS, PANEL 1339 OF 2150, MAP No. 35029C13350, EFFECTIVE DATE, DECEMBER 16, 2008, THIS PROPERTY IS SITUATED IN ZONE AO (DEPTH 1 FOOT). ZONE AO IS DEFINED AS "FLOOD DEPTHS OF 1 TO 3 FEET (USUALLY SHEET FLOWING ON SLOPING TERRAIN); AVERAGE DEPTHS DETERMINED. FOR AREAS OF ALLUVIAL FAN FLOODING, VELOCITIES ALSO DETERMINED" (GRAPHICAL LOCATION BASED ON INFORMATION PROVIDED BY THE CITY OF HOBBS ENGINEERING DEPARTMENT).

- LEGEND:**
- ⊙ - DENOTES SET 1/2" STEEL ROD W/CAP MARKED "JWSC P.S. 12641"
 - ⊙ - DENOTES FOUND 1/2" STEEL ROD W/CAP MARKED "P.S. 3239 P.S. 12641"
 - △ - DENOTES SET NAIL W/WASHER MARKED "NM12641 TX4735"
 - - DENOTES FOUND BRASS CAP IN CONCRETE
 - - DENOTES FOUND 1/2" STEEL ROD W/ILLEGIBLE CAP
 - ⊙ - DENOTES CALCULATED CORNER
 - — — - DENOTES SEWER LINE W/MANHOLE
 - — — - DENOTES WATER LINE W/VALVE
 - - - - - DENOTES LIMITS OF FLOOD INSURANCE RATE MAP FLOOD DESIGNATED ZONES

CERTIFICATE OF MUNICIPAL APPROVAL:
I, KEVIN ROBINSON, LEAD PROJECT MANAGER FOR THE CITY OF HOBBS, LEA COUNTY, NEW MEXICO, DO HEREBY CERTIFY THAT THE FOREGOING PLAT IN THE CITY OF HOBBS, LEA COUNTY, NEW MEXICO, WAS REVIEWED AND DEEMED COMPLIANT WITH THE MUNICIPAL SUMMARY PROCESS REGULATIONS ON THIS 13th DAY OF December, 2013.
KEVIN ROBINSON, LEAD PROJECT MANAGER
ATTEST:
JAY FLETCHER, CITY CLERK
ACKNOWLEDGMENT:
STATE OF NEW MEXICO
COUNTY OF LEA
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 13th DAY OF December, 2013, BY KEVIN ROBINSON AND JAY FLETCHER.

APRIL AVILA
NOTARY PUBLIC
MY COMMISSION EXPIRES 10/31/17

OFFICIAL SEAL
April Avila
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires 10/31/17

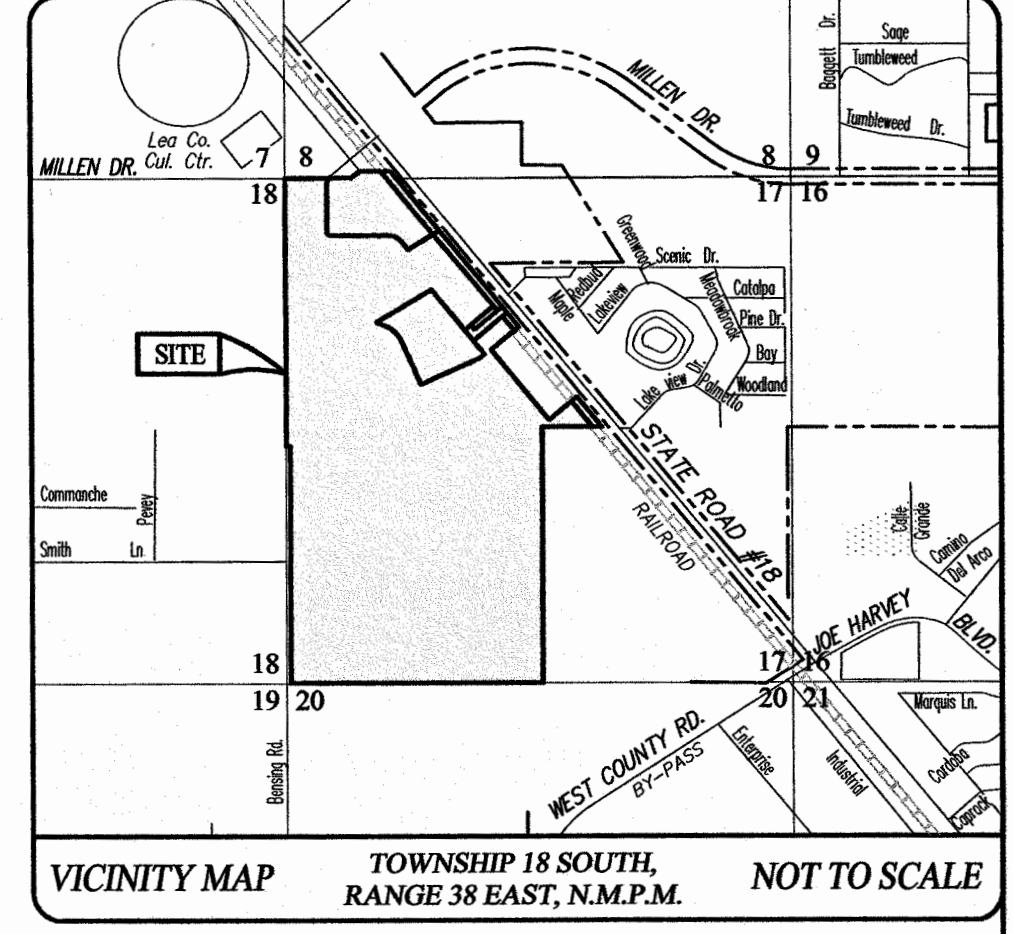
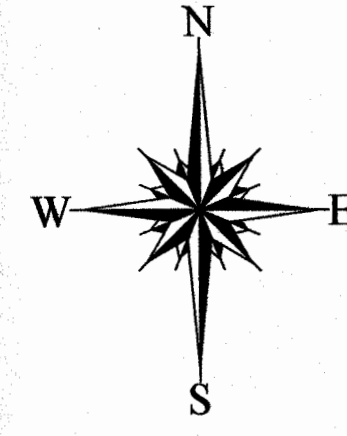
SURVEYOR'S CERTIFICATE:
I, GARY G. EIDSON, NEW MEXICO PROFESSIONAL SURVEYOR No. 12641, DO HEREBY CERTIFY THAT THIS SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO; AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
GARY G. EIDSON
DATE: 12/12/13

PROVIDING SURVEYING SERVICES SINCE 1946
JOHN WEST SURVEYING COMPANY
412 N. DAL PASO
HOBBS, N.M. 88240
(575) 393-3117 www.jwsc.biz

LEA COUNTY SEAL
STATE OF NEW MEXICO
COUNTY OF LEA
FILED
December 30, 2013
at 9:58 o'clock AM
and recorded in:
Cabinet _____ Slide _____
Book _____ Page _____
Pat Snipes Chappelle, Lea County Clerk
By Deputy

JWSC File No.: E-3428
CJ Development S16 T18 R38 Del Norte Heights, Inc Tract
Date: 12/10/13

