

# DESERT MIRAGE SUBDIVISION

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

## 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. OR THE STATE. IT IS INFORMATIVE ONLY.

I RECEIVED A COPY OF THIS  
DISCLOSURE STATEMENT

NAME \_\_\_\_\_

NAME \_\_\_\_\_

DATE \_\_\_\_\_

I HAVE SEEN THE PROPERTY

NAME \_\_\_\_\_

NAME \_\_\_\_\_

DATE \_\_\_\_\_

1. NAME OF SUBDIVISION:

Desert Mirage Subdivision

2. NAME AND ADDRESS OF SUBDIVIDERS:

Dale Hopkins

P.O. Box 247

Organ, NM 88052

Boyd Welch

2205 Desert Dr.

Las Cruces, NM 88001

Patty Pereyra

P.O. Box 4080

Las Cruces, NM 88003

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

The Real Estate Company Patty Pereyra, Broker

P.O. Box 4080

Las Cruces, NM 88003

4. SIZE OF SUBDIVISION BOTH PRESENT AND ANTICIPATED:

Present

Anticipated

1 lot — 93.59 acres

76 lots — 1.01 to 1.52 acre each

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

1.52 acres

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

1.01 acres

7. NAME AND ADDRESS OF HOLDER OF LEGAL TITLE:

Sara Hopkins

P.O. Box 247

Organ, NM 88052

NOTE: ANY PERSON WHO IS NOT ACTING ON HIS/HER OWN BEHALF, BUT ACTING AS AN AGENT FOR ANOTHER PERSON, SHALL IDENTIFY THE NAME AND ADDRESS OF ITS PRINCIPAL(S).

8. NAME AND ADDRESS OF PERSON HAVING EQUITABLE TITLE:

Dale Hopkins

P.O. Box 247

Organ, NM 88052

Boyd Welch

2205 Desert Dr.

Las Cruces, NM 88001

Patty Pereyra

P.O. Box 4080

Las Cruces, NM 88003

NOTE: ANY PERSON HERE WHO IS NOT ACTING ON HIS/HER OWN BEHALF, BUT ACTING AS AN AGENT FOR ANOTHER PERSON, SHALL IDENTIFY THE NAME AND ADDRESS OF ITS PRINCIPAL(S).

9. CONDITION OF TITLE:

Property is 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:

There are no restrictions or reservations of record at this time.

12. ESCROW AGENT:

Southwestern Abstract & Title Company  
1125 S. Main St.  
Las Cruces, NM 88005

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

13. UTILITIES:

Approximate costs to individual property owner (hook-up fees, installation, etc.)

WATER — Moongate Water Company	\$700.00 (approx.)
WASTEWATER — On Lot Septic Tanks	\$2600.00 (approx.)
PHONE — U.S. West Communications	\$70.00 (approx.)
ELECTRICITY — El Paso Electric Company	\$45.00 (approx.)
GAS — LP Gas	\$150.00 (approx.)

\*Cost varies depending on local geologic conditions.

14. INSTALLATION OF UTILITIES:

Water, telephone, and electric main service lines and taps are to be installed by the developer at the time of subdivision construction; this will be on or before July 1, 1999. 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.

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.

16. WATER USE:

Water will be for domestic use only. The Moongate Water Co. 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 Co. will also use monthly meter readings to monitor usage by customers.

17. AMOUNT OF WATER:

The minimum daily quantity of water to be provided for each parcel for the uses described above is 670 gallons per day per parcel.

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 included.

Developer will install 8 main lines up to the water meter and each individual lot owner will install their own service lines into each individual lot.

Fire flow provided will be 750 gallons per minute (gpm) for a 2-hour duration period.

19. WATER SYSTEM EXTENSION:

Each user will pay for the water used in accordance with the rate schedules of Moongate Water Company governed by the NM Public Utility Commission.

20. LIFE EXPECTANCY OF THE WATER SUPPLY:

SOURCE	LIFE EXPECTANCY
Ground water aquifer	50 years

21. WELLS:

NOT ACCEPTABLE

22. SURFACE WATER:

NOT ACCEPTABLE

23. STATE ENGINEER S OPINION ON WATER:

The State Engineer 's opinion will be included in the Appendix if one is received.

24. WATER QUALITY:

Water provided by Moongate Water Company is presently suitable for residential use and meets all NMED quality parameters.

