



REALTORS® ASSOCIATION OF NEW MEXICO

PROPERTY DISCLOSURE STATEMENT - FARM AND RANCH - 2012

INSTRUCTIONS AND ACKNOWLEDGMENT REGARDING THIS FORM

This Statement discloses Seller's current, actual knowledge of the condition of the Property as of the date signed by Seller, and is not a substitute for any inspections or warranties that Buyer may wish to obtain. This Statement is designed to assist Seller to provide information about the Property and to assist Buyer in evaluating the Property being considered. Conditions may exist which are unknown to Seller. Buyer is encouraged to address concerns about the Property whether or not included in this Statement. This Statement does not relieve Seller of the obligation to disclose a condition of the Property that may not be addressed on this form or a change in any condition after the date of this Statement, and is not a substitute for inspection by the Buyer. Neither the Broker, nor the Board or Association of REALTORS® nor the REALTORS® Association of New Mexico warrant or guarantee the information in this disclosure.

The following are definitions for the answers to the questions listed below:

YES = Yes

NO = No

D/K = Don't Know

N/A = Not Applicable

Do not leave any questions blank. Attach additional pages if needed.

Initials:

Buyer

Seller

[Signature]

South Hwy 11

Address

DEMING

City

88030

Zip Code

10ac Sec 12 T26S R9W EHNEONEONWQ, St Lease #G01506/Allot#02049, BLM Lease

Legal Description

Or see metes & bounds description attached as Exhibit _____, LUNA County, New Mexico.

1. OCCUPANCY: Does Seller currently occupy the Property? ☐ Yes. If yes, _____ years/months Seller occupied.
☒ No. If no, _____ years/months since Seller occupied. ☒ Never Occupied Property.
 For additional information or further explanation: _____

2. TITLE, ZONING, LEGAL INFORMATION:

YES	NO	DON'T KNOW	N/A
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IS THE SELLER AWARE OF:



A. Was the Property part of a larger tract of land that was subdivided within the last five (5) years?

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Initials: Buyer

Seller

[Signature]

CENTURY 21 Deming Realty Co. 220 S Gold Ave DEMING, NM 88030
 Phone: 575.546.5281 Fax: 575.546.8810 Shalyn Collins

JR RAFTER

Produced with zipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026 www.zipLogix.com

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YES	NO	DON'T KNOW	N/A
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IS THE SELLER AWARE OF:

If yes, and the subdivided Property was not previously subdivided in accordance with the New Mexico Subdivision Act (Act), a subsequent sale, lease or other conveyance of the Property within five (5) years of the original subdivision and sale, lease or conveyance may trigger the requirements of the Act. SELLER/BUYER SHOULD CONSULT A TITLE COMPANY AND AN ATTORNEY TO DETERMINE THE APPLICABILITY OF THE ACT TO THIS PROPERTY.

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | A. Are there any title problems (for example, unrecorded or disputed easements, lot line disputes, liens, encroachment, access issues, third party claims)? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | B. Any Property taxes that are not current? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | C. Any existing or proposed bonds, assessments, liens, mortgages, judgments, Deed of Trust, Impact Fees, Real Estate Contracts, etc. against the Property? |
| | | If yes, explain: _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | D. Any violations of applicable subdivision laws at the time the Property was subdivided? |
| | | If yes, explain: _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | E. Any alleged violations of applicable laws, regulations, ordinances or zoning laws? |
| | | If yes, explain: _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | F. Any zoning variances/exceptions or non-conforming use of the Property? |
| | | If yes, explain: _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | G. Any legal issues, proposed buildings, bridges, roadways or real estate developments, etc. in the immediate area? |
| | | If yes, explain: _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | H. Any restrictive covenants or other limitations on use? |
| | | If yes, explain: _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | I. Any violation thereof? If yes, explain: _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | J. Any building code or environmental regulation violations? |
| | | If yes, explain: _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | K. Any necessary permits, approvals or inspections for all construction, repairs and improvements that have not been obtained? |
| | | If yes, explain: _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | L. Any existing or threatened legal actions concerning the Property or the Homeowners Association? |
| | | If yes, explain: _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | M. Any well-sharing, driveway-sharing, road-sharing or other contract to which the Property is subject? |
| | | If yes, explain: _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | N. Anyone with a Right of First Refusal, an option to buy or lease the Property? |
| | | If yes, explain: _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | O. Any other restrictions on resale? |
| | | If yes, explain: _____ |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | P. Any exemptions you claim to Property Taxes (i.e., Veteran, Head of Household)? |
| | | If yes, explain: <u>Grazing</u> |