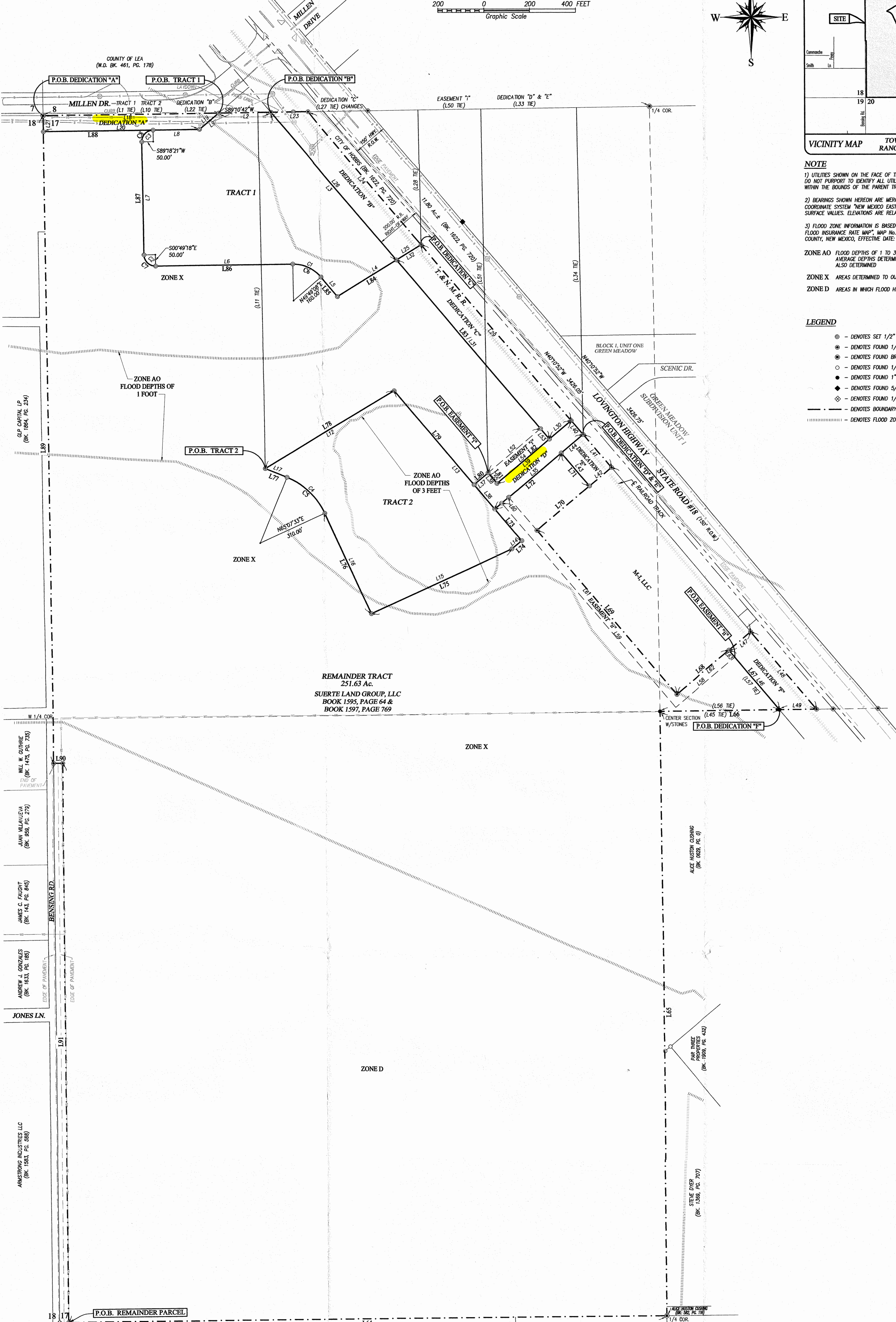
SUERTE LAND DIVISION NO. 3
LOCATED IN SECTION 17,
TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M.,
CITY OF HOBBS, LEA COUNTY, NEW MEXICO



VICINITY MAP TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M. NOT TO SCALE

NOTE
1) UTILITIES SHOWN ON THE FACE OF THIS PLAN ARE FOR INFORMATIONAL PURPOSES ONLY AND DO NOT PURPORT TO IDENTIFY ALL UTILITIES OR FACILITIES, PUBLIC OR PRIVATE, WHICH ARE WITHIN THE BOUNDS OF THE PARENT TRACT.
2) BEARINGS SHOWN HEREON ARE MERCATOR GRID AND CONFORM TO THE NEW MEXICO COORDINATE SYSTEM "NEW MEXICO EAST ZONE" NORTH AMERICAN DATUM 1983. DISTANCES ARE SURFACE VALUES. ELEVATIONS ARE RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM 1988.
3) FLOOD ZONE INFORMATION IS BASED ON FEDERAL EMERGENCY MANAGEMENT AGENCY, "FIRM - FLOOD INSURANCE RATE MAP", MAP No. 35025C11700 AND MAP No. 35025C13350, FOR LEA COUNTY, NEW MEXICO, EFFECTIVE DATE: DECEMBER 16, 2008.
ZONE AO FLOOD DEPTHS OF 1 TO 3 FEET; USUALLY SHEET FLOW ON SLOPING TERRAIN; AVERAGE DEPTHS DETERMINED FOR AREAS OF ALLUVIAL FAN FLOODING, VELOCITIES ALSO DETERMINED
ZONE X AREAS DETERMINED TO OUTSIDE OF 500-YEAR FLOOD-PLAN
ZONE D AREAS IN WHICH FLOOD HAZARDS ARE UNDETERMINED, BUT POSSIBLE

LEGEND
● - DENOTES SET 1/2" STEEL ROD W/CAP MARKED "JWSC P.S. 12641"
○ - DENOTES FOUND 1/2" STEEL ROD W/CAP MARKED "JWSC P.S. 12641"
○ - DENOTES FOUND BRASS CAP IN CONCRETE
○ - DENOTES FOUND 1/2" STEEL ROD
● - DENOTES FOUND 1" IRON PIPE
● - DENOTES FOUND 5/8" STEEL ROD W/ALUMINUM CAP MARKED "HICKS #12348"
○ - DENOTES FOUND 1/2" STEEL ROD W/CAP MARKED "PS 676"
--- DENOTES BOUNDARY OF PARENT TRACT
- - - - - DENOTES FLOOD ZONE BOUNDARY



AMERICAN ASSET MANAGEMENT INC. (BK. 462, PG. 681)
BRETTE CLAY (TRACT B) (BK. 1800, PG. 340)
BRETTE CLAY (TRACT B) (BK. 1800, PG. 340)
RD 1000 REAL ESTATE LLC (BK. 1597, PG. 489)
ALICE HUSTON OSBORN (BK. 0828, PG. 0)
RIS HINE PROPERTIES (BK. 1909, PG. 432)
STALE DYER (BK. 1386, PG. 707)
JONES LN.
ANDREW J. GONZALES (BK. 833, PG. 185)
JAMES C. FAUGHT (BK. 143, PG. 845)
JUAN VILLAVIEVA (BK. 589, PG. 279)
WILL W. GUTHRIE (BK. 1475, PG. 735)
GLP CAPITAL LP (BK. 1884, PG. 234)

© Donna's Summary Subdivision 2015\15110246 Suerte Land Group 517 718 R38 File No.: E-3463 Date: 10/12/15

| | |
|-----------------|---|
| LEA COUNTY SEAL | STATE OF NEW MEXICO COUNTY OF LEA FILED |
| | 2015 |
| | at _____ o'clock _____ M |
| | and recorded in: |
| | Cabinet _____ Slide _____ |
| | Book _____ Page _____ |
| | Pat Chappelle, Lea County Clerk |
| | By _____ Deputy |

Sheet 1 of 2
PROVIDING SURVEYING SERVICES SINCE 1946
JOHN WEST SURVEYING COMPANY
412 N. DAL PASO HOBBS, N.M. 88240
(575) 393-3117 www.jwsc.biz
TSP#SP-10021000

SUERTE LAND DIVISION NO. 3
LOCATED IN SECTION 17, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M.,
CITY OF HOBBS, LEA COUNTY, NEW MEXICO

TRACT 1 - 12.89 Ac.±
LINE TABLE

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L1 | N89°10'42"E | 767.01' |
| L2 | N89°10'42"E | 226.83' |
| L3 | S40°10'52"W | 845.54' |
| L4 | S58°20'58"W | 303.30' |
| L5 | N40°10'52"W | 111.66' |
| L6 | S89°10'42"W | 596.88' |
| L7 | N00°41'39"W | 494.33' |
| L8 | N89°10'42"E | 202.54' |
| L9 | N49°45'24"E | 110.23' |

