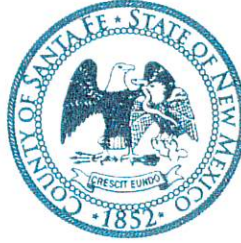


Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

DATE: June 22, 2017

TO: Santa Fe County Hearing Officer

FROM: Miguel "Mike" Romero, Development Review Specialist Sr. **MP**

VIA: Penny Ellis-Green, Growth Management Director **PEG**
Vicki Lucero, Building and Development Services Manager **VL**

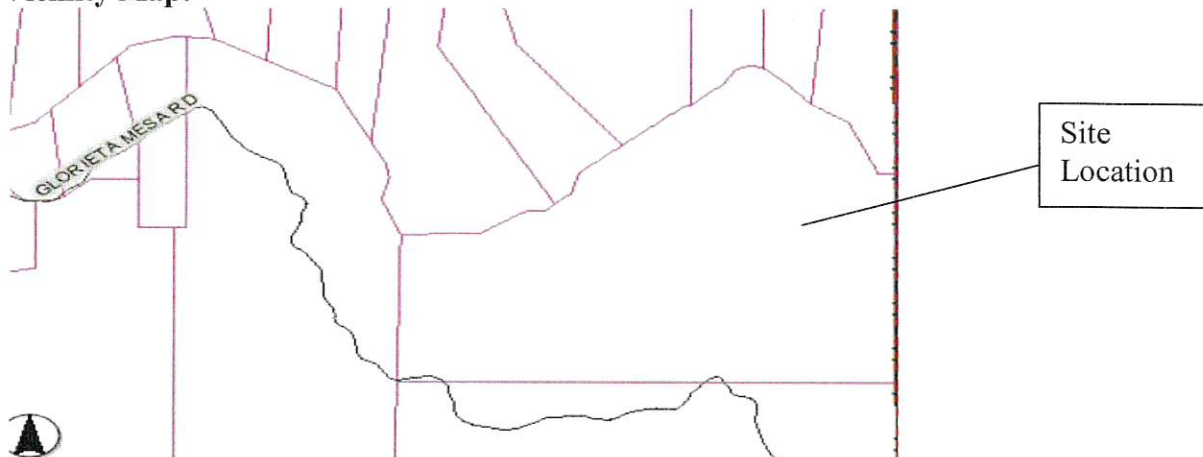
FILE REF.: CASE # V17-5090 Fredance, LLC Variance

ISSUE:

Fredance, LLC, Applicant, Sommer, Karnes and Associates (Joseph Karnes) Agent, request a variance to the requirements set forth in the Sustainable Land Development Code (SLDC) of Chapter 7, Table 7-13, Rural Road Classification and Design Standards to allow a road with a 30 ft. Right-of-Way rather than the required 50 ft. Right-of-Way for local roads.

The property is located within the Rural Fringe Zoning District at 325 Glorieta Mesa Road, within Section 12, Township 15 North, Range 11 East (Commission District 4).

Vicinity Map:



SUMMARY:

The applicant, Fredance, LLC are the owners of the property at 325 Glorieta Mesa Road as indicated by the warranty deed recorded in the records of the Santa Fe County Clerk on January 9, 2007, as Instrument No. 1466386. The applicant is requesting a variance to allow a right-of-way easement to be less than the required 50 ft. right-of-way easement for local roads providing access for non-residential uses.

The property at 325 Glorieta Mesa Road consists of 164.5 acres within the Rural Fringe Zoning District. The property is accessed off of S.R. 50 onto La Joya Rd., which is a County maintained road. La Joya Rd. turns into Forest Service Rd. 612, which is a U.S. Forest Service maintained Public Road, which then turns onto U.S. Forest Service Road 612B, which is identified as a Private Forest Service Road (USFS) with a 30 ft. right-of-way (ROW) easement that is approximately 2.1 miles long and then turns into Glorieta Mesa Rd., which is a private road that is approximately 1.8 mile long. Glorieta Mesa Road has a 30 ft. easement.

The applicant states that they along with their development partner will be proposing a non-residential religious use on a portion of the subject property. A religious use is a permitted use per the SLDC. However, any non-residential use requires a minimum 50 ft. ROW for local roads up to the point where they access a Public Road. Therefore, the applicant is requesting a variance to allow a 30 ft. ROW prior to proceeding with their application for the religious use.

The applicant requests a variance of Chapter 7, Table 7-13, Rural Road Classification and Design Standards to allow 2.1 miles of an existing Private U.S. Forest Service Road and a 1.8 mile portion of Private Easement (Glorieta Mesa Road) to have a 30 ft. ROW rather than the required 50 ft. right-of-way easement required in Ordinance No. 2016-9, the Sustainable Land Development Code (SLDC) Table 7-13: Rural Road Classification and Design Standards (SDA-2 and SDA-3) for Local Roads. The design standards for Local Roads are 2, 10 ft. driving lanes with a minimum ROW of 50 ft., 9% max grade with 3 inches of base course (Exhibit 5).

The applicant's agent states to facilitate future development of the subject property, which is not proposed by this application, the applicant requests a variance to the road easement standard for the existing U.S. Forest Service Road Easement (2.1 miles) and the Private Easements (1.8 miles). The Private U.S. Forest Service Easement along with the Private Easements and the existing road within those easements otherwise comply with the SLDC requirements. In 2003, the U.S. Forest Service granted the USFS Easement to the Glorieta Mesa Ranch Road Maintenance Association, which is comprised of the owners of properties within the Pecos Pueblo Land Grant east of U.S. Forest Service Road 612B, including the applicant (Exhibit 4). The 30 ft. wide Private Easement was created in 2005 by a Summary Review Subdivision and Lot Line Adjustment Plat, book 587 page 015. There is an existing road within the USFS Easement and the Private Easement that provides access to lands and existing development within the association, including the subject property. The applicant's agent further states in conjunction with this application, County Growth Management Department and County Fire Department staff carried out a site visit and concluded that the existing road within the USFS Easement and the Private Easement complies with applicable SLDC requirements, except perhaps for some areas where road maintenance is needed to maintain an effective road width of 20 ft.

Staff Response:

U.S. Forest Service Road 612B and Glorieta Mesa Road are required to meet Santa Fe County Road Standards for local roads which would require two driving lanes each lane must be a minimum of 10 ft. in width, a max grade of 9%, with a 50 ft. easement, and 3 in. of base course as stated in chapter 7 table 7-13 Rural Road Classification and Design Standards (SDA-2 and SDA-3). The applicant is only asking for a variance of the ROW, not a variance to the road improvements. Staff conducted a site visit and feels that the off-site road (Glorieta Mesa Rd.) is in good condition and with some maintenance can meet the SLDC requirements for width.

The applicable requirements under the Santa Fe County Sustainable Land Development Code, Ordinance No. 2016-9 (SLDC), which governs this Application are the following:

Chapter 8, Section 8..6.3. Rural Fringe (RUR-F) Purpose:

The purpose of the Rural Fringe (RUR-F) district is to designate areas suitable for a combination of estate-type residential development, agriculture uses and other compatible uses. The RUR-F designation provides an intermediate step in development density between typical open space and agricultural/ranching lands and primarily residential (low density) parcels. This zone also serves to protect agricultural and environmental areas that are inappropriate for more intense development due to their sensitivity. The RUR-F zone accommodates primarily large lot residential, ecotourism, equestrian uses and renewable resource-based activities, seeking a balance between conservation, environmental protection and reasonable opportunity for development. Density transfers and clustered development shall be allowed in order to support continued farming and/or ranching activities, conserve open space or protect scenic features and environmentally sensitive areas.

Chapter 4, Section 4.9.7.1, Variances, Purpose, states:

The purpose of this Section is to provide a mechanism in the form of a variance that grants a landowner relief from certain standards in this code where, due to extraordinary and exceptional situations or conditions of the property, the strict application of the code would result in peculiar and exceptional practical difficulties or exceptional and undue hardship on the owner. The granting of an area variance shall allow a deviation from the dimensional requirements and standards of the Code, but in no way shall it authorize a use of land that is otherwise prohibited in the relevant zoning district.

Chapter 4, Section 4.9.7.4, Variance Review criteria states:

A variance may be granted by only a majority of all the members of the Planning Commission (or the Board, on appeal from the Planning Commission) based upon the following criteria:

1. where the request is not contrary to public interest;
2. where due to extraordinary and exceptional situations or conditions of the property, the strict application of the code would result in peculiar and

- exceptional practical difficulties or exceptional and undue hardship on the owner;
and
3. so that the spirit of the SLDC is observed and substantial justice is done.

Chapter 4, Section 4.9.7.5 Conditions of approval.

1. The Planning Commission may impose conditions on a variance request necessary to accomplish the purposes and intent of the SLDC and the SGMP and to prevent or minimize adverse impacts on the general health, safety and welfare of property owners and area residents.
2. All approved variances run with the land, unless conditions of approval imposed by the Planning Commission specify otherwise.
3. All approved variances automatically expire within one year of the date of approval, unless the applicant files a plat implementing the variance or substantial construction of the building or structure authorized by the variance occurs within that time.

The Applicant has addressed the variance criteria as follows:

1. Where the request is not contrary to the public interest;

Applicants Statement: In 2003, the U.S. Forest Service granted the USFS Easement to the Glorieta Mesa Ranch Road Maintenance Association, which is comprised of the owners of properties within the Pecos Pueblo Land Grant east of Forest Road 612B, including the applicant. The 30-foot wide Private Easement was created in 2005. There is an existing road within the USFS Easement and the Private Easement that provides access to lands and existing development within the Association, including the Subject Property. In conjunction with this application, County Growth Management Department and County Fire Department staff carried out a site visit and concluded that the existing road within the USFS Easement and the Private Easement complies with applicable SLDC requirements, except perhaps for some areas where road maintenance is needed to maintain an effective road width of 20-feet. In sum, the existing road within the USFS Easement and the Private Easement is adequate and the easement and the easement themselves were adequate to issue several development permits prior to adoption of the SLDC, but the 30-foot wide USFS Easement and Private Easement do not comply with the current SLDC width requirement of 50-feet. Approval to the requested variance would allow for the USFS Easement and private Easement and the existing road to continue being used for vehicular access to the Subject Property and for development to occur on the Subject Property, subject to future approval of a development plan and permit application. Given the rural nature of the area and the relatively limited number of properties served by the USFS Easement and the Private Easement, and the low-intensity zoning adopted by the SLDC, it is not likely that the existing road within the USFS Easement or the Private Easement will ever need to be expanded beyond its existing 2-lane, minimum 20' wide condition. Allowing for the existing USFS Easement and road to be utilized for their intended purpose of serving properties within the Association and development thereon furthers the public interest and is not contrary to the public interest.

Staff Response: Chapter 7, Section 7.11.11.5. states; Residential development may reduce the road easement width for off-site and on-site roads to no less than 20 ft. if adequate drainage control is provided and may allow the surface to be hard packed dirt with compaction of 95% of the maximum density. Chapter 7, Section 7.11.11.4.3 states; other land divisions and subdivisions exemptions may reduce the road easement width for off-site and on-site roads to no less than 20 ft. if adequate drainage control is provided and may allow the surface to be hard packed dirt with compaction of 95% of the maximum density. However, a non-residential use requires a minimum 50 ft. ROW for local roads up to the point where they access a Public Road.

2. Where due to extraordinary and exceptional situations or conditions of the property, the strict application of the code would result in peculiar and exceptional practical difficulties and undue hardship to the owner;

Applicants Statement: Strict application of the SLDC would mean that the USFS Easement and the Private Easement and the Code-compliant road within those easements could not be used to access development on the Subject Property. The USFS Easement has been in existence for over 16 years and the Private Easement has been in existence for 12 years, and until adoption of the SLDC those easements were sufficient for issuance of development permits for other properties within the Association. A County Code revision resulting in the inability to develop the Subject Property for otherwise Code-compliant uses would result in undue hardship to the applicant. Achieving grant of a new easement by the USFS and the private owners would cause peculiar and exceptional practical difficulties and may be impossible to achieve. Such a burden would likely have the practical effect of rendering the subject property and the other properties served by the USFS Easement and Private Easement impracticable. The circumstance resulting from the new SLDC easement width requirement and its impact on the USFS Easement and the Private Easement was not caused by the applicant and constitutes an extraordinary and exceptional situation that is contrary to the intent of the USFS when it granted the USFS Easement and the private owners in granting the Private Easement.

Staff Response: The SLDC would allow residential development, Land Divisions and Subdivision exemptions with a minimum ROW of 30 ft. However, for non-residential development meeting local road standards, the minimum ROW required would be 50 ft.

3. So that the spirit of the SLDC is observed and substantial justice is done.

Applicants Statement: As addressed above, County staff has concluded that the existing road within the USFS Easement and the Private Easement complies with applicable SLDC standards. It is only the (paper) easement that does not comply with the SLDC easement width requirement. The County zoned the subject Property as Rural Fringe. Approval of the requested variance will facilitate economically productive use of the Subject Property in a manner consistent with the existing

zoning, thereby furthering the spirit of the SLDC and ensuring that substantial justice is done to ameliorate a Code conflict with the USFS Easement granted by the United States and the Private Easement, which was not caused by the applicant. As shown on the attached site plan, the applicant and its development partner, The Wholeness, a non-profit organization, desire to achieve a religious use on a portion of the Subject Property offering an all-denominational direct spiritual experience of the natural healing and awakening frequencies of Mother Earth, as amplified and made more accessible by the crystal Mahavakya Technology. The private facilities desired to be established on a portion of the Subject Property include a Crystal Earth Pavilion and other ancillary structures to enable guests to enjoy an optimum personal communion with Mother Earth. Resolution of the existing access issue by approval of the requested variance is a prerequisite to submittal of a development plan and permit applicant to allow for the desired religious use on the Subject Property.

