

**AGENDA**  
**City of Hobbs Planning Board – Special Meeting**  
**October 11, 2021 at 12:00 pm**

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

**Guy Kesner, Vice Chairman**  
**Ben Donahue**  
**Philip Ingram**

**Tentative Agenda for the Planning Board Special Meeting to be held on Monday, October 11, 2021 at 12:00 PM at the City of Hobbs Annex Building, Third Floor Rooms A302 & 304 located at 200 E. Broadway, Hobbs, NM 88240.**

**AGENDA**

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

**September 21, 2021 – Regular Meeting**

- 4) Communications from Citizens.**

**ACTION ITEMS**

- 5) Review and Consider Final Plan Approval for Liberty Crossing Unit 1, as presented by property owner, ALJO, LLC.**

**DISCUSSION ITEMS**

**Adjournment.**

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

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

**PLANNING BOARD MEETING  
MINUTES  
September 21, 2021**

The Hobbs Planning Board met on September 21, 2021 at 10:00 a.m. at City of Hobbs Annex Building, First Floor Commission Chambers, located at 200 E. Broadway, Hobbs, NM 88240 with Mr. W.M. “Tres” Hicks Chairman presiding.

**Members Present:**

Tres Hicks, Chairman  
Guy Kesner, Vice Chairman  
Ben Donahue  
Larry Sanderson

**Members Absent**

Brett Drennan  
Bill Ramirez

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

Kevin Robinson, Development Director  
Julie Nymeyer, Staff Secretary  
Bruce Reid  
Leon Ivey

Todd Randall, City Engineer  
Valerie Chacon, Asst. City Attorney  
Alberto Caballero

**1) Call To Order.**

Chairman Hicks called the meeting to order at 10:04 am.

**2) Review and Consider Approval of Agenda.**

The first item of business was to review and approve the Agenda for the September 21, 2021 meeting. Mr. Hicks asked if there were any changes to the agenda? Mr. Hicks suggested starting with items 6, 9, 10, and 13 and Mr. Hicks said they will start with item 6 then. Mr. Sanderson made a motion, seconded by Mr. Donahue to approve the agenda as amended. The vote on the motion was 4-0 and the motion carried.

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

**August 9, 2021 – Special Meeting**

Mr. Hicks asked if everyone has had a chance to read the Special Meeting Minutes from August 9, 2021. Mr. Donahue made a motion, seconded by Mr. Kesner to approve the Special Meeting Minutes as presented. The vote on the motion was 4-0 and the motion carried.

**4) Communications from Citizens.**

There were no communications from citizens.

**ACTION ITEMS**

**5) Review and Consider Final Plan Approval for The Mesquite Draw Subdivision, as submitted by property owner, Daniel Johncox.**

Mr. Robinson said this is a Final Plan Approval for Mesquite Draw. He said they meet the minimum setback requirements. Mr. Kesner said they should be consistent with County rules and regulations. Mr. Kesner made a motion, seconded by Mr. Donahue to approve the Final Plan for Mesquite Draw Subdivision. The vote on the motion was 4-0 and the motion carried.

**6) Review and Consider Final Plan Approval for Tanglewood Unit 5 & 6, as presented by property owner, ALJO, LLC.**

Mr. Robinson said this is the Final Plan Approval for Unit 5 and 6. He said there is a development agreement adopted by the Commission for the projection of Glorietta Street. He said Cielo Azul will connect to Glorietta. He said Glorietta is not a completed roadway at this time but staff is comfortable with the connectivity at this time but Glorietta will be built out soon. He said this is built and constructed as per the preliminary plat that was approved. He said the municipality will be getting as built soon.

Mr. Robinson said this is unit 6 said these are four 4-plexes. He said the plat was drawn with setbacks for individual lots but it is still correct. He said they will be 0 lot lines. He said for your convenience he showed the boundaries of the entire structure and they would be in compliance with setback rules and regulations.

Mr. Kesner asked about the different sizes in the lots. Mr. Robinson said he could do a triplex on lots 1, 2, 3 and do a house on lot 4. He said as long as they have a fire wall the developer has an options. Mr. Hicks asked if all the lots were designed for 4-plexes? Mr. Caballero said lot number 4 is not designed for 4-plexes but for an oversized home or maintenance facility. Mr. Robinson said each lot can be sold separately. Mr. Hicks asked if all the connected streets are shown except for Glorietta? Mr. Robinson said yes. Mr. Caballero said it will be completed by the end of the year. Mr. Donahue made a motion, seconded by Mr. Kesner to approve the Final Plan for Tanglewood Unit 6. The vote on the motion was 4-0 and the motion carried.

- 7) Review and Consider Dedication Plat dedicating a portion of North Dal Paso and a water well site as submitted by Armann Enterprises, LLC, property owner.**

Mr. Robinson said this is an RV Site on Dal Paso. He said there were missing dedications from the past on this parcel. He said the infrastructures will be covered under city infrastructures. Mr. Sanderson made a motion, seconded by Mr. Donahue to approve the dedication plat. The vote on the motion was 4-0 and the motion carried.

