§ 151.162 FORMS.

DISCLOSURE STATEMENT For All Subdivisions Containing Five (5) or More Parcels

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

This disclosure statement is intended to provide you with enough information to make an informed decision on the property described in this statement. You should read carefully all the information contained in this disclosure statement <u>before</u> you decide to buy, lease or otherwise acquire the described property.

Various public agencies may have issued opinions on both the subdivision proposal and the information contained in the disclosure statement. Summaries of these opinions are contained in this disclosure statement. They may be favorable or unfavorable. You should read them closely.

The Board of County Commissioners has examined this disclosure statement to determine whether the subdivider can fulfill what the subdivider has said in this disclosure statement. However, the Board of County Commissioners does not vouch for the accuracy of what is said in this disclosure statement. In addition, this disclosure statement is not a recommendation or endorsement of the subdivision by either the County or the State. It is informative only.

The Board of County Commissioners recommends that you inspect the property <u>before</u> buying, leasing or otherwise acquiring it.

If you have inspected the parcel before purchasing, leasing, or otherwise acquiring it, you have six (6) months from the time of purchase, lease or other acquisition to personally inspect the property. After inspecting the parcel within the six (6) month period, you have three (3) days to rescind the transaction and receive all your money back from the subdivider when merchantable title is revested in the subdivider. To rescind the transaction you must give the subdivider written notice of your intent to rescind within three (3) days after the date of your inspection of the property.

County regulations require that any deed, real estate contract, lease, or other instrument conveying an interest in a parcel under these regulations in the subdivision be recorded with the Valencia County Clerk.

Building permits, wastewater permits or other use permits must be issued by state or county officials before improvements are constructed. You should investigate the availability of such permits <u>before</u> you purchase, lease or otherwise acquire an interest in the land. You should also determine whether such permits are requirements for construction of additional improvements before you occupy the property.

- 1. Name of Subdivision
- 2. Name and Address of Subdivider
- 3. Name of Person In Charge of Sales, Leasing or Other Conveyance in New Mexico

Address of Person In Charge of Sales, Leasing or Other Conveyance in New Mexico

Telephone Number of Person In Charge of Sales, Leasing or Other Conveyance in New Mexico

4.	Size of Subdivision Both Present and Anticipated		
	Present	Anticipated	
	Number of Parcels	Number of Parcels	
	Number of Acres in Subdivision	Number of Acres in Subdivision	
5.	Size of Largest Parcel Offered For Sale	, Lease or Conveyance Within The Subdivision	
6.	Size of Smallest Parcel Offered For Sale	e, Lease or Conveyance Within The Subdivision	
7. Proposed Range of Prices For Sale, Lease or Other Conveyance Within The Subdivisio			
	\$ = Lowest Amount	Size of Parcel Sold, Leased or Conveyed	
	\$ = Highest Amount	Size of Parcel Sold, Leased or Conveyed	
8.	Financing Terms		
	Interest Rate		
	Term of Loan or Contract		
	Minimum Down Payment		
	Service Charges and/or Escrow Fees		
	Premium for Credit Life or Other Insuran Closing Costs	ce if it is a condition for giving credit	

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Any other information required by the truth in Lending Act and Regulation Z, if not set forth