Given that the variance is a necessary pre-requisite for achievement of the desired use, this application triggers the Religious Land Use and Institutionalized Persons Act of 2000 (42 U.S.C. §§ 2000cc, *et seq.*), which prohibits governmental action that:

1. treats churches or other religious assemblies or institutions on less than equal terms with nonreligious institutions;
2. discriminates against any assemblies or institutions on the basis of religion or religious denomination;
3. totally excludes religious assemblies from a jurisdiction; or
4. unreasonably limits religious assemblies, institutions, or structures within a jurisdiction.

Staff Response: Chapter 8, Section 8.6.3. of the SLDC, Rural Fringe zoning district allows religious facilities as a permitted use as specified in Appendix B: Use Matrix. A permitted use application is subject to an administrative approval, provided that it meets the design standards of the SLDC.

As required by the SLDC, the Applicants presented the Application to the Technical Advisory Committee (TAC) on February 20, 2017, at the regularly scheduled monthly meeting, which satisfied the requirements set forth in Chapter 4, Section 4.4.4.3, Pre-application TAC Meeting.

Notice requirements were met as per Chapter 4, Section 4.6.3., General Notice of Application Requiring a Public Hearing, of the SLDC. In advance of a hearing on the Application, the Applicants provided an affidavit of posting of notice of the hearing, confirming that public notice posting regarding the Application was made for fifteen days on the property, beginning on June 7, 2017. Additionally, notice of hearing was published in the legal notice section of the Santa Fe New Mexican on June 7, 2017, as evidenced by a copy of that legal notice contained in the record. Notice of the hearing was sent to owners of land within 500' of the subject property and a list of persons sent a mailing is contained in the record.

This Application was submitted on April 21, 2017.

RECOMMENDATION:

The applicant did provide responses to the variance review criteria. However, staff does not believe the variance criteria has been met therefore; staff recommends denial of a variance from Ordinance No. 2016-9 the Sustainable Land Development Code (SLDC) Chapter 7, Table 7-13, Rural Road Classification and Design Standards.

Staff requests the Hearing Officer memorialize findings of fact and conclusion of law in a written order. The Santa Fe County Planning Commission will be holding a public hearing on this matter on August 17, 2017.

EXHIBITS:

1. Applicants Request
2. Recorded Survey Plat
3. Aerial of Site and Surrounding Area
4. U.S. Forest Service Private Road Easement Authority
5. Chapter 7, Table 7-13 Rural Road Classification and Design Standards (SDA-2 & SDA-3)
6. Noticing
7. Road Access to 325 Glorieta Mesa Road

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John R. Fox Attorney at Law
johnf@sommerkarnes.com
Of Counsel

June 14, 2017

Miguel Romero, Case Planner
Santa Fe County Growth Management Department
102 Grant Avenue
Santa Fe, NM 87501

Re: Fredance, LLC Variance Application Submittal (Updated)

Dear Jon:

On behalf of Fredance, LLC, please find the attached documents comprising the Application for a variance to the requirements set forth in SLDC Table 7-13 requiring a minimum right-of-way of 50 feet for local roads providing access for non-residential uses and to SLDC section 7.11.11 regarding road access. As addressed below, the 164.5 acre subject property (the "Subject Property") is accessed via Forest Road 612B pursuant to a 30-foot ROW easement granted by the United States Forest Service (the "USFS Easement") and across a stretch private land pursuant to a 30-foot ROW (Book 587 Page 015, the "Private Easement"). The application requests a variance to allow for the USFS Easement and the Private Easement and the existing road within those easements to be used to access future non-residential development on the subject property, which requires a 50-foot easement width.

Please find attached the following documents comprising the Application:

1. Application Fee check #7027 in the amount of \$900.00;
2. Completed Santa Fe County/Fire Department Application Form;
3. Approved Emergency 911 Assigned Address form;
4. Warranty Deed in to Fredance, LLC (Instrument No. 14662386);
5. Survey Plat showing the Subject Property (Book 623, page 34);
6. Vicinity Map with directions;
7. Proof of Taxes Paid;
8. Site Plan to scale, including detail of the Subject Property showing planned future development that is not part of this application;
9. Plat showing existing USFS Easement – subject of the variance request (Book 525, page 024);
10. USFS Easement with the Glorieta Mesa Ranch Road Maintenance Association (the "Association") – subject of the variance request (Book 2638, pages 848-851); and

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Miguel Romero

June 14, 2017

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11. Plat showing 50' access easement from USFS Easement to the Subject Property (Book 691, page 049).
12. Plat Showing Private Easement recorded in Plat Book 587 Page 015.

The Subject Property is 164.5 acres in size and is currently vacant. To facilitate future development of a portion of the Subject Property, which is not proposed by this application, the applicant requests a variance to the road easement standard for the existing USFS Easement and the Private Easements. The USFS Easement and the Private Easements and the existing road within those easements otherwise comply with SLDC requirements.

As shown on the attached site plan, the applicant and its development partner, The Wholeness, a non-profit organization, desire to achieve a non-residential religious use on a portion of the Subject Property offering an all-denominational direct spiritual experience of the natural healing and awakening frequencies of Mother Earth, as amplified and made more accessible by the crystal Mahavakya Technology. The private facilities desired to be established on a portion of the Subject Property include a Crystal Earth Pavilion and other ancillary structures to enable guests to enjoy an optimum personal communion with Mother Earth. Resolution of the existing access issue by approval of the requested variance is a prerequisite to submittal of a development plan and permit applicant to allow for the desired religious use on the Subject Property, which is planned to be submitted if this variance application is approved.

Access to the Subject Property is from SR 50, which provides access between Glorieta and Pecos is as follows: turn right on La Joya Road, which is a County-maintained public road. La Joya Road bears south, ascends Glorieta Mesa and becomes Forest Road 612, a US Forest Service-maintained public road. At the top of Glorieta Mesa, turn left on Forest Road 612B and proceed east to the Subject Property. The 30-foot wide USFS Easement (aka Glorieta Mesa Road) extends from its intersection with Forest Road 612 east to the east boundary of the Santa Fe National Forest, which is coterminous with the west boundary of the Pecos Pueblo Grant (see Book 525, page 024). Glorieta Mesa Road continues to the east, providing access to the Subject Property and other developed and undeveloped properties within the Association via the Private Easement and then via a 50-foot wide access easement across private land (see Book 691 Page 049).

The Planning Commission may grant a variance based on satisfaction of the criteria addressed below. The applicant requests a variance to the requirements set forth in SLDC Table 7-13 requiring a minimum right-of-way of 50 feet for local roads and to SLDC section 7.11.11 regarding road access to allow for the 30-foot wide USFS Easement and the 30-foot wide Private Easement to be used to serve future development on the Subject Property, which the applicant intends be carried out pursuant to a future development plan and development permit application.

1. where the request is not contrary to the public interest;

Response: In 2003, the U.S. Forest Service granted the USFS Easement to the Glorieta Mesa

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Miguel Romero

June 14, 2017

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Ranch Road Maintenance Association, which is comprised of the owners of properties within the Pecos Pueblo Land Grant east of Forest Road 612B, including the applicant. The 30-foot wide Private Easement was created in 2005. There is an existing road within the USFS Easement and the Private Easement that provides access to lands and existing development within the Association, including the Subject Property. In conjunction with this application, County Growth Management Department and County Fire Department staff carried out a site visit and concluded that the existing road within the USFS Easement and the Private Easement complies with applicable SLDC requirements, except perhaps for some areas where road maintenance is needed to maintain an effective road width of 20-feet. In sum, the existing road within the USFS Easement and the Private Easement is adequate and the easements themselves were adequate to issue several development permits prior to adoption of the SLDC, but the 30-foot wide USFS Easement and Private Easement do not comply with the current SLDC width requirement of 50-feet.

Approval to the requested variance would allow for the USFS Easement and private Easement and the existing road to continue being used for vehicular access to the Subject Property and for non-residential development to occur on a portion of the Subject Property, subject to future approval of a development plan and permit application. Given the rural nature of the area and the relatively limited number of properties served by the USFS Easement and the Private Easement, and the low-intensity zoning adopted by the SLDC, it is not likely that the existing road within the USFS Easement or the Private Easement will ever need to be expanded beyond its existing 2-lane, minimum 20' wide condition. Allowing for the existing USFS Easement and road to be utilized for their intended purpose of serving properties within the Association and development thereon furthers the public interest and is not contrary to the public interest.

2. where due to extraordinary and exceptional situations or conditions of the property, the strict application of the code would result in peculiar and exceptional practical difficulties and undue hardship to the owner;

Response: Strict application of the SLDC would mean that the USFS Easement and the Private Easement and the Code-compliant road within those easements could not be used to access the planned non-residential development on the Subject Property. The USFS Easement has been in existence for over 16 years and the Private Easement has been in existence for 12 years, and until adoption of the SLDC those easements were sufficient for issuance of development permits for other properties within the Association. A County Code revision resulting in the inability to develop the Subject Property for otherwise Code-compliant non-residential uses would result in undue hardship to the applicant. Achieving grant of a new easement by the USFS and the private owners would cause peculiar and exceptional practical difficulties and may be impossible to achieve. Such a burden would likely have the practical effect of rendering the subject property and the other properties served by the USFS Easement and Private Easement impracticable for their intended non-residential religious purpose. The circumstance resulting from the new SLDC easement width requirement and its impact on the USFS Easement and the Private Easement was

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Miguel Romero

June 14, 2017

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not caused by the applicant and constitutes an extraordinary and exceptional situation that is contrary to the intent of the USFS when it granted the USFS Easement and the private owners in granting the Private Easement.

3. so that the spirit of the SLDC is observed and substantial justice is done.

Response: As addressed above, County staff has concluded that the existing road within the USFS Easement and the Private Easement complies with applicable SLDC standards. It is only the (paper) easement that does not comply with the SLDC easement width requirement. The County zoned the subject Property as Rural Fringe. Approval of the requested variance will facilitate economically productive use of the Subject Property in a manner consistent with the existing zoning, thereby furthering the spirit of the SLDC and ensuring that substantial justice is done to ameliorate a Code conflict with the USFS Easement granted by the United States and the Private Easement, which was not caused by the applicant.

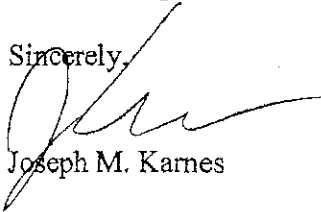
Given that the variance is a necessary pre-requisite for achievement of the desired non-residential use, this application triggers the Religious Land Use and Institutionalized Persons Act of 2000 (42 U.S.C. §§ 2000cc, *et seq.*), which prohibits governmental action that:

- (1) treats churches or other religious assemblies or institutions on less than equal terms with nonreligious institutions;
- (2) discriminates against any assemblies or institutions on the basis of religion or religious denomination;
- (3) totally excludes religious assemblies from a jurisdiction; or
- (4) unreasonably limits religious assemblies, institutions, or structures within a jurisdiction.

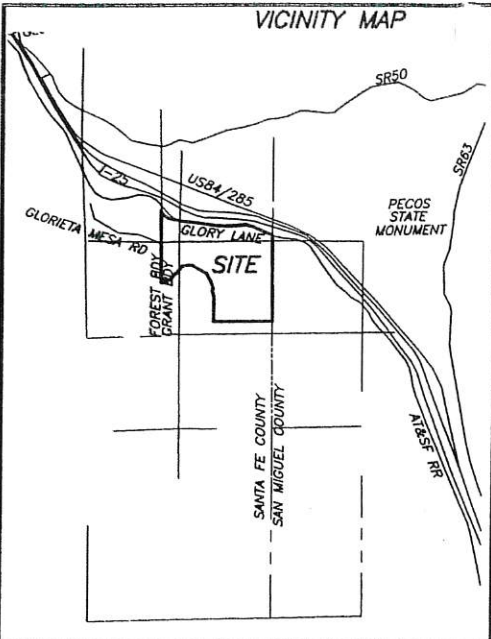
We appreciate County staff's efforts to identify the entitlements necessary to achieve the applicant's objectives and look forward to working with you to process the applicant and present it to the Planning Commission.

Please confirm your receipt of this information, let me know whether the application is deemed complete and direct any questions concerning the foregoing to my attention.

Sincerely,


Joseph M. Karnes

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1455593
 COUNTY OF SANTA FE
 STATE OF NEW MEXICO
 I hereby certify that this instrument was filed for record on the 14th day of May 2006 A.D. at 11:50 o'clock P.M. and was duly recorded in book 534, page(s) 022 of the records of Santa Fe County.
 Witness my Hand and Seal of office
 VALERIE ESPINOZA
 County Clerk Santa Fe County, N.M.
 Deputy



LINE	BEARING	DIST
L1	S23°17'52"E	81.59'
L2	S37°22'41"E	237.39'
L3	S57°14'41"E	243.32'
L4	S68°27'53"E	195.76'
L5	S77°17'15"E	323.20'
L6	S86°38'33"E	379.07'
L7	S87°36'13"E	236.20'

LEGEND
 BEARINGS ARE DERIVED FROM GPS OBSERVATIONS, REFERRED TO THE NM STATE PLANE, CENTRAL ZONE MERIDIAN. DISTANCES ARE GROUND. GROUND TO GRID SCALE FACTOR 0.999584

- DENOTES BRASS CAP, OR AS SHOWN, FOUND
- DENOTES REBAR, OR AS SHOWN, FOUND
- DENOTES REBAR, OR AS SHOWN, SET
- DENOTES CALCULATED POINT NOT SET
- AUE DENOTES PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT
- C/L DENOTES CENTERLINE OF NATURAL DRAINAGE WAY EASEMENT (INCLUDES A 25' NO-BUILD SETBACK FROM EDGES OF DRAINAGE CHANNEL.)
- DENOTES 5 AC. BUILDING SITE, SLOPES LESS THAN 15% AS SHOWN ON PLAT BOOK 534, PAGE 022.

