

LA JOLLA DEL MONTE SUBDIVISION REPLAT 1

Disclosure Statement for an ETZ REPLAT Subdivision

December 22, 2005

DISCLOSURE STATEMENT

THIS DISCLOSURE STATEMENT IS INTENDED TO PROVIDE YOU WITH ENOUGH INFORMATION TO PERMIT YOU TO MAKE AN INFORMED DECISION ON THE PURCHASE OR LEASE OF PROPERTY DESCRIBED IN THIS STATEMENT. YOU SHOULD READ CAREFULLY ALL OF THE INFORMATION CONTAINED IN THIS STATEMENT BEFORE YOU DECIDE TO BUY OR LEASE THE DESCRIBED PROPERTY.

YOU SHOULD BE AWARE OF THE FACT THAT VARIOUS STATE AGENCIES HAVE ISSUED OPINIONS ON BOTH THE SUBDIVISION PROPOSAL AND WHAT IS SAID IN THIS DISCLOSURE STATEMENT ABOUT THE PROPOSAL. THESE OPINIONS, WHETHER FAVORABLE OR UNFAVORABLE, ARE CONTAINED IN THIS DISCLOSURE STATEMENT AND SHOULD ALSO BE READ CAREFULLY.

THE E.T.Z. COMMISSION HAS EXAMINED THIS DISCLOSURE STATEMENT TO DETERMINE WHETHER THE SUBDIVIDER CAN SATISFY WHAT HE HAS SAID IN THIS DISCLOSURE STATEMENT. HOWEVER, THE E.T.Z. COMMISSION DOES NOT VOUCH FOR THE ACCURACY OF WHAT IS SAID IN THIS DISCLOSURE STATEMENT. FURTHER, THIS DISCLOSURE STATEMENT IS NOT A RECOMMENDATION OR ENDORSEMENT OF THE SUBDIVISION BY EITHER THE E.T.Z. COMMISSION OR THE STATE. IT IS INFORMATIVE ONLY.

FINALLY, THE E.T.Z. COMMISSION RECOMMENDS THAT YOU SEE THE PROPERTY BEFORE BUYING OR LEASING IT. HOWEVER, IF YOU DO NOT SEE THE PROPERTY PRIOR TO PURCHASING OR LEASING IT, YOU HAVE SIX MONTHS FROM THE TIME OF PURCHASE OR LEASE TO INSPECT THE PROPERTY. UPON INSPECTING THE PROPERTY, YOU HAVE THREE DAYS FROM THE DATE OF INSPECTION TO RESCIND THE TRANSACTION AND RECEIVE ALL OF YOUR MONEY BACK, LESS CLOSING COSTS, FROM THE SUBDIVIDER. YOU MUST GIVE THE SUBDIVIDER NOTICE, IN WRITING, OF YOUR INTENT TO RESCIND WITHIN THREE DAYS OF YOUR INSPECTION OF THE PROPERTY.

PLEASE READ THIS DISCLOSURE STATEMENT BEFORE YOU SIGN ANY DOCUMENTS OR AGREE TO ANYTHING

**LA JOLLA DEL MONTE SUBDIVISION
REPLAT 1
AN ETZ REPLAT SUBDIVISION**

DISCLOSURE STATEMENT

1. NAME OF SUBDIVISION:

“La Jolla Del Monte Subdivision, Replat 1, An ETZ Replat Subdivision”

2. NAME AND ADDRESS OF SUBDIVIDER:

Dr. Timothy McComas
2432 Clearview Drive
Las Cruces, New Mexico 88011

3. NAME AND ADDRESS OF PERSON IN CHARGE OF SALES OR LEASING IN NEW MEXICO:

Dr. Timothy McComas
2432 Clearview Drive
Las Cruces, New Mexico 88011

4. SIZE OF SUBDIVISION BOTH PRESENT AND ANTICIPATED:

Present: 1 Lot
Anticipated: 17 Lots

5. SIZE OF LARGEST PARCEL OFFERED FOR SALE OR LEASE WITHIN THE SUBDIVISION:

2.72 acres

6. SIZE OF SMALLEST PARCEL OFFERED FOR SALE OR LEASE WITHIN THE SUBDIVISION:

1.57 acres

7. NAME AND ADDRESS OF HOLDER OF LEGAL TITLE:

Dr. Timothy McComas
2432 Clearview Drive
Las Cruces, New Mexico 88011

8. NAME AND ADDRESS OF PERSON HAVING EQUITABLE TITLE:

Dr. Timothy McComas
2432 Clearview Drive
Las Cruces, New Mexico 88011

9. CONDITION OF TITLE:

Free and Clear

10. DISCLOSURE OF ALL LEGAL RAMIFICATIONS OF ANY EXISTING LIENS OR OBLIGATIONS WHICH MAY BE ATTACHED TO THE LAND PROPOSED FOR SUBDIVISION:

None

11. STATEMENT OF ALL RESTRICTIONS OR RESERVATIONS OF RECORD SUBJECTING THE SUBDIVIDED LAND TO ANY UNUSUAL CONDITIONS AFFECTING ITS USE OR OCCUPANCY:

Restrictive Covenants are to be filed with the Dona Ana County Clerk's office prior to the sale of any lots.

12. ESCROW AGENT:

Dona Ana Title
425 South Telshor Blvd
Las Cruces, NM 88011

*The subdivider does not have any interest or financial ties with the escrow agent.