9.	Name of Person Who Is Recorded As Having Legal Title Address of Person Who Is Recorded As Having Legal Title			
	* NOTE: IF ANY OF THE HOLDERS OF LEGAL CORPORATION, LIST THE NAMES AND ADDRESS CORPORATION.			
10.	Name of Person Having Equitable Title			
	* NOTE: IF ANY OF THE HOLDERS OF EQUITABLE 7 CORPORATION, LIST THE NAMES AND ADDRESSES OF A CORPORATION.	TTLE NAMED ABOVE IS A LL OFFICERS OF THAT		
11.	Condition of Title Include at least the following information where applicable: Number of Mortgages			
	Name and Address of Each Mortgage			
	Balance Owing on Each Mortgage			
	Summary of Release Provisions of Each Mortgage			
	Name And Address Of Each Person Holding A Real Estate Contract	As Owner Of the Subdivided Land		
	For Which The Subdivider Is Making Payments As A Purchaser			
	Balance Owing On Each Real Estate Contract Summary Of Default Provisions Of Each Real Estate Contract			
	Summary Of Default Provisions Of Each Real Estate Contract			
	Statement Of Any Other Encumbrances On The Land Statement Of Any Other Conditions relevant To The State Of This T	itle		
12.	Statement Of All Restrictions Or Reservations Of Record That S	ubject The Subdivided Land To		
	Any Conditions Affecting Its Use Or			
	Occupancy			
13.	Escrow Agent			
	Name of Escrow Agent			
	Address of Escrow Agent	Financial Ties To The Escrow Agent		
14.	Utilitics			
	Name of Entity Providing Electricity, If Available Name Of Entity Providing Gas Service, If Available	Estimated Cost Per Parcel		
	Name Of Entity Providing Gas Service, If Available	Estimated Cost Per Parcel		
	Name Of Entity Providing Water, If Available	Estimated Cost Per Parcel Estimated Cost Per Parcel		
	Name Of Entity Providing Telephone, If Available Name Of Entity Providing Liquid Waste, If Available	Estimated Cost Per Parcel		
	Name Of Entity Providing Solid Waste Disposal, If Available	Estimated Cost Per Parcel		
15.	Installation of Utilities	······································		
	Electricity	Date		
	Gas	Date		
	Water	Date		
	Telephone	Date		
	Liquid Waste Disposal	Date Date		
16.	Utility Location			
	If all utilities are to be provided to each parcel in the subdivision, please state here			
	If utilities are to be provided to some but not all parcels in the subdiv	rision, state which utilities will be		
	provided to each parcel			
	State whether each utility will be above ground or underground	· Underground		
	Above Ground	Underground		
	Electricity			

	Water Telephone
	Liquid Waste Disposal Solid Waste Disposal
17.	Water Availability Describe the maximum annual water requirements of the subdivision including water for indoor and
	outdoor domestic uses Describe the availability and sources of water to meet the subdivision's maximum annual water requirement
	Describe the means of water delivery within the subdivision
	Describe any limitations and restrictions on water use in the subdivision
	Summarize the provisions of any covenants or other restrictions requiring the use of water saving fixtures and other water conservation measures
	and other water conservation measures
18.	For Subdivisions with Community Water Systems
	Name and Address of Entity Providing Water
	Source of water and means of delivery
	Statement that individual wells are prohibited, if such is the case
19.	For Subdivisions With Individual Domestic Wells Or Shared Wells
	State whether wells will be provided by the subdivider or by the prospective purchaser/lessee/conveyee
	If wells are provided by purchaser/lessee/conveyee, state the estimated cost to complete a domestic well including drilling, pressure tank, control devices, storage and treatment facilities
	If wells are to be provided by the subdivider, state the cost, if any to the purchaser/lessee/conveyee
	Average depth to groundwater and the minimum and maximum well depths to be reasonably expected
	Estimated yield in gallons per minute of wells completed to recommended total depth
20.	Life Expectancy of Water Supply State the life expectancy of each source of water supply for the subdivision under full development of the subdivision
21.	Surface Water *
	*Not applicable where subdivider intends to provide for domestic uses.
	Provide a detailed statement of the source and yield of the surface water supply and any restrictions to which the surface water is subject
22.	New Mexico State Engineer's Opinion On Water Availability
	Include here the approved summary of the opinion received by the board of County Commissioners from the New Mexico State Engineer regarding:
	Whether or not the subdivider can furnish water sufficient to fulfill the maximum annual water
	requirements of the subdivision, including water for indoor and outdoor domestic uses
23.	Water Quality
	Describe the quality of water in the subdivision available for human consumption
	Describe any quality that would make the water unsuitable for use within the subdivision
	State each maximum allowable water quality parameter that has been exceeded with the approval of the Board of County Commissioners and the name of the element, compound or standard that has exceeded that parameter
24.	New Mexico Environment Department's Opinion On Water Quality
27,	Include here the approved summary of the opinion received by the Board of County Commissioners from the New Mexico Environment Department on:
	Whether or not the subdivider can furnish water of an acceptable quality for human consumption and
	measures to protect the water supply from contamination in conformity with state regulations
	Whether or not the subdivider can fulfill the water quality proposal made in this disclosure statement
	Whether or not the subdivider's proposal for water quality conforms to the County's water quality regulations
25.	Liquid Waste Disposal

Describe the precise type of liquid waste disposal system that is proposed and that has been approved by the Board of County Commissioners for use within the subdivision

Subdivisions

*NOTE: NO LIQUID WASTE DISPOSAL SYSTEM MAY BE USED IN THIS SUBDIVISION OTHER THAN A SYSTEM APPROVED FOR USE IN THIS SUBDIVISION BY THE BOARD OF COUNTY COMMISSIONERS.

