



DISCLOSURE STATEMENT

Hawks Landing

Date: July 17, 2019

PLEASE REVIEW PRIOR TO THE PURCHASE OF PROPERTY LOCATED WITHIN THE SUBDIVISION

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

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

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

The County Planning Commission 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 property. You should also determine whether such permits are required for construction of additional improvements before you occupy the property.

1 NAME OF SUBDIVISION

Hawks Landing (the "subdivision")

2 **NAME AND ADDRESS OF SUBDIVIDER**

John Lowe
The Lowe Company
449 Live Oak Loop
Albuquerque, NM 87122

3. **CONDITION OF TITLE**

Subdivider owns the property "free and clear"

4. **STATEMENT OF ALL RESTRICTIONS OR RESERVATIONS OF RECORD THAT SUBJECT
THE SUBDIVIDED LAND TO ANY CONDITIONS AFFECTING ITS USE OF OCCUPANCY**

Subdivision is subject to conditions contained in the approved Special Use Permit, filed in the offices of Bernalillo County Zoning, Building and Planning Department under file CSU-20130039. Site will have a Homeowners Association and Covenants governing use restrictions and maintenance of landscaping in roadways and rights of way.

5. **UTILITIES**

A. **ELECTRICITY**

The entity providing individual electrical service will be the Public Service Company of New Mexico (PNM).

B. **GAS**

The entity providing individual gas service will be the New Mexico Gas Company.

C. **WATER**

The entity providing water service will be Sandia Peak Utility Company.

D. **TELEPHONE**

The entity providing telephone service is Comcast.

E. **WASTEWATER**

The entity providing sewer service will be the Sandia Peak Services, Inc.

F. **SOLID WASTE**

The entity providing solid waste service will be Sandia Heights Services, LLC.

6. **INSTALLATON OF UTILITIES**

The installation of electricity, gas, water, phone, and sewer utilities will be concurrent with the construction of other public improvements within the subdivision.

7. **UTILITY LOCATION**

Electricity, gas, water, phone, sewer, and solid waste disposal service are readily available to each lot at the front lot line. All on-site utilities serving the Subdivision must be located underground.

8 WATER AVAILABILITY AND WATER CONSERVATION

Water availability is reported in the "Water and Sewer Availability Statement" provided by the Sandia Peak Utility Company, dated January 26, 2015, and it is available for viewing upon request to the owner or his agent, or by contacting Sandia Peak Utility Company at 505-856-6419.

9 FOR SUBDIVISIONS WITH COMMUNITY WASTEWATER SYSTEMS

Subdivision is located with the service area of the Sandia Peak Services, Inc. The subdivision will be provided wastewater service via an 8" public sewer line. The mainline is maintained by Sandia Peak Services, Inc. and the individual 4" service line is the homeowner's maintenance responsibility.

10. FOR SUBDIVISIONS WITH INDIVIDUAL OR CLUSTERED WASTEWATER

SYSTEMS Not applicable.

11. FOR SUBDIVISIONS WITH COMMUNITY WATER SYSTEMS

Subdivision is located within the service area of the Sandia Peak Utility Company. The subdivision will be provided water via 6" waterline in Tramway Lane and 8" waterline within the subdivision with 3/4" service at each lot. The services will be limited to lots 1-33. The usage is metered and all usage restrictions are governed by the Bernalillo County Water Conservation Ordinance. Individual wells are prohibited.

12. FOR SUBDIVISIONS WITH INDIVIDUAL DOMESTIC WELLS OR MULTIPLE HOUSEHOLD

WELLS Not applicable.

13. LIFE EXPECTANCY OF THE WATER SUPPLY

As reported in the "Water and Sewer Availability Statement" provided by the Sandia Peak Utility Company, dated January 26, 2015, Sandia Peak Utility confirms that it is ready, willing, and able to provide the maximum annual water service requirement to the new subdivision for a period of at least 70-years.

14. WATER QUALITY

Water quality is maintained by Sandia Peak Utility Company.

15. SEWER SYSTEMS

The sanitary sewer system proposed within the Subdivision will be constructed to Sandia Peak Services, Inc. standards by the Subdivider, hooked up to their existing system, and then be transferred to Sandia Peak Services, Inc. for permanent ownership and maintenance.

16 SOLID WASTE DISPOSAL

Sandia Heights Services, LLC provides solid waste collection and disposal service to all Bernalillo County residents. New individual solid waste disposal service for this Subdivision shall be arranged with Sandia Heights Services, LLC by the homeowner upon occupation of each home.

17 TERRAIN MANAGEMENT

Site grading is governed by approved grading plan. Each lot will be required to provide an engineered pad prior to construction. Individual site development and home construction must conform to the approved grading plan.

A portion of the site is shown to be encumbered by a FEMA floodplain that is primarily Zone X (which is not regulated), including a smaller area defined as Zone AO (depth 2') (which is regulated). The proximity of the flood zone to the project site can be found on FEMA's Flood Insurance Rate Map, Panel 161 of Bernalillo County, New Mexico, Map Number 35001C0161G. A CLOMR has been submitted and it is anticipated that a LOMR will ultimately be submitted to and approved by FEMA upon completion of the drainage infrastructure associated with this project, thus resulting in the elimination of the AO floodplain from the project area. Storm water management includes the construction of a channel to direct flows through the site.

The subsurface soils beneath all subdivisions typically have certain limitations that require subdividers to process the on-site soils and then compact them to minimum required density that enable each lot to provide sufficient structural support prior to individual home construction. This is detailed in the geotechnical report, by Florentino Engineering, LLC, dated March 2015.

18 SUBDIVISION ACCESS

The Subdivision is located within the City of Albuquerque Metropolitan area. Access to the subdivision is via direct access to Tramway Lane, a County-owned and maintained right of way. Individual lots shall not take direct access to Tramway Lane. Individual lots shall take access from internal roadways.

19 MAINTENANCE

All public rights of way and utilities located within the public easements shall be publicly maintained. All retaining walls shall be maintained by the land owner on which the wall is located. All common walls shall be maintained by all property owners on which the wall abuts. AMAFCA shall maintain the Channel (Tract A).

20. CONSTRUCTION GUARANTEES

Infrastructure improvements within the Subdivision will be financially guaranteed before final plat sign-off.

21 ADVERSE OR UNUSUAL CONDITIONS

Along the subdivision's western boundary is a 10' Public Utility easement that contains overhead electric transmission facilities. A portion of the subdivision is located within a FEMA floodplain. The surrounding property is a mix of rural and residential. AMAFCA flood control infrastructure abuts the property.

22 FIRE PROTECTION

The subdivision has public fire hydrants located within the subdivision and adjacent to the subdivision. The Bernalillo County Fire Department will be the fire protection provider.

23 POLICE PROTECTION

This site is located within the jurisdiction of the Bernalillo County Sheriff's Department. Since the subdivision is located within the Albuquerque Metro limits, there is a joint powers agreement with the Albuquerque Police Department.

