

WARRANTY DEED

Victor A. Nikolaev and Magdalena Stankova, husband and wife

for consideration paid, grants to:

Eddie Edwards and Kim Edwards, husband and wife, as joint tenants with right of survivorship

whose address is 0 Clear Night, Cloudcroft, NM 88317

the following described real estate in Otero County, New Mexico:

See Attached Exhibit "A"

Parcel ID: R036785

SUBJECT TO: Easements, Restrictions and Reservations of record.

SUBJECT TO: Any set of facts which a physical inspection or accurate survey of the premises may reveal.

with warranty covenants.

Witness my hand(s) and seal(s) on this 20 day of December, 2023

Victor A Nikolaev

Victor A. Nikolaev

Magdalena Stankova

Magdalena Stankova

STATE OF AZ

COUNTY OF pima

This instrument was acknowledged before me on this 20 day of December, 2023 by Victor A. Nikolaev and Magdalena Stankova.

NOTARIZE HERE

Ariana B Teran Lopez

Signature of notarial officer

My commission expires: Sep 6 2027

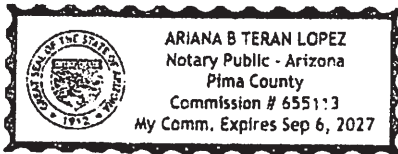
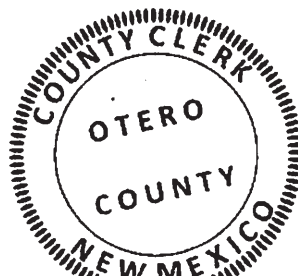


Exhibit "A"
Property Description

TRACT OF LAND IN LOTS 11, 12, 13, 14 AND 20, OF SECTION 1, TOWNSHIP 16 SOUTH, RANGE 12 E. AST N.M.P.M. OTERO COUNTY, NEW MEXICO. MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THIS TRACT ALSO THE NORTHWEST CORNER OF LOT 12, SECTION 1, TOWNSHIP 16 SOUTH, RANGE 12 EAST, N.M.P.M. OTERO COUNTY, NEW MEXICO.
THENCE NORTH 89°17'46" EAST, 2262.81 FEET;
THENCE SOUTH 1044.20 FEET;
THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 390.53 FEET AND A CHORD OF 221.59 FEET;
THENCE SOUTH 52°40'10" WEST, 73.65 FEET;
THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 436.79 FEET AND A CHORD OF 73.98 FEET;
THENCE SOUTH 42°57'15" WEST, 470.41 FEET;
THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 584.22 FEET AND A CHORD OF 72.99 FEET;
THENCE SOUTH 35°47'22" WEST, 90.47 FEET;
THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 547.77 FEET AND A CHORD OF 142.24 FEET;
THENCE SOUTH 50°42'25" WEST, 250.09 FEET;
THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 465.55 FEET AND A CHORD OF 156.26 FEET;
THENCE SOUTH 31°22'33" WEST, 314.09 FEET;
THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 368.80 FEET AND A CHORD OF 106.16 FEET;
THENCE SOUTH 14°49'43" WEST, 92.10 FEET;
THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 299.87 FEET AND A CHORD OF 75.75 FEET;
THENCE SOUTH 00°18'08" WEST, 426.49 FEET;
THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 51.07 FEET AND A CHORD OF 96.97 FEET;
THENCE NORTH 36°17'49" WEST, 114.69 FEET;
THENCE WEST 719.16 FEET;
THENCE NORTH 00°10'00" WEST, 2937.64 FEET TO THE PLACE OF BEGINNING.



QUITCLAIM DEED

S; IT: 16RS 12TR IN LTS 10, 11, 12, 13, 14, 20

Eddie + Kim Edwards

, for consideration paid, grant(s) to

Donyle EE Ranch Outfitters & Gun Club

Whose address is 10 Broken Bow, Cloudcroft NM 88317

the following described real estate in Otero County, New Mexico:

S; IT: 16R: 12TR IN LTS 10, 11, 12, 13, 14, 20

with warranty covenants.