- 8) Review and Consider Vacation & Dedication Plat(s) dedicating a portion of Marland Street and the N\S alleyways located NE of the intersection of Marland and Elm Place and vacating the E\W alleyway as submitted by Antonio Rodriguez, property owner.**

Mr. Robinson said this item is for review and consideration of a Vacation and Dedication plats. He said they are dedicating a portion of Marland Street and the N/S alleyways located NE of the intersection of Marland and Elm Place. He said basically the owner and the city are swapping property in the dedications and vacations. Mr. Kesner asked if there was public infrastructure in place. Mr. Robinson said there is sewer in the dedicated alley. Mr. Sanderson made a motion, seconded by Mr. Donahue to recommend approval of the Vacation and Dedication Plat. The vote on the motion was 4-0 and the motion carried.

- 9) Review and Consider Encroachment Agreement for property located at 4511 Business Park Boulevard as requested by Dixie Electric LLC, property owner.**

Mr. Robinson said this is an encroachment agreement for a property located at 4511 Business Park Boulevard. After a brief discussion, Mr. Donahue made a motion, seconded by Mr. Sanderson to approve the agreement and the vote was 4-0 and the motion carried.

- 10) Review and Consider Preliminary Plan Approval Zia Crossing Unit 9, as presented by property owner, Black Gold Estates.**

Mr. Kesner asked about the collector roadway. Mr. Robinson said unit 7 was south of 8 and 9 and the extension of the collector roadway to the west property line so it goes through the subdivision. He said Unit 9 does not go south enough to be affected by the collector roadway. Mr. Hicks asked what the significance of Tract 2 Phase 3? Mr. Robinson said it is identifying the boundaries. He said at Final Plat is supposed to show this subdivisions relationship to the other property lines. Mr. Donahue made a motion, seconded by Mr. Sanderson and the vote on the motion was 4-0 and the motion carried.

- 11) Review 2<sup>nd</sup> Sketch Plan for property located southeast of the intersection of Joe Harvey & Central, as presented by Lemke Development.**

Mr. Robinson said this is the 2<sup>nd</sup> Sketch Plan for the property located southeast of the intersection of Joe Harvey and Central. Mr. Hicks asked if this was a public access but privately maintained? Mr. Robinson said yes. Mr. Kesner said they did a good job and he would recommend approval as presented. Mr. Kesner made a motion, seconded by Mr. Sanderson to approve the 2<sup>nd</sup> Sketch Plan as presented. The vote on the motion was 4-0 and the motion carried.

**12) Review Sketch Plan for property located northeast of the terminus of Calle Grande, as presented by Stuard Homes.**

Mr. Robinson said this is a Sketch Plan for the property located northeast of the terminus of Calle Grande. He said the Major Collectors must be developed E/W. He said there are staff notes that are areas of concern. Mr. Sanderson made a recommendation, seconded by Mr. Donahue for approval of the staff notes for the Sketch Plan. The vote on the motion was 4-0 and motion carried.

**13) Review Sketch Plan for property located northwest of the intersection of Alabama & Bensing, within the ETJ, as presented by property owner, Norris Land and Cattle Co.**

He said this is a sketch Plan review for the intersection of Alabama and Bensing. He said this is a proposed Unit 4. He showed the section line roadways on a map. He said this shows a 30 easement along Bensing which is a county road that is maintained. He said the municipality and the county do not want to form a barrier from other accesses and properties. He said staff is recommending to make sure they have connectivity and dedications. He said the east and west connectivity is more important. Mr. Bruce Reid said the block lengths are 1000 feet and each lot is 500 feet. He said the road north and south of Hightower will be closed. Mr. Kesner asked if there was a large retention pond on lots 13 and 14? Mr. Robinson said there are developmental issues on those lots.

Mr. Hicks said there are 30 units and 6 of them front on Bensing? He thought it was fine the way it was laid out. Mr. Reid said the subdivision will go before the county on the 30<sup>th</sup>. Mr. Kesner said the 1/2 and 1/4 roads are nice but not always necessary. Mr. Kesner said this is a Sketch Plan the Planning Board can offer advice. He asked about the 150' setback on Bensing? Member of the Public said the covenants required the houses to be setback 150' off Bensing and Alabama. Mr. Kesner thought it flowed well as it is and section roadways will make it unsellable. Mr. Sanderson made a motion, seconded by Mr. Donahue to approve the Sketch Plan as presented. The vote on the motion was 4-0 and the motion carried.

