

AGENDA
City of Hobbs Planning Board – Regular Meeting
December 17th, 2024 at 10:00 AM

W.M. “Tres” Hicks, Chairman
Bill Ramirez
Brett Drennan
Larchinee Turner

Guy Kesner, Vice Chairman
Ben Donahue
Brett Clay

Tentative Agenda for the Planning Board Regular Session Meeting to be held on Tuesday, December 17th, 2024 at 10:00 AM, at the City of Hobbs Annex Building, First Floor Commission Chambers located at 200 E. Broadway, Hobbs, NM 88240.

AGENDA

Call To Order and Roll Call.

- 1) **Review and Consider Approval of Agenda.**
- 2) **Review and Consider Approval of Minutes.**

November 19th, 2024 – Regular Meeting

Communications from Citizens. (3-minute limit per citizen).

ACTION ITEMS

- 3) **Review and Consider the Setback Variance for 309 W Berry Drive.**
- 4) **Review and Consider the Variance for a minimum frontage for 2908 W. Pinson Rd.**
- 5) **Review and Consider the Sketch Plan for South 40 for approval.**
- 6) **Review and Consider the 2025 Planning Board Calendar.**

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 575-397-9232.

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

PLANNIG BOARD MEETING MINUTES 11/19/2024

**PLANNING BOARD REGULAR MEETING
MINUTES
NOVEMBER 19, 2024**

The Hobbs Planning Board met on November 19, 2024, at 10:00 a.m. at the 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:

W.M. “Tres” Hicks, Chairman
Guy Kesner, Vice Chairman
Larchinee Turner
Bill Ramirez

Members Absent

Brett Clay
Ben Donahue
Brett Drennan

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

Todd Randall, Assistant City Manager	Anthony Henry, City Engineer
April Hargrove, Engineering Assistant	Mellisa Serrano, Building Assistant
Bruce Reid, Lea County Planner	
Medjine Desrosiers-Douyon, Deputy City Attorney	
8 Citizen(s)	

Call to Order and Roll Call

Ms. April Hargrove, Engineering Assistant, did a roll call for members as follows:

Mr. Ramirez-yes, Ms. Turner-yes, Mr. Kesner-yes, Mr. Drennan-absent, Mr. Clay-absent, Mr. Donahue-absent, and Mr. Hicks-yes. There were four members present at the meeting.

Mr. Hicks called the meeting to order at 10:00 a.m.

1.) Review and Consider Approval of Agenda

The first item of business was to review and approve the agenda for the November 19, 2024, regular meeting. Mr. Kesner asked if there were any additions or changes to the agenda. Mr. Randall removed Item 10 from the agenda and stated that there are no policy changes to review at this time. Mr. Ramirez made a motion, seconded by Ms. Turner to approve the agenda as amended. The vote on the motion was 4-0 and the motion carried.

2.) Review and Consider Approval of Minutes

Mr. Hicks asked if everyone had a chance to read the Regular Meeting Minutes from October 15, 2024. Mr. Kesner made a motion, seconded by Mr. Ramirez to approve the Regular Meeting Minutes as presented. The vote was recorded as follows: Ramirez yes, Kesner yes, Clay absent, Donahue absent, Turner yes, Drennan absent, Hicks yes. The vote on the motion was 4-0 and the motion carried.

Communications from Citizens

There were no communications from citizens.

Action Items

3) Review and Consider Replat for Tract 2 Playa Escondida Subdivision.

Mr. Randall stated this is a replat for Playa Escondida Subdivision Tract 2. He stated this is a new subdivision located just east of Dal Paso and south of Yeso. Initially, this area was planned as part of the Escondida apartment complex, designated as Unit 2. However, the property was sold to Mr. John Lemke, who intends to develop it into single-family housing. Mr. Randall stated staff has reviewed the plans, addressing most comments. Only minor revisions remain. He stated the development will create 18 additional single-family lots. Some lots will front Yeso Street. He further stated plans include the construction of a cul-de-sac and the extension of water and sewer utilities to serve the new lots.

Mr. Randall stated part of the property lies within a floodplain. Instead of using on-site retention/detention systems, the developer will tie into the existing storm drain system to handle surface water, helping to alleviate flooding at the intersection of Jefferson and Yeso.

Mr. Randall discussed fencing and stated a full fence will be built along the east boundary of the property to serve as a buffer between the new residential lots and the existing apartment complex. He stated that fencing is typically required for new apartments adjacent to residential areas, the developer is voluntarily installing this fence for houses built next to the complex.

In response to Mr. Ramirez's question regarding the utilities, Mr. Randall stated all dry utilities will be installed underground.

Mr. Ramirez asked if there is enough space for a trash truck in the cul-de-sac. Mr. Randall stated the cul-de-sac is large enough for trash trucks to maneuver, provided there is no on-street parking.

Mr. Jeremy Baker, with Square Root Services, addressed the issue of rear trash access for the lots on the south side, explaining that it would depend on Waste Management's servicing plan. He also discussed the existing alley, describing it as overgrown and difficult to navigate. As part of this development, the alley will be cleared of trees and vegetation. Additionally, the current 3-inch AC water line in the alley will be replaced and upgraded to a larger size.

Mr. Hicks asked if there are any variances, and Mr. Randall's stated there are no variances.

Mr. Ramirez made a motion to approve the preliminary plan for Playa Escondida Tract 2, seconded by Ms. Turner. The vote on the motion was 4-0 and the motion carried.

Mr. Kesner commended Mr. Lemke for his initiative to utilize vacant infill land for new residential lots, highlighting the value of maximizing existing city infrastructure.

4) Review and Consider a Variance for a Commercial Sign located at 6010 N Lovington Highway.

Mr. Randall stated this is a variance request for a commercial sign at Swift Stop. He stated the Swift Stop, located at Lovington Highway and College Lane, has requested a variance for a 75-foot freestanding sign, exceeding the city's 35-foot maximum height limit. Mr. Randall stated historically, the Planning Board has not approved height variances for freestanding signs. Mr. Randall stated the Highway Department only permits outdoor advertisement and does not allow freestanding signs on highways, leaving approval to the City. Mr. Randall explained Swift Stop has enough frontage to allow two freestanding signs. One will be the 75-foot sign, while the second will comply with the 35-foot limit.

Mr. Brannon New, with Clovis Sign Service, explained that the taller sign is necessary to improve visibility for southbound traffic, especially for diesel truck drivers. He stated the sign aims to ensure trucks can decelerate safely and access the site via College Lane without disrupting traffic flow on Lovington Highway.

Ms. Sarah McKinnon, co-owner of Swift Stop, detailed their efforts to align their plans with the City's future roadway developments. She stated this includes modifying their truck diesel island layout and dedicating a portion of their property to the City to facilitate safer turns. She stated the ultimate goal is to direct truck traffic through College Lane and away from Lovington Highway, minimizing congestion and improving safety for all users.

Mr. Randall discussed the potential traffic restrictions, such as "right-in, right-out" access on College Lane, and the impact of the variance on visibility.

Mr. Hicks noted the site's location on the edge of town, where higher-speed traffic requires greater sign visibility. Mr. Hicks asked if the request had any public opposition. Mr. Randall stated there has not been any public opposition. Mr. Hicks agreed that the rationale for the taller sign is valid, considering its location and purpose.

Mr. Kesner made a motion to approve the variance, seconded by Mr. Ramirez. The vote on the motion was 3-0, with Mr. Hicks abstaining from the vote.

Mr. Hicks disclosed his abstention from the vote is due to his employer being involved with the project.

5) Review and Consider Multiple Variances for 200 S Turner Street, which include a Parking Variance, Building Setback Variance, and Allowance for Parking in Right of Way.

Mr. Randall stated this a request for multiple variances for 200 S. Turner. He stated the property includes an existing building downtown at Turner and Dunnam. He stated based on the code analysis, approximately 250 parking spaces are necessary for full occupancy of the building. The property owner plans to improve the lot to the east for additional parking, but even with

these improvements, the parking will fall short of the required amount.

Mr. Randall explained there is a 35-foot setback on Turner Street, but given the downtown district's unique characteristics, this may require reconsideration. He stated most structures along Broadway and Dunnam have zero setbacks, which suggests the need to review and possibly revise setback requirements for this area. For this project, a setback variance will likely be required, as it involves substantial improvements to the building.

Mr. Randall discussed the parking and stated some public parking is available downtown, including across the street and at nearby public lots. The location includes angle parking on Dunnam and adjacent street parking. He stated the owner is maximizing parking on-site but recognizes it won't fully meet demand.

In response to Mr. Kesner's question, Mr. Randall explained the proposed use of the building is an event space. He detailed it at 15,000 square feet, occupancy calculations indicate a potential capacity of up to 994 people, assuming a mix of tables, chairs, a dance floor, and a stage. However, this is based on conservative calculations for assembly spaces, which require one parking space for every four occupants. For comparison, if the building were used as retail space, it would require only 88 spaces. Mr. Randall stated the assembly classification drives the higher parking requirement.

Mr. Randall stated the owner plans to provide 83 parking spaces on-site, with additional reliance on nearby public parking, which includes 100 spaces in the public lot and surrounding street parking. He stated the calculations assume full occupancy, such capacity is unlikely to be used at all times. Additionally, event hours are expected to differ from retail hours, reducing potential conflicts over parking.

Mr. Randall addressed the ongoing issue of downtown parking, as many businesses rely on public parking or on-street options. Mr. Kesner mentioned that venues and facilities like the Boys and Girls Club face similar parking challenges but have managed through shared use of public spaces. Mr. Randall acknowledges these concerns and the efforts to maximize parking. Mr. Kesner stated despite the challenges, the project is seen as a positive infill development for the community. Mr. Hicks suggested that the City consider a new public parking space. He stated there is available land that isn't suitable for any other uses.

Mr. Kesner made a motion to approve variances for both parking and setbacks along Turner and Dunnam. Ms. Turner seconded the motion, and the vote passed 3-0, with Mr. Hicks abstaining.

Mr. Hicks disclosed his affiliation with the project, explaining that is the reason for his abstention from the vote.

6) Review and Consider a Building Setback and Parking Variance for Potential Commercial Development located at 1425 N Turner Street.

Mr. Randall stated this a request for a variance request for a building setback and parking for a

potential commercial development located at 1425 N. Turner St. He stated currently, there is a water kiosk at the location. Mr. Randall provided an aerial view of the location. He stated this area features a significantly oversized right-of-way. Most of the surrounding buildings were constructed before setback requirements were introduced through the Major Thoroughfare Plan. He stated some modifications have been made and the building has been pushed back as far as possible. He stated staff requested a minimum setback of 20 feet. He further stated this ensures driving lanes stay out of the area and allows for a potential future dual-use lane, such as a right-turn lane, to help ease through-traffic on Turner. Mr. Randall stated this would create a total setback of 35 feet from the property line, though the final setback proposed here is closer to 23 feet. He stated these adjustments have already been made.

Mr. Randall stated the proposed development is for Seven Brew, a coffee drink establishment. It will be a purely drive-through operation with no indoor seating or customer parking. Shared parking for employees will be arranged with the adjacent strip mall property, which is part of the Broadmoor shopping center, a contiguous property. He stated the water kiosk will also be relocated to an adjacent site.

Mr. Kesner asked how far is the Broadmoor tower setback? Mr. Randall stated the Broadmoor tower is set back approximately 40–45 feet from the street.

Mr. Randall explained the drive-through setup includes dual lanes with a bypass lane. The adjacent building will serve as storage and may house an additional cooler. Notably, the right-of-way remains under city control, meaning it can be repurposed if necessary for future needs.

Mr. Hicks asked if the drive-through lanes within the right-of-way? Mr. Randall responded yes, at least one of the drive-through lanes will be located within the right-of-way. This is consistent with other businesses along Turner, such as Wienerschnitzel and Taco Villa, where parking or driving lanes also encroach into the right-of-way.

Mr. Randall stated staff supports this proposal because the developer has addressed concerns by pushing the drive-through lanes and building as far back as possible. Additionally, the project includes the construction of a sidewalk as part of the development.

Mr. Hicks asked if the building could be moved back an additional 10 feet to avoid placing the drive-through lane within the right-of-way? Mr. Randall stated the building could be moved back.

Mr. Kesner made a motion to approve the variance request, with a recommendation that the building be moved back further to remove at least one drive-through lane from the right-of-way. Ms. Turner seconded the motion, and the vote passed 3-0, with Mr. Hicks abstaining.

7) Review and Consider a Variance for the Side Yard Setback for 101 E Albertson.

Mr. Randall stated this is a request for a side yard setback for 101 E. Albertson. He explained this request pertains to a duplex at the intersection of Fowler Street and Albertsons. The proposed structure is 72 feet in width facing Fowler Street. Mr. Randall provided some

background on this matter. Mr. Randall stated there appears to have been some misunderstanding regarding the side yard setback requirement on collector roadways. Initially, the applicant was informed that there is only a 10-foot setback off of Fowler Street. However, per the City's major thoroughfare plan, the requirement is actually a 20-foot setback for side yards on collector roadways.

Mr. Randall explained the side yard setback depends on the type of road adjacent to the property and whether the yard is classified as front or side. In this case, the side yard setback should be 20 feet. However, when the plans were submitted, part of the proposed building encroached into an easement. He stated the City does not permit structures to encroach into easements. Mr. Randall stated upon review, staff advised the applicant that the building must be completely outside the easement. If the building is shifted to comply, the requested setback would be reduced to six feet off Fowler Street.

Mr. Randall explained that the applicant had previously understood that only a 10-foot setback was required, but this was based on outdated or misinterpreted guidance from the staff. When staff reassessed the situation, it became clear the request needed to align with current regulations.

Mr. Randall discussed the two mobile homes on Lot 8B, both of which appear to encroach beyond the setback requirements. Those mobile homes have driveways between them, but they appear to be parking within the right-of-way. Future issues might arise for Lot 8A or Lot 8B regarding parking, especially if fencing is added.