CURVE TABLE

| CURVE | RADIUS | DELTA ANGLE | ARC LENGTH |
|-------|---------|-------------|------------|
| C1 | 160.00' | 50°38'26" | 141.41' |
| C2 | 50.00' | 90°07'39" | 78.65' |
| C3 | 50.00' | 89°52'21" | 78.43' |

TRACT 2 - 12.01 Ac.±
LINE TABLE

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L10 | N89°10'42"E | 937.31' |
| L11 | S00°49'18"E | 1559.40' |
| L12 | N58°52'48"E | 660.96' |
| L13 | S40°10'52"W | 860.31' |
| L14 | S58°20'58"W | 36.04' |
| L15 | S65°07'33"E | 676.59' |
| L16 | N24°52'27"W | 484.74' |
| L17 | N68°04'47"W | 102.57' |

CURVE TABLE

| CURVE | RADIUS | DELTA ANGLE | ARC LENGTH |
|-------|---------|-------------|------------|
| C4 | 310.00' | 43°12'20" | 233.76' |

DEDICATION "A" - 1.16 Ac.±
LINE TABLE

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L18 | N89°10'42"E | 767.01' |
| L19 | S49°45'24"W | 110.23' |
| L20 | S89°10'42"W | 682.02' |
| L21 | N00°41'39"W | 70.00' |

DEDICATION "B" - 2.31 Ac.±
LINE TABLE

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L22 | N89°10'42"E | 993.84' |
| L23 | N89°10'42"E | 161.67' |
| L24 | S40°10'52"W | 761.76' |
| L25 | S58°20'58"W | 128.40' |
| L26 | N40°10'52"W | 845.54' |

DEDICATION "C" - 2.92 Ac.±
LINE TABLE

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L27 | N89°10'42"E | 1638.61' |
| L28 | S00°49'18"E | 588.89' |
| L29 | S40°10'52"W | 1008.25' |
| L30 | S49°45'24"W | 125.00' |
| L31 | N40°10'52"W | 1027.38' |
| L32 | N58°20'58"E | 128.40' |

DEDICATION "D" - 1.04 Ac.±
LINE TABLE

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L33 | N89°10'42"E | 2329.08' |
| L34 | S00°49'18"E | 1430.78' |
| L35 | S49°45'24"W | 504.94' |
| L36 | N40°10'52"W | 140.00' |
| L37 | N49°45'24"E | 79.94' |
| L38 | S40°10'52"E | 60.00' |
| L39 | N49°45'24"E | 425.00' |
| L40 | S40°10'52"E | 80.00' |

DEDICATION "E" - 0.54 Ac.±
LINE TABLE

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L33 | N89°10'42"E | 2329.08' |
| L34 | S00°49'18"E | 1430.78' |
| L41 | S40°10'52"E | 189.26' |
| L42 | S49°45'24"E | 125.00' |
| L43 | N40°10'52"W | 189.38' |
| L44 | N49°45'24"E | 125.00' |

DEDICATION "F" - 1.13 Ac.±
LINE TABLE

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L45 | N89°10'42"E | 523.93' |
| L46 | N40°10'52"W | 342.10' |
| L47 | N49°45'24"E | 125.00' |
| L48 | S40°10'52"E | 445.21' |
| L49 | S89°20'19"W | 162.04' |

EASEMENT "I" - 0.41 Ac.±
LINE TABLE

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L50 | N89°10'42"E | 1911.42' |
| L51 | S00°49'18"E | 1591.74' |
| L52 | N49°45'24"E | 300.00' |
| L53 | S40°10'52"E | 60.00' |
| L54 | S49°45'24"E | 300.00' |
| L55 | N40°10'52"W | 60.00' |

EASEMENT "II" - 1.35 Ac.±
LINE TABLE

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L56 | N89°20'19"E | 523.93' |
| L57 | N40°10'52"W | 302.10' |
| L58 | S49°45'24"E | 340.00' |
| L59 | N40°10'52"W | 1170.60' |
| L60 | N49°45'24"E | 40.00' |
| L61 | S40°10'52"E | 1130.56' |
| L62 | N49°45'24"E | 300.00' |
| L63 | S40°10'52"E | 40.00' |

REMAINDER TRACT - 251.63 Ac.±
LINE TABLE

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L64 | N89°18'28"E | 2609.40' |
| L65 | N00°43'28"W | 2645.63' |
| L66 | N89°20'19"E | 523.93' |
| L67 | N40°10'52"W | 342.10' |
| L68 | S49°45'24"E | 300.00' |
| L69 | N40°10'52"W | 940.87' |
| L70 | N49°45'24"E | 300.00' |
| L71 | N40°10'52"W | 189.38' |
| L72 | S49°45'24"E | 379.94' |
| L73 | S40°10'52"E | 181.72' |
| L74 | S50°48'46"W | 56.04' |
| L75 | S65°07'33"E | 675.59' |
| L76 | N24°52'27"W | 484.74' |
| L77 | N68°04'47"W | 102.57' |
| L78 | N58°52'48"E | 660.96' |
| L79 | S40°10'53"E | 538.59' |
| L80 | N49°45'23"E | 79.94' |
| L81 | S40°10'53"E | 60.00' |
| L82 | N49°45'23"E | 300.00' |
| L83 | N40°10'52"W | 1027.38' |
| L84 | S58°20'58"W | 303.30' |
| L85 | N40°10'52"W | 111.66' |
| L86 | S89°10'42"W | 596.88' |
| L87 | N00°41'39"W | 494.33' |
| L88 | S89°10'42"W | 479.48' |
| L89 | S00°41'39"W | 2767.74' |
| L90 | N89°18'28"E | 40.00' |
| L91 | S00°41'39"E | 2448.74' |

| CURVE | RADIUS | DELTA ANGLE | ARC LENGTH |
|-------|---------|-------------|------------|
| C5 | 310.00' | 43°12'20" | 233.76' |
| C6 | 160.00' | 50°38'26" | 141.41' |
| C7 | 50.00' | 90°07'39" | 78.65' |
| C8 | 50.00' | 89°52'21" | 78.43' |

TRACT 1:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., CITY OF HOBBS, LEA COUNTY, NEW MEXICO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID SECTION, WHICH LIES N89°10'42"E A DISTANCE OF 767.01 FEET FROM A BRASS CAP IN CONCRETE FOUND FOR THE NORTHWEST CORNER OF SAID SECTION; THEN N89°10'42"E A DISTANCE OF 226.83 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF THE T. & N. M. R. R. RAILROAD; THEN S40°10'52"E ALONG SAID RIGHT OF WAY A DISTANCE OF 845.54 FEET; THEN S58°20'58"W A DISTANCE OF 303.30 FEET; THEN N40°10'52"W A DISTANCE OF 111.66 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIAL BEARING OF N49°45'24"E, A RADIUS OF 160.00 FEET, A CENTRAL ANGLE OF 50°38'26"; THEN NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 141.41 FEET TO THE END OF SAID CURVE; THEN S89°10'42"W A DISTANCE OF 596.88 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 90°07'39"; THEN NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 78.65 FEET TO THE END OF SAID CURVE; THEN N00°41'39"W A DISTANCE OF 494.33 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 89°52'21"; THEN NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 78.43 FEET TO THE END OF SAID CURVE; THEN N89°10'42"E A DISTANCE OF 202.54 FEET; THEN N49°45'24"E A DISTANCE OF 110.23 FEET TO THE POINT OF BEGINNING, CONTAINING 12.89 ACRES MORE OR LESS.