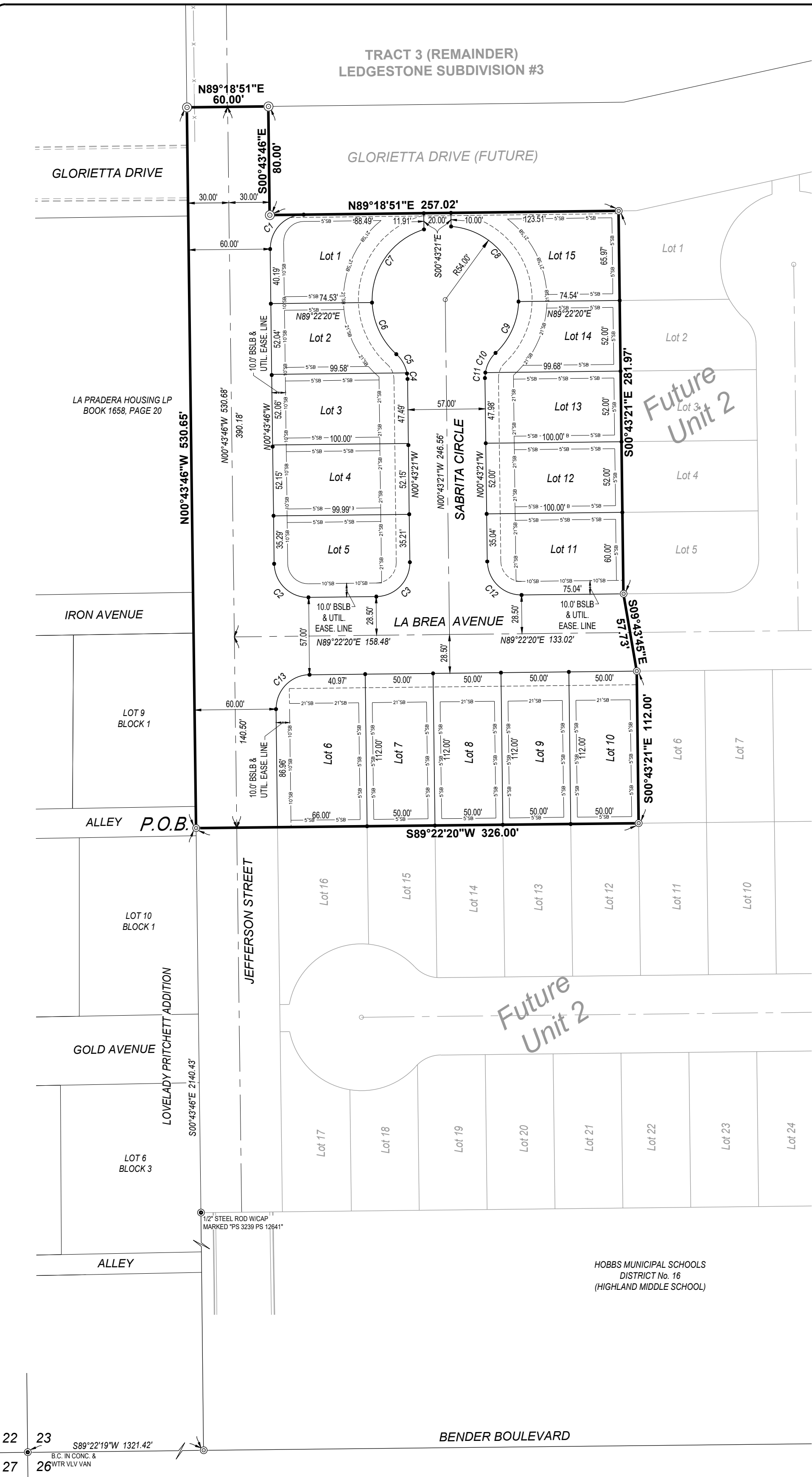
**DISCUSSION ITEMS**

**14) Review proposed reduction in front yard setback and off street parking requirements for proposed subdivision Liberty Hill.**

Mr. Robinson said this is a discussion item for the front yard setback and off street parking requirements for Liberty Hill. Mr. Hicks said the Board has already discussed this and what was the purpose of this discussion? He said the building setback on the house can be different than the garage. Mr. Robinson said they are asking for a 20 foot setback instead of a 21 foot. Mr. Hicks said the standard is 21 foot from the garage and he does not think that needs to change. The Board agreed. Mr. Sanderson left the meeting.

**Adjournment.**

With nothing further to discuss Mr. Kesner made a motion, seconded by Mr. Donahue to adjourn. The meeting adjourned at 11:57. The vote on the motion was 3-0 and the motion carried.