BOUNDARY DATA IN PARENTHESIS IS FROM PRIOR PLATS OR DOCUMENTS

— DENOTES BOUNDARY OF LANDS DEALT WITH BY THIS PLAT INFORMATION OUTSIDE OF THIS BOUNDARY IS BACKGROUND INFORMATION ONLY, NOT VERIFIED FOR ACCURACY AND IS NOT PART OF THIS PLAT.

THIS PLAT SUBJECT TO ANY RESTRICTIONS, COVENANTS AND EASEMENTS OF RECORD.

REFERENCE DOCUMENTS:

- 1) BLM NOTES AND PLATS PLAT OF SURVEY FOR GARY AND JEANNE LYON BY GEORGE VEDELER, DATED MAY 13, 1983.
- 2) WARRANTY DEED, BOOK 1272, PAGE 311.
- 3) BOUNDARY SURVEY FOR WINSTAR BY SALVADOR VIGIL, DATED MAY 15, 1996, BOOK 30, PAGE 122
- 4) 140 AC. EXEMPTION PLAT, RECORDED IN BOOK 534, PAGE 022
- 5) LOT LINE ADJUSTMENT PLAT RECORDED IN BOOK 560, PAGE 001.

SURVEYORS CERTIFICATE
 I HEREBY CERTIFY THAT THIS PLAT IS A TRUE REPRESENTATION OF A SURVEY COMPLETED UNDER MY PERSONAL SUPERVISION ON THE 23rd DAY OF MARCH, 2006. TO THE BEST OF MY KNOWLEDGE, THE SURVEY AND PLAT ARE CORRECT, TRUE AND MEET THE MINIMUM STANDARDS FOR LAND SURVEYS IN NEW MEXICO.
 GARY E. DAWSON, N.M.P.L.S. 7014

AFFIDAVIT
 6230544
 KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) HAVE CAUSED TO BE REPLATED THOSE LANDS SHOWN HEREON. FOR THE PURPOSE OF ADJUSTING THE EXISTING LOT LINES. THE SAID ADJUSTMENT PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNER(S). THIS REPLAT IS SUBJECT TO ALL APPLICABLE NOTES, CONDITIONS AND EASEMENTS SHOWN ON 140 AC. EXEMPTION PLAT RECORDED IN BOOK 534, PAGE 022, THIS REPLAT CONTAINS 622 ACRES, MORE OR LESS, THERE IS NO ROAD DEDICATION.

OWNERS: FREEDANCE, LLC. AND PADRE SPRINGS, LLC.
 BY: Bob Sherwin
 BOB SHERWIN, MANAGING DIRECTOR.
 STATE OF NEW MEXICO
 COUNTY OF SANTA FE
 THE FOREGOING INSTRUMENT WAS SWORN, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY BOB SHERWIN, MANAGING DIRECTOR OF FREEDANCE, LLC, THIS 14th DAY OF May 2006.
 NOTARY PUBLIC: Gregory May 6/13/06
 MY COMMISSION EXPIRES May

SANTA FE COUNTY APPROVAL, NOTES AND CONDITIONS
 APPROVED BY: Mark Galand 5-11-06
 LAND USE ADMINISTRATOR DATE RURAL ADDRESSING DATE
 COUNTY DEVELOPMENT PERMIT NO. 06-3060

MAINTENANCE OF ACCESS ROADS AND UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE LAND OWNER/USER UNLESS CURRENTLY MAINTAINED BY THE SANTA FE COUNTY PUBLIC WORKS DEPARTMENT OR STATE HIGHWAY DEPARTMENT.

THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT, INCLUDING BUILDING PERMITS.

LANDS SHOWN HEREON LIE WITHIN ZONE "X" (LANDS OUTSIDE THE 500 YEAR FLOOD PLAIN) ACCORDING TO THE FEDERAL FLOOD INSURANCE RATE MAP PANEL No. 350069-0275B, DATED 11/4/88.

EXISTING NATURAL DRAINAGE WAYS WILL NOT BE MODIFIED OR IMPEDED WITHOUT THE WRITTEN APPROVAL OF THE LAND USE ADMINISTRATOR OR COUNTY LAND USE ADMINISTRATOR OR COUNTY HYDROLOGIST. DEVELOPMENT SHALL NOT IMPEDE HISTORIC FLOW RATES OR PATTERNS TO OR FROM THESE LOTS.

SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF SAID PRIVATE EASEMENT(S) OR ROAD(S), IT IS REQUIRED THAT AN ADDITIONAL DEVELOPMENT PERMIT BE APPLIED FOR AND THEN APPROVED BY THE SANTA FE COUNTY LAND USE ADMINISTRATOR.

THE PARCELS AS PLATTED HEREON ARE SUBJECT TO ARTICLE VII, SECTION 3 OF THE SANTA FE COUNTY TERRAIN MANAGEMENT REGULATIONS AT THE TIME OF ANY DEVELOPMENT.

THESE LOTS ARE SUBJECT TO SANTA FE COUNTY FIRE AND RESCUE IMPACT FEES AT THE TIME OF APPLICATION FOR BUILDING PERMIT.

SOILS RATING: PURSUANT TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE, THE SOILS RATING ON THIS PROPERTY IS DESIGNATED AS BEING SEVERE REGARDING LIMITATIONS TO SEPTIC TANKS. POTENTIAL BUYERS/SELLERS OF THIS PROPERTY SHOULD INQUIRE WITH THE NEW MEXICO ENVIRONMENTAL DEPARTMENT WHETHER THESE SOILS ARE SUITABLE FOR A CONVENTIONAL SEPTIC SYSTEM OR IF AN ALTERNATIVE SYSTEM IS REQUIRED.

ALL BUILDABLE AREAS SHOWN HAVE SLOPES LESS THAN 15% AND THERE ARE NO NATURAL DRAINAGE WAYS OTHER THAN THOSE SHOWN AS DRAINAGE EASEMENTS. NO BUILDING IS ALLOWED WITHIN 25' OF THE BANK OF A DRAINAGE EASEMENT.

NO ARCHAEOLOGICAL NON-DISTURBANCE EASEMENTS HAVE BEEN CREATED WITHIN THE 5 ACRE BUILDING SITES DEFINED BY TAMARCH CULTURAL MANAGEMENT SERVICES, CONSULTING ARCHAEOLOGIST, AND DESCRIBED IN REPORT NO. NMCRI ACTIVITY 82218. (SEE PLAT BOOK 534, PAGE 022)

THE ROADWAY ON LOT 2 MAY NOT BE USED FOR COMMON VEHICULAR ACCESS TO OTHER LOTS SHOWN ON THIS PLAT, AND MAY ONLY BE USED BY THE OWNER OF LOT 2.

WATER USE/WITHDRAWAL ON THESE TRACTS IS RESTRICTED BY COVENANTS FILED IN THE OFFICE OF THE COUNTY CLERK AND RECORDED AS INSTRUMENT NO. 1455593

THESE TRACTS ARE SUBJECT TO THE REQUIREMENTS OF THE FIRE MARSHAL AFFIDAVIT FILED IN THE OFFICE OF THE COUNTY CLERK AS INSTRUMENT NO. 1455593

SPECIAL BUILDING PERMIT CONDITIONS

BUILDING ACTIVITY IS LIMITED TO "BUILDING SITES" SHOWN HEREON. PRIOR TO FURTHER BUILDING OR DEVELOPMENT ON LOTS OUTSIDE OF SAID "BUILDING SITES", AN ARCHAEOLOGICAL SURVEY SHALL BE REQUIRED IN ACCORDANCE WITH THE SANTA FE COUNTY LAND DEVELOPMENT CODE.

BUILDINGS ON THESE LOTS ARE SUBJECT TO THE URBAN WILDLAND INTERFACE CODE.

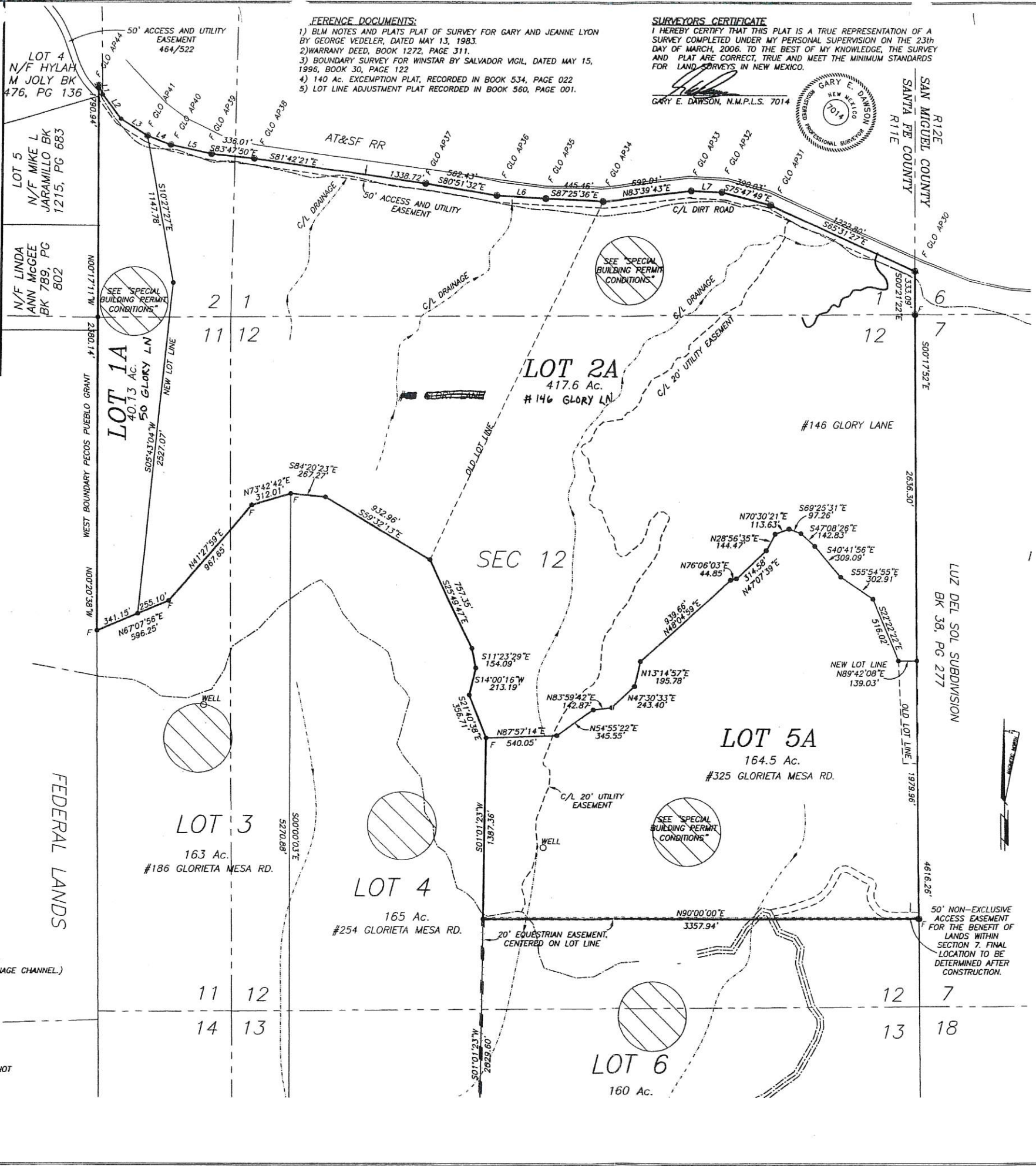
DEVELOPMENT PERMITS FOR BUILDING CONSTRUCTION WILL NOT BE ISSUED UNTIL REQUIRED IMPROVEMENTS FOR ROADS, FIRE PROTECTION AND DRAINAGE ARE COMPLETED AS APPROVED BY STAFF.

"TITLE AND INDEXING INFORMATION FOR THE COUNTY CLERK"

LOT LINE ADJUSTMENT PLAT PREPARED FOR PADRE SPRINGS, LLC. & FREEDANCE, LLC.
 BETWEEN LOTS 1, 2, AND 5
 RECORDED IN BOOK 560, PAGE 001
 PECOS PUEBLO GRANT EXC 331, PC 367
 SECTION 12, T11N, R11E, NMPM.
 COUNTY OF SANTA FE, NEW MEXICO.



NBC-12
 DAWSON SURVEYS INC.
 PROFESSIONAL LAND SURVEYORS
 2502 B CAMINO ENTRADA
 SANTA FE, N.M. 87505
 FILE#7564 DATE: 4-18-06



PUBLIC NOTICE: SANTA FE CO.
 THE SANTA FE COUNTY LAND USE ADMINISTRATOR HAS NOT REVIEWED THIS PLAT OF SURVEY BEFORE ITS FILING IN THE OFFICE OF THE COUNTY CLERK. THIS PLAT IS NOT BEING FILED FOR THE PURPOSE OF CREATING A SUBDIVISION OR NEW LOTS. ALTERING THE BOUNDARIES OF ANY EXISTING LOTS OR FOR THE PURPOSE OF "DEVELOPMENT" AS DEFINED IN THE SANTA FE COUNTY LAND DEVELOPMENT CODE, EXTRATERRITORIAL ZONING ORDINANCE OR EXTRATERRITORIAL SUBDIVISION REGULATIONS. THIS STATEMENT DOES NOT IN ANY WAY REPRESENT OFFICIAL COUNTY APPROVAL OF THIS PLAT.