TRACT 2:

PUBLIC OPEN SPACE AND STORMWATER RETENTION BASIN
A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., CITY OF HOBBS, LEA COUNTY, NEW MEXICO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THIS TRACT, WHICH LIES N89°10'42"E A DISTANCE OF 937.31 FEET AND S00°49'18"E A DISTANCE OF 1559.40 FEET FROM A BRASS CAP IN CONCRETE FOUND FOR THE NORTHWEST CORNER OF SAID SECTION; THEN N58°52'48"E A DISTANCE OF 660.96 FEET; THEN S40°10'52"E A DISTANCE OF 860.31 FEET; THEN S58°20'58"W A DISTANCE OF 36.04 FEET; THEN S65°07'33"E A DISTANCE OF 676.59 FEET; THEN N24°52'27"W A DISTANCE OF 484.74 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIAL BEARING OF N65°07'33"E, A RADIUS OF 310.00 FEET, A CENTRAL ANGLE OF 43°12'20"; THEN NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 233.76 FEET TO THE END OF SAID CURVE; THEN N68°04'47"W A DISTANCE OF 102.57 FEET TO THE POINT OF BEGINNING, CONTAINING 12.01 ACRES MORE OR LESS.

DEDICATION A: Fee simple dedication or encumbrance??

DEDICATED TO THE PUBLIC FOR MILLEN DRIVE RIGHT-OF-WAY
A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., CITY OF HOBBS, LEA COUNTY, NEW MEXICO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A BRASS CAP IN CONCRETE FOUND FOR THE NORTHWEST CORNER OF SAID SECTION, THEN N89°10'42"E ALONG THE NORTH LINE OF SAID SECTION A DISTANCE OF 767.01 FEET; THEN S49°45'24"W A DISTANCE OF 110.23 FEET; THEN S89°10'42"W A DISTANCE OF 682.02 FEET TO A POINT ON THE WEST LINE OF SAID SECTION; THEN N00°41'39"W ALONG SAID WEST LINE A DISTANCE OF 70.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.16 ACRES MORE OR LESS.

DEDICATION B:

DEDICATED TO THE PUBLIC FOR MUNICIPAL INFRASTRUCTURE
A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., CITY OF HOBBS, LEA COUNTY, NEW MEXICO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID SECTION, WHICH LIES N89°10'42"E A DISTANCE OF 993.84 FEET FROM A BRASS CAP IN CONCRETE FOUND FOR THE NORTHWEST CORNER OF SAID SECTION; THEN N89°10'42"E A DISTANCE OF 161.67 FEET; THEN S40°10'52"E A DISTANCE OF 761.76 FEET; THEN S58°20'58"W A DISTANCE OF 128.40 FEET; THEN N40°10'52"W A DISTANCE OF 845.54 FEET TO THE POINT OF BEGINNING, CONTAINING 2.31 ACRES MORE OR LESS.

DEDICATION C:

DEDICATED TO THE PUBLIC FOR UNDERGROUND UTILITIES AND SURFACE AND SUBSURFACE STORMWATER DRAINAGE
A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., CITY OF HOBBS, LEA COUNTY, NEW MEXICO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHWEST QUARTER OF SAID SECTION, WHICH LIES N89°10'42"E A DISTANCE OF 1638.61 FEET AND S00°49'18"E A DISTANCE OF 588.89 FEET FROM A BRASS CAP IN CONCRETE FOUND FOR THE NORTHWEST CORNER OF SAID SECTION; THEN S40°10'52"E A DISTANCE OF 1008.25 FEET; THEN S49°45'24"W A DISTANCE OF 125.00 FEET; THEN N40°10'52"W A DISTANCE OF 1027.38 FEET; THEN S58°20'58"W A DISTANCE OF 128.40 FEET TO THE POINT OF BEGINNING, CONTAINING 2.92 ACRES MORE OR LESS.

DEDICATION D:

DEDICATED TO THE PUBLIC FOR RIGHT OF WAY Fee simple dedication or encumbrance??
A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., CITY OF HOBBS, LEA COUNTY, NEW MEXICO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHWEST QUARTER OF SAID SECTION, WHICH LIES N89°10'42"E A DISTANCE OF 2329.08 FEET AND S00°49'18"E A DISTANCE OF 1430.78 FEET FROM A BRASS CAP IN CONCRETE FOUND FOR THE NORTHWEST CORNER OF SAID SECTION; THEN N49°45'24"E A DISTANCE OF 504.94 FEET; THEN N40°10'52"W A DISTANCE OF 140.00 FEET; THEN N49°45'24"E A DISTANCE OF 79.94 FEET; THEN S40°10'52"E A DISTANCE OF 60.00 FEET; THEN N49°45'24"E A DISTANCE OF 425.00 FEET; THEN S40°10'52"E A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.04 ACRES MORE OR LESS.

DEDICATION E:

DEDICATED TO THE PUBLIC FOR UNDERGROUND UTILITIES AND SURFACE AND SUBSURFACE STORMWATER DRAINAGE
A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., CITY OF HOBBS, LEA COUNTY, NEW MEXICO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHWEST QUARTER OF SAID SECTION, WHICH LIES N89°10'42"E A DISTANCE OF 2329.08 FEET AND S00°49'18"E A DISTANCE OF 1430.78 FEET FROM A BRASS CAP IN CONCRETE FOUND FOR THE NORTHWEST CORNER OF SAID SECTION; THEN S40°10'52"E A DISTANCE OF 189.26 FEET; THEN S49°45'24"W A DISTANCE OF 125.00 FEET; THEN N40°10'52"W A DISTANCE OF 189.38 FEET; THEN N49°45'24"E A DISTANCE OF 125.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.54 ACRES MORE OR LESS.

DEDICATION F:

DEDICATED TO THE PUBLIC FOR UNDERGROUND UTILITIES AND SURFACE AND SUBSURFACE STORMWATER DRAINAGE
A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., CITY OF HOBBS, LEA COUNTY, NEW MEXICO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION, WHICH LIES N89°20'19"E A DISTANCE OF 523.93 FEET FROM A 1" IRON PIPE WITH STONES FOUND FOR THE CENTER OF SAID SECTION; THEN N40°10'52"W A DISTANCE OF 342.10 FEET; THEN N49°45'24"E A DISTANCE OF 125.00 FEET; THEN S40°10'52"E A DISTANCE OF 445.21 FEET; THEN S89°20'19"W A DISTANCE OF 162.04 FEET TO THE POINT OF BEGINNING, CONTAINING 1.13 ACRES MORE OR LESS.

EASEMENT "I":

SURFACE AND SUBSURFACE STORMWATER DRAINAGE AND UNDERGROUND UTILITY EASEMENT
AN EASEMENT LOCATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., CITY OF HOBBS, LEA COUNTY, NEW MEXICO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHWEST QUARTER OF SAID SECTION, WHICH LIES N89°10'42"E A DISTANCE OF 1911.42 FEET AND S00°49'18"E A DISTANCE OF 1591.74 FEET FROM A BRASS CAP IN CONCRETE FOUND FOR THE NORTHWEST CORNER OF SAID SECTION; THEN N49°45'24"E A DISTANCE OF 300.00 FEET; THEN S40°10'52"E A DISTANCE OF 60.00 FEET; THEN S49°45'24"E A DISTANCE OF 300.00 FEET; THEN N40°10'52"W A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.41 ACRES MORE OR LESS.

EASEMENT "II":

SURFACE STORMWATER DRAINAGE AND UNDERGROUND UTILITY EASEMENT
AN EASEMENT LOCATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., CITY OF HOBBS, LEA COUNTY, NEW MEXICO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHWEST QUARTER OF SAID SECTION, WHICH LIES N89°20'19"E A DISTANCE OF 523.93 FEET AND N40°10'52"W A DISTANCE OF 302.10 FEET FROM A 1" IRON PIPE WITH STONES FOUND FOR THE CENTER OF SAID SECTION; THEN S49°45'24"E A DISTANCE OF 340.00 FEET; THEN N40°10'52"W A DISTANCE OF 1170.60 FEET; THEN N49°45'24"E A DISTANCE OF 40.00 FEET; THEN S40°10'52"E A DISTANCE OF 1130.56 FEET; THEN N49°45'24"E A DISTANCE OF 300.00 FEET; THEN S40°10'52"E A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.35 ACRES MORE OR LESS.