13. UTILITIES:

- WATER – Moongate Water Company
9501 E. US Hwy 70
Las Cruces, NM 88012
(505) 382-7002
- WASTEWATER - On-lot septic by individual lot owner
- PHONE - Qwest Communications
272 W. Griggs
Las Cruces, NM 88005
1-800-244-1111
- ELECTRICITY - El Paso Electric Company
201 N. Water
Las Cruces, NM 88001
(505) 526-5551
- CABLE - COMCAST Cable Communications
110 E. Idaho
Las Cruces, NM 88005
(505) 525-7150
- GAS - On-lot LP tank by individual lot owner

SOLID WASTE COLLECTION - Private hauler will provide garbage and rubbish collection and disposal. It is the responsibility of the individual lot owner to contact and make the necessary arrangements with one of several services available in the area.

14. INSTALLATION OF UTILITIES:

Water, telephone, television cable and primary electric main service lines and taps are to be installed by the developer at the time of subdivision construction. Wastewater service via on-lot septic tanks is the responsibility of each individual lot owner. Gas service via on-lot LP tanks is the responsibility of each individual lot owner. All utilities will be available to all lots within six months of the commencement of lot sales. It is the responsibility of each lot owner to contact each utility company and make arrangements for individual utility connections. Solid waste disposal will be by a private trash collection service and shall be the responsibility of the individual property owners. Underground high voltage primary power is available. Each property owner should contact El Paso Electric Company to verify usable 120-240 volt power availability, a minimum of 4 – 6 weeks from date of request to date of service.

15. UTILITY LOCATION:

Utilities shall be provided as stated above, to all lots, and shall be located as shown on the approved plat of survey and construction drawings. All utilities will be underground.

16. WATER USE:

Water will be for domestic use only. The Moongate Water Company will provide the water. Water will not be provided for recreational use, exclusive of swimming pools and spas. There are no anticipated limitations, physical or legal, for the indicated uses. Water conservation methods include limiting lawns to 25% of lot area with the remainder xeriscaped. Low flow plumbing fixtures should be utilized. The Moongate Water Company will also use monthly meter readings to monitor usage by customers. The Moongate Water Company Water Users Agreement is attached at the end of this report, Attachment A.

17. AMOUNT OF WATER:

The water will become available for domestic and residential use upon individual lot owners signing a connection agreement with Moongate Water Company.

18. WATER DELIVERY:

For residential use, Moongate Water Company will provide service - a letter stating this is attached at the end of this report. Developer will install 8" and 6" main lines with a 3/4-inch stub out for each lot. Individual lot owners will install their own water meter and service lines into each individual lot.

19. WATER SYSTEM EXTENSION:

Each user will pay for the water used in accordance with the policies of the Moongate Water Company.

20. LIFE EXPECTANCY OF THE WATER SUPPLY:

50 years life expectancy is expected using data taken from "Geohydrology of the Mesilla Ground-Water Basin, Doña Ana County, New Mexico, and El Paso County, Texas", (U.S. Geological Survey—Water Resources Investigations Report 92-4156, Albuquerque, 1993.)

21. WELLS:

Individual wells installed by individual lot owners may be established, with a permit issued from the New Mexico State Engineer's Office, for domestic use.

22. SURFACE WATER (IF APPLICABLE)

None.

23. STATE ENGINEER OPINION ON WATER:

Should the New Mexico State Engineer's office issue an opinion on this project, it will be attached at the end of this report.

24. WATER QUALITY:

Water provided by Moongate Water Company is presently suitable for residential use and meets all the New Mexico Environment Department (NMED) quality parameters.

25. ENVIRONMENT IMPROVEMENT DIVISION'S OPINION ON WATER QUALITY:

The NMED opinion on the quality of water will be attached at the end of this report if one is given. The Moongate Water Company is a licensed utility and complies with the testing requirements of the NMED.

26. LIQUID WASTE DISPOSAL:

For residential use, each individual lot shall have an NMED approved septic tank.

27. ENVIRONMENT IMPROVEMENT DIVISION'S OPINION ON LIQUID WASTE DISPOSAL:

The NMED opinion on liquid waste disposal will be attached at the end of this report if one is given.

28. SOLID WASTE DISPOSAL:

Private trash collection services are available for this subdivision. Individual lot owners will be responsible for arranging this service. The nearest transfer station is located approximately 6 miles away at the Las Cruces Corralitos Transfer Station on 2865 W. Amador.

29. ENVIRONMENT IMPROVEMENT DIVISION'S OPINION ON SOLID WASTE DISPOSAL:

The NMED opinion on solid waste disposal will be attached at the end of this report if one is given.

30. TERRAIN MANAGEMENT:

The soil in this subdivision is primarily classified as Terino-Casito Association (TF) as found in the "Soil Survey of Dona Ana County Area, New Mexico". These soils are suitable for subdivision purposes.

Subject property is not in a FEMA designated Special Flood Hazard Area (SFHA) as shown on the Flood Insurance Rate Map (FIRM) 35013C0675E. Localized flooding may occur in natural arroyo paths during rainfall events. No lots in this subdivision have grades that exceed 8%.

Based on the calculations and findings of the drainage report, the following conclusions and recommendations are made for this development.

Stormwater Flow Paths

The geographical location of this development provides for moderate peak runoff rates. Both sheet flow and concentrated flows cross this development. Existing arroyos shall be utilized to convey offsite basin flows through the development. Drainage conveyed through these existing arroyo channels can reach depths up to 4 foot in some areas. The arroyo easements shown on the subdivision plat indicate the physical arroyo locations on the date of the field survey. Arroyos are subject to change physical location due to siltation and future native plant growth. The purpose of these easements is to maintain permanent unobstructed flow paths. It is not the intent of these easements to guarantee that one hundred percent of the one hundred year storm will fit within the widths of the easements as shown. This is due to the fact that the entire property is subject to sheet flows in depths not to exceed 1 foot. As such, the final house pad grades will need to be set to take this sheet flow depth into consideration. An arroyo crossing is required on lot 1G and will require a drainage structure or approved equal as shown on the construction drawings with culvert or low water crossing see Attachment B. Construction of this crossing is the responsibility of the individual lot owner. The future construction and improvements shall not impede flow into channels or ponding areas.