N.M. Environment Department's Opinion On Liquid Waste Disposal 26. Include here the approved summary of the opinion received by the Board of County Commissioners from the New Mexico Environment Department on: Whether there are sufficient liquid waste disposal facilities to fulfill the requirements of the subdivision in conformity with state regulations Whether or not the subdivider can fulfill the liquid waste proposals made in this disclosure statement Whether or not the subdivider's proposal for liquid waste disposal conforms to the County's liquid waste disposal regulations Solid Waste Disposal 27. Describe the means of solid waste disposal that is proposed for use within the subdivision New Mexico Environment Department's Opinion On Solid Waste Disposal 28. Include here the approved summary of the opinion received by the Board of County Commissioners from the New Mexico Environment Department on: Whether or not there are sufficient solid waste disposal Facilities to fulfill the requirements of the subdivision in conformity with state regulations Whether or not the subdivider can fulfill the solid waste proposals made in this disclosure statement Whether or not the subdivider's proposal for solid waste disposal conforms to the County's solid waste disposal regulations 29. **Terrain Management** Describe the suitability for residential use of the soils in the subdivision as defined in the Natural Resource Conservation District's soil survey for County. Describe any measures necessary for overcoming soil and topographic limitations, and who will be responsible for implementing these measures Identify by lot and block numbers all parcels within the subdivision located in whole or in part on slopes in excess of 8% Describe the surface drainage for all lots in the subdivision Describe the subsurface drainage for all lots in the subdivision Describe the nature, location and completion dates of all storm drainage systems constructed or required to be constructed in the subdivision Natural Resource Conservation District's Opinion On Terrain Management 30. Include here the approved summary of the opinion received by the Board of County Commissioners from the Soil & Water Conservation District on: Whether or not the subdivider can furnish terrain management sufficient to protect against flooding, inadequate drainage and soil erosion Whether or not the subdivider can satisfy the terrain management proposals made in this disclosure statement Whether or not the subdivider's terrain management proposals conform to the County's regulations on terrain management 31. Subdivision Access Name of town nearest to subdivision Distance from nearest town to subdivision and the route over which that distance is computed _ Describe access roads to subdivision State whether or not subdivision is accessible by conventional vehicle State whether or not subdivision is ordinarily accessible at all times of the year and under all weather conditions Describe the width and surfacing of all roads within the subdivision State whether the roads within the subdivision have been accepted for maintenance by the County If the roads within the subdivision have not been accepted for maintenance by the County, state how the roads will be maintained and describe the owners' responsibility and obligations with respect to road maintenance 32. Maintenance State whether the roads and other improvements within the subdivision will be maintained by the County, the subdivider or an association of lot owners, and what measures have been taken to make sure that maintenance takes place *Please note that there is not guarantee that roads within a subdivision will be taken over by the County for maintenance.

33. State Highway Department's Opinion on Access

Include here the approved summary of the opinion received by the Board of County Commissioners from the State Highway and Transportation Department on:

Whether or not the subdivider can fulfill the state highway access requirements for the subdivision in conformity with state regulations

34. Construction Guarantees

UNLESS THERE IS SUFFICIENT BOND, LETTER OF CREDIT OR OTHER ADEQUATE COLLATERAL TO SECURE THE COMPLETION OF PROPOSED IMPROVEMENTS, IT IS POSSIBLE THAT THE PROPOSED IMPROVEMENTS WILL NOT BE COMPLETED. CAUTION IS ADVISED.