For additional information or further explanation: _____

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3. ACREAGE AND DISTANCE:

Total Acres: 42.6 +/- Deeded: 10 State Lease: 825 BLM: 3460
Forest Permits: 0 Private Lease: 0 Oil and Gas Lease: 0
Wind Energy Lease: 0 Other: 0 ☐ Solar 0
☐ Transmission Lines 0 ☐ Hunting 0 ☐ Easement 0 ☐ Wind Turbines 0
☐ Communication Tower 0 ☐ Other 0
Direction from Town SOUTH Distance 16 Roads 16
Distance to Grade School 16 High School 16 Shipping Point 16 (?)

For additional information or further explanation: _____

4. MINERAL RIGHTS

Mineral Rights: NO
Mineral Rights Percent Owned: _____

For additional information or further explanation: _____

5. WATER

Number of Domestic Wells 0 Depth of Wells _____
Number of Stock Wells 2 Depth of Wells _____
Type of Power used for Wells: ☐ Wind ☒ Electric ☒ Solar
Stock Water 2 steel rim tanks & troughs
Registered Well No. M-3188 M-07620
Pump Type submersible/solar Pump Capacity 13-15 GPM
Reservoirs NONE Streams NONE Lakes NONE
Water Storage Tanks ☒ Yes ☐ No Number of Water Storage Tanks 2
Type of Water Storage Tanks: STEEL RIM
Are there any problems with the Water Storage Tanks? ☐ Yes ☒ No
If yes, explain: _____
Is there any pipeline? ☐ Yes ☒ No
Type? _____
Are there any problems with the Pipelines? ☐ Yes ☒ No
If yes, explain: _____

For additional information or further explanation: _____

6. IRRIGATION RIGHTS

Water Assessments NONE
Conservancy District Name N/A
Irrigation Equipment NONE
Is the Irrigation Equipment included in the sale of the Property? ☐ Yes ☒ No
Irrigation Equipment Condition ☐ Good ☐ Fair ☐ Poor N/A
Is the Property irrigated from a Ditch or an Acequia (see RANM Form 2307 - Information Sheet - Water Rights & Domestic Wells) ☐ Yes ☐ No N/A
If yes, Ditch Name: _____

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Majordomo Name N/A Water Association Name: N/A

Are there any fees? ☐ Yes ☒ No

If yes, how much? _____

Are the Association of Ditch Fees current? ☐ Yes ☐ No N/A

Is there an ownership transfer fee? ☐ Yes ☐ No N/A

If yes, how much? _____

Are the Ditches ☐ Concrete ☐ Underground ☐ Other explain N/A

What is the condition of Ditches? _____

Are there pivots? ☐ Yes ☒ No

For additional information or further explanation: _____

7. CROPS AND PASTURES

Acres Cultivated 0 Irrigated 0 Non-Irrigated _____ Sub-Irrigated 0

Alfalfa 0 Native _____ Total Tons N/A Pasture _____

Crops Now Growing _____

The following crops ☐ are ☐ are not included in the sale price _____

N/A

For additional information or further explanation: _____

8. STOCK

Number _____ Type _____

Carrying Capacity _____

For additional information or further explanation: _____

9. LESSEE INFORMATION

Name of Tenant _____

Address _____ City _____ State _____ Zip Code _____

Term of Lease: _____ Crop or Share Rent: _____

Name of Tenant _____

Address _____ City _____ State _____ Zip Code _____

Term of Lease: _____ Crop or Share Rent: _____

For additional information or further explanation: _____

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10. BUILDINGS AND OTHER STRUCTURES

☒ A Residential Home is included in the Sale. ☐ Attached is the Property Disclosure Statement-Residential (RANM Form 2301)

Main House _____
No. of Rooms _____ Roof _____ Foundation _____ Basement _____
Gas _____ Electricity _____ Other Utilities _____ Bathrooms _____
Water System _____ Heat _____ Other Living Quarters _____