House Pad Construction

It is recommended that any house pads be constructed with a minimum finished pad elevation of 12 inches above the highest adjacent grade as shown on the development grading and construction drawings. House pad fill materials should be compacted to 95 percent of ASTM D1557 and extended 5 feet beyond the perimeter of the home, then extended to natural ground at a slope not to exceed 3.2:1.

Ponding Areas

All excess storm water drainage produced by lot development will be contained on each individual lot. These ponds will be constructed at the time of house pad construction. All excess storm water drainage produced by road development will be contained in roadside ponds. These ponds will be constructed at the time of road construction. The storm water entering the subdivision via the arroyos will be channeled through it. It is important to note that no additional storm water is proposed to exit the property due to development.

31. NATURAL RESOURCES CONSERVATION DISTRICT'S OPINION ON TERRAIN MANGAGMENT:

The Natural Resources Conservation Service District's opinion on terrain management will be attached at the end of this report if one is given.

32. SUBDIVISION ACCESS:

The subdivision is located 6 miles east of the intersection of University Avenue and Interstate 25 by way of Dripping Springs Road, then south through Desert Mirage Drive.

33. STATE DEPARTMENT OF TRANSPORTATION OPINION ON ACCESS:

The New Mexico Department of Transportation opinion on access will be attached at the end of this report if one is given.

34. DEVELOPMENT:

There are no additional recreation structures or other community improvements to be provided by the sub-divider not previously mentioned.

35. MAINTENANCE:

The subdivider's construction responsibility extends to the construction of roadway systems, water supply systems, drainage system and making available utilities to the lot line. The Moongate Water Company will maintain all water distribution systems stated above. There will be a monthly charge as established by Moongate Water Company for water and other system maintenance.

Roadside structures to include culverts, swales, and collection ponds shall be maintained in accordance with the La Jolla Del Monte Homeowners Association. Individual lot ponds are the responsibility of the lot owner, see Attachment C.

36. ADVERSE CONDITIONS:

There are no adverse or unusual conditions affecting the use or occupancy of this property.

37. RECREATIONAL FACILITIES:

There are no recreational facilities, actual or proposed, within the subdivision.

38. FIRE PROTECTION:

The Telavera Volunteer Fire Department will provide fire protection from a station located approximately 1.0 miles south of the subdivision. Fire hydrants will be placed within the subdivision in accordance with the county Fire Marshall standards. Fire flow provided will be a minimum of 1,000 gallons per minute (gpm) for a 2 hour duration period, see Attachment A.

39. POLICE PROTECTION:

This Extra-Territorial Zone development is under the jurisdiction of the Dona Ana County Sheriff's Department and the New Mexico State Police Department.

40. PUBLIC SCHOOLS:

Elementary School students will attend Hillrise Elementary School at 1400 S Curnett.

Middle School students will attend Lynn School at 950 Walnut.

Senior High students will attend Las Cruces High School 1755 El Paseo Road.

ACKNOWLEDGEMENTS

I, the undersigned owner, hereby set our hands and seals this _____ day of _____, 2005.

State of New Mexico)

) ss

County of Dona Ana)

The foregoing instrument was acknowledged before me this _____ day of

_____, _____, by

Notary Public

My Commission Expires: _____

LOT PURCHASER ACKNOWLEDGEMENT

I / We the undersigned lot purchaser(s) of Lot _____ of the La Jolla Del Monte Subdivision Replat 1, an ETZ Replat Subdivision, have made a visual inspection of the property. Furthermore, I / we have been provided with a copy of the Disclosure Statement for the La Jolla Del Monte Subdivision Replat 1, an ETZ Replat Subdivision. I / We have read the Disclosure Statement and understand the contents found within.

I / We, the undersigned lot purchaser(s), hereby set our hands and seals this _____ day of _____, _____.

Lot Purchaser Signature

Lot Purchaser Printed Name

Date

Lot Purchaser Signature

Lot Purchaser Printed Name

Date

State of New Mexico)

) ss

County of Dona Ana)

The foregoing instrument was acknowledged before me this _____ day of

_____, _____, by

Notary Public

My Commission Expires: _____

ATTACHMENT A



**MUTUAL COMMITMENT
FOR WATER SERVICE**

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To LA JOLLA DEL MONTE
SUBDIVISION

The parties to this agreement Moongate Water Company, Inc., hereinafter Moongate, and LA JOLLA DEL MONTE RPI Subdivision and DR. TIM MCCOMAS hereinafter Developer, agree as follows:
(Owner)

1. Developer is seeking subdivision approval for 17 lots in Dona Ana County, New Mexico located in Section 17, Township 23S, Range 3E.
2. Moongate is a New Mexico Public Utility authorized by the New Mexico Public Regulation Commission to serve water in the area where Developer Subdivision is located.
3. Moongate is Ready, Willing and Able to serve and provide domestic water service to this development upon receipt of applicable fees and subdivision approval. The developer shall be responsible for their share of site improvements as may be required to comply with the County or City water requirements for their subdivision. Applicable fees include developers share of off site improvements, water rights fees and development fees..
4. The Developer agrees that Moongate shall be the sole and exclusive water provider to all phases of this Development. In return, Moongate agrees to provide water to the Development and reserve sufficient Water Rights needed for this development of 17 lots.

This commitment will automatically expire two years from the date Moongate's representative signs if subdivision approval has not been granted and/or applicable fees paid. This allows the Developer time to obtain all approvals needed and pay applicable fees.