WITNESS

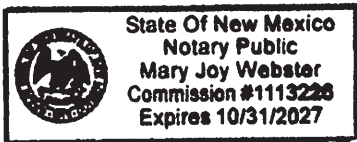
hand X and seal this 11 day of

April

20 24

X Eddie Edwards

(Seal)



X Kim Edwards

(Seal)

(Seal)

(Seal)

STATE OF NEW MEXICO

County of Otero ss.

The foregoing instrument was acknowledged before me this 11 day of April,

20 24 by Eddie Edwards and Kim Edwards

My commission expires October 31, 20 27

[Signature] Notary Public

STATE OF NEW MEXICO

County of ss.

I hereby certify that this instrument was filed for record

on the day of

A.D., 20

at o'clock M., and duly recorded in

Book Page of

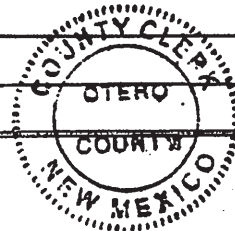
Records of Deeds of said County.

County Clerk

By, Deputy

Rec: Fees, \$

Return to

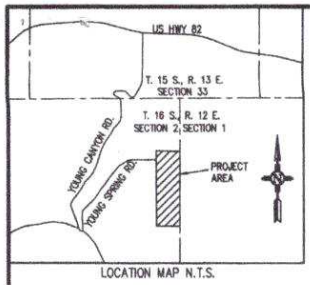


PLAINTIFF'S EXHIBIT 4

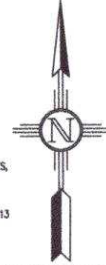
003

BOUNDARY SURVEY PLAT FOR JOHN & FAITH PAGONES TRACT 1 WITHIN LOTS 8 & 9, SECTION 2, TOWNSHIP 16 SOUTH, RANGE 12 EAST, NEW MEXICO PRINCIPLE MERIDIAN OTERO COUNTY, NEW MEXICO