35. Adverse Or Unusual Conditions

State any activities or conditions adjacent to or nearby the subdivision, such as feed lots, dairies, cement plants or airports, that would subject the subdivided land to any unusual conditions affecting its use or occupancy

36. Recreational Facilities

90.	Recreational Facinties
	Describe all recreational facilities, actual and proposed in the subdivision
	State the estimated date of completion of each proposed recreational facility
	State whether or not there are any bonds, letters of credit or other collateral securing the construction of
	each proposed recreational facility and describe any such bond, letter of credit or other collateral
37.	Fire Protection
	Distance to nearest fire station from the subdivision
	Route over which the distance is computed
	State whether the fire department is full-time or volunteer
38.	Police Protection
	List the various police units that patrol the subdivision:
	Sheriff's Department, if applicable
	Municipal Police, if applicable
	State Police, if applicable
39.	Public Schools
	Name of and distance to nearest public elementary school serving the subdivision
	Name of and distance to nearest public junior high or middle school serving the subdivision
	Name of and distance to nearest public high school serving the subdivision
40.	Hospitals
	Name of nearest hospital
	Distance to nearest hospital and route over which that distance is computed
	Number of beds in nearest hospital
41.	Shopping Facilities
	Description of nearest shopping facilities including number of stores
	Distance to nearest shopping facilities and route over which that distance is computed
42.	Public Transportation
	Describe all public transportation that serves the subdivision on a regular basis
43.	Affidavit.
	The final plat shall contain a statement that the land being subdivided is subdivided in accordance with the
	final plat. The final plat shall be acknowledged by the owner and the subdivider or their authorized agents
	in a manner required for the acknowledgement of deeds. Every final plat submitted to the County Clerk

in a manner required for the acknowledgement of deeds. Every final plat submitted to the County Clerk shall be accompanied by the affidavit of the owner and the subdivider, or authorized agents, stating whether or not the proposed subdivision lies within the subdivision regulations of the County. A copy of the final plat shall be provided to every purchaser, lessee, or other person acquiring an interest in the subdivided land before sale, lease, or other conveyance.

Subdivisions

CLAIM OF EXEMPTION

To claim an exemption from the requirements of the Valencia County Subdivision Ordinance, you must complete this form, sign it before a notary public and submit it together with legible copies of all required documents to the County Planning & Zoning officer. Be sure to check all exemptions, which apply and attach legible copies of all supporting documents.

The County Planning & Zoning officer will notify you in writing within thirty (30) days as to whether your claim of exemption has been granted. If the claim of exemption is granted, or if you do not hear from the County Planning & Zoning officer within thirty (30) days, you may proceed with the land division you propose without needing to comply with the requirements of the Valencia County Subdivision Regulations. If your claim of exemption is denied, you may either seek approval for subdivision or appeal the denial as provided in the Valencia County Subdivision Regulations.

I, ______, claim an exemption from the requirements of the New Mexico Subdivision Act and the Valencia County Subdivision Regulations for the following reason(s). I certify that this transaction involves:

the sale, lease, or other conveyance of any parcel that is thirty-five (35) acres or larger in size within any twelve (12) month period, provided that the land has been used primarily and continuously for agricultural purposes, in accordance with §7-36-20 NMSA 1978, for the preceding three (3) years. Attach certified survey showing size and location of parcel.

the sale or lease of apartments, offices, stores or similar space within a building. Attach copies of all proposed sale or lease documents.

_____ The division of land within the boundaries of a municipality. Attach certified survey showing location of proposed subdivision.

_____ The division of land in which only gas, oil, mineral or water rights are severed from the surface ownership of the land. Attach copies of all proposed conveyancing documents.

_____ The division of land created by court order where the order creates no more than one (1) parcel per party. Attach certified copy of court order.

The division of land for grazing or farming activities provided that the land continues to be used for grazing or farming activities. Attach copy of proposed conveyancing and documents restricting future use to grazing or farming activities. Such documents must contain a covenant running with the land and revocable only by mutual consent of the Board of County Commissioners and the property owner that the divided land will be used exclusively for grazing or farming activities. The covenant must be signed by the property owner, the buyers or lessee, and the Board of County Commissioners and must be filed of record with the County Clerk.

The division of land resulting only in the alteration of parcel boundaries where parcels are altered for the purpose of increasing or reducing the size of contiguous parcels and where the number of parcels is not increased. Attach certified surveys showing all parcels and parcel boundaries before and after proposed alteration.

The division of land to create a parcel that is sold or donated as a gift to an immediate family member, however, this exception shall be limited to allow the seller or donor to sell or give no more than one parcel per tract of land per immediate family member. As used herein the term "immediate family member" means a husband, wife, father, stepfather, mother, stepmother, brother, stepbrother, sister, stepsister, son, stepson, daughter, step daughter, grandson, stepgrandson, granddaughter, stepgranddaughter, nephew and niece, whether related by birth or adoption. Attach copy of proposed conveyancing document and birth certificate, adoption certificate or other document demonstrating family relationship claimed. Baptismal certificates are <u>not</u> acceptable documentation.