[Signature] 11-1-05
Moongate Water Company, Inc.

Date [Signature] 10ST 05
Subdivision Owner/Representative Date



September 9, 2005

Dona Ana County Fire Marshall
1170 N. Solano
Las Cruces, NM 88001

Dear Fire Marshall:

The development known as La Jolla Del Monte is within Moongate's NMPRC regulated and approved service area and Moongate is ready, willing and able to provide service to it in accordance with its NMPRC approved regulations and tariffs.

We have run the attached KY-Pipe model for the portion of our distribution system that will directly provide service to this subdivision. The model shows that Moongate's existing infrastructure that would directly provide service to the subdivision meets or exceeds the City of Las Cruces/Dona Ana County Fire Flow standard of 1,000 gallons per minute with a 20 psi residual for 2 hours for residential subdivisions.



Jeff Gariano, Vice President
Moongate Water Company, Inc.

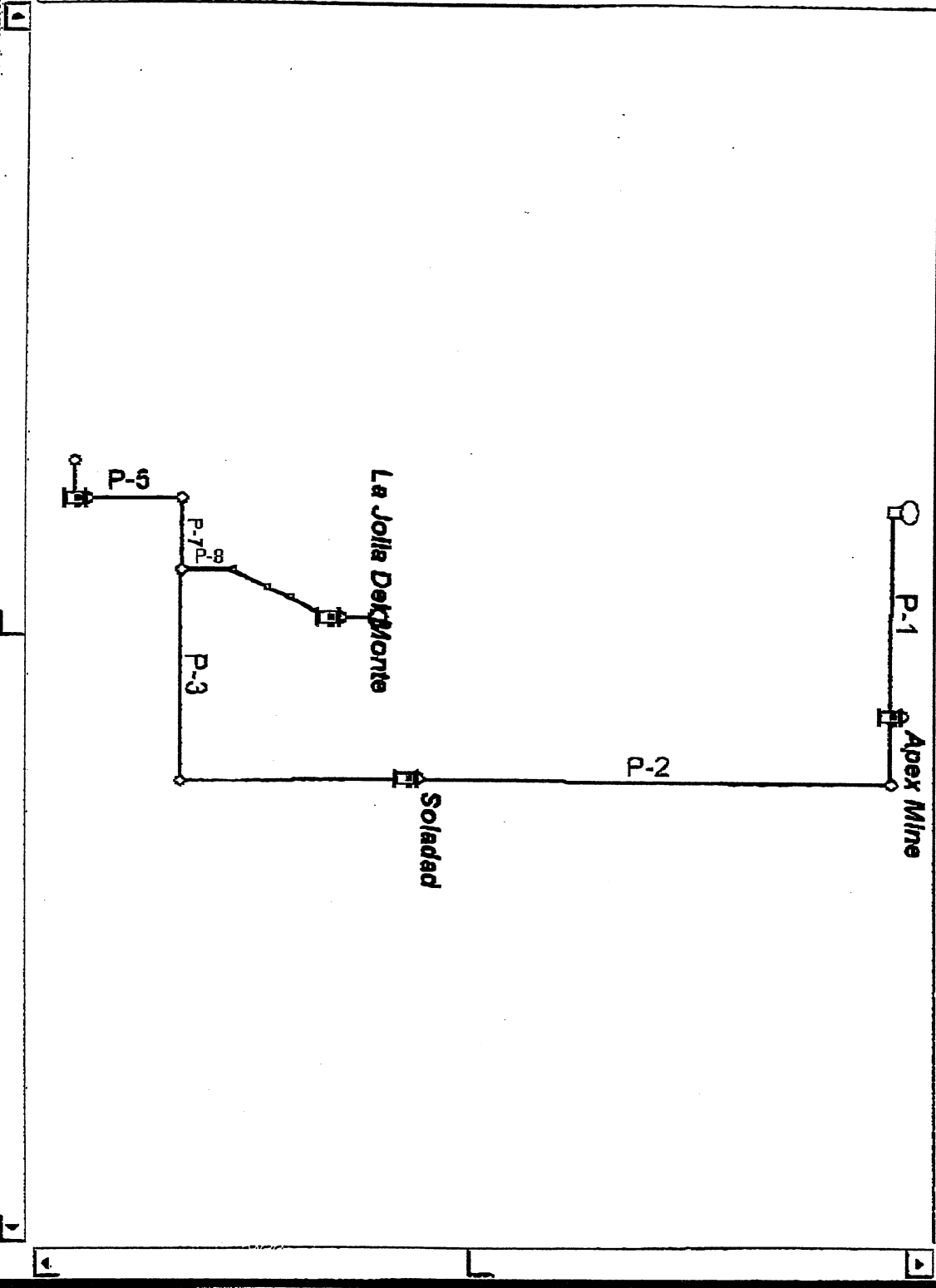
- Layout
- Fixed
- Tab
- Group
- Clear
- Box

Refresh Table

- Z All
- Z Min
- Z Max
- Z Piv
- Pin

- ←
-
- ↑
- ↓

Zoom



X: 223.84 Y: 818.46 D: 422.37

Analyze P Flow

N Pres

A

Case 0

B Case 0

3:05 PM

Node Information

Del Name	Del Chng
Less	Rel User
Name: P-8	
Junction	
Elevation: 4600	
Demand: 100	
Dm Type: 1	

Node Title
La Jolla Del Monte

- Node Image
- Show on Map
- Show All
- Layer Print Move
- Full Load Clear

Pipe2000 Educational/Demo Version - Not for professional use

NODE NAME	FLOWRATE (gpm)	NODE TITLE
T-1	800.00	

NET SYSTEM INFLOW = 800.00
 NET SYSTEM OUTFLOW = 0.00
 NET SYSTEM DEMAND = 800.00

FireFlow/Hydrant Report
 Fireflow/Hydrant Report:

Specified Minimum Pressure (psi or kPa): 20.00
 Minimum Static Pressure (psi or kPa) : 20.00

- Flow-1: Flowrate to maintain the specified pressure at (hydrant) node
- Node-2: Node that has a lower pressure than specified value at Flow-1
- Flow-2: Flowrate to maintain the specified pressure at Node-2

Hydrant Node	Elevation	Demand gpm	Static Pressure	Flow-1 gpm	Flow-2 gpm	Node-2
H-1	4690.0	0.0	26.4	1268.7		
H-2	4550.0	0.0	84.3	2851.8	2111.5	J-8
H-3	4535.0	0.0	89.1	2013.4	1498.7	J-8
H-4	4600.0	0.0	60.9	1191.7	971.4	J-1

OUTPUT OPTION DATA

OUTPUT SELECTION: ALL RESULTS ARE INCLUDED IN THE TABULATED OUTPUT

SYSTEM CONFIGURATION

NUMBER OF PIPES (p) = 6
 NUMBER OF END NODES (j) = 6
 NUMBER OF PRIMARY LOOPS (l) = 0
 NUMBER OF SUPPLY NODES (f) = 1
 NUMBER OF SUPPLY ZONES (z) = 1

-----+-----
 | Pipe2000 Educational/Demo Version - Not for professional use |
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RESULTS OBTAINED AFTER 3 TRIALS: ACCURACY = 0.00000

SIMULATION DESCRIPTION (LABEL)

PIPELINE RESULTS

STATUS CODE: XX -CLOSED PIPE CV -CHECK VALVE

PIPE NAME	NODE NUMBERS		FLOWRATE (gpm)	HEAD LOSS (ft)	MINOR LOSS (ft)	LINE VELO. (ft/s)	HL+ML/ 1000 (ft/ft)	HL/ 1000 (ft/ft)
	#1	#2						
P-1	T-1	J-1	800.00	4.09	0.00	2.27	1.46	1.46
P-2	J-1	J-2	800.00	7.90	0.00	2.27	1.46	1.46
P-3	J-2	J-6	400.00	1.28	0.00	1.13	0.41	0.41
P-5	J-4	J-3	200.00	0.17	0.00	0.57	0.11	0.11
P-7	J-6	J-4	200.00	0.04	0.00	0.57	0.11	0.11
P-8	J-6	J-8	100.00	0.30	0.00	0.64	0.22	0.22

END NODE RESULTS

NODE NAME	NODE TITLE	EXTERNAL DEMAND (gpm)	HYDRAULIC GRADE (ft)	NODE ELEVATION (ft)	PRESSURE HEAD (ft)	NODE PRESSURE (psi)
J-1		0.00	4749.91	4690.00	59.91	25.96
J-2		400.00	4742.01	4517.00	225.01	97.50
J-3		200.00	4740.52	4540.00	200.52	86.89
J-4		0.00	4740.69	4530.00	210.69	91.30
J-6		100.00	4740.73	4530.00	210.73	91.32
J-8	La Jolla Del	100.00	4740.43	4600.00	140.43	60.85
T-1		----	4754.00	4754.00	0.00	0.00

SUMMARY OF INFLOWS AND OUTFLOWS

(+) INFLOWS INTO THE SYSTEM FROM SUPPLY NODES

* * * * * K Y P I P E 4 * * * * *
 *
 * University of Kentucky Network Modeling Software *
 *
 * Copyrighted by KPFS 1998 *
 * Version 2.000 - 04/24/2003 *
 *
 * * * * *

Date & Time: Fri Sep 09 15:05:52 2005

INPUT DATA FILENAME ----- C:\KYPIPE\La_Jolla.DT2
 TABULATED OUTPUT FILENAME ----- C:\KYPIPE\La_Jolla.OT2
 POSTPROCESSOR RESULTS FILENAME --- C:\KYPIPE\La_Jolla.RS2

 SUMMARY OF ORIGINAL DATA

UNITS SPECIFIED

FLOWRATE = gallons/minute
 HEAD (HGL) = feet
 PRESSURE = psig

+-----+
 | Pipe2000 Educational/Demo Version - Not for professional use |
 +-----+

PIPELINE DATA

STATUS CODE: XX -CLOSED PIPE CV -CHECK VALVE

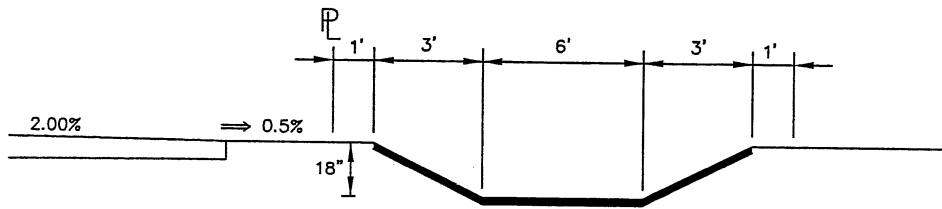
PIPE NAME	NODE NAMES #1	NODE NAMES #2	LENGTH (ft)	DIAMETER (in)	ROUGHNESS COEFF.	MINOR LOSS COEFF.
P-1	T-1	J-1	2800.00	12.00	140.0000	0.00
P-2	J-1	J-2	5400.00	12.00	140.0000	0.00
P-3	J-2	J-6	3153.43	12.00	140.0000	0.00
P-5	J-4	J-3	1500.00	12.00	140.0000	0.00
P-7	J-6	J-4	346.57	12.00	140.0000	0.00
P-8	J-6	J-8	1350.00	8.00	140.0000	0.00