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

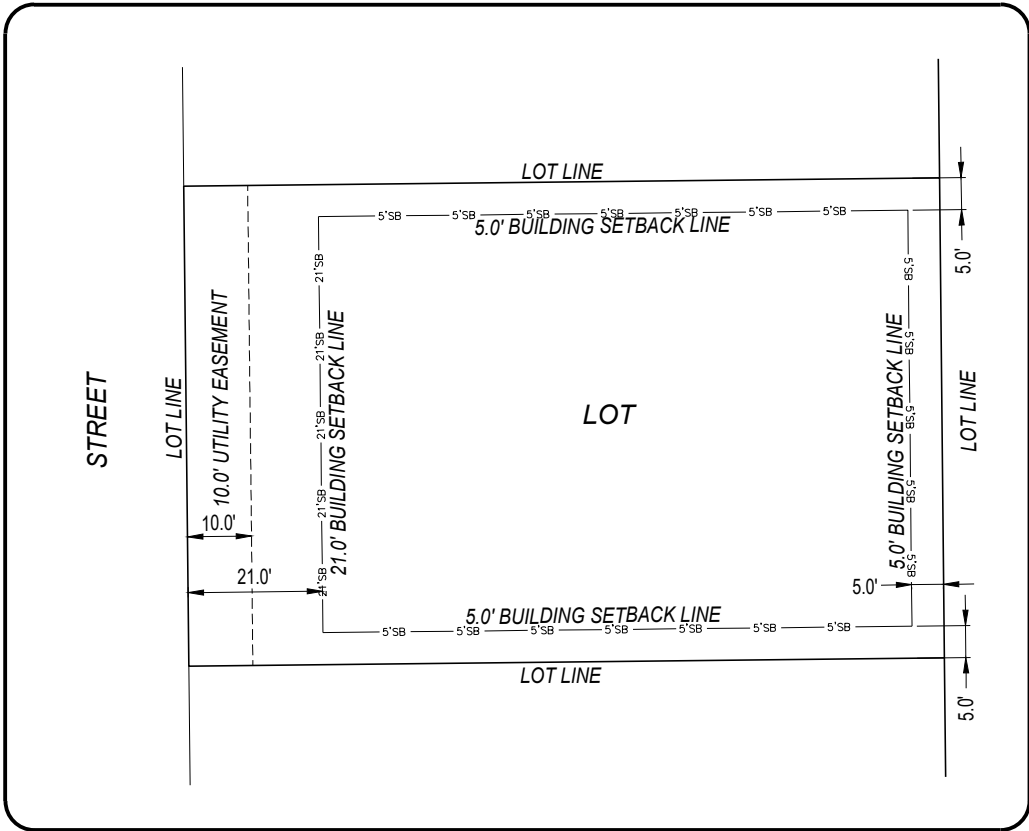
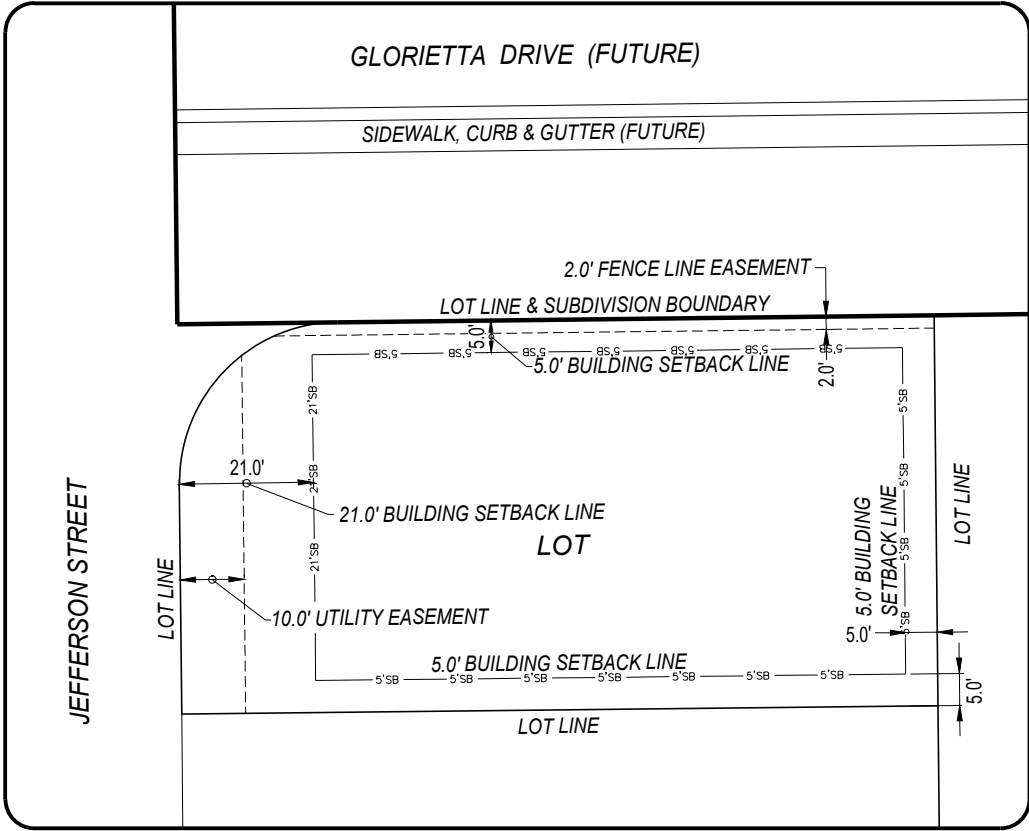
DATE: \_\_\_\_\_  
PROVIDING SURVEYING SERVICES  
SINCE 1946  
**JOHN WEST SURVEYING COMPANY**  
412 N. DAL PASO HOBBBS, N.M. 88240  
(875) 353-3117 www.jwsc.biz  
TBPLS# 10021000

- NOTES:**
- 1) BEARINGS SHOWN HEREON ARE MERCATOR GRID AND CONFORM TO THE NEW MEXICO COORDINATE SYSTEM "NEW MEXICO EAST ZONE" NORTH AMERICAN DATUM 1983. DISTANCES ARE SURFACE VALUES.
- 2) WITH RESPECT TO THE FLOOD INSURANCE RATE MAP FOR LEA COUNTY, NEW MEXICO AND INCORPORATED AREAS, PANEL 1355 OF 2150, MAP No. 35025C1355D, EFFECTIVE DATE, DECEMBER 16, 2008, THE ABOVE DESCRIBED PROPERTY LOCATED IN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., CITY OF HOBBBS, LEA COUNTY, NEW MEXICO, IS LOCATED IN ZONE D, BEING DEFINED AS AREAS IN WHICH FLOOD HAZARDS ARE UNDETERMINED, BUT POSSIBLE.
- LEGEND:**
- - DENOTES SET 1/2" STEEL ROD W/CAP MARKED "JWSC PS 12641", UNLESS NOTED OTHERWISE
  - - DENOTES FOUND 1/2" STEEL ROD W/CAP MARKED "JWSC PS 12641", UNLESS NOTED OTHERWISE
  - - DENOTES DIMENSION POINT
  - - DENOTES CENTERLINE OF ROADWAY
  - - DENOTES 10 FT. UTILITY EASEMENT
  - - DENOTES 5 FT. BUILDING SETBACK LINE
  - - DENOTES 10 FT. BUILDING SETBACK LINE
  - - DENOTES 21 FT. BUILDING SETBACK LINE