REMAINDER TRACT DESCRIPTION:

A TRACT OF LAND SITUATED IN SECTION 17, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION 17, WHICH LIES N89°18'28"E A DISTANCE OF 40.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 17; THEN N89°18'28"E A DISTANCE OF 2609.40 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION; THEN N00°43'28"W A DISTANCE OF 2645.63 FEET TO A 1" IRON PIPE WITH STONES FOUND FOR THE CENTER OF SAID SECTION; THEN N89°20'19"E A DISTANCE OF 523.93 FEET; THEN N40°10'52"W A DISTANCE OF 342.10 FEET; THEN S49°45'24"E A DISTANCE OF 300.00 FEET; THEN N40°10'52"W A DISTANCE OF 940.87 FEET; THEN N49°45'24"E A DISTANCE OF 300.00 FEET; THEN S40°10'52"W A DISTANCE OF 189.38 FEET; THEN S49°45'24"E A DISTANCE OF 379.94 FEET; THEN S40°10'52"E A DISTANCE OF 181.72 FEET; THEN S50°48'46"W A DISTANCE OF 56.04 FEET; THEN S65°07'33"E A DISTANCE OF 675.59 FEET; THEN N24°52'27"W A DISTANCE OF 484.74 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIAL BEARING OF N65°07'33"E, A RADIUS OF 310.00 FEET, A CENTRAL ANGLE OF 43°12'20"; THEN NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 233.76 FEET TO THE END OF SAID CURVE; THEN N68°04'47"W A DISTANCE OF 102.57 FEET; THEN N58°52'48"E A DISTANCE OF 660.96 FEET; THEN S40°10'53"E A DISTANCE OF 538.59 FEET; THEN N49°45'23"E A DISTANCE OF 79.94 FEET; THEN S40°10'53"E A DISTANCE OF 60.00 FEET; THEN N49°45'23"E A DISTANCE OF 300.00 FEET; THEN N40°10'52"W A DISTANCE OF 1027.38 FEET; THEN S58°20'58"W A DISTANCE OF 303.30 FEET; THEN N40°10'52"W A DISTANCE OF 111.66 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIAL BEARING OF N49°45'24"E, A RADIUS OF 160.00 FEET, A CENTRAL ANGLE OF 50°38'26"; THEN NORTHWESTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 141.41 FEET TO THE END OF SAID CURVE; THEN S89°10'42"W A DISTANCE OF 596.88 FEET TO THE BEGINNING POINT OF A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 90°07'39"; THEN NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 78.65 FEET; THEN N00°41'39"W A DISTANCE OF 494.33 FEET TO THE BEGINNING POINT OF A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 89°52'21"; THEN NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 78.43 FEET; THEN S89°10'42"W A DISTANCE OF 479.48 FEET TO A POINT ON THE WEST LINE OF SAID SECTION, WHICH LIES S00°41'39"E A DISTANCE OF 70.00 FEET FROM THE NORTHWEST CORNER OF SAID SECTION; THEN S00°41'39"E ALONG SAID WEST LINE A DISTANCE OF 2767.74 FEET; THEN N89°18'28"E A DISTANCE OF 40.00 FEET; THEN S00°41'39"E A DISTANCE OF 2448.74 FEET TO THE POINT OF BEGINNING, CONTAINING 251.63 ACRES MORE OR LESS.

SAID TRACT BEING SUBDIVIDED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER THEREOF SURVEYED AND SUBDIVIDED ACCORDING TO THE TRACTS AS THEY APPEAR ON THE PLAT AFFIXED HEREON. ALL AREAS LABELED DEDICATION ARE HEREBY DEDICATED TO THE PUBLIC.

IN WITNESS WHEREOF, THE UNDERSIGNED OWNERS OF SAID LAND, HAVE HERETOBY SET THEIR HAND THIS _____ DAY OF _____ 2015 A.D.

John D. Cope
JOHNNY D. COPE
CO-MANAGER
SUERTE LAND GROUP, LLC

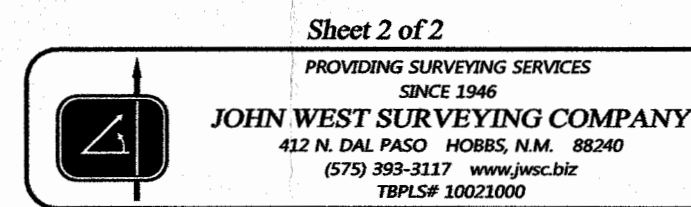
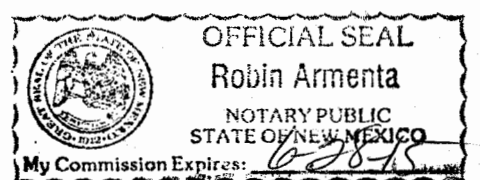
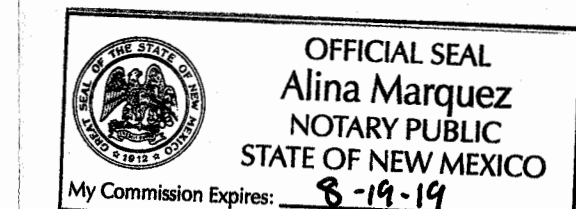
James E. McVey
JAMES E. McVEY
CO-MANAGER
SUERTE LAND GROUP, LLC

ACKNOWLEDGMENT:

STATE OF NEW MEXICO
COUNTY OF LEA
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 13th DAY OF October, 2015 A.D., BY JOHNNY D. COPE, CO-MANAGER, SUERTE LAND GROUP, LLC,
Alina Marquez
NOTARY PUBLIC
8-19-19
MY COMMISSION EXPIRES

ACKNOWLEDGMENT:

STATE OF NEW MEXICO
COUNTY OF LEA
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 14th DAY OF October, 2015 A.D., BY JAMES E. McVEY, CO-MANAGER, SUERTE LAND GROUP, LLC,
Alina Marquez
NOTARY PUBLIC
6-28-15
MY COMMISSION EXPIRES



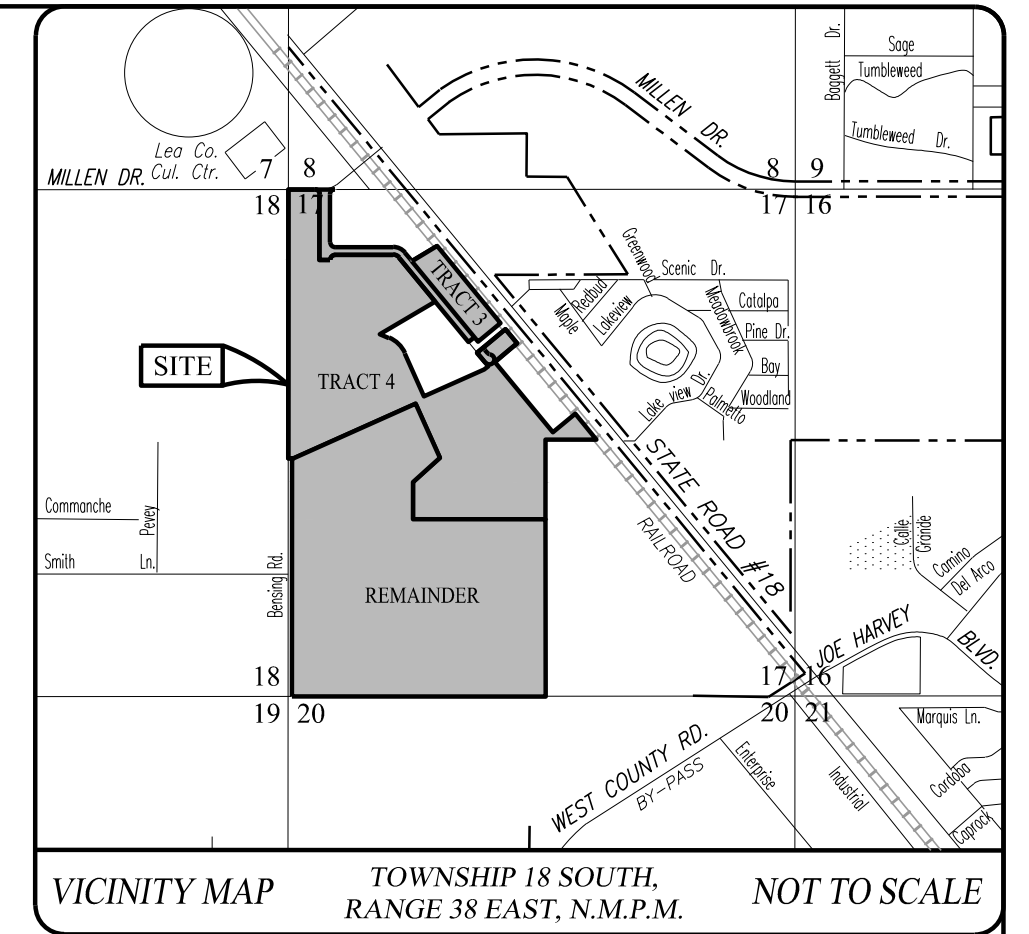
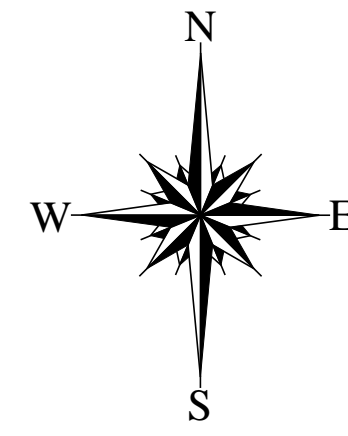
CERTIFICATE OF MUNICIPAL APPROVAL:

I, J.J. MURPHY, CITY MANAGER FOR THE CITY OF HOBBS, LEA COUNTY, NEW MEXICO, DO HEREBY CERTIFY THAT THE FOREGOING PLAT IN THE CITY OF HOBBS, LEA COUNTY, NEW MEXICO, WAS REVIEWED AND DEEMED COMPLIANT WITH THE MUNICIPAL SUMMARY PROCESS REGULATIONS, AND THE CITY OF HOBBS ACCEPTS THE AREAS HEREBY DEDICATED ON THIS 21st DAY OF October, 2015 A.D.

PRELIMINARY

This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

SUERTE LAND DIVISION NO. 4
 LOCATED IN SECTION 17,
 TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M.,
 CITY OF HOBBS, LEA COUNTY, NEW MEXICO



NOTE

1) UTILITIES SHOWN ON THE FACE OF THIS PLAT ARE FOR INFORMATIONAL PURPOSES ONLY AND DO NOT PURPORT TO IDENTIFY ALL UTILITIES OR FACILITIES, PUBLIC OR PRIVATE, WHICH ARE WITHIN THE BOUNDS OF THE PARENT TRACT.

2) BEARINGS SHOWN HEREON ARE MERCATOR GRID AND CONFORM TO THE NEW MEXICO COORDINATE SYSTEM "NEW MEXICO EAST ZONE" NORTH AMERICAN DATUM 1983. DISTANCES ARE SURFACE VALUES. ELEVATIONS ARE RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM 1988.

3) FLOOD ZONE INFORMATION IS BASED ON FEDERAL EMERGENCY MANAGEMENT AGENCY, "FIRM - FLOOD INSURANCE RATE MAP", MAP No. 35025C11700 AND MAP No. 35025C13350, FOR LEA COUNTY, NEW MEXICO, EFFECTIVE DATE: DECEMBER 16, 2008.

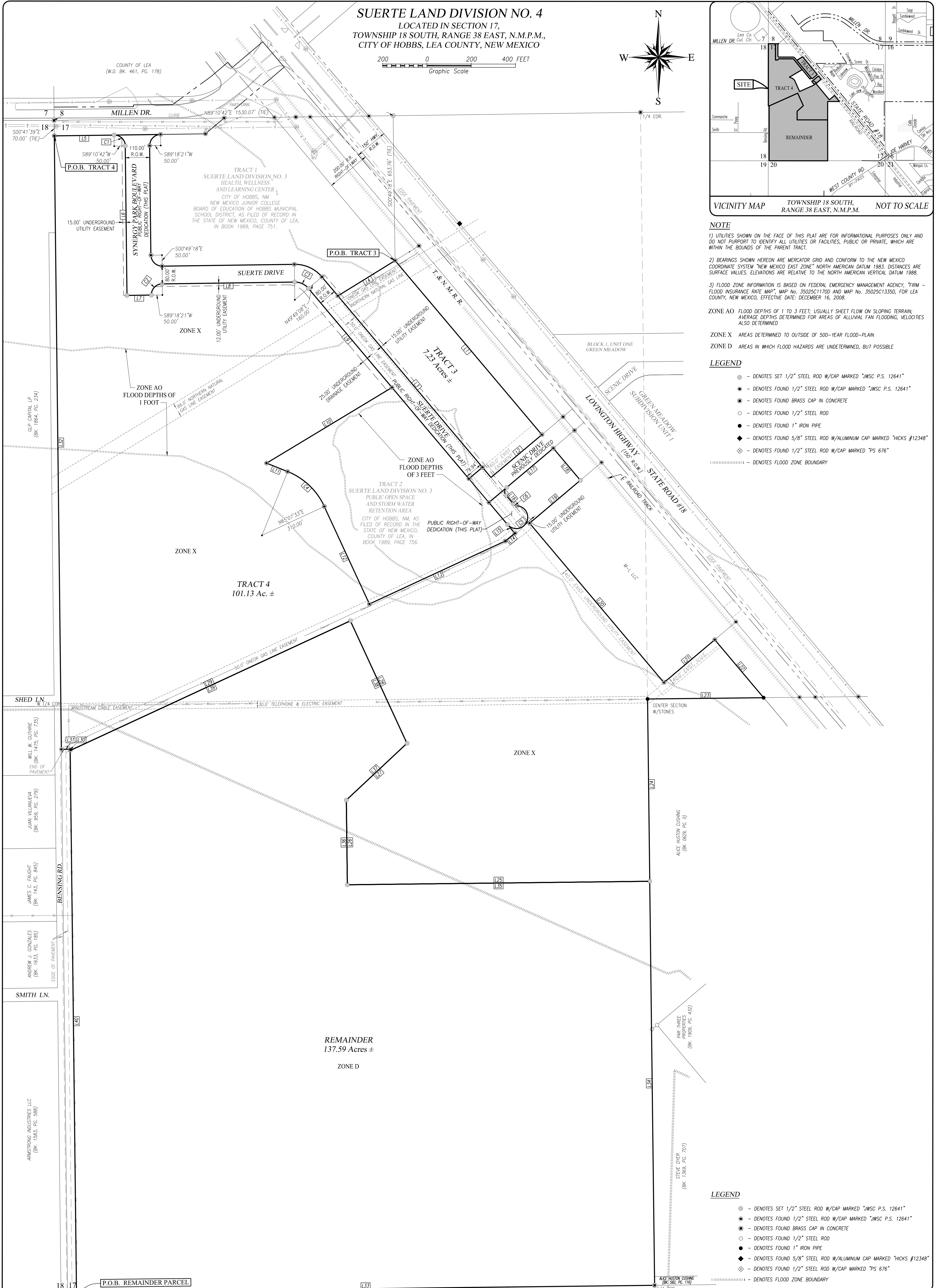
ZONE AO FLOOD DEPTHS OF 1 TO 3 FEET; USUALLY SHEET FLOW ON SLOPING TERRAIN; AVERAGE DEPTHS DETERMINED FOR AREAS OF ALLUVIAL FAN FLOODING, VELOCITIES ALSO DETERMINED