Mr. Hicks commented about there being approximately 20 feet between the curb and the property line. He stated if the street ever needs to expand, there is sufficient room to add lanes without encroaching on private property.

Mr. Randall explained historically, setback and driveway regulations for collector roadways have been inconsistently enforced, leading to challenges in such cases.

Mr. Hicks stated the project aligns with the City's goal of promoting infill development to address housing needs. The duplex plan does not hinder Fowler Street's future development. Mr. Kesner agreed.

Mr. Kesner made a motion to approve the setback variance to six feet, seconded by Mr. Ramirez. The vote on the motion was 4-0 and the motion carried.

8) Review and Consider a Variance for the Side yard Setback for 1321 Breeze, Lot 13 Unit 2 of Trinity Estates.

Mr. Randall stated this is a request for a side yard setback variance off of Fiesta Dr. and Breeze. He explained this is the same floor plan that the Planning Board approved previously. Mr. Randall explained the issue is the three-car garage, which prevents meeting the required 10-foot setback from the property line. Instead, the setback will be 7 feet, 3.5 inches. Mr. Randall noted residential fences are not restricted and can extend to the parking lot. He clarified the

property will be 17 feet from the back of the curb and 7 feet from the property line.

Mr. Randall stated Fiesta isn't fully developed yet, but this would be for a corner lot. The intersection at Fiesta will be a T-intersection and is not going to extend north. He stated the Board has approved this kind of variance before.

Mr. Kesner made a motion to approve the setback variance at 1321 Breeze, Lot 13 Unit 2 of Trinity Estates, seconded by Ms. Turner. The vote on the motion was 4-0 and the motion carried.

9) Review and Consider a Variance for the Front Yard Setback for 2515 N Houston Street.

Mr. Randall stated this is a request for a front yard setback variance at 2515 N. Houston. He stated the property owner is requesting a variance for a 5-foot setback (15' from the back of curb (pavement)) at 2515 North Houston. Mr. Randall explained the unique aspect of this area is that overhead power lines run behind the properties, creating what appears to be an alley, although there is no official city easement for this space. He stated Xcel Energy was contacted regarding the utilities, and there is an existing utility pole at the rear of the property. Mr. Randall stated Xcel requires a 30-foot easement. He further stated with the easement in place and the size of the mobile home, the property owner is requesting a 5-foot setback from the property line (15' from BOC). This would place the structure at a similar distance to other properties in the area that have encroachments.

Mr. Hicks asked about the parking arrangement for the property. Mr. Randall stated the mobile home parking will be adjacent to the structure rather than in front. He explained that Houston Street in this area has a typical right-of-way width, approximately 40 feet instead of the standard, meaning the effective setback would be closer to 5 feet if the full right-of-way were in place.

Mr. Hicks inquired about whether the site plan includes sufficient off-street parking for at least two vehicles. Ms. Casey Gonzalez, property owner, confirmed there is ample parking space. Ms. Gonzalez stated there is a 22-foot gap between structures and additional room in front of a storage building, which will remain on the property. This provides sufficient space for side-by-side parking.

Mr. Kesner requested a ground view of the property. Ms. Gonzalez clarified that the smaller storage building and car previously present on-site have been removed, leaving open parking space.

Mr. Hicks made a recommendation to allow space for three on-site parking spots to prevent having to park on the street. Mr. Kesner commented it would prevent congestion on the narrow street. Ms. Gonzalez confirmed that the site could accommodate three or more vehicles if necessary.

Mr. Kesner made a motion to approve the variance request with the condition that the

property provides three on-site parking spaces. Mr. Ramirez seconded the motion. The vote on the motion was 4-0 and the motion carried.

10) Review and Consider a Revised Fence Policy.

This Item was removed from the agenda.

Discussion

Mr. Randall stated the discussion regarding the fence policy will be postponed to a future meeting. He stated staff is evaluating a proposal regarding property line fencing. Currently, fences must be set two feet from the property line and can only reach six feet tall after 21 feet. The new proposal suggests allowing four-foot see-through fences (chain link, wrought iron, etc.) directly at the property line to address frequent requests. This would eliminate the need for a 10-foot setback to build a four-foot fence. Mr. Randall stated the challenge lies in ensuring aesthetics, especially in subdivisions without front-yard fences while addressing the community's desire for property-line fencing.

Mr. Randall discussed excess right-of-way fencing. He stated in areas with wide right-of-ways (e.g., 80-100 feet), current rules restrict fencing at the property line, requiring up to 30 feet of clearance from the curb. Mr. Randall stated staff suggests an administrative variance to allow fencing in excess right-of-ways under specific criteria such as; Ensuring access to utilities and avoiding obstructions; Clear understanding that the fence may need to be relocated if the city requires access; Reducing enforcement issues caused by unpermitted fences.

Mr. Hicks discussed housing development opportunities. He asked if vacating excess right-of-way could encourage infill housing projects, particularly in older neighborhoods with narrow lots (e.g., 25 feet). Mr. Randall explained some locations could allow adjacent property owners to purchase small portions of excess land that could create buildable lots (e.g., for manufactured homes with a 35-foot minimum width).

Mr. Kesner discussed funding collector roads. He asked if it would make sense for the City to consider temporarily increasing sales tax to fund these roads. The City could then recapture those funds later through impact fees. He stated while impact fees aren't strictly necessary, they could serve as a way to reimburse the City. Once the fund is replenished, the sales tax could be reduced or redirected to other projects.

Mr. Randall stated the City currently has a revenue stream shared with utilities, the infrastructure tax, which funds many of our development agreements. Looking ahead, this tax will likely play a larger role in utility projects, such as the \$35 million water and sewer master plan for the next five years. He stated as a ratepayer, I don't believe residents should shoulder the costs of new development or expansion. Rates should cover maintaining current service levels and replacing aging infrastructure, not funding new water towers or trunk lines. That's where the infrastructure tax comes in to cover expansion costs.

Mr. Randall explained the Del Norte Parkway is partially funded through county housing incentive money because it serves a residential area. Mr. Randall stated Lubbock has taken a

similar approach but has gone further by participating in off-site infrastructure projects like water and sewer lines. He stated they have developed a rate structure where developers pay a portion upfront, but as additional users connect to the system, they reimburse the fund. Recently, Lubbock has explored implementing impact fees to sustain these programs.

Mr. Randall stated the City of Hobbs Commissioners might explore increasing gross receipts tax (GRT) to fund quality-of-life improvements, which often require subsidies as they're built. Mr. Hicks commented that using GRT to create a fund is advantageous because it spreads costs across all sales, not just residential. Additionally, some GRT revenue comes from non-residents, such as travelers and businesses.

Mr. Hicks stated ultimately, someone has to pay for these improvements. Using GRT spreads the cost more broadly and fairly since it includes contributions from retail and commercial sectors. He stated understanding where GRT revenue comes from affects who it impacts.

Adjournment

The meeting adjourned at 11:28 a.m.

W.M. "Tres" Hicks, Chairman

Review and Consider the Setback Variance for 309 W Berry Drive



CITY OF HOBBS

PLANNING BOARD STAFF SUMMARY FORM

MEETING DATE: DECEMBER 17TH, 2024

SUBJECT: REVIEW AND CONSIDER A SETBACK VARIANCE FROM 309 W BERRY DRIVE.

DEPT. OF ORIGIN: Planning Department
DATE SUBMITTED: December 11th, 2024
SUBMITTED BY: Kristalyn Seepersad, Planning Project Manager

Summary:

The Property Owner has requested a Side yard Setback Variance for their home. Their side yard is located off Turner Street, which is a Minor Arterial street and requires a 35' side yard setback from the property line. The Property Owner is requesting to be 10' off the Property line.

Staff Recommendations:

Planning Department:

Staff has no objections to these documents. Staff recommends the Board considers approval/denial for the attached documents.

Attachments:

- Site Plan

SUBJECT EDGAR OMTOROS (505-228-4454)

PROJECT

PAGE

CLIENT 309 W BERRY DR

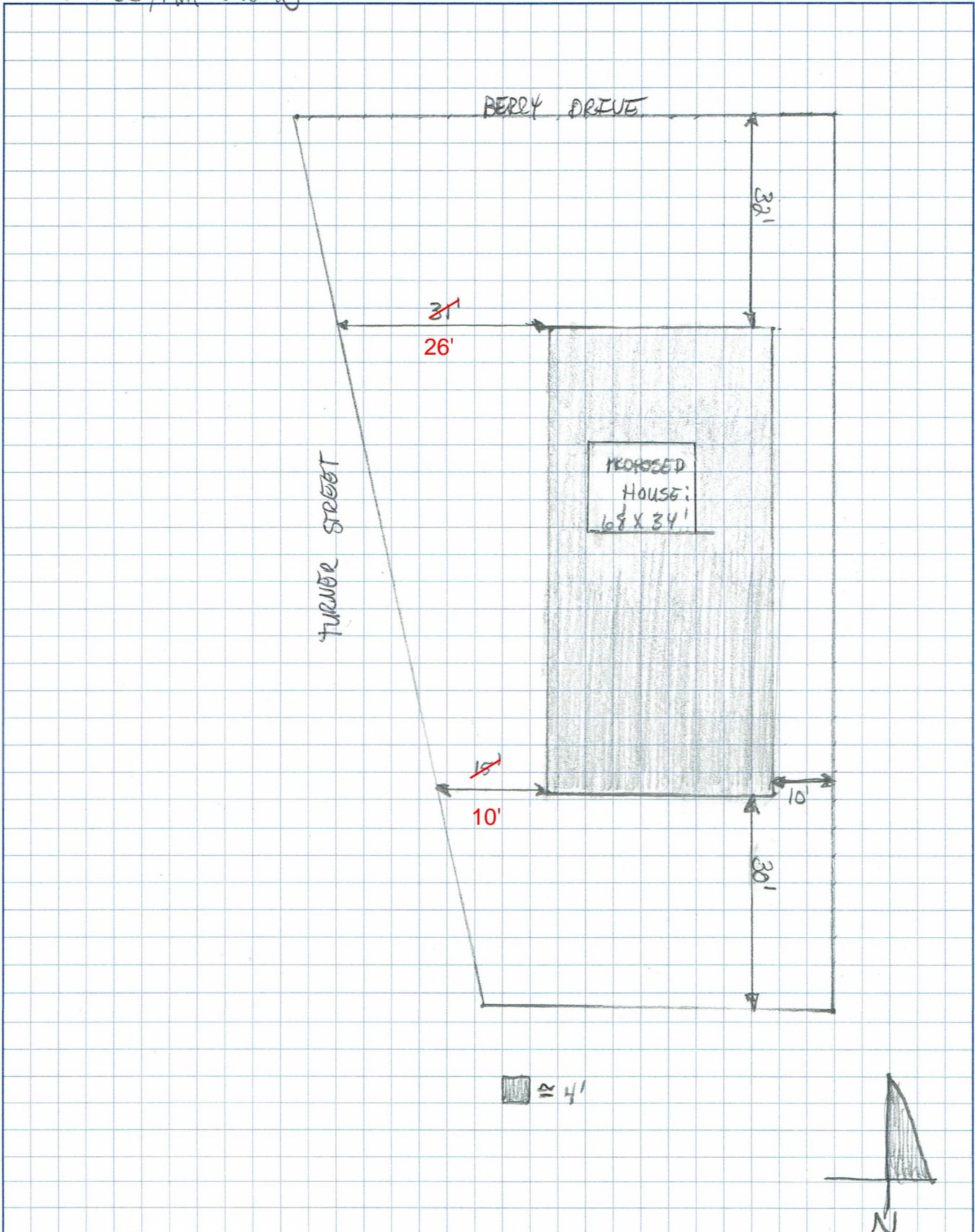
DATE

BY

HOBBS, NM 88240

CHECKED

BY



Review and Consider the Variance for a minimum frontage for 2908 W. Pinson Rd



CITY OF HOBBS

PLANNING BOARD STAFF SUMMARY FORM

MEETING DATE: DECEMBER 17TH, 2024

SUBJECT: REVIEW AND CONSIDER THE VARIANCE FOR A MINIMUM FRONTAGE FOR 2908 W. PINSON ROAD.

DEPT. OF ORIGIN: Planning Department
DATE SUBMITTED: December 11th, 2024
SUBMITTED BY: Kristalyn Seepersad, Planning Project Manager

Summary:

The Property Owner is requesting a variance to allow for the frontage of his proposed subdivided lot to be 26'. Per City Ordinance, the minimum frontage required is 35'.

Staff Recommendations:

Planning Department:

Staff has no objections to these documents. Staff recommends the Board considers approval/denial for the attached documents.

Attachments:

- Site Plan

2908 W. Pinson Rd



Water well is 30' from the east property line

City of Hobbs min. frontage is 35'

Variance should not be allowed for anything less than 26', which is the width for aerial fire apparatus

© All EagleView Technology Corporation

Customer wants to split his tract. Because of the location of an existing water well the narrow portion will only be 20' wide. Will you approve?

02/11/2023

Review and Consider the Sketch Plan for South 40 for approval



CITY OF HOBBS

PLANNING BOARD STAFF SUMMARY FORM

MEETING DATE: DECEMBER 17TH, 2024

SUBJECT: REVIEW AND CONSIDER THE SKETCH PLAN FOR SOUTH 40 FOR APPROVAL.

DEPT. OF ORIGIN: Planning Department
DATE SUBMITTED: December 11th, 2024
SUBMITTED BY: Kristalyn Seepersad, Planning Project Manager

Summary:

The Developer has proposed a Sketch Plan for the South 40 development to be reviewed by the Planning Board.

Staff Recommendations:

Planning Department:

Staff has no objections to these documents. Staff recommends the Board considers approval/denial for the attached documents.