The division of land created to provide security for mortgages, liens or deeds of trust; provided that the division is not the result of a seller financed transaction. Attach copies of all financing documents.

The sale, lease or other conveyance of land that creates no parcel smaller than one hundred forty (140) acres. Attach certified survey showing location and size of parcel(s).

The division of land to create a parcel that is donated to any trust or nonprofit corporation granted an exemption from federal income tax, as described in §501(c)(3) of the United States Internal Revenue Code of 1986, as amended; school, college or other institution with a defined curriculum and a student body and faculty that conducts classes on a regular basis; or to any church or group organized for the purpose of divine worship, religious teaching or other specifically religious activity. Attach copies of IRS Exemption letter, and/or documents demonstrating entitlement to exemption and certified survey showing land proposed to be donated.

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The sale, lease or other conveyance of a single parcel from a tract of land, except from a tract within a previously approved subdivision, within any five (5) year period; provided that a second or subsequent sale, lease or other conveyance from the same tract of land within five (5) years of the first sale, lease or other conveyance shall be subject to the provisions of the New Mexico Subdivision Act and these Regulations; provided further that a survey shall be filed with the County Clerk indicating the five (5) year holding period for both the original tract and the newly created tract. Attach certified survey showing size and location of original tract, parcel proposed to be divided, any parcels previously divided from the original parcel and dates of all divisions.

I further certify that the information provided by me in the Claim of Exemption is true and correct and that all documents attached to enclosed with this Claim of Exemption are originals or true, complete and correct copies of the originals.

Signature	_	
Print Name Here	_	Name, Address, Telephone Number
Nota	ry Public	day of
My Commission Expir		
FOR OFFICIAL USE	<u>ONLY</u>	
	The foregoing Claim of E	xemption has been approved.
	The foregoing Claim of E information and/or docum	xemption is incomplete. Please provide us with the following tents so that we can process your claim:
	The foregoing Claim of E	xemption is hereby denied for the following reasons:
Date:	Name &	. Title:

Valencia County Subdivision Regulations Application for Summary Review Plat Approval

Instructions: Print or type clearly. Use additional sheets if necessary. All required attachments shall be submitted with this application form. Incomplete or inaccurate applications may delay decision dates. The completed application package must be submitted to the Planning & Zoning Administrator by the subdivider or a designated agentt and shall be in compliance with the requirements of the Valencia County Subdivision Regulations. The required administrative fee must accompany each application.

General Information:

Name of Subdivision:

This is a	Subdivision	
Number of lots	l	
Total acreage		
Subdivider or A	Agent	-
Address		-
Phone Number		
Engineer / Sur	veyor	
Address		
Phone Number		
Subdivision L	nformation:	
Location of Su	bdivision (attach a map if necessary)	
<u></u>		
	ning and platting jurisdiction (if applica	
	g Classification: Information:	
	ned by the County to be necessary, attac required improvements.	ch an improvement agreement to ensure

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All affidavits, certificates, permits, and statements required for summary review plats as defined by the Valencia County Subdivision Regulations shall be attached to this application. The original drawing and required number of copies of the summary review plat map shall be attached to this application.

The final disclosure statement shall be attached to this application.

Procedure Information: (to be completed by County Staff)

Date of pre-application conference					
Signature					
Date application	was received by County	·	<u></u>		
Signature					
Date summary re	eview plat deemed comp	lete			
Signature					
•	eview plat approved by (
		· · · · · · · · · · · · · · · · · · ·			
Township	Range	Sec			
Block	Unit	Lot			
Tract	Map	Book	Page		
Lands of:					
ID#	Property ID Code				

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Procedural Information

Date of preliminary plat approval			
Expiration date			
Extension dates (if any, with explanation)			
Date Application received by County			
Signature			
Date Final Plat is deemed complete			
Signature			
Date Final Plat is filed with the County Clerk			
Date summary review plat approved by County Commission			
Township Range Sec			
Block Unit Lot			
Tract Map Book Page			
Lands of:			
ID# Property ID Code			

(Ord. passed 5-1-2000)

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