ZONE X AREAS DETERMINED TO OUTSIDE OF 500-YEAR FLOOD-PLAIN

ZONE D AREAS IN WHICH FLOOD HAZARDS ARE UNDETERMINED, BUT POSSIBLE

LEGEND

- ⊙ - DENOTES SET 1/2" STEEL ROD W/CAP MARKED "JWSC P.S. 12641"
- - DENOTES FOUND 1/2" STEEL ROD W/CAP MARKED "JWSC P.S. 12641"
- ⊕ - DENOTES FOUND BRASS CAP IN CONCRETE
- - DENOTES FOUND 1/2" STEEL ROD
- - DENOTES FOUND 1" IRON PIPE
- ◆ - DENOTES FOUND 5/8" STEEL ROD W/ALUMINUM CAP MARKED "HICKS #12348"
- ⊕ - DENOTES FOUND 1/2" STEEL ROD W/CAP MARKED "PS 676"
- DENOTES FLOOD ZONE BOUNDARY



AMERICAN ASSET MANAGEMENT INC. (BK. 462, PG. 681) BRETT CLAY (TRACT C) (BK. 1800, PG. 340) BRETT CLAY (TRACT B) (BK. 1597, PG. 499) ALICE JUSTIN WASHING (BK. 0828, PG. 0) ALICE JUSTIN WASHING (BK. 0828, PG. 0) STEVE DIERP (BK. 1595, PG. 207) ALICE JUSTIN WASHING (BK. 0828, PG. 0) ALICE JUSTIN WASHING (BK. 0828, PG. 0)

SURVEYOR'S CERTIFICATE:
 I, GARY G. EIDSON, NEW MEXICO PROFESSIONAL SURVEYOR No. 12641, DO HEREBY CERTIFY THAT THIS SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO; AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

GARY G. EIDSON _____
 DATE: _____



Sheet 1 of 2
 PROVIDING SURVEYING SERVICES SINCE 1946
JOHN WEST SURVEYING COMPANY
 412 N. DAL PASO • HOBBS, N.M. 88240
 (575) 393-3117 • www.jwsc.biz
 TBL/SLP 3.0021000

© D:\mcs\Summary Subdivision\2016\16110624 Suerte Land Division No.4 17178 R38 Related W.O.F. 16110232 File No.: E-3489 Date: 08/17/16

| | |
|-----------------|---|
| LEA COUNTY SEAL | STATE OF NEW MEXICO COUNTY OF LEA FILED |
| | _____ 2016 |
| | at _____ o'clock _____ M |
| | and recorded in: |
| | Cabinet _____ Slide _____ |
| | Book _____ Page _____ |
| | Pat Chappelle, Lea County Clerk |
| | By _____ Deputy |

PRELIMINARY

This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

SUERTE LAND DIVISION NO. 4
LOCATED IN SECTION 17,
TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M.,
CITY OF HOBBS, LEA COUNTY, NEW MEXICO

TRACT 3 LINE TABLE

Table with 3 columns: Line, Bearing, Distance. Rows L1 to L4.

TRACT 4 LINE TABLE

Table with 3 columns: Line, Bearing, Distance. Rows L5 to L32.

TRACT 4 CURVE TABLE

Table with 5 columns: Curve, Radius, Delta Angle, Arc Length, Chord Length. Rows C1 to C7.

REMAINDER TRACT LINE TABLE

Table with 3 columns: Line, Bearing, Distance. Rows L33 to L40.

TRACT 3

A TRACT OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., CITY OF HOBBS, LEA COUNTY, NEW MEXICO AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THIS TRACT, WHICH LIES N89°10'42"E ALONG THE NORTH LINE OF SAID SECTION 17 A DISTANCE OF 1530.07 FEET AND S00°49'18"E A DISTANCE OF 653.76 FEET FROM A BRASS CAP IN CONCRETE FOR THE NORTHWEST CORNER OF SAID SECTION;

THEN S40°10'52"E A DISTANCE OF 1027.38 FEET TO THE SOUTHEAST CORNER OF THIS TRACT; THEN S49°52'35"W A DISTANCE OF 300.00 FEET TO THE SOUTHWEST CORNER OF THIS TRACT; THEN N40°10'53"W A DISTANCE OF 1072.07 FEET TO THE NORTHWEST CORNER OF THIS TRACT; THEN N58°20'58"E A DISTANCE OF 303.30 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 7.23 ACRES MORE OR LESS.

TRACT 4

A TRACT OF LAND IN THE WEST HALF OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., CITY OF HOBBS, LEA COUNTY, NEW MEXICO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THIS TRACT, WHICH LIES S00°41'39"E ALONG THE WEST LINE OF SAID SECTION 17 A DISTANCE OF 70.00 FEET FROM A BRASS CAP IN CONCRETE FOR THE NORTHWEST CORNER OF SAID SECTION AND A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF MILLEN DRIVE;

THEN N89°10'42"E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF MILLEN DRIVE A DISTANCE OF 269.59 FEET TO A CORNER OF THIS TRACT AND THE BEGINNING OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 90°07'39"; THEN ALONG THE ARC OF SAID CURVE A DISTANCE OF 78.65 FEET TO A CORNER OF THIS TRACT; THEN S00°41'39"E A DISTANCE OF 674.11 FEET TO A CORNER OF THIS TRACT; THEN N89°10'42"E A DISTANCE OF 110.00 FEET TO A CORNER OF THIS TRACT AND THE BEGINNING OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 89°52'21"; THEN ALONG THE ARC OF SAID CURVE A DISTANCE OF 78.43 FEET TO A CORNER OF THIS TRACT; THEN N89°10'42"E A DISTANCE OF 597.28 FEET TO A CORNER OF THIS TRACT AND THE BEGINNING OF A CURVE TO THE RIGHT SAID CURVE HAVING A RADIUS OF 80.00 FEET AND A CENTRAL ANGLE OF 50°38'29"; THEN ALONG THE ARC OF SAID CURVE A DISTANCE OF 70.71 FEET TO A CORNER OF THIS TRACT; THEN S40°10'52"E A DISTANCE OF 585.05 FEET TO A CORNER OF THIS TRACT; THEN S58°52'48"W A DISTANCE OF 660.96 FEET TO A CORNER OF THIS TRACT; THEN S68°04'47"E A DISTANCE OF 102.57 FEET TO A CORNER OF THIS TRACT AND THE BEGINNING OF A CURVE TO THE RIGHT SAID CURVE HAVING A RADIUS OF 310.00 FEET AND A CENTRAL ANGLE OF 43°12'20"; THEN ALONG THE ARC OF SAID CURVE A DISTANCE OF 233.76 FEET TO A CORNER OF THIS TRACT; THEN S24°52'27"E A DISTANCE OF 484.74 FEET TO A CORNER OF THIS TRACT; THEN N65°07'33"E A DISTANCE OF 675.59 FEET TO A CORNER OF THIS TRACT; THEN N50°48'46"E A DISTANCE OF 56.04 FEET TO A CORNER OF THIS TRACT; THEN N40°10'52"W A DISTANCE OF 51.15 FEET TO A CORNER OF THIS TRACT AND THE BEGINNING OF A CURVE TO THE LEFT SAID CURVE HAVING A RADIUS OF 51.50 FEET AND A CENTRAL ANGLE OF 225°37'31"; THEN ALONG THE ARC OF SAID CURVE A DISTANCE OF 202.80 FEET TO A CORNER OF THIS TRACT AND THE BEGINNING OF A CURVE TO THE RIGHT SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 45°37'31"; THEN ALONG THE ARC OF SAID CURVE A DISTANCE OF 19.91 FEET TO A CORNER OF THIS TRACT AND THE BEGINNING OF A CURVE TO THE LEFT SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°03'28"; THEN ALONG THE ARC OF SAID CURVE A DISTANCE OF 39.30 FEET TO A CORNER OF THIS TRACT; THEN N49°52'35"E A DISTANCE OF 274.92 FEET TO A CORNER OF THIS TRACT; THEN S40°10'52"E A DISTANCE OF 189.38 FEET TO A CORNER OF THIS TRACT; THEN S49°49'08"W A DISTANCE OF 300.00 FEET TO A CORNER OF THIS TRACT; THEN S40°10'52"E A DISTANCE OF 940.87 FEET TO A CORNER OF THIS TRACT; THEN N49°49'08"E A DISTANCE OF 300.00 FEET TO A CORNER OF THIS TRACT; THEN S40°10'52"E A DISTANCE OF 342.10 FEET TO A CORNER OF THIS TRACT; THEN S89°20'18"W A DISTANCE OF 523.93 FEET TO A CORNER OF THIS TRACT; THEN S00°43'28"E A DISTANCE OF 822.62 FEET TO A CORNER OF THIS TRACT; THEN S89°18'32"W A DISTANCE OF 1365.01 FEET TO A CORNER OF THIS TRACT AND THE BEGINNING OF A CURVE TO THE RIGHT SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 45°37'31"; THEN ALONG THE ARC OF SAID CURVE A DISTANCE OF 19.91 FEET TO A CORNER OF THIS TRACT AND THE BEGINNING OF A CURVE TO THE LEFT SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°03'28"; THEN ALONG THE ARC OF SAID CURVE A DISTANCE OF 39.30 FEET TO A CORNER OF THIS TRACT; THEN N49°52'35"E A DISTANCE OF 274.92 FEET TO A CORNER OF THIS TRACT; THEN S40°10'52"E A DISTANCE OF 189.38 FEET TO A CORNER OF THIS TRACT; THEN S49°49'08"W A DISTANCE OF 300.00 FEET TO A CORNER OF THIS TRACT; THEN S40°10'52"E A DISTANCE OF 940.87 FEET TO A CORNER OF THIS TRACT; THEN N49°49'08"E A DISTANCE OF 300.00 FEET TO A CORNER OF THIS TRACT; THEN S40°10'52"E A DISTANCE OF 342.10 FEET TO A CORNER OF THIS TRACT; THEN S89°20'18"W A DISTANCE OF 523.93 FEET TO A CORNER OF THIS TRACT; THEN S00°43'28"E A DISTANCE OF 822.62 FEET TO A CORNER OF THIS TRACT; THEN S89°18'32"W A DISTANCE OF 1365.01 FEET TO A CORNER OF THIS TRACT; THEN N00°43'28"W A DISTANCE OF 1823.00 FEET TO A CORNER OF THIS TRACT; THEN N46°52'48"E A DISTANCE OF 375.00 FEET TO A CORNER OF THIS TRACT; THEN N24°52'27"W A DISTANCE OF 608.80 FEET TO THE MOST NORTHEASTERLY CORNER OF THIS TRACT; THEN S65°09'03"W A DISTANCE OF 1392.66 FEET TO THE NORTHWEST CORNER OF THIS TRACT; THEN S00°41'39"E A DISTANCE OF 2443.46 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 101.13 ACRES MORE OR LESS.