Attachments:

- Site Plan Unit 1
- Restrictive Covenants
- Fire Protection Plan
- South 40 Disclosure

SOUTH FORTY SUBDIVISION - UNIT 1

A TYPE FIVE SUBDIVISION

LOCATED IN THE NORTH HALF OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 38 EAST, N.M.P.M., LEA COUNTY, NEW MEXICO



7921 N World Dr.
Hobbs, NM 88242-9032
SquareRootservices.net
575-231-7347

TYPE OF SURVEY:
TYPE 5 SUBDIVISION

OF

PROJECT NAME:
**SOUTH FORTY SUBDIVISION
UNIT 1**

FOR

CLIENT:
YMH, INC

PROJECT NUMBER:
22050

PROJECT SURVEYOR:
Jeremy Baker, PS

DRAWN BY:
Kendall Goad

INDEXING INFORMATION
FOR COUNTY CLERK

OWNER:
YHC, INC

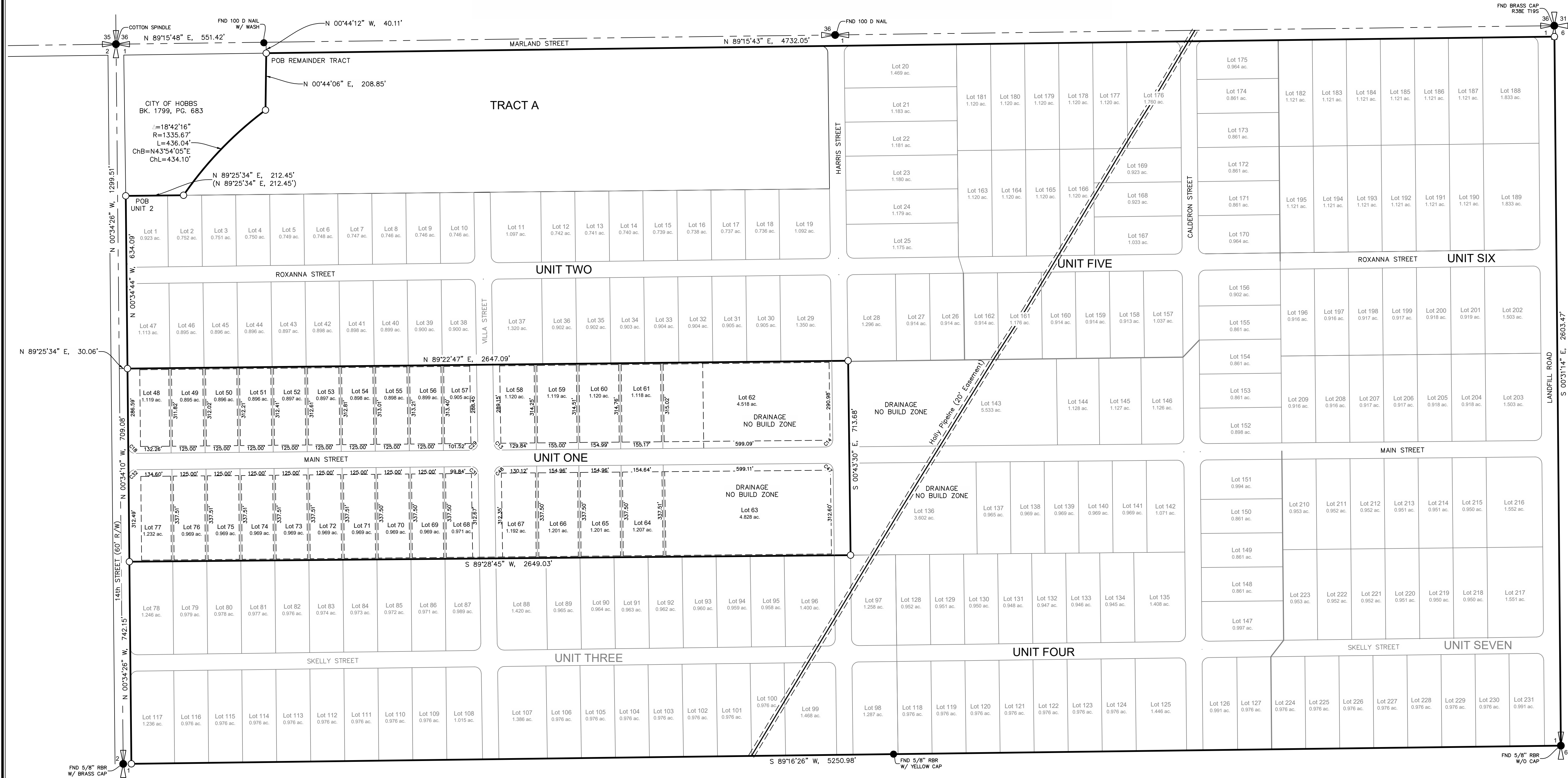
LOCATION:
**N/2 of Sec 1,
Township 19 South, Range 38 East,
N.M.P.M., Lea County New Mexico**

State of New Mexico, County of Lea, I here by
certify that this instrument was filed for record on:

LEGEND

- Set 5/8 inch rebar w/blue plastic cap marked "Baker NM PS 25773" unless otherwise noted
- Found monument as noted
- Utility Pole
- X—X— Fence
- O—H— O-H Electric Line
- ⊕ Found Section Corner
- ⊙ Found Quarter Corner

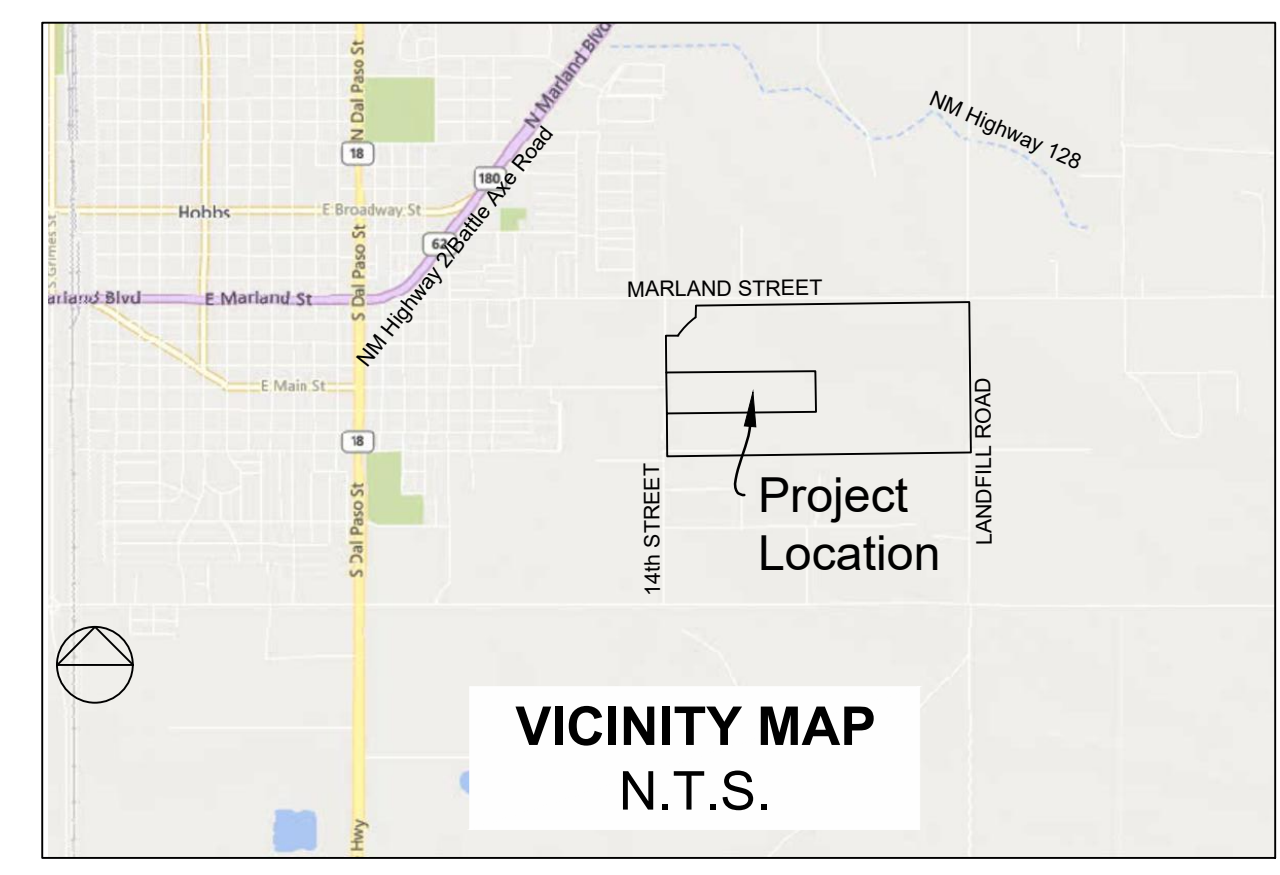
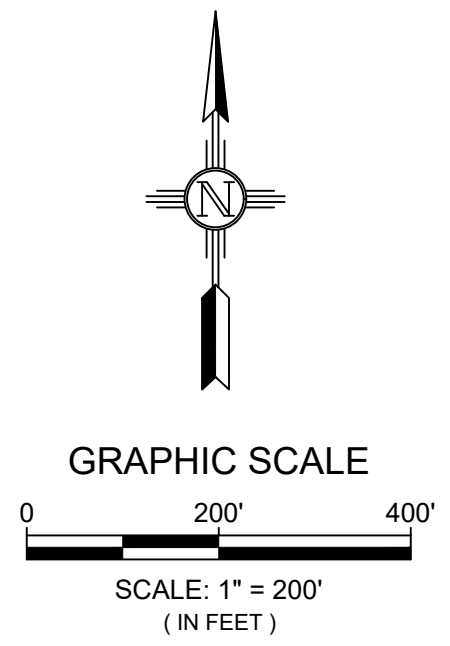
XX"XXX' XX.XX' Measured bearing and distance
XX"XXX' XX.XX' Record bearing and distance



- NOTE:**
- FLOOD ZONE INFORMATION PER FLOOD INSURANCE RATE MAP 35025C1355D, EFFECTIVE DECEMBER 16, 2008. ZONE D
 - BUILDING SETBACKS FROM STREET LINES SHALL BE 25 FEET FOR FRONTAGES, 10 FEET FOR SIDE LOTS. ALL OTHER SETBACKS SHALL BE 5 FEET MINIMUM FOR SIDE AND REAR SETBACKS.
 - BUILDING SETBACKS FROM THE ROW ALONG SECTION LINES (14TH STREET) SHALL BE 45 FEET.

BASIS OF BEARING

BEARINGS SHOWN HEREON ARE FROM GPS/GNSS OBSERVATIONS AND CONFORM TO THE NEW MEXICO STATE PLANE COORDINATE SYSTEM "NEW MEXICO EAST ZONE" NORTH AMERICAN DATUM OF 1983. TRUE NORTH CAN BE OBTAINED BY APPLYING A CONVERGENCE ANGLE OF 00°39'39.12" AT A COTTON SPINDLE FOR THE NORTHWEST CORNER OF SECTION 1, LOCATED AT N 619,401.60, E 917,648.14. DISTANCES SHOWN HEREON ARE IN GROUND AND WERE OBTAINED BY APPLYING A COMBINED GRID TO GROUND SCALE FACTOR OF 1.0001136300 AT N 0.00, E 0.00.



SHEET:
1 of 2
SU - 101

SOUTH FORTY SUBDIVISION - UNIT 1

A TYPE FIVE SUBDIVISION

LOCATED IN THE NORTH HALF OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 38 EAST, N.M.P.M., LEA COUNTY, NEW MEXICO