Approximate Age of Dwellings _____

Barns and Outbuildings _____

Approximate Age of Barns and Outbuildings _____

Livestock Scales NONE

Fences (Types, Miles, etc.) BARBED WIRE 11 MILES + or -

Fence Condition ☐ Good ☒ Fair ☐ Poor

Condition of Improvements Fences well maintained 17 well fair

Other _____

For additional information or further explanation: _____

11. LEAD-BASED PAINT

YES	NO	DON'T KNOW	N/A
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IS THE SELLER AWARE OF:

☐ ☐

A. Are there buildings on the Property that were built prior to 1978?

B. **DISCLOSURE AND INFORMATION REQUIREMENT.** If there is a residence on the Property that was constructed prior to 1978, Federal Law and Regulations create specific disclosure and information requirements, which are set forth in RANM Form 5112, Lead-Based Paint Addendum to Purchase Agreement. RANM Form 5112 must be attached to the Purchase Agreement. The Seller is not permitted to accept a Buyer's offer prior to making the required disclosures and providing the required information.

C. **REPAIRS AND RENOVATIONS.** Were renovations or repairs made to any building(s) on the Property or portion thereof on or after April 22, 2010 that are governed by the Lead-Based Paint Renovation, Repair and Painting Program?

☐ Yes ☐ No ☐ Don't Know

If yes, complete and attach RANM Form 5112A, Lead-Based Paint Renovation, Repair and Painting Disclosure Addendum (UNLESS OTHERWISE DIRECTED BY THE FORM). For information on types of buildings and renovations covered by the Program, refer to RANM Form 2315, Lead-Based Paint (LBP) Renovation, Repair and Paint Information Sheet.

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12. ENVIRONMENTAL

Underground or aboveground Storage Tanks NONE Type _____
Location _____ Current Status _____

Any soil, stream, or groundwater contamination? ☐ Yes ☒ No

If yes, please explain _____

Any flooding or drainage problems? ☐ Yes ☒ No

If yes, please explain _____

☐ Solar Leases _____

☐ Transmission Lines _____

☐ Wind Turbines _____

☐ Easements that serve Solar Equipment, Transmission Lines or Wind Turbines _____

Do you have knowledge of any environmental consequences resulting from the Water Softener? ☐ Yes ☒ No

Explain: _____

Does the Property include an On-Site Liquid Waste System? ☐ Yes ☐ No

If the answer is "Yes", the transfer of the Property is subject to Regulations of the New Mexico Environment Department governing On-Site Liquid Waste systems, which require inspection and possible repair. Contact the new Mexico Environment Department for information regarding appropriate inspection forms and requirements.

For additional information or further explanation: _____

13. OTHER PERSONAL PROPERTY

Trucks, Autos, Equipment, Supplies N/A

For additional information or further explanation: _____

14. OTHER

For additional information or further explanation: _____

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PLEASE NOTE: *There is currently no legal or statutory requirement in the State of New Mexico that obligates or requires Sellers or Brokers to disclose to any prospective Buyer that the subject Property is or has been: 1) The site of a natural death, homicide, suicide or any other crime classified as a felony; 2) Owned or occupied by a person or persons exposed to HIV or diagnosed with AIDS or any other disease not known to be transmitted through the common occupancy of real estate; 3) Located in the vicinity of a convicted sex offender.*

If buyer has concerns about any of the conditions cited above, Buyer is urged to conduct his/her own due diligence and contact the appropriate Local, State or Federal health and law enforcement authorities to obtain accurate and reliable information.

THIS IS NOT A CONTRACT.



The above disclosures are made to the best of the Seller's knowledge. The person who signed as or on behalf of Seller lacks actual knowledge of the Property for the following reason:

☐ Personal Representative ☐ Administrator of Estate ☐ Trustee ☐ Receiver ☐ Does not occupy the Property
☐ Other: _____

Seller's liability is limited to any statements made by Seller on this disclosure that Seller knew to be false. It is Buyer's responsibility to use due diligence to verify the accuracy of the information in this statement. Buyer is not relieved of this responsibility by virtue of delivery of this Statement to Buyer.

The law does not protect a Seller who makes an intentional misrepresentation.

SELLER

	<u>Michael Johnson</u>	<u>12-28-11</u>	
Seller Signature		Date	Time
	<u>Sean Robertson</u>	<u>12/28/11</u>	
Seller Signature		Date	Time

BUYER

Buyer acknowledges receipt of this Statement.

_____	_____	_____
Buyer Signature	Date	Time
_____	_____	_____
Buyer Signature	Date	Time