REMAINDER TRACT

A TRACT OF LAND SITUATED IN SECTION 17, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THIS TRACT AND A POINT ON THE SOUTH LINE OF SAID SECTION 17, WHICH LIES N89°18'28"E ALONG SAID SOUTH LINE A DISTANCE OF 40.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 17;

THEN N89°18'28"E ALONG SAID SOUTH LINE A DISTANCE OF 2609.46 FEET FOR THE SOUTHEAST CORNER OF THIS TRACT; THEN N00°43'28"W A DISTANCE OF 1823.00 FEET FOR A CORNER OF THIS TRACT; THEN S89°18'32"W A DISTANCE OF 1365.01 FEET FOR A CORNER OF THIS TRACT; THEN N46°52'48"E A DISTANCE OF 375.00 FEET TO A CORNER OF THIS TRACT; THEN N24°52'27"W A DISTANCE OF 608.80 FEET TO THE MOST NORTHEASTERLY CORNER OF THIS TRACT; THEN S65°09'03"W A DISTANCE OF 1392.66 FEET TO THE NORTHWEST CORNER OF THIS TRACT; THEN S00°41'39"E A DISTANCE OF 2443.46 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 137.59 ACRES MORE OR LESS.

SAID TRACT BEING SUBDIVIDED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER THEREOF SURVEYED AND SUBDIVIDED ACCORDING TO THE TRACTS AS THEY APPEAR ON THE PLAT AFFIXED HEREON. ALL AREAS LABELED DEDICATION ARE HEREBY DEDICATED TO THE PUBLIC.

IN WITNESS WHEREOF, THE UNDERSIGNED OWNERS OF SAID LAND, HAVE HEREUNTO SET THEIR HAND THIS _____ DAY OF _____, 2016 A.D.

JOHNNY D. COPE
CO-MANAGER
SUERTE LAND GROUP, LLC

JANE E. McVEY
CO-MANAGER
SUERTE LAND GROUP, LLC

ACKNOWLEDGMENT:

STATE OF NEW MEXICO
COUNTY OF LEA
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2016 A.D., BY JOHNNY D. COPE, CO-MANAGER, SUERTE LAND GROUP, LLC.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

ACKNOWLEDGMENT:

STATE OF NEW MEXICO
COUNTY OF LEA
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2016 A.D., BY JANE E. McVEY, CO-MANAGER, SUERTE LAND GROUP, LLC.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

CERTIFICATE OF MUNICIPAL APPROVAL BY RESOLUTION:

I, JAN FLETCHER, THE DULY APPOINTED AND ACTING CITY CLERK OF THE CITY OF HOBBS, LEA COUNTY, NEW MEXICO, DO HEREBY CERTIFY THAT THE FOREGOING PLAT OF SUERTE LAND DIVISION NO. 4, WAS APPROVED BY THE COMMISSION OF THE CITY OF HOBBS BY RESOLUTION No. _____ ON THE _____ OF _____, 2016 A.D.

JAN FLETCHER, CITY CLERK

ACKNOWLEDGMENT:

STATE OF NEW MEXICO
COUNTY OF LEA
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2016 A.D., BY JAN FLETCHER.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

CERTIFICATE OF MUNICIPAL APPROVAL:

I, J.J. MURPHY, CITY MANAGER FOR THE CITY OF HOBBS, LEA COUNTY, NEW MEXICO, DO HEREBY CERTIFY THAT THE FOREGOING PLAT IN THE CITY OF HOBBS, LEA COUNTY, NEW MEXICO, WAS REVIEWED AND DEEMED COMPLIANT WITH THE MUNICIPAL SUMMARY PROCESS REGULATIONS, AND THE CITY OF HOBBS ACCEPTS THE AREAS HEREBY DEDICATED ON THIS _____ DAY OF _____, 2016 A.D.

J.J. MURPHY, CITY MANAGER

ATTEST: JAN FLETCHER, CITY CLERK

ACKNOWLEDGMENT:

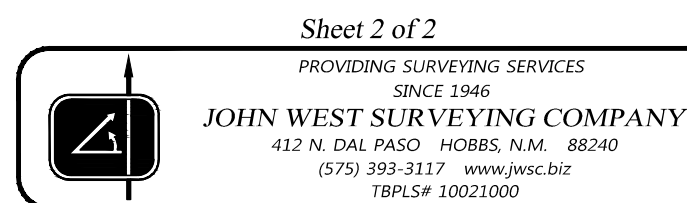
STATE OF NEW MEXICO
COUNTY OF LEA
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2016 A.D., BY J.J. MURPHY AND JAN FLETCHER.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

SURVEYOR'S CERTIFICATE:
I, GARY G. EIDSON, NEW MEXICO PROFESSIONAL SURVEYOR No. 12641, DO HEREBY CERTIFY THAT THIS SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO; AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



GARY G. EIDSON DATE: _____



Administrative information including file number (E-3489), date (08/17/16), and a table for recording the document (Cabinet, Slide, Book, Page, Pat Chappelle, Lea County Clerk, By, Deputy).