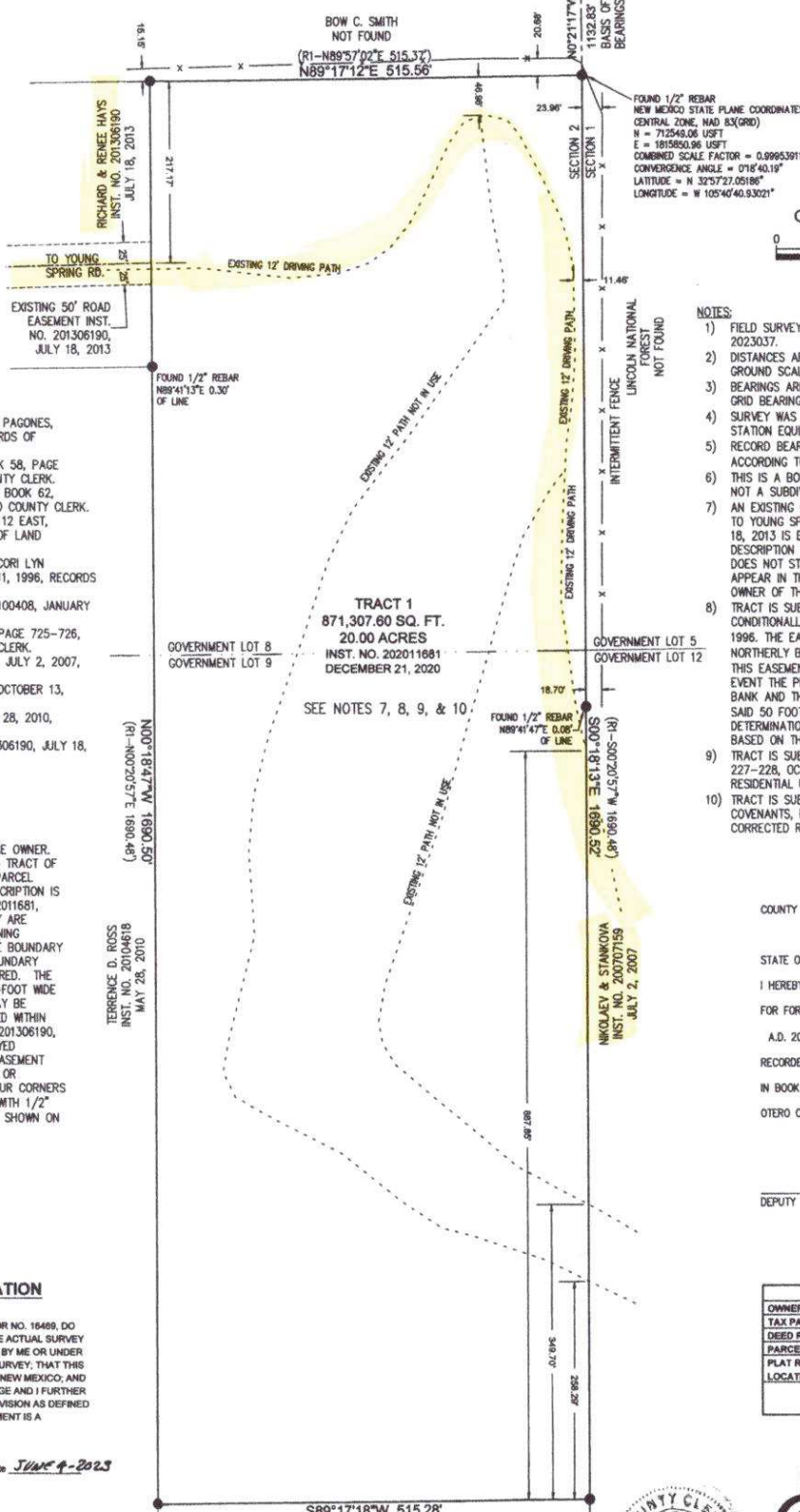
JUNE 2023



FOUND 3" BRASS CAP SEC. 33 T. 15 S.; R. 13 E.; SEC 1 & 2 C.C.; T. 16 S.; R. 12 E.; N.M.P.M.
NEW MEXICO STATE PLANE COORDINATES:
CENTRAL ZONE, NAD 83(GR01)
N = 713681.35 USFT
E = 1815843.85 USFT
COMBINED SCALE FACTOR = 0.99548849
CONVERGENCE ANGLE = 01°40'28"
LATITUDE = N 32°57'38.25563"
LONGITUDE = W 105°40'40.94033"



- LEGEND OF SYMBOLS:**
- FOUND 1/2" REBAR TAGGED "GROMATZKY PS 16469"
 - BOUNDARY LINE
 - - - ADJOINING PROPERTY LINE
 - - - SECTION LINE
 - - - GOVERNMENT LOT LINE
 - - - CENTERLINE OF EASEMENT
 - - - EASEMENT LINE
 - x - x BARS WIRE FENCE
 - - - CENTERLINE OF PATH AS INDICATED



REFERENCE DOCUMENTS:

- R1. DEED TO JOHN PAUL PAGONES AND FAITH BAKER PAGONES, INST. NO. 202011681, DECEMBER 21, 2020, RECORDS OF OTERO COUNTY CLERK.
- R2. PLAT OF SURVEY FOR LEVINE FAMILY TRUST, BOOK 58, PAGE 84, OCTOBER 30, 2002, RECORDS OF OTERO COUNTY CLERK.
- R3. PLAT OF SURVEY FOR LINCOLN NATIONAL FOREST, BOOK 62, PAGE 4, NOVEMBER 18, 2004, RECORDS OF OTERO COUNTY CLERK.
- R4. U.S.G.L.O. PLAT FOR TOWNSHIP 16 SOUTH, RANGE 12 EAST, ACCEPTED JUNE 14, 1939, RECORDS OF BUREAU OF LAND MANAGEMENT.
- R5. WARRANT DEED TO EDWARD THOMAS KELLEY & CORI LYN CASTELLO, BOOK 843, PAGE 227-228, OCTOBER 11, 1996, RECORDS OF OTERO COUNTY CLERK.
- R6. AMENDED RESTRICTIVE COVENANTS, INST. NO. 201100408, JANUARY 14, 2011, RECORDS OF OTERO COUNTY CLERK.
- R7. CORRECTED RESTRICTIVE COVENANTS, BOOK 789, PAGE 725-726, OCTOBER 18, 1994, RECORDS OF OTERO COUNTY CLERK.
- R8. DEED TO NIKOLAEV & STANKOVA, NO. 200707159, JULY 2, 2007, RECORDS OF OTERO COUNTY CLERK.
- R9. DEED TO LEVINE FAMILY TRUST, NO. 202009297, OCTOBER 13, 2020, RECORDS OF OTERO COUNTY CLERK.
- R10. DEED TO TERRENCE D. ROSS, NO. 20104618, MAY 28, 2010, RECORDS OF OTERO COUNTY CLERK.
- R11. DEED TO RICHARD & RENEE HAYS, INST. NO. 201306190, JULY 18, 2013, RECORDS OF OTERO COUNTY CLERK.