END NODE DATA

NODE NAME	NODE TITLE	EXTERNAL DEMAND (gpm)	JUNCTION ELEVATION (ft)	EXTERNAL GRADE (ft)
J-1		0.00	4690.00	
J-2		400.00	4517.00	
J-3		200.00	4540.00	
J-4		0.00	4530.00	
J-6		100.00	4530.00	
J-8	La Jolla Del	100.00	4600.00	
T-1		----	4754.00	4754.00

ATTACHMENT B

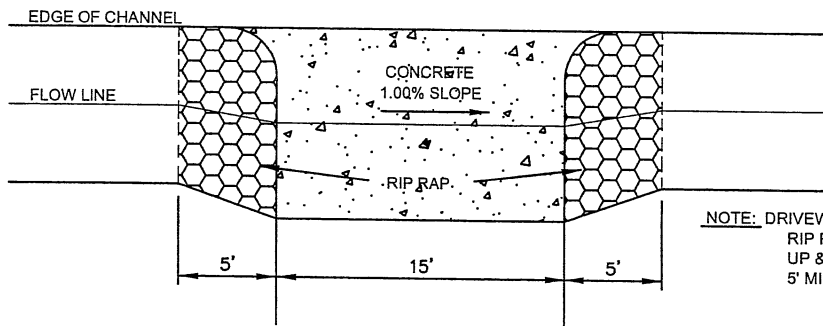
DRIVEWAY CROSSING OPTION 1



DRIVEWAY CROSS SECTION

NOT TO SCALE

EDGE OF ROADWAY



NOTE: DRIVEWAYS SHALL HAVE
RIP RAP PROTECTION ON
UP & DOWN STREAM FACES
5' MINIMUM

TYPICAL DRIVEWAY CROSSING

NOT TO SCALE



**SOUTHWEST
ENGINEERING
INCORPORATED**

475 ARCHULETA ROAD, LAS CRUCES, NEW MEXICO 88005
(505) 528-3381 OFFICE (505) 528-1762 FAX

ARROYO
DRIVEWAY CROSSING
NOT TO SCALE

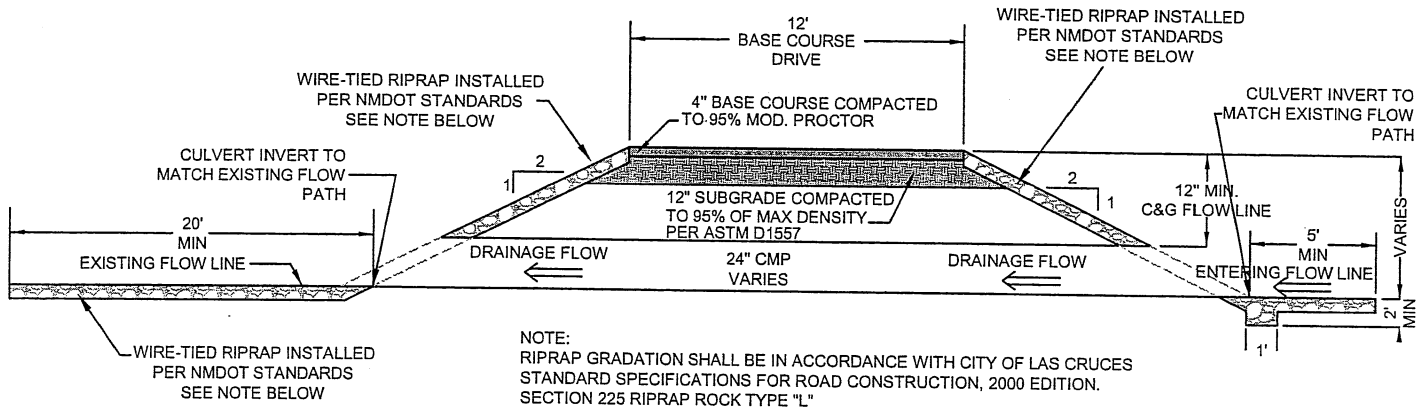
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PROJECT #