PLAT SHOWING AN EASEMENT SURVEY
 LYING WITHIN PORTIONS OF
 THE SE 1/4 OF SECTION 10, THE SW 1/4 OF SECTION 11,
 THE SE 1/4 OF SECTION 11, THE NE 1/4 OF SECTION 11,
 AND GOVERNMENT LOT 2 OF SECTION 11
 TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE
 NEW MEXICO PRINCIPAL MERIDIAN
 LOCATED ON GLORIETA MESA
 COUNTY OF SANTA FE
 STATE OF NEW MEXICO
 OLD FOREST TRAIL ROAD, RIGHT-OF-WAY EASEMENT GRANTED BY THE UNITED STATES OF AMERICA TO WINSTAR, INC.

LEGEND
 [Symbol] UNITED STATES GENERAL LAND OFFICE BRASS CAP MONUMENT; FOUND, AS NOTED
 [Symbol] SURVEY MONUMENT; SET, THIS SURVEY; 1/2" (1/4" INCH) BRASS YASER 8123 ALUMINUM COPPER WITNESS CORNER
 --- FENCE LINE
 [Shaded Area] EXISTING DIRT ROAD (SHADED AREA)

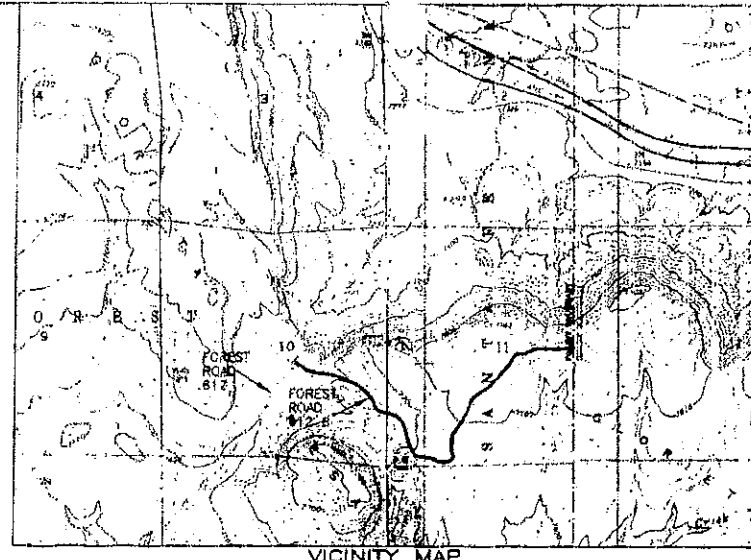
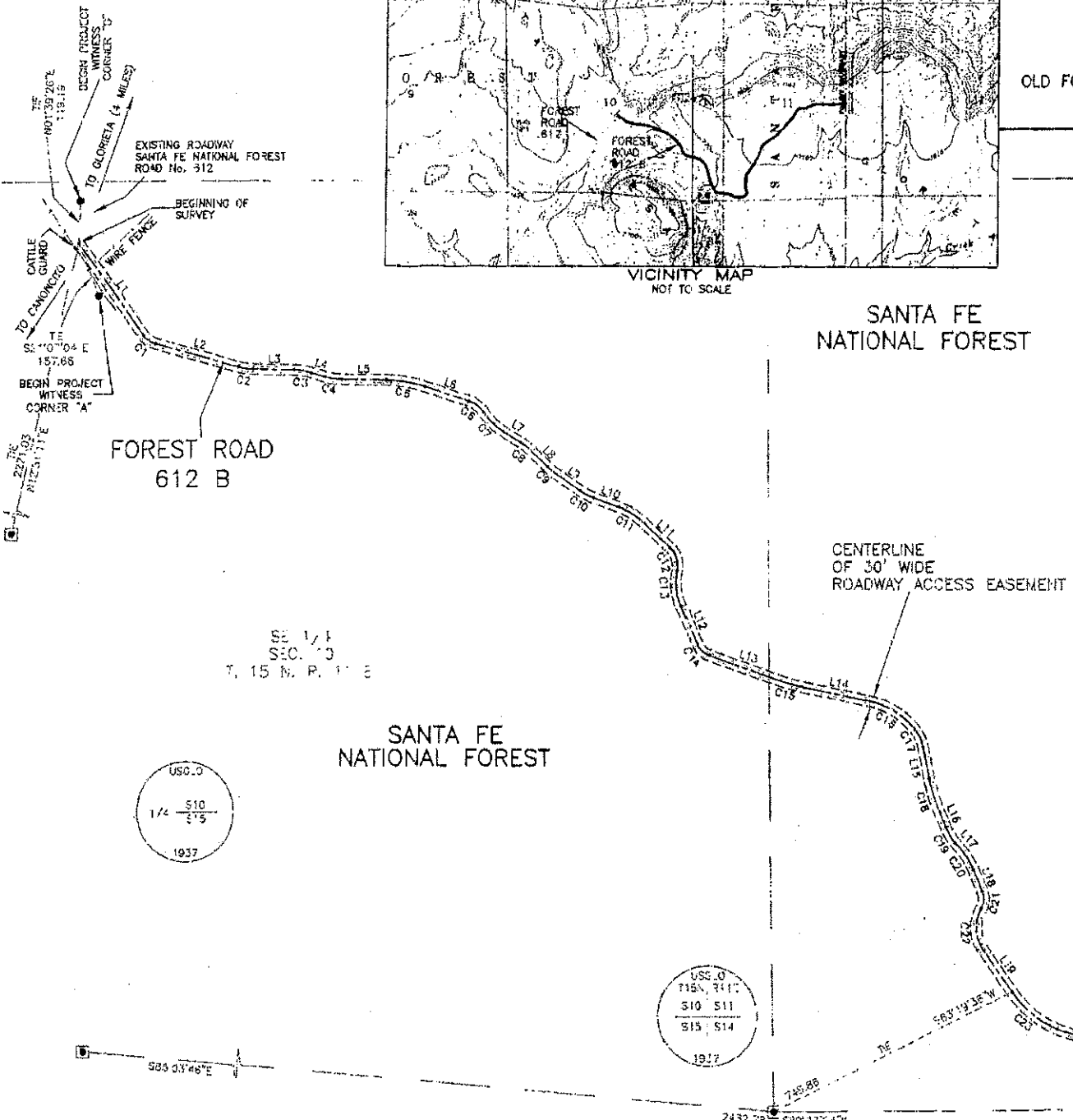
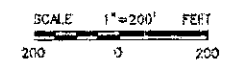


EXHIBIT "A"



LINE	LENGTH	BEARING
1	310.35	S33°55'07"E
2	248.87	S21°44'06"E
3	115.37	S86°38'22"E
4	38.16	S73°33'38"E
5	126.82	S89°14'20"E
6	128.10	S71°51'07"E
7	58.06	S86°41'08"E
8	51.81	S45°11'48"E
9	81.28	S65°54'12"E
10	76.29	S82°58'42"E
11	92.79	S62°21'22"E
12	120.34	S22°46'53"E
13	210.42	S70°41'59"E
14	191.80	S78°08'02"E
15	88.60	S10°58'01"E
16	41.04	S22°52'30"E
17	25.74	S08°11'02"E
18	64.45	S41°38'01"E
19	136.42	S34°04'14"E
20	260.14	S06°11'58"E
21	181.75	N66°56'28"E
22	50.41	N17°29'01"W
23	58.84	N72°40'42"W
24	102.08	N18°21'56"W
25	96.38	N13°05'18"W
26	101.41	N12°14'03"W
27	200.78	N09°04'40"W
28	44.82	N49°56'34"E
29	64.61	N48°11'08"E
30	306.77	N1°04'43"E
31	472.37	N5°12'52"E
32	150.13	N17°04'38"E
33	181.00	N47°41'53"E
34	390.10	N18°05'58"E
35	150.49	N74°35'12"E
36	72.60	N48°20'50"E
37	91.00	S85°23'39"E
38	181.90	N42°01'24"E
39	180.71	S80°18'12"E



CURVE	CHORD	RADIUS	DELTA	CH. BEARING	CH. LENGTH
C1	42.70	80.00	38°51'59"	S83°23'06"W	39.93
C2	44.85	85.00	37°49'13"	S81°41'45"W	41.52
C3	43.74	85.00	35°54'47"	N81°08'31"W	49.60
C4	43.55	85.00	19°19'42"	S61°27'29"W	51.41
C5	110.41	365.00	17°20'13"	N60°32'37"W	113.09
C6	44.97	85.00	37°03'11"	N51°20'33"W	51.02
C7	77.80	85.00	24°00'17"	S45°48'01"E	75.84
C8	21.00	215.00	13°48'17"	N62°00'57"W	51.93
C9	34.35	85.00	10°41'24"	S49°32'31"E	31.47
C10	45.28	85.00	14°01'33"	S87°51'58"E	43.17
C11	89.36	215.00	23°33'22"	N58°06'03"W	81.77
C12	10.91	70.24	57°42'34"	N17°26'07"W	61.97
C13	111.8	185.00	38°17'01"	S02°08'23"E	100.00
C14	13.00	35.00	46°44'03"	S47°13'56"E	41.78
C15	67.12	615.00	7°28'03"	S71°26'01"E	61.97
C16	112.1	221.17	38°20'13"	N58°25'56"W	149.13
C17	15.00	15.00	27°44'42"	N24°40'25"W	55.18
C18	110.97	85.00	11°54'29"	S15°55'15"E	102.62
C19	21.86	85.00	18°18'33"	S31°01'48"E	52.48
C20	13.23	215.00	17°48'01"	N37°21'32"W	61.97
C21	16.0	85.00	50°47'13"	N02°56'34"W	41.32
C22	193.7	111.64	83°29'21"	S07°18'32"E	117.47
C23	116.00	285.00	34°22'49"	S05°48'38"E	163.70
C24	326.13	455.11	39°11'13"	S87°01'41"E	300.16
C25	116.44	235.00	40°45'21"	N08°30'39"W	183.00
C26	84.42	85.00	58°56'38"	N21°16'41"E	91.38
C27	45.40	35.00	74°18'27"	N17°40'42"E	41.29
C28	39.38	185.00	12°11'41"	N27°34'52"W	39.30
C29	47.70	36.71	48°28'43"	S03°36'22"E	48.31
C30	46.8	85.00	31°53'13"	N02°41'20"E	41.22
C31	37.87	85.00	29°19'23"	S02°26'37"W	39.39
C32	31.75	85.00	28°47'43"	S29°37'52"W	31.35
C33	35.46	185.00	10°57'54"	S41°30'37"W	61.88
C34	73.30	85.00	21°48'23"	H39°08'21"E	61.88
C35	118.3	485.00	12°28'24"	N21°58'58"W	105.10
C36	110.80	210.00	38°11'13"	S13°37'18"W	128.89
C37	22.73	210.00	14°23'15"	N43°16'18"E	52.59
C38	81.28	210.00	16°43'14"	S49°26'18"W	61.07
C39	64.81	210.00	17°41'54"	N41°58'38"E	64.81
C40	36.94	35.00	38°49'13"	S81°20'39"W	38.25
C41	93.00	115.00	26°08'22"	N81°31'01"E	97.24
C42	287.21	231.39	66°10'21"	S81°32'08"W	252.84
C43	48.2	35.00	32°29'53"	S81°37'38"E	47.57
C44	29.0	85.00	12°14'13"	N05°05'27"W	29.97

REFERENCE DOCUMENTS
 1) A PLAT OF A DEPENDENT RESURVEY, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, AS ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE ON MARCH 4, 1940.
 2) SUPPLEMENTAL PLAT SHOWING PRIVATE CLAIMS IN SECTIONS 1, 2, 6, 7, 11, 12, 13, 14, 17, 18, 19, 20, 23, 24 WITHIN THE PECOS PUEBLO GRANT, TOWNSHIP 15 NORTH, RANGES 11 AND 12 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO, AS SAID PLAT WAS ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE ON NOVEMBER 13, 1934.

SURVEYOR'S CERTIFICATE
 I, SCOTT YAGER, DO HEREBY CERTIFY THAT THIS EASEMENT PLAT AND THE FIELD SURVEY ON WHICH WAS BASED WERE COMPLETED BY ME OR UNDER MY DIRECTION, ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND MEET THE MINIMUM STANDARDS FOR AN EASEMENT SURVEY IN THE STATE OF NEW MEXICO, AS ADOPTED 2/2/94.

SCOTT YAGER NMLS #123 DATE 6/14/02

SURVEYOR'S NOTES
 1) BEARINGS SHOW HEREON WERE BASED ON ASTROMOMIC OBSERVATIONS.
 2) THE PURPOSE OF THIS SURVEY IS TO LOCATE THE CENTERLINE OF AN EXISTING DIRT ROAD FOR THE PURPOSE OF DESCRIBING AND IDENTIFYING ITS LOCATION, BEGINNING AT A POINT IDENTIFIED AS "BEGINNING OF SURVEY" ON THIS PLAT AT THE INTERSECTION OF THE SANTA FE NATIONAL FOREST ROAD NO. 312 TO A POINT IDENTIFIED AS "END OF SURVEY" ON THIS PLAT, BEING A POINT ON A LINE SAID LINE BEING THE EAST BOUNDARY OF THE SANTA FE NATIONAL FOREST, WHICH IS COMMON WITH THE WEST BOUNDARY OF THE PECOS PUEBLO GRANT.
 3) THIS PLAT REPRESENTS AN EASEMENT SURVEY. IT DOES NOT REPRESENT A BOUNDARY SURVEY.
 4) DATES OF FIELD WORK: APRIL 9 - 11, 2002
 5) AREA OF EASEMENT: 6.24 Acres +/-

1252-975
 COUNTY OF SANTA FE)
 STATE OF NEW MEXICO)
 I, SCOTT YAGER, Surveyor, do hereby certify that this instrument was filed for record on the 14th day of June, 2002, at 10:00 o'clock P.M., and was duly recorded in Book 505, Page 283 of the records of Santa Fe County.