SURVEYOR'S NARRATIVE:

THIS SURVEY IS BEING MADE PER THE REQUEST OF THE OWNER. THIS SURVEY IS A BOUNDARY SURVEY OF AN EXISTING TRACT OF LAND AS IDENTIFIED BY THE COUNTY ASSESSOR TAX PARCEL IDENTIFICATION NUMBER. THE RECORD BOUNDARY DESCRIPTION IS BASED ON THE CURRENT DEED FILED AS INST. NO. 202011681, DECEMBER 21, 2020. PRIOR DEEDS OF THE PROPERTY ARE IDENTICAL TO THE CURRENT DEED DESCRIPTION. ADJOINING PROPERTIES WERE RESEARCHED AND PORTIONS OF THE BOUNDARY OF THE ADJOINING PARCELS WERE SURVEYED. NO BOUNDARY CONFLICTS WITH ADJOINING PROPERTIES WERE DISCOVERED. THE SURVEYED PROPERTY IS SUBJECT TO AN EXISTING 50-FOOT WIDE EASEMENT THAT IS INSUFFICIENTLY DESCRIBED AND MAY BE INVALID. SEE NOTE B. THE ROAD EASEMENT DESCRIBED WITHIN THE DEED FOR RICHARD AND RENEE HAYS, INST. NO. 201306190, JULY 18, 2013 IS BEING USED TO ACCESS THE SURVEYED PROPERTY. THE DEED DESCRIPTION FOR THIS ROAD EASEMENT DOES NOT STATE WHO BENEFITS FROM THE EASEMENT OR MAINTENANCE RESPONSIBILITIES, SEE NOTE 7. THE FOUR CORNERS OF THE PROPERTY WERE FOUND TO BE MONUMENTED WITH 1/2" REBAR AND ACCEPTED PER THE DEED OF RECORD, AS SHOWN ON THE SURVEY.

SURVEYOR'S BOUNDARY CERTIFICATION

I, ROBERT GROMATZKY, NEW MEXICO PROFESSIONAL SURVEYOR NO. 16469, DO HEREBY CERTIFY THAT THIS BOUNDARY 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 I FURTHER CERTIFY THAT THIS SURVEY IS NOT A LAND DIVISION OR SUBDIVISION AS DEFINED IN THE NEW MEXICO SUBDIVISION ACT AND THAT THIS INSTRUMENT IS A BOUNDARY SURVEY PLAT OF AN EXISTING TRACT OR TRACTS.