7921 N World Dr.
Hobbs, NM 88242-9032
SquareRootservices.net
575-231-7347

TYPE OF SURVEY:
TYPE 5 SUBDIVISION

PROJECT NAME:
**SOUTH FORTY SUBDIVISION
UNIT 1**

CLIENT:
YMH, INC

PROJECT NUMBER:
22050

PROJECT SURVEYOR:
Jeremy Baker, PS

DRAWN BY:
Kendall Goad

INDEXING INFORMATION
FOR COUNTY CLERK

OWNER:
YHC, INC

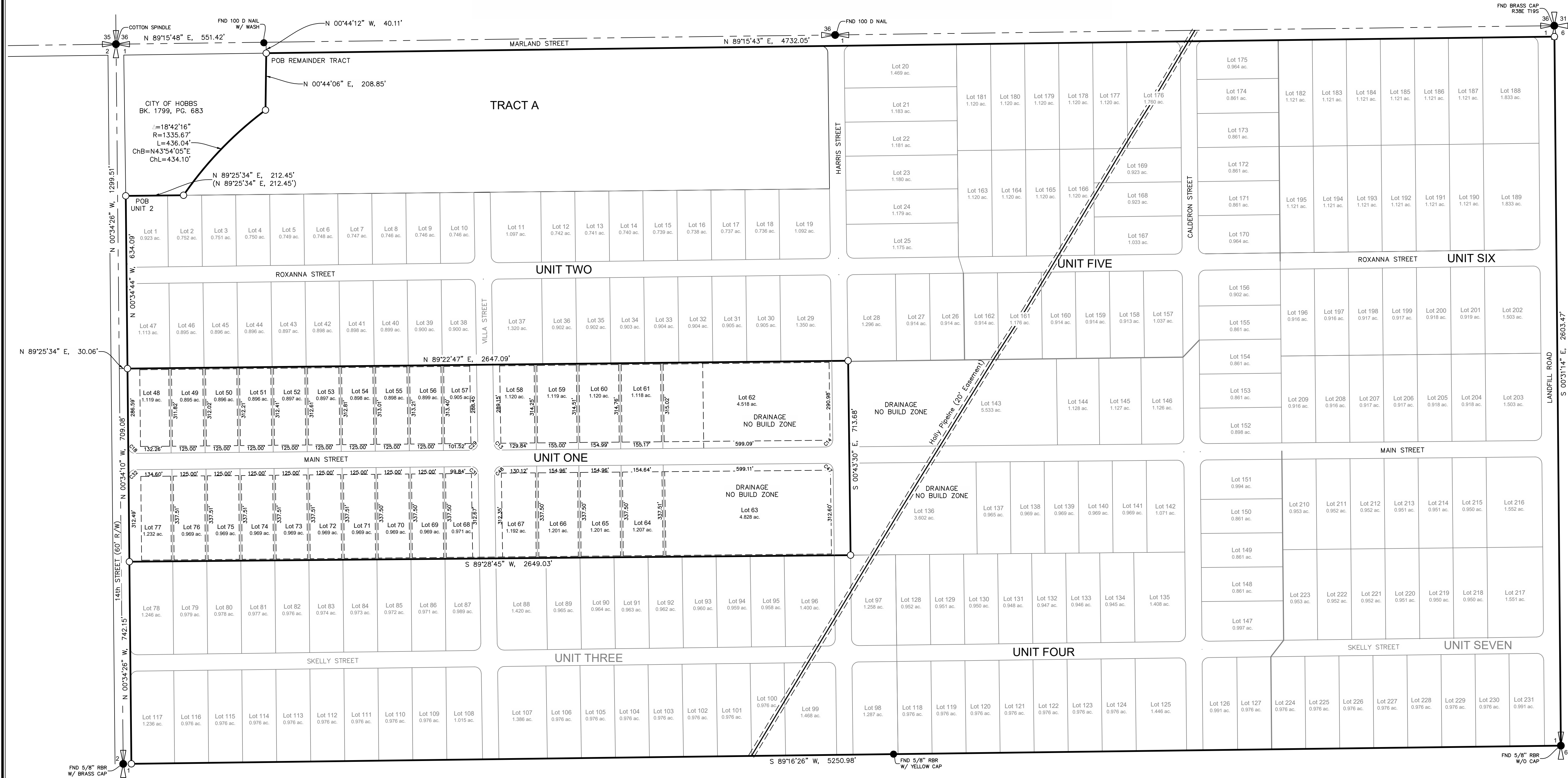
LOCATION:
**N/2 of Sec 1,
Township 19 South, Range 38 East,
N.M.P.M., Lea County New Mexico**

State of New Mexico, County of Lea, I here by
certify that this instrument was filed for record on:

LEGEND

- Set 5/8 inch rebar w/blue plastic cap marked "Baker NM PS 25773" unless otherwise noted
- Found monument as noted
- Utility Pole
- X—X— Fence
- O—H— O-H Electric Line
- ⊕ Found Section Corner
- ⊙ Found Quarter Corner

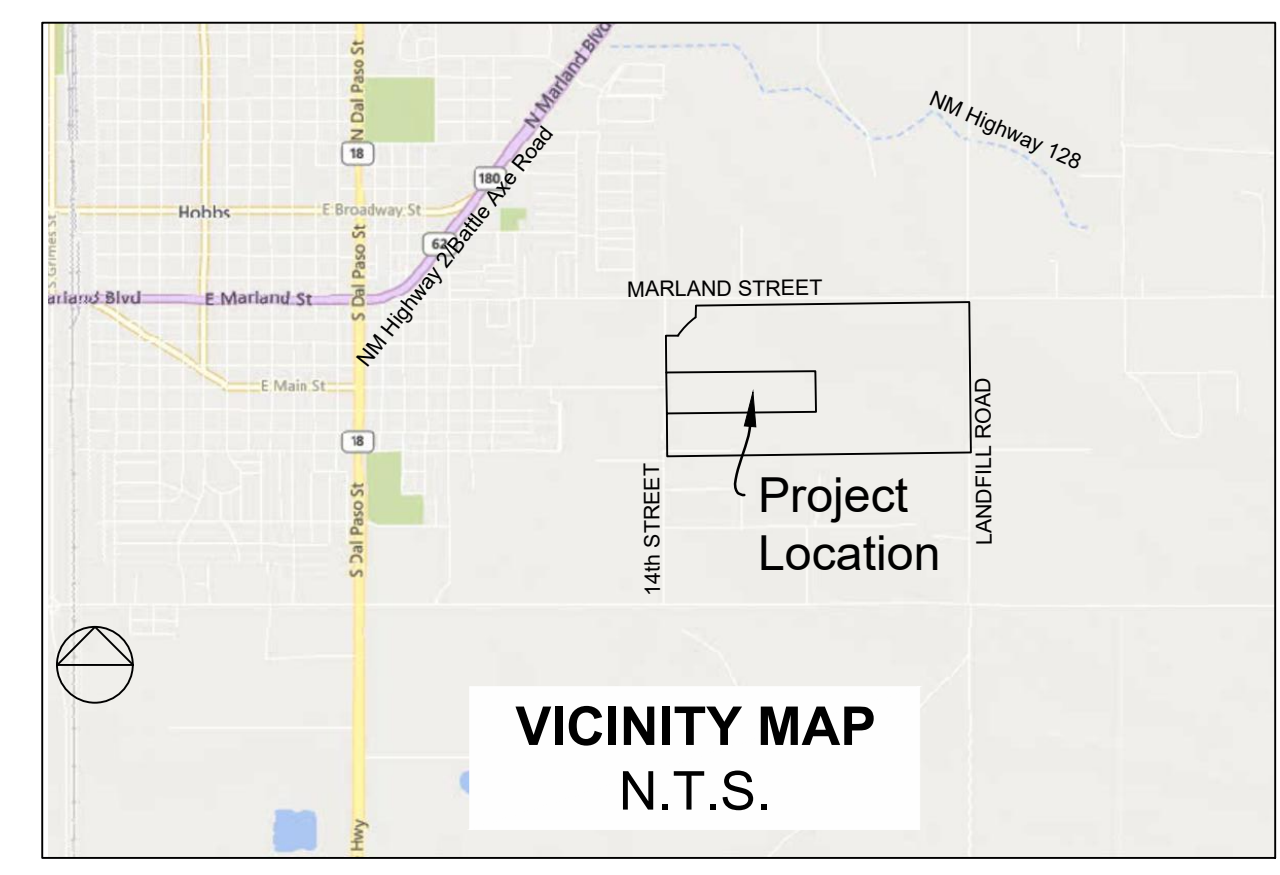
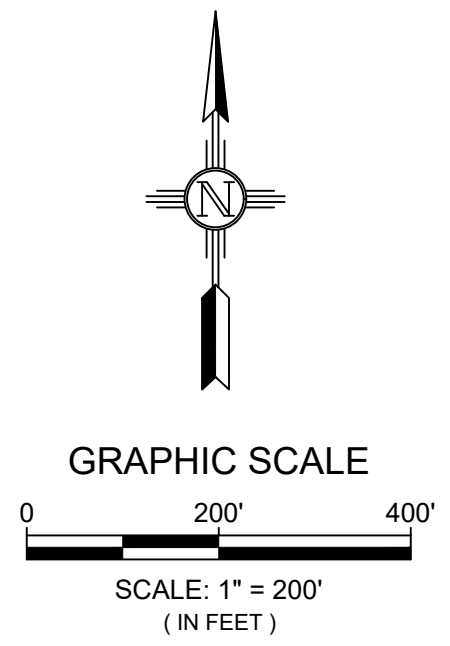
XX"XXXX" XX.XX" Measured bearing and distance
XX"XXXX", XX.XX" Record bearing and distance



- NOTE:**
- FLOOD ZONE INFORMATION PER FLOOD INSURANCE RATE MAP 35025C1355D, EFFECTIVE DECEMBER 16, 2008. ZONE D
 - BUILDING SETBACKS FROM STREET LINES SHALL BE 25 FEET FOR FRONTAGES, 10 FEET FOR SIDE LOTS. ALL OTHER SETBACKS SHALL BE 5 FEET MINIMUM FOR SIDE AND REAR SETBACKS.
 - BUILDING SETBACKS FROM THE ROW ALONG SECTION LINES (14TH STREET) SHALL BE 45 FEET.

BASIS OF BEARING

BEARINGS SHOWN HEREON ARE FROM GPS/GNSS OBSERVATIONS AND CONFORM TO THE NEW MEXICO STATE PLANE COORDINATE SYSTEM "NEW MEXICO EAST ZONE" NORTH AMERICAN DATUM OF 1983. TRUE NORTH CAN BE OBTAINED BY APPLYING A CONVERGENCE ANGLE OF 00°39'39.12" AT A COTTON SPINDLE FOR THE NORTHWEST CORNER OF SECTION 1, LOCATED AT N 619,401.60, E 917,648.14. DISTANCES SHOWN HEREON ARE IN GROUND AND WERE OBTAINED BY APPLYING A COMBINED GRID TO GROUND SCALE FACTOR OF 1.0001136300 AT N 0.00, E 0.00.