Witness my hand and Seal of Office
 REBECCA SUSTANANTE
 County Clerk, Santa Fe Co., N.M.
 Frank Arillano

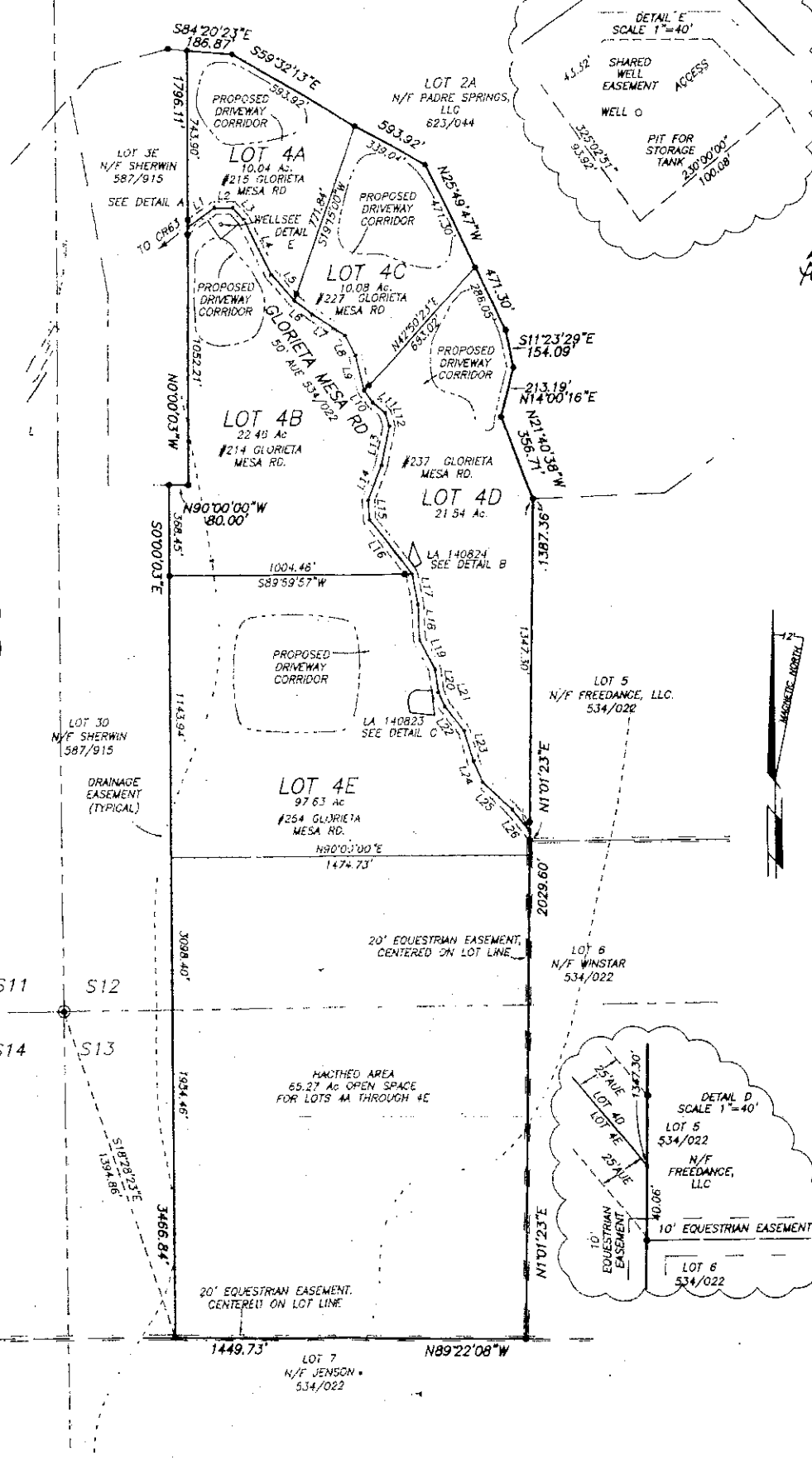
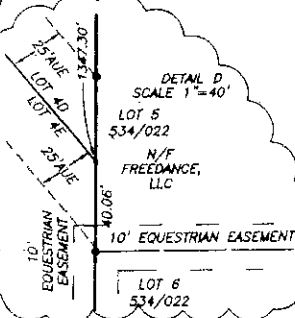
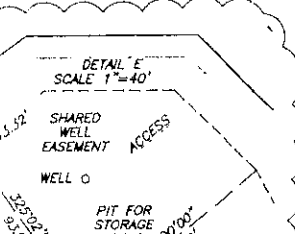
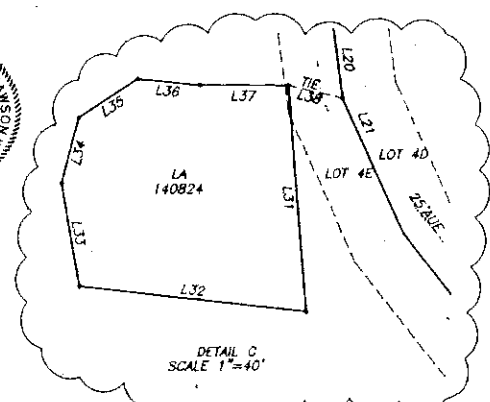
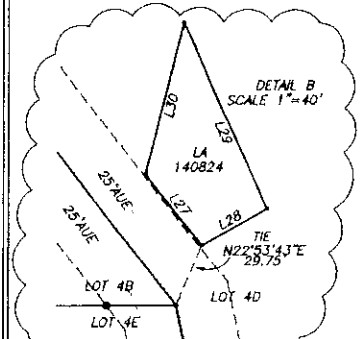
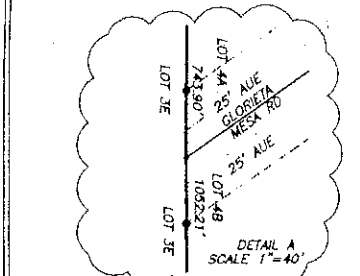
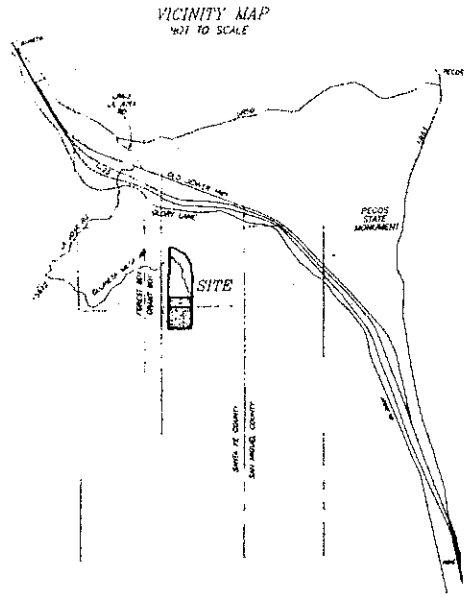
INDEXING INFORMATION FOR COUNTY CLERK
 A PLAT OF EASEMENT SURVEY

SECTIONS	10 & 11
TOWNSHIP	15N
RANGE	11E
N.M.P.M.	

WINSTAR, INC.
 WITHIN
 SECTIONS 10 AND 11
 T. 15 N., R. 11 E.,
 N.M.P.M.
 GLORIETA MESA
 SANTA FE COUNTY, NEW MEXICO

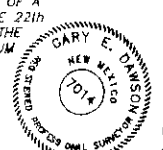
YASER LAND SURVEYS
 2200 BLUEMESA BLVD. SUITE 200 NEW MEXICO
 805-663-6172

DATE: 06/14/02
 SCALE: 1"=200'
 1 of 1



LINE	BEARING	DISTANCE
L1	N55°02'51"E	132.96
L2	S89°56'58"E	76.58
L3	S44°28'42"E	66.83
L4	S26°41'48"E	250.95
L5	S42°09'31"E	146.43
L6	S53°45'00"E	91.26
L7	S58°17'46"E	159.67
L8	S27°45'31"E	93.90
L9	S13°10'00"E	151.26
L10	S35°25'39"E	63.09
L11	S48°05'39"E	65.71
L12	S16°06'57"E	55.96
L13	S11°40'17"W	159.12
L14	S20°56'34"W	150.99
L15	S03°04'39"E	81.07
L16	S38°13'25"E	281.59
L17	S11°23'52"E	124.15
L18	S02°17'50"E	145.73
L19	S27°58'41"E	135.70
L20	S07°52'48"E	90.32
L21	S24°23'11"E	66.26
L22	S38°27'54"E	126.48
L23	S17°55'19"E	127.62
L24	S22°22'15"E	93.82
L25	S47°24'31"E	164.68
L26	S39°25'22"E	115.74
L27	S38°44'05"E	41.14
L28	N80°27'40"E	33.59
L29	N24°01'27"W	91.73
L30	S14°28'53"W	70.49
L31	S04°21'08"E	100.91
L32	N83°34'07"W	103.26
L33	N10°03'24"W	46.42
L34	N14°37'15"E	30.60
L35	N58°14'26"E	31.80
L36	S84°48'20"E	28.44
L37	S89°23'02"E	39.97
L38	S78°46'29"E	25.23

SURVEYORS CERTIFICATE
I HEREBY CERTIFY THAT THIS PLAT IS A TRUE REPRESENTATION OF A SURVEY COMPLETED UNDER MY PERSONAL SUPERVISION ON THE 22nd DAY OF SEPTEMBER, 2008 TO THE BEST OF MY KNOWLEDGE, THE SURVEY AND PLAT ARE CORRECT, TRUE AND MEET THE MINIMUM STANDARDS FOR LAND SURVEYS IN NEW MEXICO.



GARY E. DAWSON, N.M.P.L.S. 7014

LEGEND
BEARINGS ARE DERIVED FROM GPS OBSERVATIONS, REFERRED TO THE NAD 83 STATE PLANE, CENTRAL ZONE MERIDIAN. DISTANCES ARE GROUND, UNROUND TO GRID SCALE FACTOR = .999584

- DENOTES BRASS CAP, OR AS SHOWN, FOUND
- DENOTES REBAR, OR AS SHOWN, FOUND
- DENOTES REBAR, OR AS SHOWN, SET
- DENOTES CALCULATED POINT NOT SET
- DENOTES CENTERLINE
- A/E DENOTES PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT
- DENOTES CENTERLINE OF NATURAL DRAINAGE WAY EASEMENT 25' BUILDING SETBACK FROM CHANNEL EDGES
- DENOTES 5' AC. BUILDING SITE, SLOPES LESS THAN 15%

BOUNDARY DATA IN PARENTHESIS IS FROM PRIOR PLATS OR DOCUMENTS

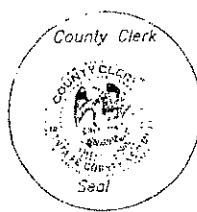
DENOTES BOUNDARY OF LANDS DEALT WITH BY THIS PLAT. INFORMATION OUTSIDE OF THIS BOUNDARY IS BACKGROUND INFORMATION ONLY, NOT VERIFIED FOR ACCURACY AND IS NOT PART OF THIS PLAT

THIS PLAT SUBJECT TO ANY RESTRICTIONS, COVENANTS AND EASEMENTS OF RECORD

REFERENCE DOCUMENTS
WARRANTY DEED TO WILLIAM AND TONI SCHACKEL 2581/594
QUITCLAIM DEED TO WILLIAM AND TONI SCHACKEL INST# 1341521
QUITCLAIM DEED TO WILLIAM AND TONI SCHACKEL INST# 1341519

Inst 1541813
COUNTY OF SANTA FE
STATE OF NEW MEXICO
I hereby certify that this instrument was filed for record on the 22nd day of September, 2008, at 10:52:40 AM, and was duly recorded in book 671, pages 249 of the records of Santa Fe County.

Witness my hand and seal of office
VALERIE ESPINOZA
County Clerk, Santa Fe County, N.M.
Deputy



DEDICATION AND AFFIDAVIT
KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS HAVE CAUSED TO BE SUBDIVIDED THOSE LANDS SHOWN HEREON. THE SAID SUBDIVISION IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNER(S). UTILITY COMPANIES ARE GRANTED EASEMENTS AS SHOWN AND TO EXISTING UTILITIES NOT SHOWN. OTHER EASEMENTS ARE GRANTED AS SHOWN. THIS DIVISION CONTAINS 181.75 AC., MORE OR LESS. THERE IS NO ROAD DEDICATION. THIS DIVISION LIES WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE COUNTY OF SANTA FE, N.M.

OWNER(S)
WILLIAM SCHACKEL
TONI SCHACKEL
683 0049

STATE OF NEW MEXICO
COUNTY OF SANTA FE
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 9-24-2008 BY WILLIAM SCHACKEL AND TONI SCHACKEL.

Mary DeLoe 2-3-2011
NOTARY PUBLIC ANY COMMISSION EXPIRES: (SEAL)

SANTA FE COUNTY APPROVAL NOTES AND CONDITIONS
APPROVED BY:

By: [Signatures] 7-24-08
LAND USE ADMINISTRATOR, DATE RURAL ADDRESSING, DATE FIRE DEPARTMENT, DATE

COUNTY DEVELOPMENT PERMIT NO. 08-3051

MAINTENANCE OF ACCESS ROADS AND UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE LAND OWNER/USER UNLESS CURRENTLY MAINTAINED BY THE SANTA FE COUNTY PUBLIC WORKS DEPARTMENT OR STATE HIGHWAY DEPARTMENT.

THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT, INCLUDING BUILDING PERMITS.