Robert Gromatzky
ROBERT GROMATZKY, PS NO. 16469

Date JUNE 9-2023



PLAINTIFF'S EXHIBIT 4

NOTES:

- 1) FIELD SURVEY WAS COMPLETED APRIL AND MAY 2023, PROJECT NO. 2023037.
- 2) DISTANCES ARE GROUND DISTANCES IN U.S. SURVEY FEET, GRID TO GROUND SCALE FACTOR = 1.000463786.
- 3) BEARINGS ARE NEW MEXICO STATE PLANE, CENTRAL ZONE, NAD 83 GRID BEARINGS.
- 4) SURVEY WAS COMPLETED WITH RTK GPS, STATIC GPS, AND TOTAL STATION EQUIPMENT.
- 5) RECORD BEARINGS AND DISTANCES ARE SHOWN IN PARENTHESES ACCORDING TO CORRESPONDING REFERENCE DOCUMENTS (R1-).
- 6) THIS IS A BOUNDARY SURVEY OF AN EXISTING TRACT OF LAND AND IS NOT A SUBDIVISION OR A REPLAT.
- 7) AN EXISTING OFFSITE 50-FOOT WIDE ROAD EASEMENT THAT CONNECTS TO YOUNG SPRING ROAD, AS DESCRIBED IN INST. NO. 201306190, JULY 18, 2013 IS BEING USED TO ACCESS THE PROPERTY. THE EASEMENT DESCRIPTION DOES NOT STATE WHO THE EASEMENT IS GRANTED TO, DOES NOT STATE MAINTENANCE RESPONSIBILITIES, AND DOES NOT APPEAR IN THE CHAIN OF DOCUMENTS RESEARCHED FOR THE EXISTING OWNER OF THIS TRACT OR FORMER OWNERS OF THIS TRACT.
- 8) TRACT IS SUBJECT A 50-FOOT ACCESS ROAD EASEMENT, CONDITIONALLY GRANTED PER BOOK 843, PAGE 227-228, OCTOBER 11, 1996. THE EASEMENT IS DESCRIBED AS "OVER AND ACROSS THE NORTHERLY BOUNDARY". NO LOCATION DATA CAN BE PROVIDED FOR THIS EASEMENT. EASEMENT IS CONDITIONALLY GRANTED "IN THE EVENT THE PROPOSED LAND EXCHANGE BY AND BETWEEN WESTERN BANK AND THE UNITED STATES FOREST SERVICE IS CONSUMMATED THIS SAID 50 FOOT EASEMENT WILL BECOME NULL AND VOID"; NO DETERMINATION ON THE VALIDITY OF THE EASEMENT CAN BE MADE BASED ON THE CONDITIONAL GRANTING LANGUAGE.
- 9) TRACT IS SUBJECT TO DEED RESTRICTIONS PER BOOK 843, PAGE 227-228, OCTOBER 11, 1996, NO COMMERCIAL VENTURES ALLOWED, RESIDENTIAL USE, NO MOBILE HOMES.
- 10) TRACT IS SUBJECT TO RESTRICTIVE COVENANTS: AMENDED RESTRICTIVE COVENANTS, INST. NO. 201100408, JANUARY 14, 2011; AND CORRECTED RESTRICTIVE COVENANTS, BOOK 789, PAGE 725-726.

COUNTY OF OTERO
SS
STATE OF NEW MEXICO
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THE 5th DAY OF JUNE A.D. 2023, AT 5:00 O'CLOCK PM AND WAS DULY RECORDED AS INSTRUMENT NO. 202305172 IN BOOK N/A PAGE N/A OF THE RECORDS OF OTERO COUNTY, NEW MEXICO.

WITNESS MY HAND AND SEAL OF OFFICE
Robyn Holmes
ROBYN HOLMES
COUNTY CLERK, OTERO COUNTY, NEW MEXICO
DEPUTY

COUNTY INDEXING INFORMATION	
OWNER(S):	PAGONES, JOHN PAUL & FAITH BAKER
TAX PARCEL I.D.:	R041554
DEED REF.:	INST. NO. 202011681, DECEMBER 21, 2020
PARCEL REF.:	WITHIN LOTS 8 & 9, S. 2, T. 16 S., R. 12 E.
PLAT REF.:	UNPLATTED - USGLO PLAT JUNE 14, 1939
LOCATION:	UNADDRESSSED, OTERO COUNTY, NM
	WITHIN LOTS 8 & 9, S. 2, T. 16 S., R. 12 E., N.M.P.M.

Gromaticus Geomatics
3801 BASSWOOD DR.
ALAMOGORDO, NM 88310
505-350-3824
RGROMATICUS@GMAIL.COM