SHEET:
1 of 2
SU - 101

SOUTH FORTY SUBDIVISION - UNIT 1

A TYPE FIVE SUBDIVISION

LOCATED IN THE NORTH HALF OF

SECTION 1, TOWNSHIP 19 SOUTH, RANGE 38 EAST,

N.M.P.M., LEA COUNTY, NEW MEXICO



7921 N World Dr.
Hobbs, NM 88242-9032
Squarerootservices.net
575-231-7347

TYPE OF SURVEY:
TYPE 5 SUBDIVISION

OF

PROJECT NAME:
**SOUTH FORTY SUBDIVISION
UNIT 1**

FOR

CLIENT:
YMH, INC

PROJECT NUMBER:
22050

PROJECT SURVEYOR:
Jeremy Baker, PS

DRAWN BY:
Kendall Goad

INDEXING INFORMATION
FOR COUNTY CLERK

OWNER:
YHC, INC

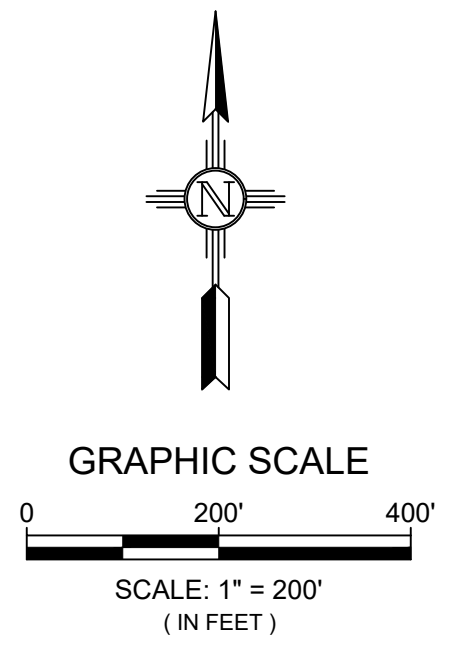
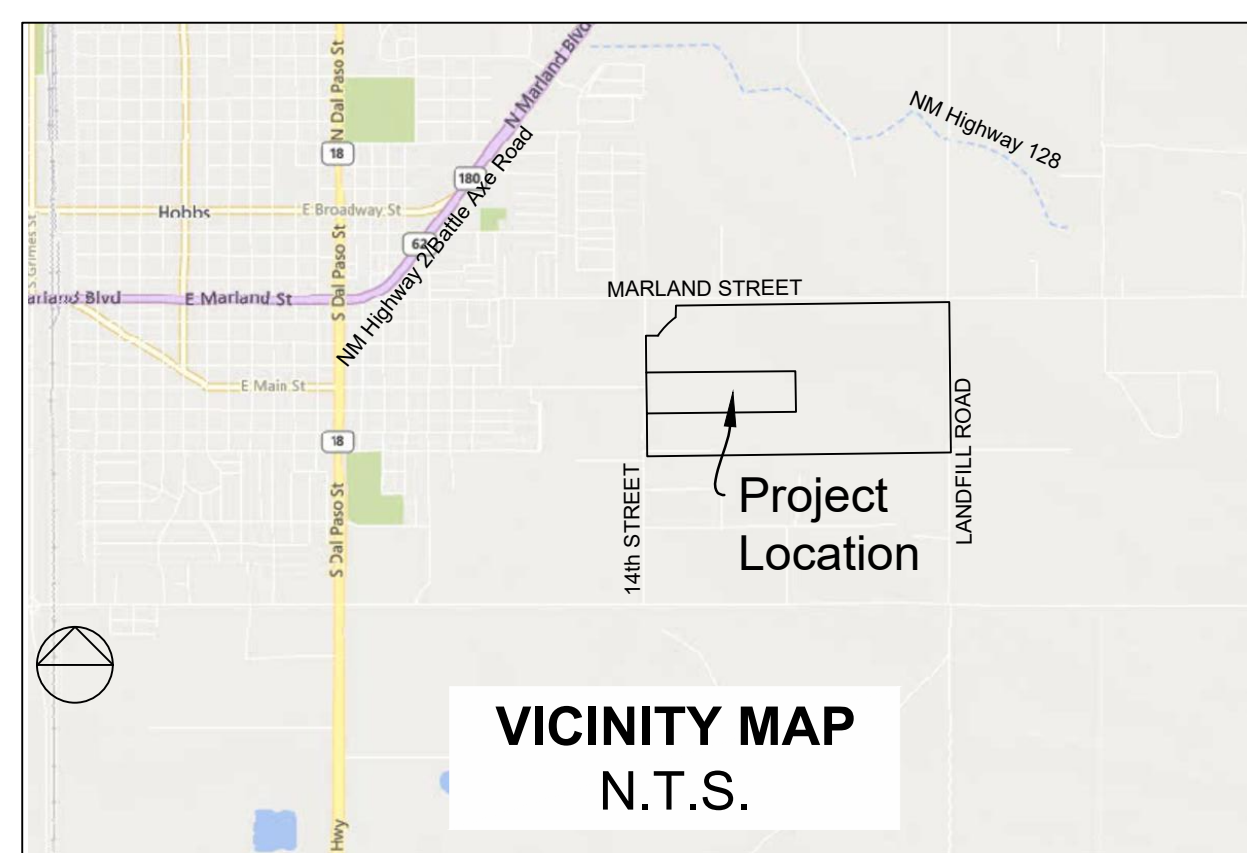
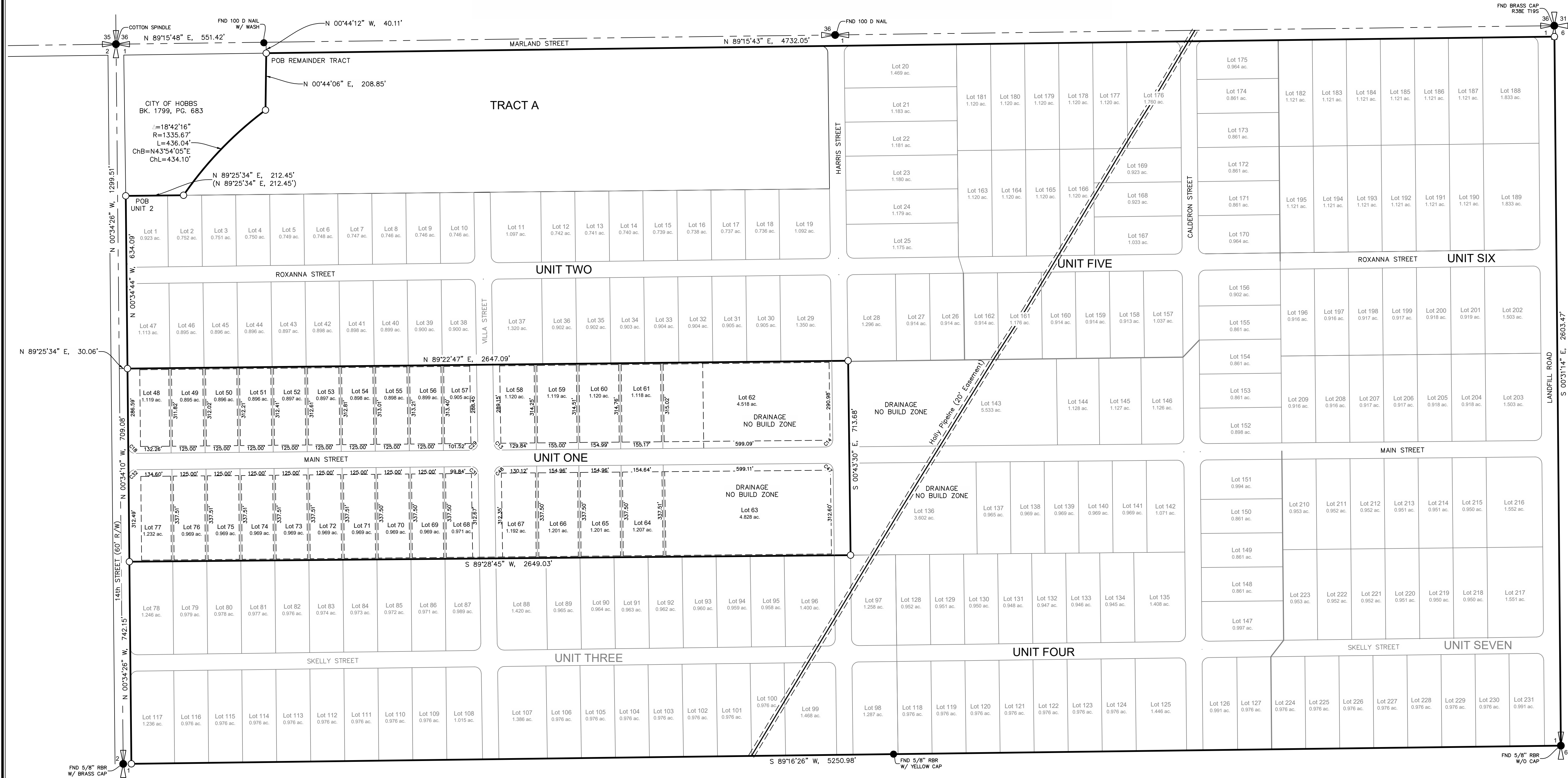
LOCATION:
**N/2 of Sec 1,
Township 19 South, Range 38 East,
N.M.P.M., Lea County New Mexico**

State of New Mexico, County of Lea, I here by
certify that this instrument was filed for record on:

LEGEND

- Set 5/8 inch rebar w/blue plastic cap marked "Baker NM PS 25773" unless otherwise noted
- Found monument as noted
- Utility Pole
- X—X— Fence
- O—H— O-H Electric Line
- ⊕ Found Section Corner
- ⊙ Found Quarter Corner

XX"XXX' XX.XX' Measured bearing and distance
XX"XXX' XX.XX' Record bearing and distance

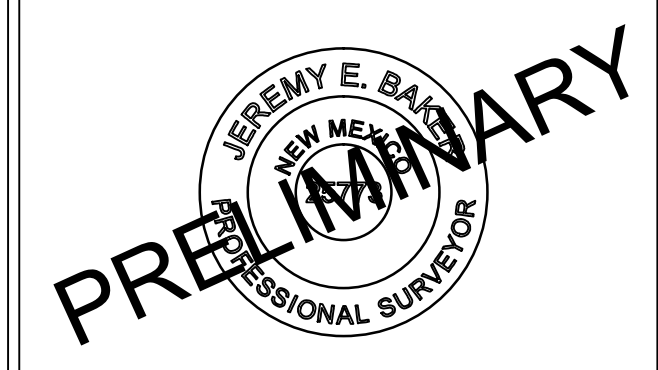


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SHEET:
1 of 2
SU - 101

SOUTH FORTY SUBDIVISION - UNIT 1

A TYPE FIVE SUBDIVISION

LOCATED IN THE NORTH HALF OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 38 EAST, N.M.P.M., LEA COUNTY, NEW MEXICO



7921 N World Dr.
Hobbs, NM 88242-9032
SquareRootservices.net
575-231-7347

TYPE OF SURVEY:
TYPE 5 SUBDIVISION

OF

**SOUTH FORTY SUBDIVISION
UNIT 1**

FOR

CLIENT:
YMH, INC

PROJECT NUMBER:
22050

PROJECT SURVEYOR:
Jeremy Baker, PS

DRAWN BY:
Kendall Goad

INDEXING INFORMATION
FOR COUNTY CLERK

OWNER:
YHC, INC

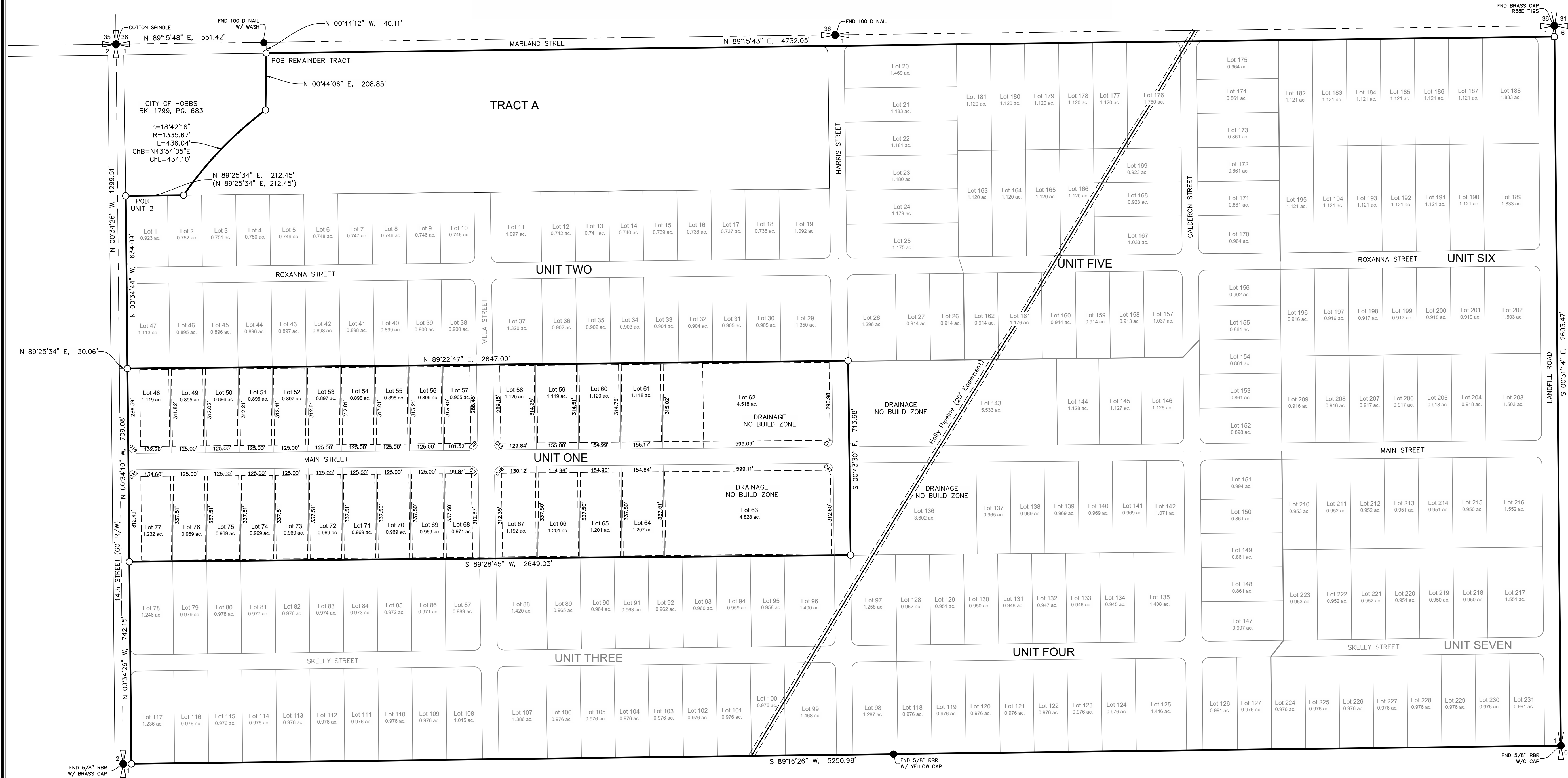
LOCATION:
**N/2 of Sec 1,
Township 19 South, Range 38 East,
N.M.P.M., Lea County New Mexico**

State of New Mexico, County of Lea, I here by
certify that this instrument was filed for record on:

LEGEND

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- Found monument as noted
- Utility Pole
- X—X— Fence
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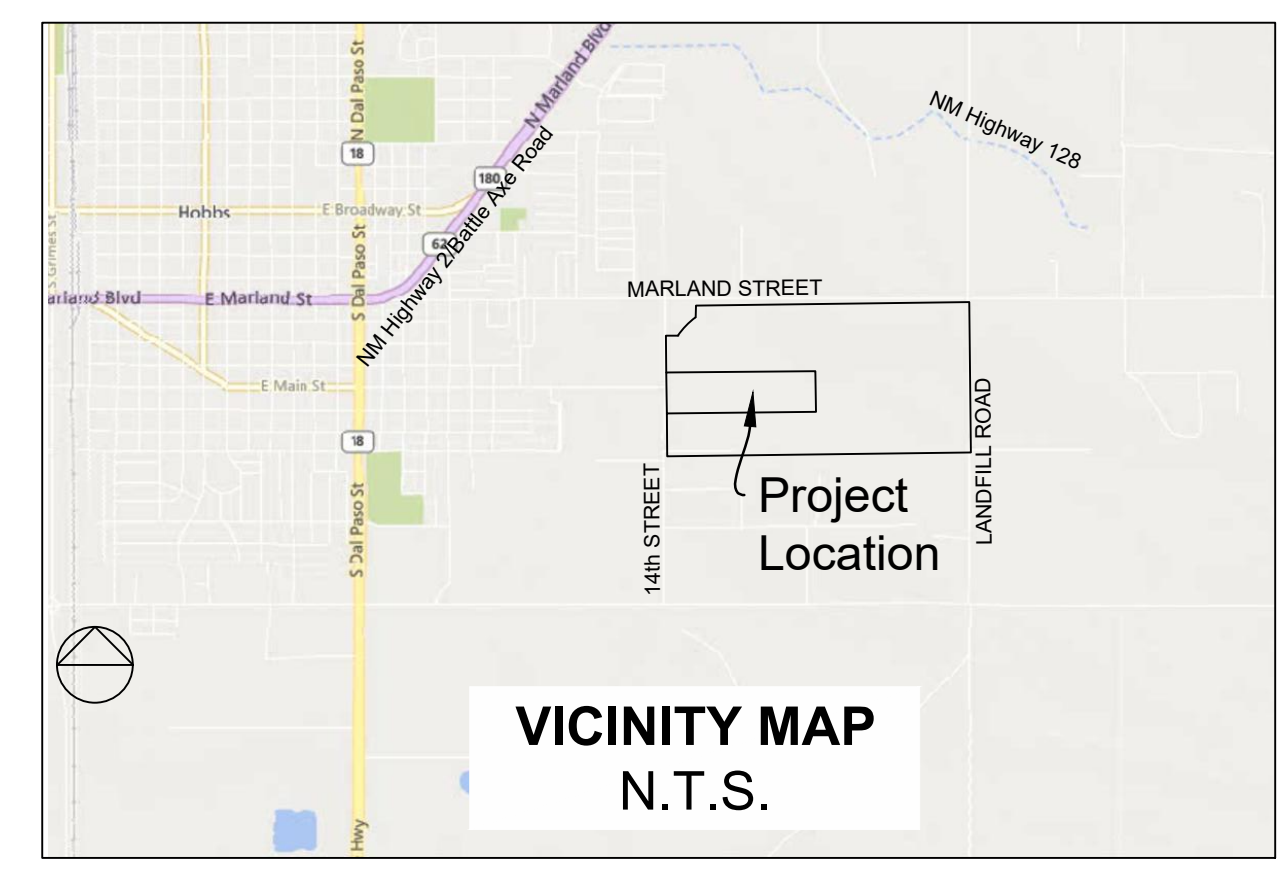
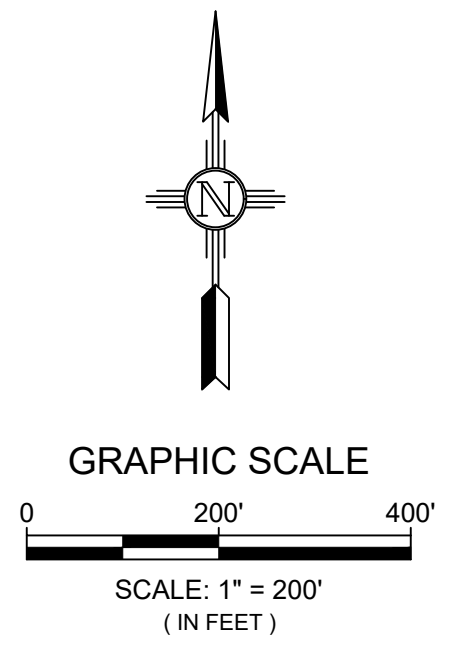
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SHEET:
1 of 2
SU - 101