LANDS SHOWN HEREON LIE WITHIN ZONE "X" (LANDS OUTSIDE THE 500 YEAR FLOOD PLAIN) ACCORDING TO THE FEDERAL FLOOD INSURANCE RATE MAP PANEL NO. 35049G-08000, DATED 6/17/08

EXISTING NATURAL DRAINAGE WAYS WILL NOT BE MODIFIED OR IMPEDED WITHOUT THE WRITTEN APPROVAL OF THE LAND USE ADMINISTRATOR OR COUNTY LAND USE ADMINISTRATOR OR COUNTY HYDROLOGIST. DEVELOPMENT SHALL NOT IMPEDE HISTORIC FLOW RATES OR PATTERNS TO OR FROM THESE LOTS.

SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF THE PRIVATE EASEMENT(S) OR ROAD(S) AS SHOWN. PRIOR TO THE CONSTRUCTION OF SAID PRIVATE EASEMENT(S) OR ROAD(S), IT IS REQUIRED THAT AN ADDITIONAL DEVELOPMENT PERMIT BE APPLIED FOR AND THEN APPROVED BY THE SANTA FE COUNTY LAND USE ADMINISTRATOR.

THE PARCELS AS PLATTED HEREON ARE SUBJECT TO ARTICLE VI, SECTION 3 OF THE SANTA FE COUNTY TERRAIN MANAGEMENT REGULATIONS AT THE TIME OF ANY DEVELOPMENT.

THESE LOTS ARE SUBJECT TO SANTA FE COUNTY FIRE AND RESCUE IMPACT FEES AT THE TIME OF APPLICATION FOR BUILDING PERMIT.

SOILS RATING: PURSUANT TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE, THE SOILS RATING ON THIS PROPERTY IS DESIGNATED AS BEING SEVERE REGARDING LIMITATIONS TO SEPTIC TANKS. POTENTIAL BUYERS/SELLERS OF THIS PROPERTY SHOULD INQUIRE WITH THE NEW MEXICO ENVIRONMENTAL DEPARTMENT WHETHER THESE SOILS ARE SUITABLE FOR A CONVENTIONAL SEPTIC SYSTEM OR IF AN ALTERNATIVE SYSTEM IS REQUIRED.

ALL BUILDABLE AREAS SHOWN HAVE SLOPES LESS THAN 10% AND THERE ARE NO NATURAL DRAINAGE WAYS OTHER THAN THOSE SHOWN AS DRAINAGE EASEMENTS. NO BUILDING IS ALLOWED WITHIN 25' OF THE BANK OF A DRAINAGE EASEMENT.

WATER QUALITY: ALL PRIMARY EPA WATER QUALITY STANDARDS, ASIDE FROM URANIUM AND RADIONUCLIDES, WERE BELOW DRINKING WATER QUALITY STANDARDS. WATER QUALITY EXCEEDS THE SECONDARY MAXIMUM CONTAMINANT LEVELS FOR: TOTAL DISSOLVED SOLIDS, TURBIDITY, SULFATE, SODIUM AND IRON.

EACH LOT MUST CONTAIN A WATER METER AND THE YEARLY WATER METER READING MUST BE SUBMITTED TO SANTA FE COUNTY WITHIN 2 WEEKS OF JANUARY 1ST EACH YEAR

ONLY ONE WELL, UP-3574, SHALL BE PERMITTED TO SERVE THESE LOTS (THIS WELL SHALL BE SUBJECT TO A SHARED WELL AGREEMENT. THESE LOTS ARE SUBJECT TO THE REQUIREMENTS OF A WELL SHARING AGREEMENT FILED IN THE OFFICE OF THE COUNTY CLERK AS INSTRUMENT # 1541814

WATER USE/WELL WITHDRAWAL ON THESE LOTS IS RESTRICTED BY COVENANTS FILED IN THE OFFICE OF THE COUNTY CLERK AS INSTRUMENT # 1541816

THE SUBDIVISION DISCLOSURE STATEMENT REGARDING THESE LOTS IS FILED IN THE OFFICE OF THE COUNTY CLERK AS INSTRUMENT # 1541816

LOT SIZES WERE DERIVED FROM AN APPROVED HYDROLOGY TEST.

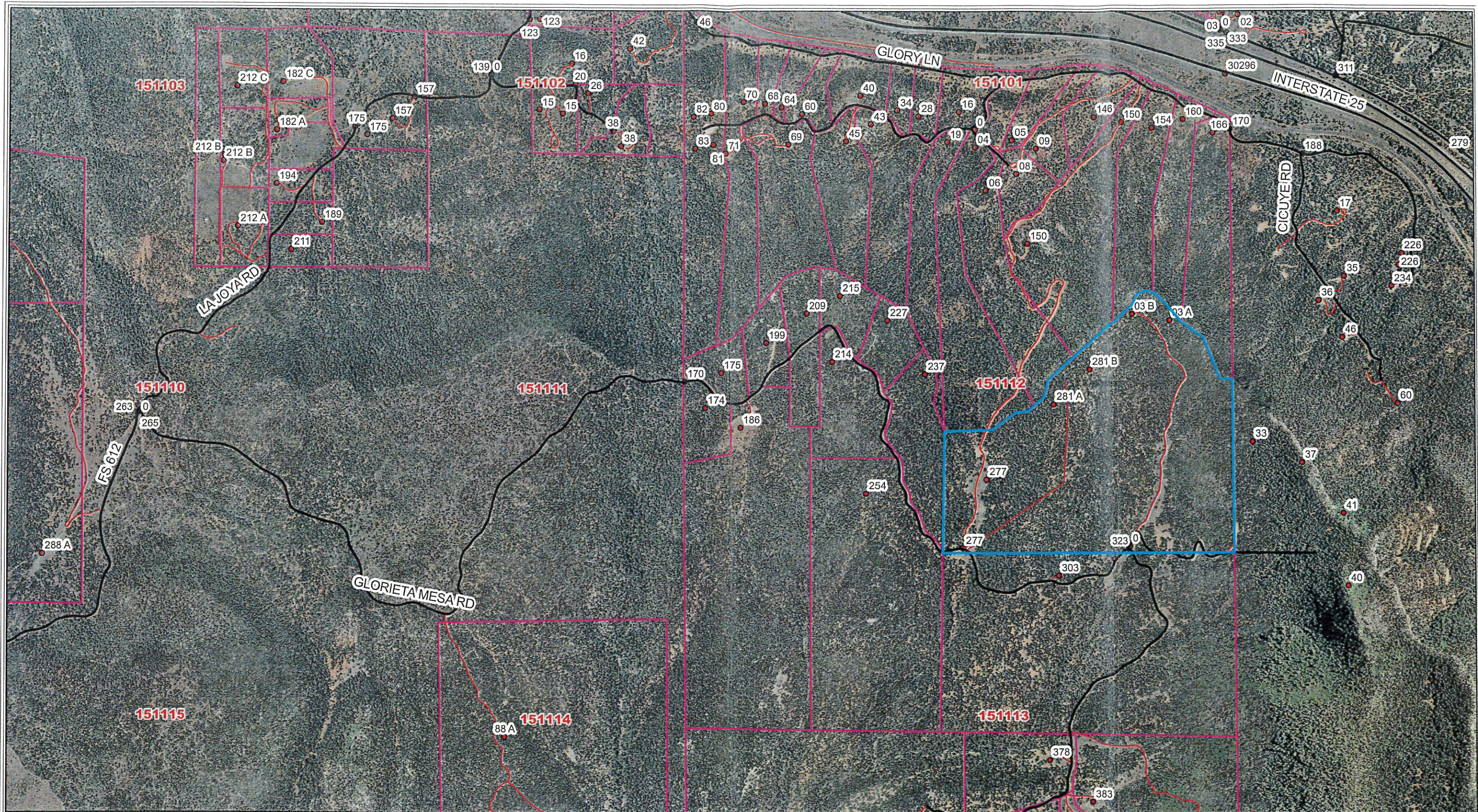
AN ARCHAEOLOGICAL NON-DISTURBANCE EASEMENT HAS BEEN CREATED WITHIN THE LIMITS OF SITES LA140823 AND LA 140824 AS DEFINED BY STEPHEN POST, CONSULTING ARCHAEOLOGIST, AND DESCRIBED IN REPORT NO. NMCRI85284. ALL GROUND DISTURBING ACTIVITIES ARE PROHIBITED WITHIN THE LIMITS OF SAID EASEMENTS AS DEFINED IN SAID REPORT, EXCEPT IN COMPLIANCE WITH SECTION 3.4.30 OF THE SANTA FE COUNTY LAND DEVELOPMENT CODE.

SPECIAL BUILDING PERMIT CONDITIONS
1. BUILDINGS ON THESE LOTS ARE SUBJECT TO THE URBAN WILDLAND INTERFACE CODE.
2. DEVELOPMENT PERMITS FOR BUILDING CONSTRUCTION WILL NOT BE ISSUED UNTIL REQUIRED IMPROVEMENTS FOR ROADS, FIRE PROTECTION AND DRAINAGE ARE COMPLETED AS APPROVED BY STAFF.
3. BUILDING PERMITS FOR THESE PLATTED LOTS SHALL NOT BE ISSUED UNTIL SANTA FE COUNTY ROAD 63 MEETS COUNTY ROAD STANDARDS. THE APPROVAL OF THE SANTA FE COUNTY PUBLIC WORKS DEPARTMENT AND THE U.S. FOREST SERVICE. OFFSITE ROAD IMPROVEMENTS SHALL INCLUDE THAT THE GRADES OF COUNTY ROAD 63 BE 11% OR LESS TO ALLOW SATISFACTORY INGRESS AND EGRESS OF EMERGENCY VEHICLES AND 911 SERVICES.
4. A 10,000 GALLON CISTERN AND DRAFT HYDRANT SHALL BE REQUIRED AT EACH RESIDENCE AND SHALL BE IN PLACE, TESTED, APPROVED, AND OPERABLE PRIOR TO THE START OF ANY BUILDING CONSTRUCTION. PLANS FOR SAID SYSTEM SHALL BE SUBMITTED PRIOR TO THE INSTALLATION FOR APPROVAL BY THE SANTA FE COUNTY FIRE DEPARTMENT AND SHALL MEET ALL MINIMUM REQUIREMENTS. THE WATER STORAGE SYSTEM SHALL INCORPORATE THE USE OF A TANK WATER LEVEL MONITORING SYSTEM. THE WATER LEVEL SHALL BE MAINTAINED BY AN EXTERNAL WATER SOURCE OR WELL.
5. AUTOMATIC FIRE PROTECTION SPRINKLER SYSTEMS SHALL BE REQUIRED AS PER 1997 UNIFORM FIRE CODE, ARTICLE 10, SECTION 1003.2 IN ACCORDANCE WITH THE BUILDING CODE AS ADOPTED BY THE STATE OF NEW MEXICO AND/OR THE COUNTY OF SANTA FE, MEETS THE REQUIREMENTS OF NFPA 13 D.

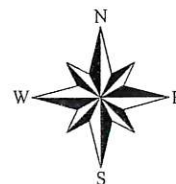
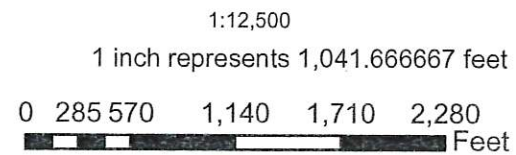
TITLE AND INDEXING INFORMATION FOR COUNTY CLERK

SUMMARY REVIEW SUBDIVISION PLAT
PREPARED FOR
WILLIAM AND TONI SCHACKEL
OF AMENDED LOT 4, RECORDED IN BOOK 587, PAGE 015
SECTIONS 12, AND 13, T15N, R11E, NMPM.
PECOS PUEBLO GRANT, EXC.331, PC.367
SANTA FE COUNTY NEW MEXICO.

SCALE 1"=300' FEET
NBC-15
DAWSON SURVEYS INC.
PROFESSIONAL LAND SURVEYORS
2502 CAMINO ENTRADA
SANTA FE, N.M. 805-471-6860
FILE# 8253 DATE: 9/22/08



- Legend**
-  ROADS
 -  DRIVEWAYS
 -  Parcels



2008 Orthophotography
 2 FOOT CONTOURS

This information is for reference only. Santa Fe County assumes no liability for errors associated with the use of this information. Users are solely responsible for confirming data accuracy.