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING
C1	25.00'	39.29'	90°02'31"	S44°17'30"W
C2	25.00'	39.23'	89°53'54"	S45°40'43"E
C3	25.00'	39.31'	90°05'41"	N44°19'30"E
C4	25.00'	4.60'	10°31'53"	N05°59'18"W
C5	25.00'	16.07'	36°52'28"	S29°40'28"E
C6	54.00'	43.17'	45°48'46"	S25°11'29"E
C7	54.00'	71.09'	75°25'50"	N25°25'39"E
C8	54.00'	81.98'	86°58'48"	N41°55'37"W
C9	54.00'	42.50'	45°05'21"	S24°06'27"W
C10	25.00'	16.64'	38°07'50"	N27°35'13"E
C11	25.00'	4.03'	09°14'39"	S03°53'58"W
C12	25.00'	39.23'	89°54'19"	N45°40'31"W
C13	25.00'	39.31'	90°06'06"	S44°19'17"W

LOT AREA		
Lot #	Sq. Feet	Acres
1	5724.46	0.13
2	4397.63	0.10
3	5205.43	0.12
4	5214.73	0.12
5	5756.06	0.13
6	7256.18	0.17
7	5600.00	0.13
8	5600.00	0.13
9	5600.00	0.13
10	5600.00	0.13
11	5966.40	0.13
12	5200.01	0.12
13	5199.57	0.12
14	4409.33	0.10
15	6914.99	0.14

- TYPICAL DETAILS: LOT EASEMENTS AND SETBACKS**  
SCALE: 1" = 30'
- EASEMENT AND SETBACK NOTES:**
- 1) A TEN FOOT UTILITY EASEMENT IS HEREBY RESERVED AROUND AND WITHIN ALL LOTS ADJOINING RIGHTS-OF-WAY (EXCEPT GLORIETTA DRIVE RIGHT-OF-WAY). ALL RIGHTS-OF-WAY ARE DEDICATED THIS PLAT.
- 2) A TWO FOOT UTILITY & FENCE EASEMENT IS HEREBY RESERVED ALONG LOT LINES ADJOINING THE NORTH LINE OF THIS SUBDIVISION TRACT.
- 3) LOT FRONT SETBACK LINES ARE 21.00 FEET. LOT SIDE AND REAR SETBACK LINES ARE 5.0 FEET EXCEPT ALONG RIGHTS-OF-WAY, WHERE 10.00 FOOT SIDE SETBACK LINES APPLY.



**LIBERTY CROSSING SUBDIVISION, UNIT ONE  
TO THE CITY OF HOBBBS, LEA COUNTY, NEW MEXICO**  
LOCATED IN THE IN THE SOUTHWEST QUARTER OF SECTION 23,  
TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., CITY OF HOBBBS,  
LEA COUNTY, NEW MEXICO

**OWNER'S STATEMENT, DEDICATION AND AFFIDAVIT:**  
THE FOREGOING SUBDIVISION OF A PORTION OF TRACT 11, AS SHOWN ON THAT CERTAIN PLAT RECORDED ON AUGUST 9, 2019, IN SURVEY RECORDS BOOK 2, PAGE 584 OF THE OFFICIAL RECORDS OF LEA COUNTY, NEW MEXICO AND SITUATED WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF HOBBBS, LEA COUNTY, NEW MEXICO, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 18 SOUTH, RANGE 38 EAST, N.M.P.M., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS12641" SET AT THE SOUTHWEST CORNER OF THIS TRACT FROM WHICH A BRASS CAP IN CONCRETE AT THE SOUTHWEST CORNER OF SAID SECTION BEARS S00°43'46"E 2140.43 FEET AND S89°22'19"W 1321.42 FEET, THENCE N00°43'46"W A DISTANCE OF 530.65 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" SET FOR THE NORTHWEST CORNER OF THIS TRACT, THENCE N89°18'51"E A DISTANCE OF 60.00 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" SET FOR THE NORTHEAST CORNER OF THIS TRACT, THENCE S00°43'46"E A DISTANCE OF 80.00 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" SET FOR A CORNER OF THIS TRACT, THENCE N89°18'51"E A DISTANCE OF 257.02 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" SET FOR A CORNER OF THIS TRACT, THENCE S00°43'21"E A DISTANCE OF 281.97 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" SET FOR A CORNER OF THIS TRACT, THENCE S09°43'45"E A DISTANCE OF 57.73 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" SET FOR A CORNER OF THIS TRACT, THENCE S00°43'21"E A DISTANCE OF 112.00 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" SET FOR THE SOUTHEAST CORNER OF THIS TRACT, THENCE S89°22'20"W A DISTANCE OF 326.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 3.42 ACRES MORE OR LESS.