**BOUNDARY AND TOPOGRAPHIC SURVEY
OF AN EXISTING TRACT OF LAND LOCATED IN THE NORTH HALF OF
SECTION 1, TOWNSHIP 19 SOUTH, RANGE 38 EAST, N.M.P.M.,
LEA COUNTY, NEW MEXICO**

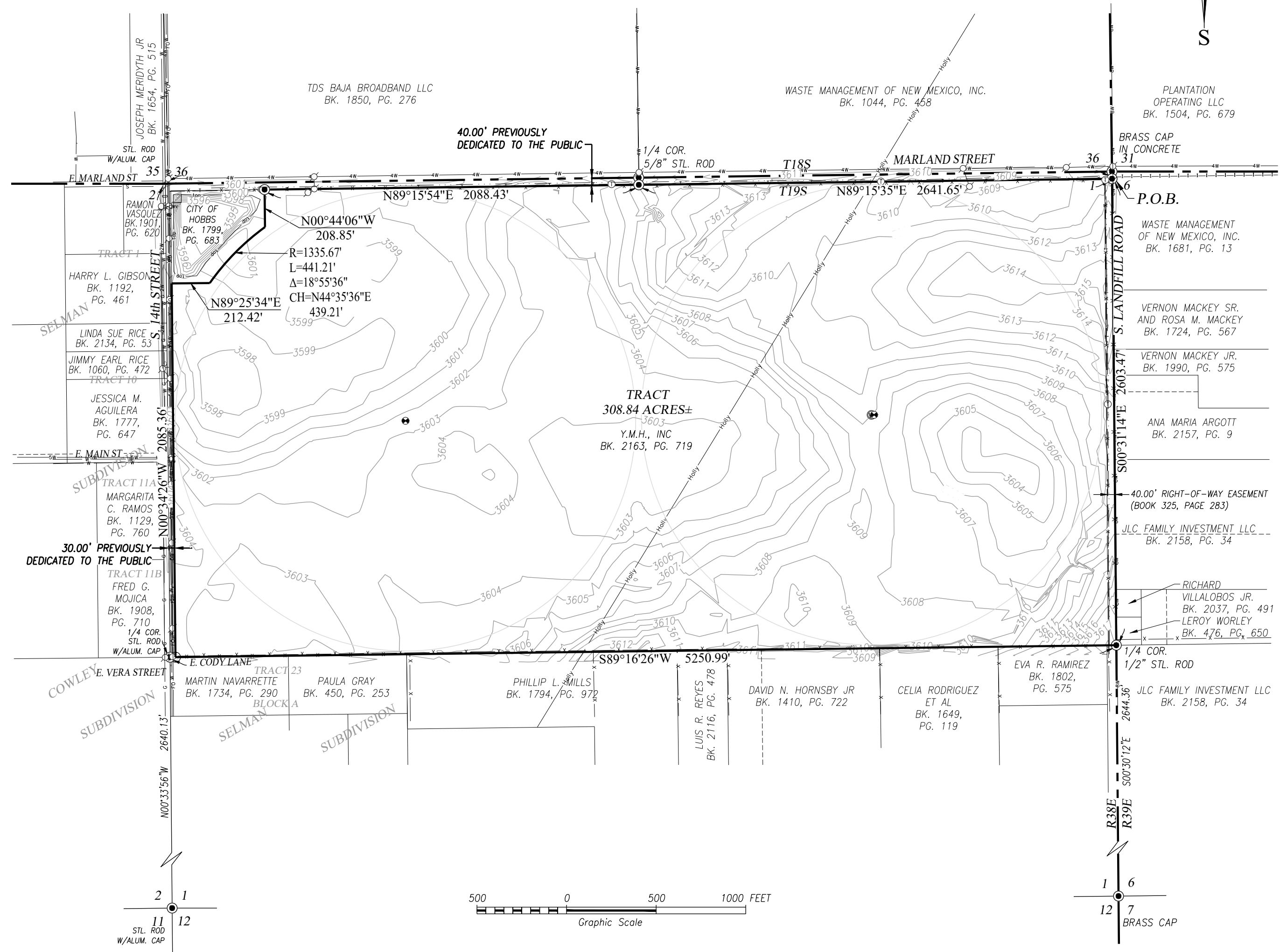
TRACT DESCRIPTION:

A TRACT OF LAND SITUATED IN THE NORTH HALF OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 38 EAST, N.M.P.M., LEA COUNTY, NEW MEXICO, BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" SET FOR THE NORTHEAST CORNER OF THIS TRACT, WHICH LIES S00°31'14"E ALONG THE EAST LINE OF SAID SECTION A DISTANCE OF 40.00 FEET FROM A STEEL ROD WITH BRASS CAP FOUND FOR THE NORTHEAST CORNER OF SAID SECTION; THEN S00°31'14"E ALONG THE EAST LINE OF SAID SECTION A DISTANCE OF 2603.47 FEET TO A 1/2" STEEL ROD FOUND FOR THE EAST QUARTER CORNER OF SAID SECTION AND THE SOUTHEAST CORNER OF THIS TRACT; THEN S89°16'26"W ALONG THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION A DISTANCE OF 5250.99 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC P.S. 12641" FOUND FOR THE SOUTHWEST CORNER OF THIS TRACT; THEN N00°34'26"W A DISTANCE OF 2085.36 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC P.S. 12641" FOUND FOR A CORNER OF THIS TRACT; THEN N89°25'34"E A DISTANCE OF 212.42 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC P.S. 12641" FOUND FOR A CORNER OF THIS TRACT AND THE BEGINNING POINT OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1335.67 FEET, AND A CENTRAL ANGLE OF 18°55'36"; THEN NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 441.21 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" FOUND FOR A CORNER OF THIS TRACT; THEN N00°44'06"W A DISTANCE OF 208.85 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" FOUND FOR THE NORTHWEST CORNER OF THIS TRACT; THEN N89°15'54"E A DISTANCE OF 2088.43 FEET TO A 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" FOUND FOR A CORNER OF THIS TRACT; THEN N89°15'35"E A DISTANCE OF 2641.65 FEET TO THE POINT OF BEGINNING, CONTAINING 308.84 ACRES MORE OR LESS.

LEGEND:

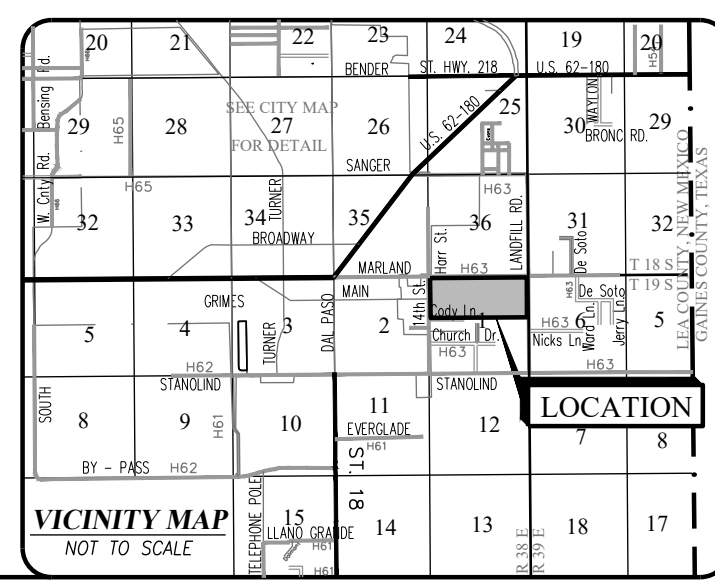
- ⊙ - DENOTES SET 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641"
- - DENOTES FOUND 1/2" STEEL ROD WITH CAP MARKED "JWSC PS 12641" UNLESS NOTED OTHERWISE
- ⊕ - DENOTES CALCULATED CORNER
- 2w—2w— - DENOTES 2-WIRE OVERHEAD POWER LINE
- 4w—4w— - DENOTES 4-WIRE OVERHEAD POWER LINE
- 5w—5w— - DENOTES 5-WIRE OVERHEAD POWER LINE
- 8w—8w— - DENOTES 8-WIRE OVERHEAD POWER LINE
- ⊥ - DENOTES UTILITY POLE
- t—t— - DENOTES BURIED TELEPHONE LINE
- ⊕ - DENOTES TELEPHONE PEDESTAL
- fo—fo— - DENOTES BURIED FIBER OPTIC LINE
- g—g— - DENOTES GAS LINE
- ⊥ - DENOTES GAS VALVE
- ⊥ - DENOTES WATER VALVE
- w—w— - DENOTES WATER LINE
- ⊥ - DENOTES FIRE HYDRANT
- ⊕ - DENOTES WATER WELL
- - DENOTES PIVOT
- x—x— - DENOTES FENCE LINE
- - - - - DENOTES BAR DITCH
- Holly— - DENOTES HOLLY BURIED PIPELINE



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.

GARY G. EIDSON _____ DATE: _____

PROVIDING SURVEYING SERVICES
SINCE 1946
JOHN WEST SURVEYING COMPANY
412 N. DAL PASO HOBBS, N.M. 88240
(575) 393-3117 www.jwsc.biz
TBPLS# 10021000



Scale: One Inch = Five Hundred Feet
CAD Drafter & Date: DSS - 03/23/2020
JWSC W.O. No.: 20.11.0098
JWSC File No.: D-1118A
© Donna S. Tracts (Boundary Survey) 2020 \20110098 YMH
Seminole Farms LLC N2 S1 T19 R38

STATE OF NEW MEXICO
COUNTY OF LEA - FILED:

**RESTRICTIVE COVENANTS OF
UNIT 1 AND FUTURE UNITS
SOUTH 40 SUBDIVISION**

**Y.M.H., INC, BEING THE OWNER OF ALL OF SOUTH 40 SUBDIVISION UNIT 1
and FUTURE UNITS, Lea County, New Mexico, more particularly described as
follows:**

SURFACE ONLY TO:

TOWNSHIP 19 SOUTH, RANGE 38 EAST, N.M.P.M.

Lots One (1), Two (2), Three (3) and Four (4) A/KIA the North Half (N/2) of
Section 1, Township 19 South, Range 38 East; N.M.P.M., Lea County, New
Mexico,

LESS AND EXCEPT the following described tract:

Beginning at a ½" steel rod with cap marked "JWSC PS 12641" for the
Northwest corner of this tract, which lies N89° 15'54"E along the North
line of said Section a distance of 30.00 feet and S00° 34'26"E a distance of
40.00 feet from a steel rod with aluminum cap found for the Northwest
corner of said Section; then
N89° 15'54"E a distance of 523.34 feet to a ½" steel rod with cap marked
"JWSC PS 12641" for the Northeast corner of this tract; then S00°
44'06"W a distance of 208.85 feet to a ½" steel rod with cap marked
"JWSC PS 12641" for the Southeast corner of this tract and the beginning
point of a curve to the left, said curve having a radius of 1335.67 feet, and
a central angle of 18° 55'36"; then Southwesterly along the arc of said
curve a distance of 441.21 feet to a ½" steel rod with cap marked "JWSC
PS 12641" for a corner of said tract; then S89° 25'34"W a distance of
212.45 feet to a ½" steel rod with cap marked "JWSC PS 12641" for the
Southwest corner of this tract; then N00° 34'26"W a distance of 517 .04
feet to the point of beginning. The North 40.00 feet and the West 30.00
feet being dedicated to the public.

Including all water rights appurtenant thereto, if any

do hereby make and establish for said land the following covenants and restrictions which are to run with the land and shall be binding upon all parties thereto, and all persons claiming by, through and under them until August 6, 2034 at which time said covenants shall be automatically extended for a successive period of ten (10) years unless at any time by a vote of the majority land owners of said SOUTH 40 SUBDIVISION and FUTURE UNITS, it is agreed to change said covenants in whole or in part. Until such time all lots have been sold. At the time all lots are sold each owner shall be entitled to one vote for each lot owned.