June 15, 2017

Authorization ID: PBC578301
Contact ID: GMRPMA
Use Code: 752



2538848

FD-2726 (9-15-03)
Case No. 0594-0022

U. S. DEPARTMENT OF AGRICULTURE
Forest Service
PRIVATE ROAD EASEMENT
AUTHORITY:
FEDERAL LAND POLICY AND MGMT ACT, AS AMENDED October 21, 1976

THIS PRIVATE ROAD EASEMENT is executed and filed to provide notice of a change in Grantee of that certain Private Road Easement dated March 3, 2003, between the United States of America, Grantor, and Winstar, Inc., c/o Johan Breeschoten, Grantee, 66 Dutch Road, Santa Fe, NM 87505, which said Private Road Easement was recorded March 18, 2003, in Book 2469, Pages 357 - 360, official records of Santa Fe County, State of New Mexico

THIS EASEMENT, dated the 11th day of August 2003, from the United States of America, acting by and through the Forest Service, Department of Agriculture, hereinafter called Grantor, to GLORIETA MESA RANCH ROAD MAINTENANCE ASSOCIATION of 66 Dutch Road, Santa Fe, NM 87505, an Association of the State of NEW MEXICO hereinafter called Grantee

WITNESSETH

WHEREAS Grantee has applied for a grant of an easement under the Act of October 21, 1976 (90 Stat 2743 43 U.S.C. 1761), for a road over certain lands or assignable easements owned by the United States in the County of Santa Fe, State of New Mexico and administered by the Forest Service, Department of Agriculture

NOW THEREFORE Grantor for and in consideration of the payment of an annual use fee paid by Grantee does hereby grant to Grantee, subject to existing easements and valid rights, a nonexclusive easement for use of a road along and across a strip of land over and across the following described lands in the County of Santa Fe, State of New Mexico: SE1/4 Sec. 10, T. 15 N., R. 11 E., NEW MEXICO PRINCIPAL MERIDIAN, SW1/4 SE1/4, NE1/4 AND GOVERNMENT LOT 2 OF Sec. 11, T. 15 N., R. 11 E., NEW MEXICO PRINCIPAL MERIDIAN

Said premises are more specifically described by a certificate description contained in exhibit 1 attached hereto filed for record on March 6, 2003, and recorded in Book 525, Page 024, of the records of Santa Fe County (1252-978)

Said easement shall be 15 feet on each side of the centerline with such additional width as required for accommodation and protection of cuts and fills. If the road is located substantially as described herein, the centerline of said road as constructed is hereby deemed accepted by Grantor and Grantee as the true centerline of the easement granted

This grant is made subject to the following terms, provisions, and conditions applicable to Grantee, its permittees, contractors, assignees, and successors in interest:

A. Grantee shall comply with applicable Federal or State law and shall comply with State standards for public health and safety, environmental protection, and safe construction, operation, and maintenance of or for rights-of-way for similar purposes, if those standards are more stringent than applicable Federal standards

B. The rights herein conveyed do not include the right to use the road for access to developments for short- or long-term residential purposes unless and until the Grantor and the Grantee agree upon traffic control regulations, rules, and other provisions to accommodate such use of the road

C. Upon change in ownership of the land or facility served by this road, the rights granted under this easement may be transferred to the new owner upon written notification to the Regional Forester

D. This easement shall continue for as long as needed for access to the private land inholdings. Provided That the Grantor shall review the terms and conditions of this easement at the end of each 30-year period from the

NBC-17

date of issuance and may incorporate in the easement such new terms, conditions, and stipulations as existing or prospective conditions may warrant. These shall have the same force and effect in the future as if incorporated in the grant.

E. All construction or reconstruction of the road shall be in accordance with plans, specifications, and written stipulations approved by the Grantor prior to beginning such construction or reconstruction.

F. Grantee shall have the right to cut timber upon the easement area to the extent necessary for maintaining the road. Timber so cut shall, unless otherwise agreed to, be cut into standard log lengths or other products as specified by the authorized officer and stacked along the road for disposal by the owner of such timber.

G. The Grantee shall maintain the right-of-way clearing by means of chemicals only after the Grantor has given specific written approval. Application for such approval must be in writing and must specify the type, method, chemicals, and the exact portion of the right-of-way to be chemically treated.

H. The Grantee shall provide maintenance so that there is no damage to adjacent National Forest land. The Grantee shall construct and maintain head-off drainage and water barriers as necessary to prevent erosion.

I. Grantee shall pay annually in advance a sum determined by the Forest Service to be the fair market value of the use authorized by this easement. The initial payment is set at \$147.82 for the remainder of the calendar year. Payments for each subsequent calendar year shall be the amount of \$186.72 adjusted using the Impact Price Deflator/Grass National Product Index (IPI-GNP) or other factor selected by the Forest Service to reflect more nearly the current fair market value of the use. At intervals to be determined by the Forest Service, the fee shall be reviewed and adjusted as necessary to assure that it is commensurate with the value of the rights and privileges authorized. Failure of the holder to pay the annual payment, late charges, or other fees or charges shall cause the authorization to terminate.

J. Pursuant to 31 U.S.C. 3717, et seq., interest shall be charged on any fee amount not paid within 30 days from the date the fee or fee calculation financial statement specified in the authorization becomes due. The rate of interest assessed shall be the higher of the rate of the current value of funds to the U.S. Treasury (i.e., Treasury rate and loan account rate), as prescribed and published by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual (Bulletin annually or quarterly) or at the Prompt Payment Act rate. Interest on the principal shall accrue from the date the fee or fee calculation financial statement is due.

In the event the account becomes delinquent, administrative costs to cover processing and handling of the delinquency will be assessed.

A penalty of 6 percent per annum shall be assessed on the total amount delinquent in excess of 90 days and shall accrue from the same date on which interest charges begin to accrue.

Payments will be credited on the date received by the designated collection officer or deposit location. If the due date for the fee or fee calculation statement falls on a non-workday, the charges shall not apply until the close of business on the next workday.

Disputed fees are due and payable by the due date. No appeal of fees will be considered by the Forest Service without full payment of the disputed amount. Adjustments, if necessary, will be made in accordance with settlement terms or the appeal decision.

If the fees become delinquent, the Forest Service will:

Liquidate any security or collateral provided by the authorization.

If no security or collateral is provided, the authorization will terminate and the holder will be responsible for delinquent fees as well as any other costs of restoring the site to its original condition including hazardous waste cleanup.

Upon termination or revocation of the authorization, delinquent fees and other charges associated with the authorization will be subject to all rights and remedies afforded the United States pursuant to 31 U.S.C. 3717 et seq. Consequents may be subject to any or all of the following conditions:

Administrative office or payments due the holder from the Forest Service

Delinquencies in excess of 60 days shall be referred to United States Department of Treasury for appropriate collection action as provided by 31 U.S.C. 3711 (g) (1)

The Secretary of the Treasury may offset an amount due the holder for any delinquency as provided by 31 U.S.C. 3720 (a) (2)

K. This easement shall terminate in the event an easement is granted subsequently by the United States to a public road agency for operation of this road as a public highway

L. Grantee shall pay the United States for all injury, loss, or damage, including fire suppression costs in accordance with existing Federal and State laws

M. Grantee shall indemnify the United States for any and all injury, loss, or damage, including fire suppression costs the United States may suffer as a result of claims, demands, losses, or judgments caused by the Grantee's use or occupancy under this easement

N. Upon termination of this easement, the Grantee shall remove within a reasonable time the structures and improvements and shall restore the site to a condition satisfactory to the Grantor, unless otherwise waived in writing. If the Grantee fails to remove the structures or improvements within a reasonable period, as determined by the Grantor, the Grantor may remove and dispose of any improvements and restore the site and all costs shall be paid by the Grantee

If the Grantor waives the removal of the improvements and restoration of the site, all improvements shall become the property of the United States

The foregoing notwithstanding, this easement is granted subject to the following reservations by Grantor, for itself, its holders, contractors, and assignees:

1. The right to cross and recross the road at any place by any reasonable means and for any purpose in such manner as will not interfere unreasonably with Grantee's use of the road
2. The right to all timber now or hereafter growing on the right-of-way, subject to Grantee's right to cut such timber as herein provided
3. The right to extend rights and privileges for use of the road constructed on the premises to other users, provided that non-Federal users shall bear a fair share of the current replacement cost less depreciation of the road and shall reconstruct the road as necessary to accommodate their use
4. The Grantor reserves the right to use or authorize the use of the road by other Federal agencies, without cost other than the performance or payment, as it may elect, for its proportionate share of maintenance costs
5. The Grantor retains the right to occupy and use the right-of-way, and to issue or grant rights-of-way for other land uses, for other than road purposes, upon, over, under, and through the easement area provided that the occupancy and use do not interfere unreasonably with the rights granted herein
6. The right to terminate this easement if the Grantor assumes jurisdiction and control of the road as a Forest Development Road and issues a replacement easement providing only for use of the road. The replacement easement shall be in the current standard format which provides the Grantee the right to use the road for the purposes and for the period authorized by this easement, subject to such traffic control regulations and rules as Grantor may impose reasonably upon or require of other users of the road without unreasonably reducing the rights herein granted

The Grantor may take action to suspend, revoke, or terminate this easement under the Rules of Practice Governing Formal Adjudication, Administrative Proceedings Instituted by the Secretary Under Various Statutes in 7 CFR 1.100-1.15. An administrative proceeding is not required when the easement terminates on the occurrence of a time or agreed upon condition, event, or term

NBC-19

G. Cultural Resources Assessment (1001 RC). The holder, contractor, or lessee shall be responsible for the protection from damage of all identified cultural resources within the area which may be affected by their actions. In addition, the holder, contractor, or lessee shall be liable for all damage or injury to the identified cultural resources caused by their actions. The holder, contractor, or lessee shall immediately notify the agency Project Administrator if any damage occurs to any cultural resource and immediately halt work in the area in which damage has occurred until approval to proceed has been granted by the Project Administrator after consultation with the Forest Archeologist. All provisions of the Region 3 Cultural Resources Damage Assessment Handbook are incorporated by reference herein.

H. Setbacks (1004 RC). The holder shall construct and maintain gates or other approved alternative treatments at points designated by the Forest Supervisor or designated representative.

I. Native American Graves Protection and Repatriation Act (25 USC 3001-3007; 43 CFR Part 10.4). If any human remains, funerary objects, sacred objects, or objects of cultural patrimony are discovered during the course of ground disturbing activity, the holder will immediately cease activity in the area of the discovery and will make a reasonable effort to protect the remains and objects. The holder will promptly initiate immediate notification of the discovery to the Forest Service and will follow up with written confirmation to the authorized officer. The holder will not resume the activity that resulted in the discovery until the authorized officer gives written approval. Approval to resume the activity of otherwise lawful will be given thirty (30) days after certification by the authorized officer of the holder's written confirmation of the discovery, or at any time that a written binding agreement is executed between the Forest Service and the affiliated tribes addressing a recovery plan for the remains and objects.

IN WITNESS WHEREOF, the Grantor, by its Forest Supervisor, Santa Fe National Forest, Forest Service, has executed this easement pursuant to the delegation of authority by the Secretary of Agriculture to the Assistant Secretary for Natural Resources and Conservation, the delegation of authority by the Assistant Secretary for Natural Resources and Conservation to the Chief, Forest Service, 7 CFR 2.60 and the delegation of authority by the Chief, Forest Service to the Regional Forester, dated August 16, 1992, (47 FR 36465) and the delegation of authority by the Regional Forester, Southeastern Region, to the Forest Supervisors, dated October 5, 1992, (57 FR 52756-52757) on the day and year first above written.

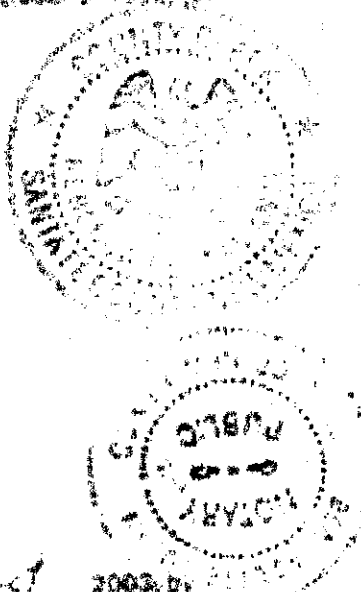
UNITED STATES OF AMERICA

By: [Signature]
GABRIEL ZEPEDA
Forest Supervisor
Santa Fe National Forest
Forest Service
Department of Agriculture

COUNTY OF SANTA FE 1286 } 479
STATE OF NEW MEXICO }
I HEREBY CERTIFY }
FOR THE STATE OF }
NEW MEXICO }
THIS 19th day of }
August 1993 }
MCS: [Signature]
PAGE 148-951

Witness my hand and Seal of Office
Notary Public
[Signature]
Frank [Signature]

ACKNOWLEDGMENT



STATE OF NEW MEXICO |
| 49
COUNTY OF SANTA FE |

The foregoing instrument was acknowledged before me this 19th day of August, 1993, by Gabriel Zepeda, known to me to be the Forest Supervisor, Santa Fe National Forest, United States Department of Agriculture, who being by me duly sworn states that he signed said instrument on behalf of the United States of America under authority duly given, and he executed same as the free act and deed of the United States of America for the consideration and purpose therein contained.

[Signature]
Notary Public

My Commission Expires May 19, 2004

NBC-20

Table 7-13: Rural Road Classification and Design Standards (SDA-2 and SDA-3).

	Avg. daily traffic	# of driving lanes	Lane width (ft)	Non-vehicular side paths	Bike lanes	Minimum ROW (ft)	Design Speeds (mph)	Max % Grade	Min. agg. base course	Min. bit. pavement	Max % Super-elev.
Major arterial or highway	5000 +	2-4	12	n/a	Two 5 ft. on-road	150	Level: 70 Rolling: 70 Mount.: 50-60	5%	6"	6"	8%
Minor arterial	2000 to 4999	2 - 4	12	n/a	Two 5 ft. on-road	120	Level: 60-75 Rolling: 50-60 Mount.: 40-50	5%	6"	5"	8%
Collector	401-1999	2	11	n/a	n/a	80	Level: 40-60 Rolling: 20-50 Mount.: 20-40	8%	6"	4"	8%
Local	0-400	2	10	n/a	n/a	50	Level: 30-50 Rolling: 20-40 Mount.: 20-30	9%	3"	n/a	8%
Cul-de-Sac	0 to 300	2	10	n/a	n/a	38	Level: 30-50 Rolling: 20-40 Mount.: 20-30	9%	63"	n/a	n/a
Residential Driveway	n/a	1	14	n/a	n/a	20	n/a	10%	n/a	n/a	n/a

7.11.3. General Requirements. Adequate roads shall be provided such that the arrangement, character, extent, width and grade of each shall conform to this Section.

7.11.3.1. Connectivity. The arrangement of roads in any development shall provide for the continuation or appropriate projection of existing or proposed highway or arterial roads in surrounding areas according to the Official Map, and shall provide reasonable means of ingress and egress to surrounding property. Roads within subdivisions shall not be gated unless the road is a dead end road serving no more than five (5) lots.