SAID PROPERTY IS BEING SUBDIVIDED AS THE SAME APPEARS HEREON, WITH ALL RIGHTS-OF-WAY AS SHOWN BEING DEDICATED TO THE PUBLIC, COMPRISING LIBERTY CROSSING SUBDIVISION UNIT ONE, TO THE CITY OF HOBBBS, WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER AND PROPRIETORS THEREOF. NOTICE IS HEREBY GIVEN THAT THERE HAS BEEN FILED IN THE OFFICE OF THE COUNTY CLERK OF LEA COUNTY, NEW MEXICO, CERTAIN RESTRICTIVE COVENANTS APPLICABLE TO THE ABOVE DESCRIBED PROPERTY, WHICH SAID COVENANTS ARE RECORDED ON PAGE \_\_\_\_\_ OF BOOK \_\_\_\_\_ MISCELLANEOUS RECORDS OF SAID COUNTY.

OWNER: ADALBERTO CABALLERO, MEMBER  
A & J LAND LLC

OWNER: JOSIE CABALLERO, MEMBER  
A & J LAND LLC

**ACKNOWLEDGMENT**  
STATE OF NEW MEXICO  
COUNTY OF LEA

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021 A.D.,  
BY ADALBERTO CABALLERO, A & J LAND LLC.

NOTARY PUBLIC

**ACKNOWLEDGMENT**  
STATE OF NEW MEXICO  
COUNTY OF LEA

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021 A.D.,  
BY JOSIE CABALLERO, A & J LAND LLC.

NOTARY PUBLIC

**CERTIFICATE OF APPROVAL BY THE CITY PLANNING BOARD:**  
THE PLAT, RESTRICTIONS AND DEDICATION REVIEWED AND APPROVED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021 A.D., BY THE CITY PLANNING BOARD OF HOBBBS, NEW MEXICO.

CHAIRMAN: WILLIAM M. HICKS III

**ACKNOWLEDGMENT:**  
STATE OF NEW MEXICO  
COUNTY OF LEA

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021 A.D.,  
BY WILLIAM M. HICKS III.

NOTARY PUBLIC

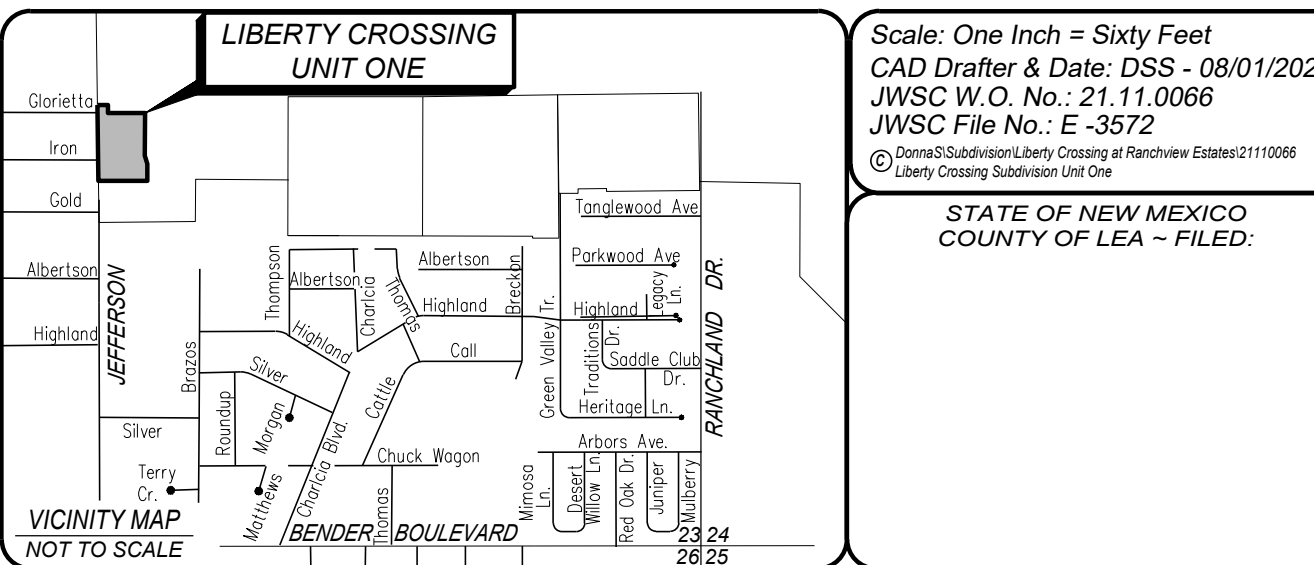
**CERTIFICATE OF MUNICIPAL APPROVAL:**  
I, JAN FLETCHER, THE DULY APPOINTED AND ACTING CITY CLERK OF THE CITY OF HOBBBS, LEA COUNTY, NEW MEXICO, DO HEREBY CERTIFY THAT THE FOREGOING PLAT OF LIBERTY CROSSING SUBDIVISION, UNIT ONE, WAS APPROVED BY THE COMMISSION OF THE CITY OF HOBBBS BY RESOLUTION No. \_\_\_\_\_ ON THE \_\_\_\_\_ OF \_\_\_\_\_, 2021 A.D.