- A.** We recommend that outside irrigation be limited to 800 Sq. Ft. In any combination of trees, shrubs, annuals, perennials, grasses and garden. Grasses should be selected that are well adapted to local climate conditions, and nonnative grasses are discouraged. Low water use landscaping techniques, applying the principles of xeriscape shall be utilized. Drip irrigation is encouraged whenever possible. Water will not be provided for other outdoor uses such as swimming pools, hot tubs, water fountains and decorative ponds. We also specify, the use of low flow fixtures, efficient appliances, no evaporative coolers or water softeners. Covenants will include this language as well.
- B.** No noxious or offensive trade or activity shall be carried on upon any lot. Nor shall anything be done thereon which may be or may become any annoyance or nuisance to the subdivision. None of the said premises shall be used for business purposes including but not limited to Trucking, the manufacture or sale of goods, wares, or merchandise of any kind, cattle feed lots, slaughter houses, holding pens, drive-in theatres, wrecking yards, salvage yards, hog raising, trucking or similar type businesses. No wrecked or unlicensed vehicles are allowed at any time.
- C.** Except as specifically set forth in these Restrictive Covenants, no structure of a temporary character, trailer or mobile home, camper, RV, recreational vehicle, basement, tent, shack, garage, barn, lean-to, or other outbuildings shall be used on any lot any time as a residence either temporarily or permanently.
- D.** Dwellings allowed: Move-ins, prefabs, modular, ready-built, constructed on site, manufactured homes and must meet minimum requirements as stated.

The bottom of the manufactured home, "THE ENCLOSURE" must be professionally installed and must be constructed of material that matches the home and/or is similar and enhances the beauty. Manufactured homes must have tongue, axles, and wheels removed, and be skirted at the time of set up.

- E.** No principal structure shall be constructed until and unless arrangements have been made for disposal of sewage through a system acceptable to the State Environmental Improvement Division and the Lea County Commission. Their approvals require a letter from the EID approving lot size and refining and approving each proposed system.
- F.** No structure with an unfinished exterior shall be permitted to remain on any lot for a period exceeding nine (9) months from the date of commencement of its construction.
- G.** The exterior of the principal living structure shall be stucco, stone, masonry, masonry-veneer, brick, stone-veneer, brick-veneer, hardboard or wood siding construction. Exterior shall be attractive and compatible with other homes in the subdivision.
- H.** No inoperable, junk, Wrecked, unlicensed or non-registered vehicles shall be stored on any lot or street.
- I.** Except as specifically set forth herein, only structures constructed on the site will be permitted.
- J.** A garage or car port is not required; however any garage shall be built professionally by a licensed contractor, or prefabricated by a manufacturer. It should enhance the value and marketability of the property. A car port can be of similar material as the home, metal or aluminum.

- K.** All principal living structures constructed in the subdivision shall consist of at least 1,100 square feet living area (not including garage area) and shall be no more than two (2) stories high.
- L.** Out buildings such as barns, storage buildings, other such buildings or fences shall be constructed to code. Metal shops and animal shelters are permitted as long as they are built to code.
- M.** The parking of commercial vehicles, including trucks (larger than a pick-up truck), tractor-trailers, semi-trailers, and commercial trailers is prohibited except for loading and unloading purposes. No commercial vehicles or company vehicles of more than two (2) axles shall be parked on a lot.
- N.** No Livestock is permitted. Livestock including (horses, steers, calves, cattle, goats, sheep, swine, rabbits or poultry) are considered livestock and won't be permitted. Commercial raising of any animals will not be permitted.
- O.** No brush, trash, or other materials shall be burned except in compliance with the fire regulations of the appropriate regulatory agency.
- P.** No signboard or similar installation for commercial advertisement shall be erected, placed or permitted on any said tract. No garbage, Stock piles of material, refuse, junk, trash or obnoxious or offensive material shall be permitted to accumulate on any lot, and the owner or owners of each lot shall cause the same to be disposed of by and in accordance with accepted sanitary practices. All garbage shall be disposed of in accordance with the regulations of the State of New Mexico and of its subdivisions. Such garbage shall be removed by the lot owner to a sanitary land fill provided by Lea County or by arrangement with a garbage removal service. Outdoor incinerators, trash dumps, open lid trash cans, and open flame burners shall not be permitted.

**Stable/Strtures for
Animals**

**Stable/Structures
for Animals**

- Q.** No work or exploration for any minerals, or mining of any minerals or quarrying of any rock materials, soil or material of any nature shall be conducted on any lot or portion thereof, nor shall any excavation of any nature be made upon any lot or portion thereof except as may be incident to the installation of utility services, drainage lines, excavations incident to the grading and preparation of building sites and the grading of roads and streets.
- R.** No driveway entrances shall be constructed against or across drainage easements or drainage ditches in such a manner as to in any way prohibit the flow of water through such drainage easements. The developer reserves the right to require all such driveways to meet specifications as set forth by the developer or regulatory agencies. Installation and maintenance of any such culverts and/or driveway entries shall be the responsibility of the lot owner.
- S.** Set back requirements shall be fifty feet (50') from the front street and 5' from both sides and 5' from back property line.
- T.** If the parties hereto, or any of them, or their heirs or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning any real property situated in this subdivision or addition to prosecute any proceedings at law or in equity against the person(s) violating or attempting to violate any such covenants, and either to prevent him or them from so doing or to recover damages for such violation.
- U.** Invalidation of any one of these covenants by judgment or Court order shall in no way affect any other provisions, which shall remain in full force and effect.

Dated this _____ day of _____, 2024

Y.M.H., INC
Daniel Johncox, VP

(STATE OF NEW MEXICO)

SS:

COUNTY OF LEA)

The foregoing Restrictive Covenants were acknowledged before me
this ____ day of _____, 2024 by Y.M.H., INC known as Young's
Manufactured Homes, Inc. and signed by Daniel Johncox.

NOTARY PUBLIC

My Commission Expires:

SEAL

**FIRE PROTECTION PLAN FOR
SOUTH 40 SUBDIVISION
UNIT 1 & FUTURE UNITS**

PREPARED FOR:

**LEA COUNTY NEW
MEXICO**

PREPARED BY:

**ROSS &
ASSOCIATES**

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
1.0 INTRODUCTION	1
2.0 WATER SUPPLY	1
3.0 ACCESS	3

1.0 INTRODUCTION

This report represents a combined Fire Protection Plan for South 40 Subdivision Unit 1 and future units. The Lea County subdivision regulation requires a report for the subdivision. The proposed subdivision total 313 acres. The proposed parcels range in size from .75 to 5.5 gross acres. The proposed subdivision is located southeast of the City of Hobbs NM. (Figure 1). The project area is located adjacent to the city limits of Hobbs NM accessible from Marland St., 14th St. and Landfill road.

The purpose of this Fire Protection Plan (FPP) is to meet the requirements of the Lea County Subdivision Regulation regarding fire safety.

2.0 WATER SUPPLY

Because the City of Hobbs water utility will be supplying water to this subdivision, The South 40 will adhere to fire hydrant spacing recommended by the fire Marshall. Which shall be sufficient to provide water supply for firefighting.

3.0 ACCESS

Fire apparatus access roads will be the public right of ways on 14th street (3), Marland (2) and Land fill road (3). The roadways will provide an all-weather driving surface capable of supporting the imposed weight of fire apparatus.

DISCLOSURE STATEMENT FOR SOUTH 40

SOUTH 40 SUBDIVISION UNIT 1 AND FUTURE UNITS DISCLOSURE STATEMENT

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

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

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

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

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

If you have not inspected the parcel before purchasing, leasing, or otherwise acquiring it, you have six (6) months from the time of purchase, lease or other acquisition to personally inspect the property. After inspecting the parcel within the six (6) month period, you have three (3) days to rescind the transaction and receive all your money back from the subdivider when merchantable title is revested in the subdivider. To rescind the transaction, you must give the subdivider written notice of your intent to rescind within three (3) days after the date of your inspection of the property.

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

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

1. NAME OF SUBDIVISION:

SOUTH 40 SUBDIVISION, UNIT ONE and FUTURE UNITS

Legal Description:

TOWNSHIP 19 SOUTH, RANGE 38 EAST, N.M.P.M.

Lots One (1), Two (2), Three (3) and Four (4) A/KIA the North Half (N/2) of Section 1, Township 19 South, Range 38 East; N.M.P.M., Lea County, New Mexico,

LESS AND EXCEPT the following described tract:

Beginning at a ½" steel rod with cap marked "JWSC PS 12641" for the Northwest corner of this tract, which lies N89° 15'54"E along the North line of said Section a distance of 30.00 feet and S00° 34'26"E a distance of 40.00 feet from a steel rod with aluminum cap found for the Northwest corner of said Section; then N89° 15'54"E a distance of 523.34 feet to a ½" steel rod with cap marked "JWSC PS 12641" for the Northeast corner of this tract; then S00° 44'06"W a distance of 208.85 feet to a ½" steel rod with cap marked "JWSC PS 12641" for the Southeast corner of this tract and the beginning point of a curve to the left, said curve having a radius of 1335.67 feet, and a central angle of 18° 55'36"; then Southwesterly along the arc of said curve a distance of 441.21 feet to a ½" steel rod with cap marked "JWSC PS 12641" for a corner of said tract; then S89° 25'34"W a distance of 212.45 feet to a ½" steel rod with cap marked "JWSC PS 12641" for the Southwest corner of this tract; then N00° 34'26"W a distance of 517 .04 feet to the point of beginning. The North 40.00 feet and the West 30.00 feet being dedicated to the public.

Including all water rights appurtenant thereto, if any

2. NAME AND ADDRESS OF SUBDIVIDER:

Y.M.H., INC. dba Youngs Homes
Daniel Johncox, VP
4830 E. Seminole Highway
Hobbs, New Mexico 88240

3. NAME AND ADDRESS OF PERSON IN CHARGE OF SALES, LEASING OR OTHER CONVEYANCE IN NEW MEXICO

Same as Owner listed above.

4. SIZE OF SUBDIVISION BOTH PRESENT AND ANTICIPATED

Present	Anticipated
315 Acres	230 lots

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

5.53 acres

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

.746 acres

7. PROPOSED RANGE OF PRICES FOR SALES. LEASES OR OTHER CONVEYANCE

To be determined

8. FINANCING TERMS

Interest Rate = Current Mortgage Rates

Term of loan (years) = Up to 30 Years

Minimum down payment = 3.5%

Service Charges and/or escrow fees = None unless contract for Deed.

Premium for credit life or other insurance = Only as required by lender

Closing Costs = As per Title Company, Mortgage Company & Underwriter

9. NAME AND ADDRESS OF HOLDER OF LEGAL TITLE

Y.M.H., INC. dba Youngs Homes
Daniel Johncox, VP
4830 E. Seminole Highway
Hobbs, New Mexico 88240

Officers:

Levi Whitley, 1000 Sandia Drive Hobbs, New Mexico
Daniel Johncox, 408 E. Alto, Hobbs, New Mexico

Note: If any of the Holders of Legal Title named above is a corporation, list the names and addresses of all officers of that corporation.

10. NAME OF ADDRESS OF PERSON HAVING EQUITABLE TITLE

Y.M.H., INC. dba Youngs Homes
Daniel Johncox, VP
4830 E. Seminole Highway
Hobbs, New Mexico 88240

OFFICERS:

Levi Whitley, 1000 Sandia Drive Hobbs, New Mexico
Daniel Johncox, 408 E. Alto, Hobbs, New Mexico

11. CONDITION OF TITLE

There are no outstanding mortgages or real estate contracts on the land held by Y.M.H., INC. dba Youngs Homes

12. STATEMENT OF ALL RESTRICTIONS OR RESERVATION OF RECORD THAT SUBJECT THE SUBDIVIDED LAND TO ANY CONDITIONS AFFECTING ITS USE OR OCCUPANCY

South 40 unit 1 and all future units cannot be further subdivided to tracts or lots smaller than what was approved for this subdivision. See attached Restrictive Covenants.

13. ESCROW AGENT

First American Title & Abstract Co.
1819 N. Turner, Suite B
Hobbs, New Mexico 88240

14. UTILITIES: Following is a breakdown for cost to provide utility service to the property line only, unless indicated otherwise.

Type	Company	Cost per Lot for Installation
Electric	Xcel Energy	\$5,000 estimated cost per parcel
Gas	Zia Natural Gas	N/A, total electric subdivision
Water	City of Hobbs	\$15,000
Telephone	Windstream	\$250 one-time expense
Liquid Waste	Private Septic Tank, on property	\$7,500 estimated cost per parcel
Solid Waste	Waste Management	\$65 per month

15. INSTALLATION OF UTILITIES: Following is a listing of utilities provided to the property lines, unless indicated otherwise.

Electric	Subdivider to have primary installed as per contract.
Gas	Not to be installed, Subdivision to be total electric.
Water	Water will be installed by developer
Sewer	Will be installed by developer
Telephone	Telephone to follow electric
WIFI	To follow electric
Solid Waste	No facilities to install, purchaser to enter agreement with Waste Management.

16. UTILITY LOCATION

Electric and telephone facilities will be available to every lot in the subdivision. The main lines will be installed in the roadway right-of-way on overhead lines/poles.

Natural gas service will not be provided; the subdivision will be total electric.

Solid waste disposal will be available to every parcel in the subdivision. Individuals will be required to set up accounts with Waste Management.

17. WATER AVAILABILITY

- Maximum annual water requirements

Annual water requirements for the entire master planned subdivision including water for indoor and outdoor domestic use will be for **230 parcels @ .6 acre** feet per year per parcel equal to 138 acre feet of water per annum. Fire protection components will be in place as per the subdivision regulation.

- Source of water: City of Hobbs municipal water supply
- Means of delivery: City of Hobbs municipal water supply
- Limitations & Restrictions

We recommend that outside irrigation be limited to 800 Sq. Ft. In any combination of trees, shrubs, annuals, perennials, grasses and garden. Grasses should be selected that are well adapted to local climate conditions, and nonnative grasses are discouraged. Low water use landscaping techniques, applying the principles of xeriscape shall be utilized. Drip irrigation is encouraged whenever possible. Water will not be provided for other outdoor uses such as swimming pools, hot tubs, water fountains and decorative ponds. We also specify, the use of low flow fixtures, efficient appliances, no evaporative coolers or water softeners. Covenants will include this language as well.