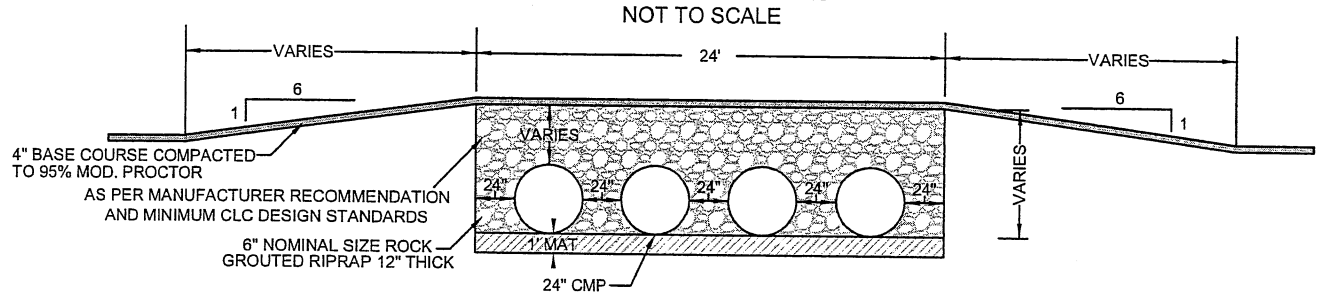
DATE

REVISION

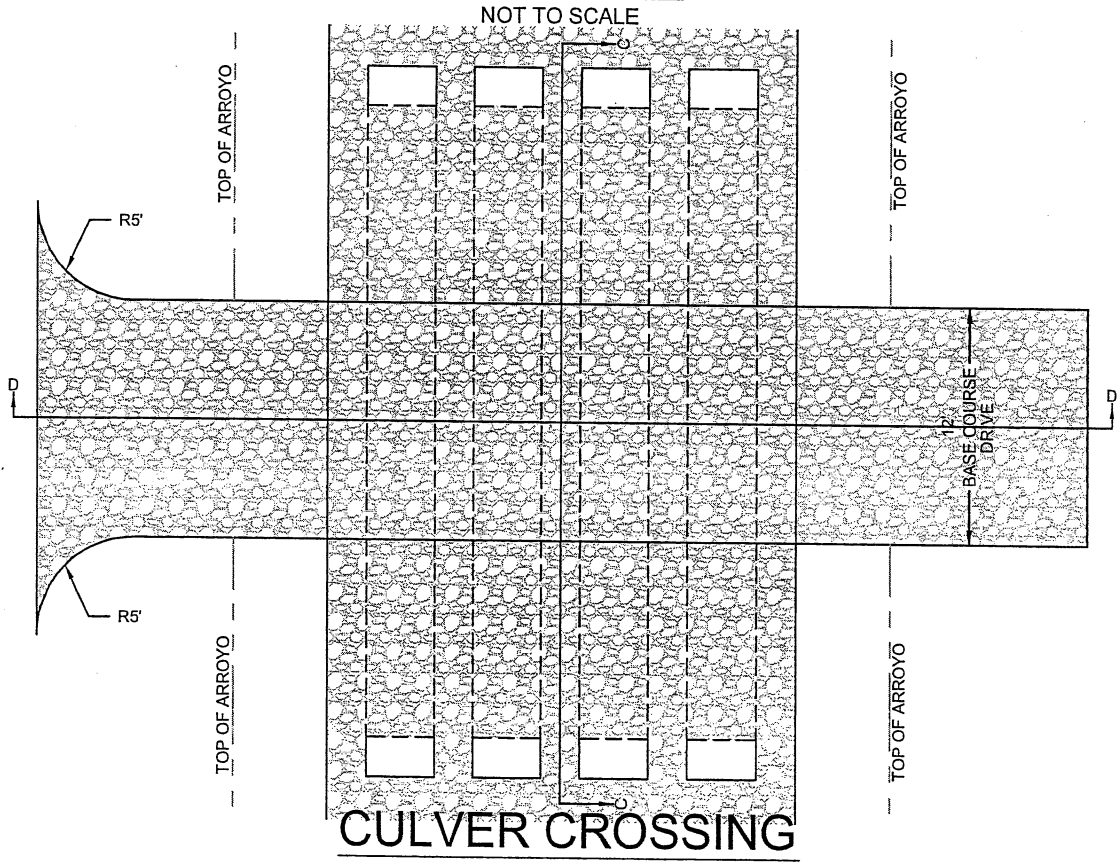
of



SECTION C-C



SECTION D-D



CULVERT CROSSING

NOT TO SCALE



**SOUTHWEST
ENGINEERING
INCORPORATED**

475 ARCHULETA ROAD, LAS CRUCES, NEW MEXICO 88005
(505) 526-3381 OFFICE (505) 526-1762 FAX

**ARROYO
CULVERT CROSSING**
NOT TO SCALE

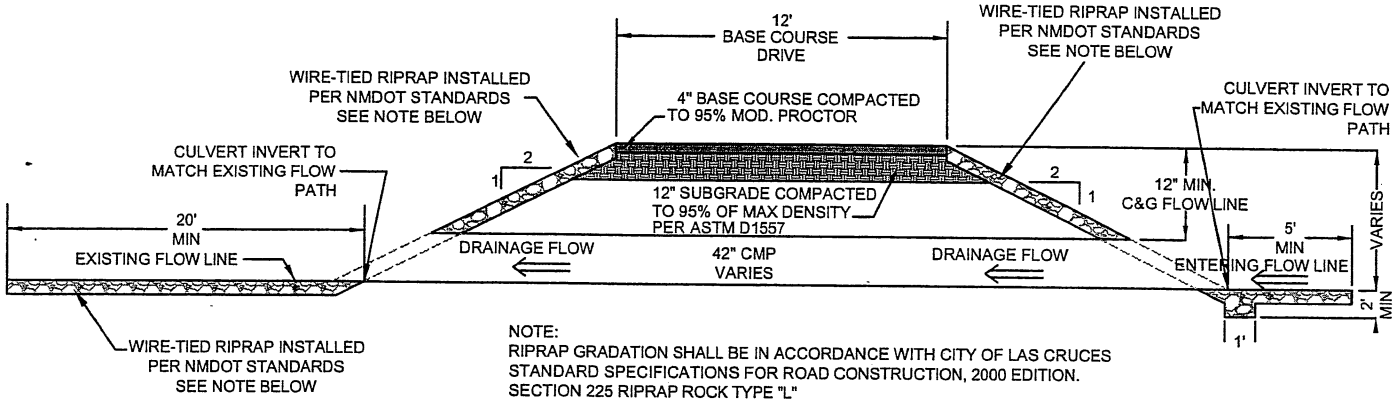
DRAWING #

PROJECT #

DATE

REVISION

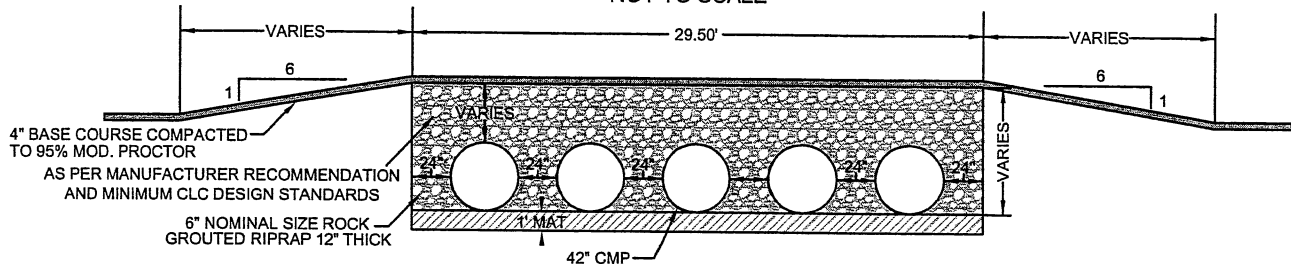
of



NOTE:
 RIPRAP GRADATION SHALL BE IN ACCORDANCE WITH CITY OF LAS CRUCES
 STANDARD SPECIFICATIONS FOR ROAD CONSTRUCTION, 2000 EDITION.
 SECTION 225 RIPRAP ROCK TYPE "L"

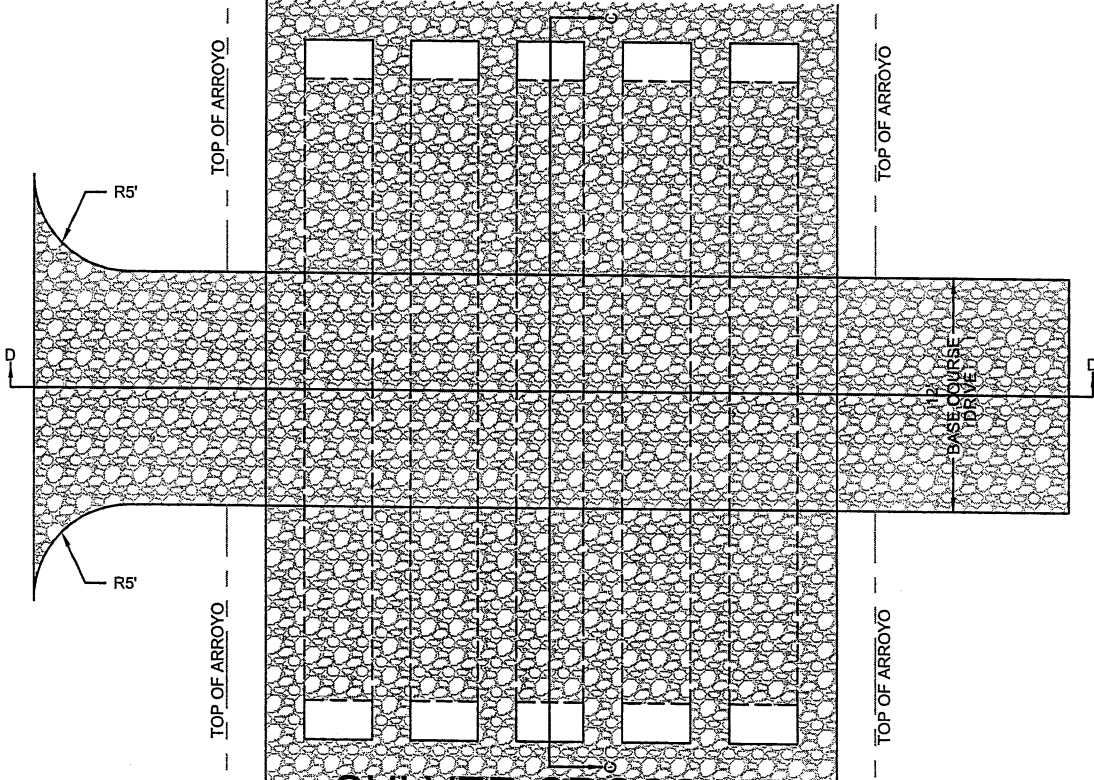
SECTION C-C

NOT TO SCALE



SECTION D-D

NOT TO SCALE



CULVERT CROSSING

NOT TO SCALE



**SOUTHWEST
 ENGINEERING
 INCORPORATED**

475 ARCHULETA ROAD, LAS CRUCES, NEW MEXICO 88005
 (505) 526-3381 OFFICE (505) 526-1762 FAX

**ARROYO
 CULVERT CROSSING**

NOT TO SCALE

DRAWING #		of
PROJECT #		
DATE		
REVISION		

ATTACHMENT C

Cervantes Moberly, P.C.

Attorneys at Law
2610 South Espina
Las Cruces, New Mexico 88001

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Kyle H. Moberly, Esq.
Telephone No.: (505) 526-5600
Fax No.: (505) 523-9317
kmoberly@cemolaw.com

November 1, 2005
VIA FAX NO. (505) 647-7310 ONLY

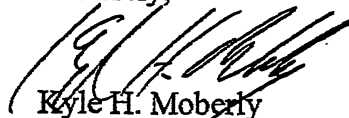
Doña Ana County Department of Planning and Development
Doña Ana County Annex Building
430 South Main Street
Las Cruces, NM 88001-1205

Re: La Jolla del Monte Subdivision

This firm represents Timothy and Alexandra McComas and G & M Designs, LLC (collectively, the "Developers"), which are currently developing La Jolla del Monte Subdivision (the "Subdivision"). The Developers have asked us to confirm in writing for you that they will form a homeowners' association for the Subdivision. The homeowners' association will be responsible for maintaining all of the common areas of the Subdivision, including the common area drainage structures and ponding. The homeowners' association will have the power to assess the owners of the lots in the Subdivision for the cost of maintaining and repairing the common area drainage structures and ponding.

If you have any question regarding this matter, please do not hesitate to contact me.

Sincerely,



Kyle H. Moberly

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