JAN FLETCHER, CITY CLERK

**ACKNOWLEDGMENT:**  
STATE OF NEW MEXICO  
COUNTY OF LEA

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021 A.D.,  
BY JAN FLETCHER.

NOTARY PUBLIC





Phone: 877 816 2800

PO Box 32577  
Waco, Texas 76703-4200

## SUBDIVISION IMPROVEMENTS PERFORMANCE BOND

BOND NO. CNB-39630-00

KNOW ALL MEN BY THESE PRESENTS:

THAT we, ALJO Development Company, LLC, as Principal, and INSURORS INDEMNITY COMPANY, a corporation organized and doing business and under and by virtue of the laws of the State of Texas and duly licensed to conduct surety business in the State of Texas, as Surety, are held and firmly bound unto City of Hobbs, as Obligee, in the sum of Two Hundred and Eighty-One Thousand Nine Hundred and Twenty-Five Dollars and Fifty-Seven Cents Dollars (\$ 281,925.57 ) for which payment, well and truly to be made, we bind ourselves, our heirs, executors and successors, jointly and severally firmly by these presents.

THE CONDITION OF THE OBLIGATION IS SUCH THAT:

WHEREAS, the above named Principal, has agreed to construct in Liberty Crossing, Subdivision, in Hobbs the following improvements: Liberty Crossing - Unit 1 & Jefferson, Paving & Concrete.

NOW, THEREFORE, the condition of this obligation is such, that if the above Principal shall well and truly perform said agreement or agreements during the original term thereof or of any extension of said term that may be granted by the Obligee with or without notice to the Surety, this obligation shall be void, otherwise it shall remain in full force and effect.

IN WITNESS WHEREOF, the seal and signature of said Principal is hereto affixed and the corporate seal and the name of the said Surety is hereto affixed and attested by its duly authorized Attorney-in-Fact, this 7th day of October, 2021.

ALJO Development Company, LLC

Principal

BY: \_\_\_\_\_

INSURORS INDEMNITY COMPANY

BY: \_\_\_\_\_

William W. Burke

Attorney-in-Fact



**POWER OF ATTORNEY of INSURORS INDEMNITY COMPANY  
Waco, Texas**

**KNOW ALL PERSONS BY THESE PRESENTS:**

**Number:** CNB-39630-00

That INSURORS INDEMNITY COMPANY, Waco, Texas, organized and existing under the laws of the State of Texas, and authorized and licensed to do business in the State of Texas and the United States of America, does hereby make, constitute and appoint

William W. Burke of the City of Las Cruces, State of NM

as Attorney in Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, all of the following classes of document, to-wit:

Indemnity, Surety and Undertakings that may be desired by contract, or may be given in any action or proceeding in any court of law or equity; Indemnity in all cases where indemnity may be lawfully given and with full power and authority to execute consents and waivers to modify or change or extend any bond or document executed for this Company.

INSURORS INDEMNITY COMPANY

Attest:

Tammy Tieperman  
Tammy Tieperman, Secretary

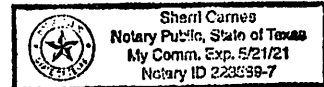
By:

Dave E. Talbert  
Dave E. Talbert, President

State of Texas  
County of McLennan

On the 11<sup>th</sup> day of November, 2014, before me a Notary Public in the State of Texas, personally appeared Dave E. Talbert and Tammy Tieperman, who being by me duly sworn, acknowledged that they executed the above Power of Attorney in their capacities as President, and Corporate Secretary, respectively, of Insurors Indemnity Company, and acknowledged said Power of Attorney to be the voluntary act and deed of the Company.

Sheri Carnes  
Notary Public, State of Texas



Insurors Indemnity Company certifies that this Power of Attorney is granted under and by authority of the following resolutions of the Company adopted by the Board of Directors on November 11, 2014:

RESOLVED, that all bonds, undertakings, contracts or other obligations may be executed in the name of the Company by persons appointed as Attorney in Fact pursuant to a Power of Attorney issued in accordance with these Resolutions. Said Power of Attorney shall be executed in the name and on behalf of the Company either by the Chairman and CEO or the President, under their respective designation. The signature of such officer and the seal of the Company may be affixed by facsimile to any Power of Attorney, and, unless subsequently revoked and subject to any limitation set forth therein, any such Power of Attorney or certificate bearing such facsimile signature and seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signature and seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorneys in Fact shall have the power and authority, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and any such instrument executed by such Attorneys in Fact shall be binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary or Assistant Secretary of the Company.

I, Tammy Tieperman, Secretary of Insurors Indemnity Company, do hereby certify that the foregoing is a true excerpt from the Resolutions of the said Company as adopted by its Board of Directors on November 11, 2014, and that this Resolution is in full force and effect. I certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Witness Whereof, I have set my hand and the seal of INSURORS INDEMNITY COMPANY on this 7th day of October, 2021

Tammy Tieperman  
Tammy Tieperman, Secretary

NOTE: IF YOU HAVE ANY QUESTION REGARDING THE VALIDITY OR WORDING OF THIS POWER OF ATTORNEY, PLEASE CALL 800 933 7444 OR WRITE TO US AT P. O. BOX 32577, WACO, TEXAS 76703 OR EMAIL US AT [BONDDPT@INSURORSINDEMNITY.COM](mailto:BONDDPT@INSURORSINDEMNITY.COM).