- Provision for water saving fixtures:

All homes placed in the South 40 Subdivision will comply with the National Efficiency Standards and Specifications for Residential Water using fixtures.

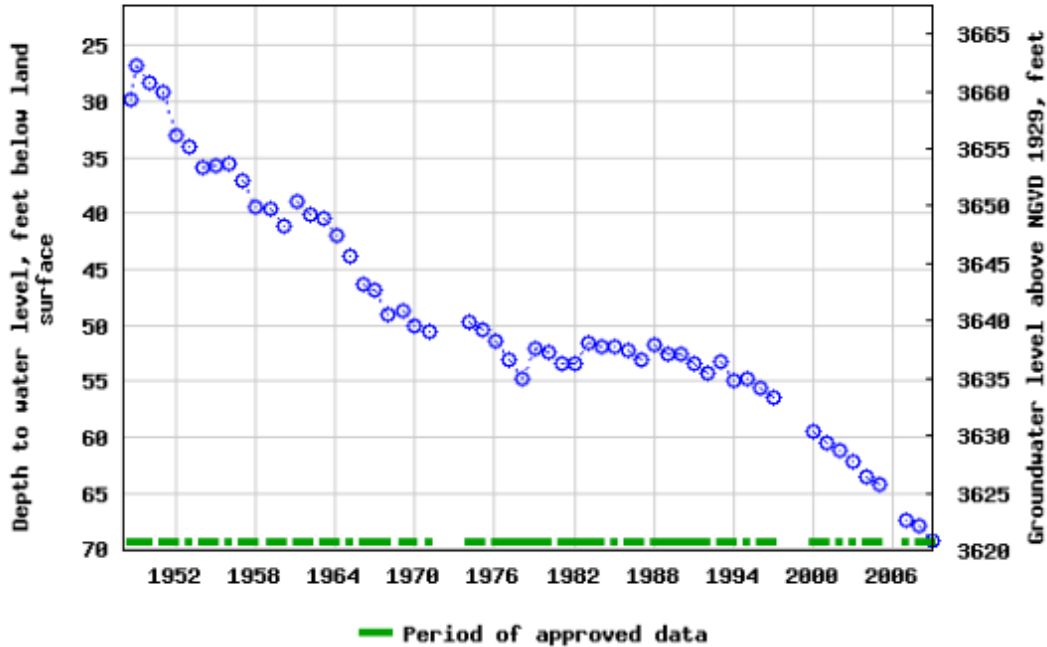
18. FOR SUBDIVISIONS WITH COMMUNITY WATER SYSTEMS (if applicable)

Not Applicable

19. FOR SUBDIVISIONS WITH INDIVIDUAL DOMESTIC WELLS OR SHARED WELLS (if applicable)

Not Applicable

20. LIFE EXPECTANCY OF WATER SUPPLY



21. SURFACE WATER

Collection of surface water for private use shall not be permitted in this subdivision.

22. NEW MEXICO STATE ENGINEER’S OPINION ON WATER AVAILABILITY

Include here the approved summary of the opinion received by the Board of County Commissioners from the New Mexico State Engineer regarding:

Issue	Comment	Favorable or Un-Favorable
The subdivider can furnish water sufficient in quantity to fulfill the maximum annual water requirements of the Subdivision, including water for indoor and outdoor domestic uses.		<u>pending</u>
The developer can fulfill the proposals in this Disclosure statement concerning water, excepting water quality.		<u>pending</u>

23. WATER QUALITY

Ground water in all of central Lea County is from the Ogallala Aquifer.

24. NEW MEXICO ENVIRONMENT DEPARTMENT'S OPINION ON WATER QUALITY

Include here the approved summary of the opinion received by the Board of County Commissioners from the New Mexico Environment Department regarding:

Issue	Comment	Favorable or Un-Favorable
The developer can furnish water of an acceptable quality for human consumption and measures to protect the water supply from contamination in conformity with the state regulations.		<u>pending</u>
The developer can fulfill the water quality proposal made in this disclosure statement		<u>pending</u>
The developer proposal for water quality conforms to the County's water quality regulations		<u>pending</u>

25. LIQUID WASTE DISPOSAL

City of Hobbs municipal Sewer

26. NEW MEXICO ENVIRONMENT DEPARTMENT'S OPINION ON LIQUID WASTE DISPOSAL

Include here the approved summary of the opinion received by the Board of County Commissioners from the New Mexico Environment Department regarding:

Issue	Comment	Favorable or Un-Favorable
The developer can furnish sufficient liquid waste disposal facilities to fulfill the requirements of the subdivision in conformity with state regulations		<u>pending</u>
The developer can fulfill the liquid waste proposals made in this disclosure statement		<u>pending</u>
The proposal for liquid waste disposal conforms to the County's liquid waste disposal regulations		<u>pending</u>

27. SOLID WASTE DISPOSAL

Solid waste disposal will be in accordance with County regulations. Currently, the County has an agreement with Waste Management to provide solid waste disposal for County residents. Each residence is responsible for setting up an account with Waste Management and following all rules and regulations for continuation of service.

28. NEW MEXICO ENVIRONMENT DEPARTMENT'S OPINION ON SOLID WASTE DISPOSAL

Include here the approved summary of the opinion received by the Board of County Commissioners from the New Mexico Environment Department regarding:

Issue		Favorable or Un-Favorable
	Comment	

The developer can furnish sufficient solid waste disposal facilities to fulfill the needs of the subdivision in conformity with the state regulations.		<u>pending</u>
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The developer can fulfill the solid waste proposals made in this disclosure statement		<u>pending</u>
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The proposal for solid waste disposal conforms to the County's regulations of solid waste disposal		<u>pending</u>
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29. TERRAIN MANAGEMENT

The soils in the subdivision are ten different soils classifications, all appropriate for residential land use, but typically used as rangeland or cropland. See the attached Soils Map for specific locations within the subdivision. The ten different soils found in the subdivision are as follows:

Soil Type	Abbrev.	Topsoil	Typical Depth to Caliche	Other Information
Amarillo Fine Sandy Loam	Af	Good to poor: texture	Indurated caliche depth of greater than 60 inches	0 to 1 % slopes
Arvana Fine Sandy Loan	Ap	Good to poor: texture	Indurated caliche depth of greater than 60 inches	0 to 1 % slopes
Kimbrough Loam	Kb	Poor: indurated caliche at a depth of 6 to 18 inches.	Indurated caliche at a depth of 6 to 18 inches	0 to 3 % slopes
Kimbrough Gravelly Loam	Kg	Poor: gravelly; indurated caliche at a depth of 6 to 18 inches.	Indurated caliche at a depth of 6 to 18 inches	0 to 3 % slopes
Kimbrough-Lea Complex	Kh	Good: moderate fertility	Indurated caliche at a depth of 18 to 42 inches	0 to 3 % slopes
Sharvana Loamy Fine Sand	Sf	Poor: 12 to 24 inches to indurated caliche.	Indurated caliche at a depth of 12 to 24 inches	0 to 3 % slopes
Sharvana Fine Sandy Loam	Sh	Poor: 12 to 24 inches to indurated caliche.	Indurated caliche at a depth of 12 to 24 inches	0 to 3 % slopes
Simona Fine Sandy Loam	Sn	Poor: fertility is low; shallow over indurated caliche.	Indurated caliche at a depth of 12 to 18 inches	1 to 3 % slopes
Slaughter Loam	So	Poor: indurated caliche at a depth of 12 to 24 inches.	Indurated caliche at a depth of 12 to 24 inches	0 to 1 % slopes
Stegall Loam	St	0 to 9 inches for loam.	Indurated caliche at	0 to 1 % slopes

			a depth of 28 to 38 inches	
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30. NATURAL RESOURCE CONSERVATION DISTRICT'S OPINION ON TERRAIN MANAGEMENT

Include here the approved summary of the opinion received by the Board of County Commissioners from the Soil & Water Conservation District on:

Issue	Favorable or Un-Favorable
Comment	
The subdivider can furnish terrain management sufficient to protect against flooding, inadequate drainage or soil erosion	<u>pending</u>
The subdivider can satisfy the terrain management proposals made in this disclosure statement	<u>pending</u>
The subdivider terrain management proposals conform to the County's regulations on terrain management	<u>pending</u>

31. SUBDIVISION ACCESS

This subdivision is adjacent to the City of Hobbs city limits. The most convenient route into Hobbs would be to turn west on Marland

All of the above access roadways are paved or chip sealed and accessible by conventional vehicles during all weather conditions. The owner will dedicate a right-of-way for the existing roadway that has been and will continue to be maintained by the County.

The proposed roadways will be within a 60' right-of-way, on a 28' wide compacted base course, and with a 26' wide double penetration surface treatment as required by the Lea County Subdivision regulations. All turn arounds or cul-de-sacs will have a right-of-way with a 60' radius.

All subdivision roadways will be dedicated to the County and maintained by the County.

No driveway shall be constructed on any subdivision or other county road right-of-way until the subdivider or owner or lessee of parcel, or of any other area of land, has been granted a county permit. The Application for a permit to construct driveway with right-of-way shall be filed with the Lea County Manager from whom forms may be obtained.

32. MAINTENANCE

All roadways within the South 40 Subdivision will be dedicated to the County and will be maintained by the County.

33. STATE HIGHWAY DEPARTMENT'S OPINION ON ACCESS

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

Issue	Comment	Favorable or Un-Favorable
The developer can fulfill the State Highway access requirements for the subdivision in conformity with the state regulations		<u>pending</u>
The developer can satisfy the access proposal made in this disclosure statement		<u>pending</u>
The access proposals conform to the County's regulations on access		<u>pending</u>

34. CONSTRUCTION GUARANTEES

All roadways will be constructed in each phase before lots will be offered for sale. The electrical and telephone services will be available at the street prior to lots being offered for sale.

35. ADVERSE OR UNUSUAL CONDITIONS

There are no known adverse or unusual conditions associated with this subdivision.

36. RECREATIONAL FACILITIES

There are no recreational facilities within the subdivision.

37. FIRE PROTECTION

This subdivision will have fire hydrants placed within a maximum spacing to be determined by the city officials. This spacing is based on the city of Hobbs requirement for fire protection in this development.

38. POLICE PROTECTION

Lea County Sheriff's Department will patrol the subdivision.

39. PUBLIC SCHOOLS

Elementary	Edison Elementary approx. 1.5 miles from subdivision
Junior High	Houston Jr. High approx. 1.5 miles from subdivision
Freshman School	Hobbs Freshman High approx. 1.5 miles from subdivision
High School	Hobbs High School approx. 1.5 miles from subdivision

The Hobbs Municipal School District provides bussing for all in district children to all levels of school.

40. HOSPITALS

Nearest hospital is Lea Regional Medical Center. The hospital is located off the Lovington Highway 250-bed facility.

41. SHOPPING FACILITIES

The nearest large retail shopping area is at Broadway St. approximately 1.5 miles from subdivision Entrance. This shopping area contains retail stores and eateries, including Martin Boot Company, El cicerone, Casey's Restaurant and many more.

42. PUBLIC TRANSPORTATION

Hobbs Express closest pick up is at La Tienda on Marland street 1.25 miles to the west.

43. AGRICULTURE

New Mexico law includes (47-9-1 to 47-9-7 NMSA 1978 Comp.) cited as the "Right to Farm Act." According to this law, "any agricultural operation or facility is not, nor shall it become, a private or public nuisance by any changed condition in or about the locality of the operation of the facility, if the operation was not a nuisance at the time it began and has been in existence for more than one year." The Right to Farm Act includes, but is not limited to, operations and facilities within the farm or ranch such as: chemical application, field preparation, irrigation, cultivation, conservation practices, pruning, plowing, planting, roadside market or any other use of the land for the production of plants, crops, trees, forest products, orchard crops, livestock, poultry, or fish.

Daniel Johncox
VP, Y.M.H., INC.

The foregoing instrument was acknowledged before me this _____ day of _____,

Daniel Johncox, President Y.M.H., Inc.

Notary Public

My commission expires: _____

Seal

State of New Mexico, County of Lea

Review and Consider the 2025 Planning Board Calendar



CITY OF HOBBS

PLANNING BOARD STAFF SUMMARY FORM

MEETING DATE: DECEMBER 17TH, 2024

SUBJECT: REVIEW AND CONSIDER THE 2025 PLANNING BOARD CALENDAR.

DEPT. OF ORIGIN: Planning Department
DATE SUBMITTED: December 11th, 2024
SUBMITTED BY: Kristalyn Seepersad, Planning Project Manager

Summary:

Staff has organized a Planning Board Schedule for 2025 to set dates for submissions and meetings.

Staff Recommendations:

Planning Department:

Staff has no objections to these documents. Staff recommends the Board considers approval/denial for the attached documents.

Attachments:

- 2025 Planning Board Calendar

Planning Board Calendar

2025 Calendar Year

Month	Date for Planning Board Meeting	Date for Receipt of Planning Board Packet	Date for Plan/Plat Submittals to City
January	Jan. 21 st	Jan. 14 th	Jan. 7 th
February	Feb. 18 th	Feb. 11 th	Feb. 4 th
March	March 18 th	March 11 th	March 4 th
April	April 15 th	April 8 th	April 1 st
May	May 20 th	May 13 th	May 6 th
June	June 17 th	June 10 th	June 3 rd
July	July 15 th	July 8 th	July 1 st
August	August 19 th	August 12 th	August 5 th
September	Sep. 16 th	Sep. 9 th	Sep. 2 nd
October	Oct. 21 st	Oct. 14 th	Oct. 7 th
November	Nov. 18 th	Nov. 11 th	Nov. 4 th
December	Dec. 16 th	Dec. 9 th	Dec. 2 nd