25. ENVIRONMENT DEPARTMENT ' S OPINION ON WATER QUALITY:

The NMED ' s opinion will be included in the Appendix if one is received.

26. LIQUID WASTE DISPOSAL:

A standard septic tank system approved by the New Mexico Environment Department (NMED) will be used within the subdivision for disposal of liquid waste. Each individual lot will have its own septic tank.

**Note:** No other liquid waste disposal system may be used in a subdivision other than the system approved by the NMED.

27. ENVIRONMENT DEPARTMENT ' S OPINION ON LIQUID WASTE DISPOSAL:

The NMED ' s opinion on Liquid Waste Disposal will be in the Appendix is 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.

29. ENVIRONMENTAL DEPARTMENT ' S OPINION ON SOLID WASTE DISPOSAL:

The NMED ' s opinion on Solid Waste Disposal will be in the Appendix if one is given.

30. TERRAIN MANAGEMENT:

The soil survey map shows the project area is considered as a Terino-Casito association, suitable for subdivision purposes, however, the protective covenants of this subdivision require, under certain conditions, the Purchaser obtain the opinion of a registered engineer as to the suitability of soil for construction of their particular residence. The purchaser at any time prior to closing, may enter the lot to have a subsoil investigation performed. Purchaser, its successor and assigns, shall indemnify and hold Subdivider harmless for any loss or damage or claim resulting therefrom. For more information, please refer to the Final Drainage Report for this subdivision.

No lots in this subdivision are located in a FEMA 100-year flood zone (Flood Insurance Rate Map No. 35013C0675 E). No lots in this subdivision have grades that exceed 8%.

Surface drainage for all lots will follow historical patterns. For details on channel, culvert, and pond sizes refer to the Final Drainage Report for this subdivision.

31. SUBDIVISION ACCESS:

To access the subdivision, go east on Dripping Springs Road 1/4 mile past Soledad Canyon Road, the subdivision entrance, Desert Mirage Drive will be on the south side of the road.

The subdivision is ordinarily accessible by conventional vehicle in all seasons and under all weather conditions.

The local collector, Desert Mirage Drive will be 34 ' wide and the rest of the internal roadways shall be 28 ' wide and paved. Roads shall be maintained by the developer for one year at which

time the Doña Ana County Transportation Department will have the option of maintaining the roads.

32. STATE HIGHWAY AND TRANSPORTATION DEPARTMENT ' S OPINION ON ACCESS:

Not applicable.

33. DEVELOPMENT:

The developer provides no homes, recreation structures, or community improvements.

34. 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 state above. There will be a monthly charge as established by Moongate Water Co. for water and other system maintenance per the rules of the NM Public Utility Commission.

35. ADVERSE CONDITIONS:

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

36. RECREATIONAL FACILITIES:

The New Mexico State University 18-hole, championship golf course (3.5 miles) with a modern clubhouse with pro shop and driving range is available for recreational purposes. There are no recreational facilities actual or proposed within the subdivision.

37. FIRE PROTECTION:

The subdivision is located in the Talavera Volunteer Fire District, the nearest fire station is located approximately 2 miles from the subdivision.

38. POLICE PROTECTION:

This Extra-Territorial Zone development is under the jurisdiction of the Doña Ana County Sheriff ' s Department.

39. PUBLIC SCHOOLS:

Elementary School students will attend the Hillrise Elementary School, which is located approximately 5 miles from the subdivision.

Middle School students will attend the Zia Middle School that is located approximately 6 miles from the subdivision.

Senior High students will attend the Las Cruces High School, which is located approximately 6 miles from the subdivision.

40. HOSPITALS:

Memorial Medical Center is the nearest hospital and has a twenty-four (24) hour emergency outpatient clinic and 286 beds. The distance is 3.5 miles as computed by traveling west on Dripping Springs Road to Telshor Boulevard, the Medical Center is located at 2450 S. Telshor Blvd.

41. SHOPPING FACILITIES:

The nearest major neighborhood shopping center is the Mesilla Valley Mall located 5 miles from the subdivision. Various convenience stores are found on Telshor Blvd.

42. PUBLIC TRANSPORTATION:

There is no public transportation available for this subdivision.

43. COMPLETION DATES:

All services mentioned in Items 36 to 42 are available as of the date of this Disclosure Statement.