Phone: 877 816 2800

PO Box 32577

Waco, Texas 76703-4200

## IMPORTANT NOTICE - AVISO IMPORTANTE

To obtain information or make a complaint:

You may call Insurors Indemnity Company's toll-free telephone number for information or to make a complaint at:

1-877-816-2800

You may also write to Insurors Indemnity Company at:

P.O. Box 32577  
Waco, TX 76703-4200  
Or  
225 South Fifth Street  
Waco, TX 76701

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at

1-800-252-3439

You may write the Texas Department of Insurance at:

Consumer Protection (111-1A)  
P.O. Box 149091  
Austin, TX 78714-9091  
Fax: 512-490-1007

Web: <http://www.tdi.texas.gov>

E-mail: [ConsumerProtection@tdi.texas.gov](mailto:ConsumerProtection@tdi.texas.gov)

### PREMIUM OR CLAIM DISPUTES:

Should you have a dispute concerning your premium or about a claim, you should contact the agent or the company first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

### ATTACH THIS NOTICE TO YOUR POLICY:

This notice is for information only and does not become a part or condition of the attached document.

Para obtener informacion o para someter una queja:

Usted puede llamar al numero de telefono gratis de Insurors Indemnity Company's para informacion o para someter una queja al

1-877-816-2800

Usted tambien puede escribir a Insurors Indemnity Company:

P.O. Box 32577  
Waco, TX 76703-4200  
O  
225 South Fifth Street  
Waco, TX 76701

Puede comunicarse con el Departamento de Seguros de Texas para obtener informacion acerca de companias, coberturas, derechos o quejas al

1-800-252-3439

Puede escribir al Departamento de Seguros de Texas:

Consumer Protection (111-1A)  
P.O. Box 149091  
Austin, TX 78714-9091  
Fax: 512-490-1007

Web: <http://www.tdi.texas.gov>

E-mail: [ConsumerProtection@tdi.texas.gov](mailto:ConsumerProtection@tdi.texas.gov)

### DISPUTAS SOBRE PRIMAS O RECLAMOS:

Si tiene una disputa concemiente a su prima o a un reclamo, debe comunicarse con el agente o la compania primero. Si no se resuelve la disputa, puede entonces comunicarse con el departamento (TDI).

### UNA ESTE AVISO A SU POLIZA:

Este aviso es solo para proposito de informacion y no se convierte en parte o condicion del documento adjunto.



October 7, 2021

Mr. Todd Randall  
City Engineer  
City of Hobbs  
200 E. Broadway  
Hobbs, New Mexico 88240

Re: **Liberty Crossing Unit 1**  
**Hobbs, New Mexico**

Dear Mr. Randall:

Periodic inspection indicates that the construction to date which includes all utility work has been completed pursuant to the plans, and specifications.

Remaining is the paving and concrete work itemized on the attached spread sheet.

I estimate this work will cost \$281,925.57 to complete.

If you have any questions regarding the project, please contact our office.

Sincerely,

the Ross Group

Philip L. Ross, PE

Cc: Kevin Robinson

	UNIT I LA BREA AVE. AND SABRITA CR.				
1	6" SUB-GRADE PREPARATION	2,124	SY	\$2.00	\$4,248.00
2	6" BASE COURSE	2,124	SY	\$9.96	\$21,155.04
3	PRIME PEP (0.25	2,124	SY	\$1.27	\$2,697.48
4	2" HOT-MIX SP IV	2,124	SY	\$11.90	\$25,275.60
5	VALLEY GUTTERS				\$2,340.00
6	FILLETS				\$3,360.00
7	MH & VALVE ADJUSTMENTS				\$1,180.00
8	CURB & GUTTER	1121	LF	\$21.00	\$23,541.00

SUBTOTAL	\$83,797.12
GRT	\$5,708.68
TOTAL	\$89,505.80

	JEFFERSON				
1	6" SUB-GRADE PREPARATION	7,020	SY	\$2.00	\$14,040.00
2	6" BASE COURSE	7,020	SY	\$13.35	\$93,717.00
3	PRIME PEP (0.25	7,020	SY	\$1.27	\$8,915.40
4	2" HOT-MIX SP IV	7,020	SY	\$17.86	\$125,377.20
5	VALLEY GUTTERS				\$2,340.00
6	FILLETS				\$3,360.00
7	MH & VALVE ADJUSTMENTS				\$0.00
8	CURB & GUTTER	1400	LF	\$21.00	\$29,400.00

SUBTOTAL	\$277,149.60
GRT	\$18,880.82
TOTAL	\$296,030.42

<b>GRAND TOTAL</b>			<b>\$385,536.22</b>
Minus 50% of Jefferson	50%		\$148,015.21
X 130 of the 50%	130%		\$192,419.77
Plus Unit 1 totals			\$89,505.80
Bond amount needed			<b>\$281,925.57</b>