7.11.3.2. Road Names. Road names or numbers shall not duplicate or be similar to the names or numbers of existing roads; if the proposed road is an extension of an existing road, then the proposed road shall have the name of the existing road. All road names and numbers shall be assigned by the Santa Fe County Rural Addressing Division.

7.11.3.3. Service Life. Pavement shall be designed for a 20-year service life, and the design of pavement structures shall conform to the New Mexico Standard Specifications for Road and Bridge Construction. Pavement design documentation shall be prepared and signed by, or shall be under the supervision of, a professional engineer.

7.11.3.4. Rules of where Section 7.11 fails to adequately address



LEGAL #82736

CASE # V 17-5090

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held to consider a request by Fredance LLC, Applicant, Sommer, Karnes and Associates (Joseph Karnes), Agent, for a Variance to the requirements set forth in the Sustainable Land Development Code (SLDC) Table 7-13 (Rural Road Classification and Design Standards) to allow a road with a 30' Right-of-Way rather than the required 50' Right-of-Way for local roads.

The property is located within the Rural Fringe Zoning District, at 325 Glorieta Mesa Road, within Section 12, Township 15 North, Range 11 East (Commission District 4).

A public hearing will be held in the County Commission Chambers of the Santa Fe County Courthouse, corner of Grant and Palace Avenues, Santa Fe, New Mexico on the 22nd day of June, 2017, at 3 p.m. on a petition to the Santa Fe County Hearing Officer, and on August 17, 2017, at 4:00 p.m. on a petition to the Santa Fe County Planning Commission.

Please forward all comments and questions to the County Land Use Administration Office at 986-6225.

All interested parties will be heard at the Public Hearing prior to the Commission taking action.

All comments, questions and objections to the proposal may be submitted to the County Land Use Administrator in writing to P.O. Box 276, Santa Fe, New Mexico 87504-0276; or presented in person at the hearing.

Published in the Santa Fe New Mexican on June 7, 2017.

Account Number

1724

Ad Order Number

0000199439


SOMMER KARNES AND ASSOCIATES



NBC-22

CERTIFICATION OF POSTING

I hereby certify that the public notice posting regarding a Site Development Plan
Case # V17-5090 was posted for 15 days on the property beginning the
7 day of June, 2017. **



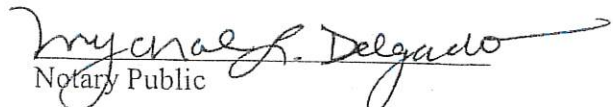
Signature

*Photo of posting taken from a public road must be provided with affidavit.

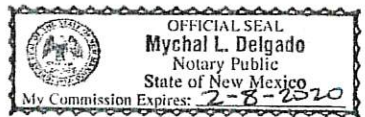
****PLEASE NOTE:** Public notice is to be posted on the most visible part of the property. Improper legal notice will result in re-posting for an additional 15 days. It is the Applicant's responsibility to ensure that the notice is on the property for the full 15 days. Posted notice shall be removed no later than seven (7) days after a final decision has been made on the application.

STATE OF NEW MEXICO }
 }
COUNTY OF SANTA FE }

The foregoing instrument was acknowledged before me this 7th day of
June, 2017, By Joseph Karas


Notary Public

My Commission Expires:
2-8-2020



PUBLIC NOTICE

Notice is hereby given that an application has been filed with Santa Fe County for REQUEST BY REGANUE LLC, STEMMER REGANUE ASSOCIATES (REGANUE ASSOCIATES) for a VARIANCE TO THE ZONING ORDINANCES SET FORTH IN THE ALPINE RANCH DEVELOPMENT TO ALLOW A 10' HEDGELINE AND LESSER SETBACKS (DESIGN STRAIGHTEN 30' RIGHT OF WAY FOR LOCAL ROADS).

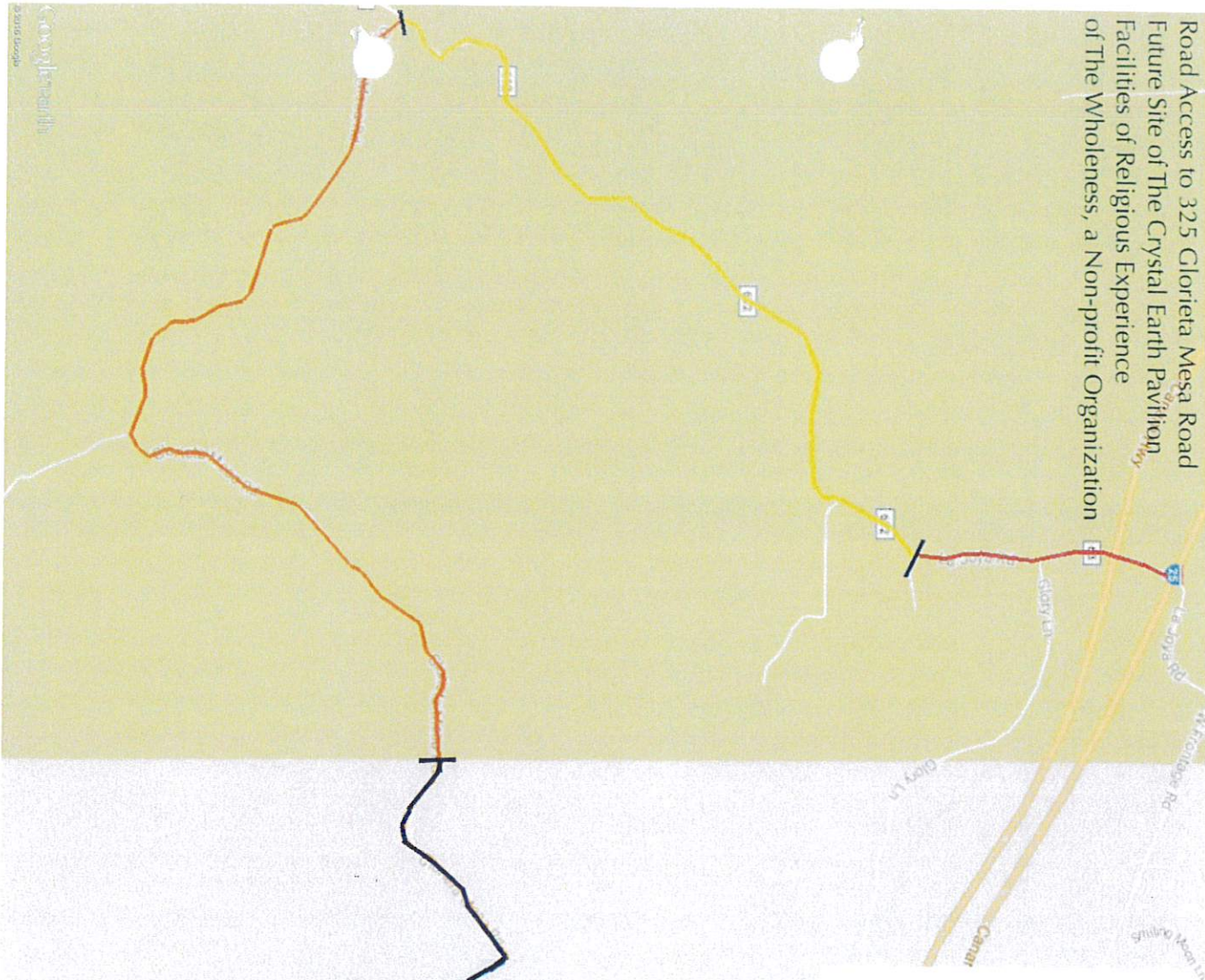
Name of Applicant: REGANUE LLC (STEMMER REGANUE ASSOCIATES) WEENAT

Address of Request: 325 JASNETA MESA ROAD

Legal Description: Section 12 Township 15N Range 11E Mount Santa Fe County, New Mexico

A PUBLIC HEARING will be held at the Office of Santa Fe County Courthouse, corner of Palace and Grant Avenues, Santa Fe, New Mexico on either the 22nd and day of JUNE 2017 at 10:00 AM for the purpose of receiving public input. Further information can be obtained by contacting the Land Use Department, P.O. Box 276, Santa Fe, NM 87504. Phone: 505/958-6225. Development # 17-50710.

Road Access to 325 Clorieta Mesa Road
 Future Site of The Crystal Earth Pavilion
 Facilities of Religious Experience
 of The Wholeness, a Non-profit Organization



Legend

- La Joya Road (County Road - Public)
- Forest Road 612 (US Forest Service - Public)
- Forest Road 612B/ Clorieta Mesa Road (US Forest Service - Private)
- Clorieta Mesa Road (Private - 30' Easement)
- Clorieta Mesa Road (Private - 50' Easement)
- Property Service Road
- Subject Property 164.5 ac.

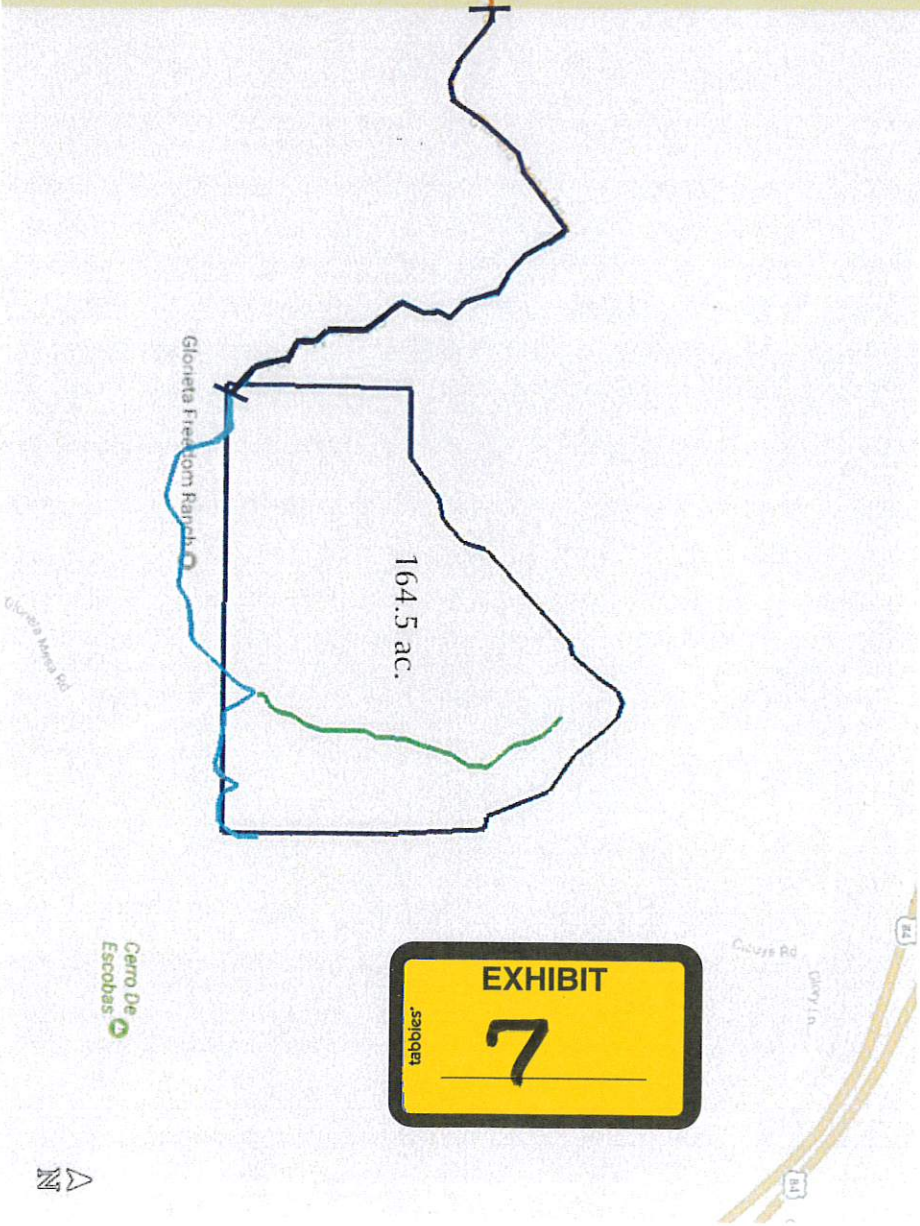


EXHIBIT
7

NBC 26



Miguel Romero

From: Joseph M. Karnes <josephk@sommerkarnes.com>
Sent: Wednesday, June 07, 2017 11:23 AM
To: Miguel Romero
Subject: Fredance - Road Exhibit
Attachments: Fredance Road Exhibit.pdf

Hello Miguel

Please see the attached exhibit, which can be made part of the application.

The approximate distances are:

La Joya Road – 0.4 mi

FR 612 – Public – 1.4 mi

FR 612B Forest Service private – 2.1 mi

Glorieta Mesa Road – Private 30' easement - 1.8 mi

Glorieta message Road – Private – 50' easement – 0.7 mi

The Gary Frank letter is out for execution.

If you have any other questions, please let me know.

Thank you,

Joseph Karnes
Sommer Karnes & Associates, LLP
PO Box 2476
Santa Fe, NM 87504-2476
(505) 989-3800
joseph@sommerkarnes.com

NOTE: If you are a client, do not forward this email to anyone because doing so may cause you to waive the attorney-client privilege or other protected communications.

DISCLAIMER: DO NOT read, copy or disseminate this communication unless you are the intended addressee. This e-mail communication contains confidential and/or privileged information intended only for the addressee. If you have received this communication in error, please call this office immediately at (505) 989-3800 and ask to speak to the sender of the communication. Also, please e-mail a response to the sender and notify him/her that you have received the communication in error.
Thank you