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Commissioner, District 1

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Commissioner, District 3



Liz Stefanics  
Commissioner, District 4

Kathy Holian  
Commissioner, District 5

Katherine Miller  
County Manager

**GROWTH MANAGEMENT DEPARTMENT  
PUBLIC WORKS DIVISION  
MEMORANDUM**

**Date:** May 22, 2012

**To:** Vicki Lucero, Development Review Team Leader

**From:** Paul Kavanaugh, Engineering Associate   
Johnny P. Baca, Traffic Manager 

**Re:** CASE # 08-5440 Tierra Bello Subdivision Master Plan with Preliminary and Final Plat and Development Plan for Phase I.

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The referenced project has been reviewed for compliance with the Land Development Code, and shall conform to roads and driveway requirements of **Article V (Subdivision Design Standards) and Section 8.1 (General Policy on Roads)**. The project is located south of Avenida Eldorado, east of Avenida de Compadres, north of Spur Ranch Road and west of New Mexico State Road 285. The applicant is requesting Master Plan approval for a seventy-three (73) lot single-family residential development on 263.769 acres parcel of land and Preliminary and Final Development Plan for Phase I (9 units).

**Access:**

The project is proposing to access Tierra Bello Subdivision from Avenida de Compadres an existing unimproved dirt road. A revised Traffic Impact Analysis (TIA) was provided by Morey Walker and Associates Engineering, Inc., dated May 3, 2012, for the project. The TIA studied the intersection of US 285 and Avenida Eldorado.

**Conclusion:**

Public Works Staff has reviewed the project and feels they can support the above mentioned project.

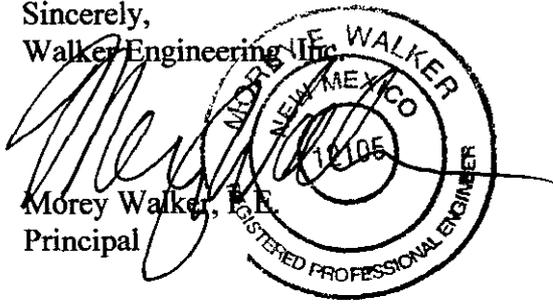
**The following must be addressed prior to Final Approval of Phase I;**

1. Applicant must upgrade Avenida De Compadres in Phase I to meet Santa Fe County Road Standards of a **Collector Road** as per Article III, Section 2.4.2b.3.a1 of the Land Development Code.
2. Applicant shall submit detailed signage/stripping plan for the proposed Improvements of Avenida De Compadres and internal subdivision roads for approval as per Article V, Section 8.1.10 of the Land Development Code.
3. Applicant shall show location for cluster mailboxes and submit a detail for the clustered mailboxes.

If there are any questions or comments, please contact me at 820-7990.

Sincerely,  
Walker Engineering, Inc.

Morey Walker, P.E.  
Principal





Morey Walker & Associates Engineering, Inc.

905 Camino Sierra Vista  
Santa Fe, NM 87505  
(505) 820-7990

September 12, 2012

Vicki Lucero  
Development Review Team Leader  
Santa Fe County Growth Management Department  
102 Grant Ave  
Santa Fe, NM 87501

Ref: Terra Bella Subdivision  
NMDOT Traffic Impact Analysis  
Review dated April 24, 2012

Dear Vicki,

Per the referenced review, I met with Afshin Jian of the NMDOT Traffic Technical Support Section to discuss the NMDOT comments and/or concerns. Per NMDOT review, the following was agreed:

Traffic Technical Support Section

1. An analysis of Spur Ranch Road will not be required. All improvements to the intersection have already been made including a right turn deceleration lane. In addition, the amount of traffic from Tierra Bella subdivision would be in the range of 5 to 8 cars/hour which is a minor amount.
2. The analysis assuming that all the traffic will use either the Avenida Eldorado or the Vista Grande intersections and not the Spur Ranch Road intersection is a conservative assumption. If the Spur Ranch Road intersection was used, the impact at the northern intersection will be less than determined. No additional analysis will be required.
3. Mitigation, if any, of the impact of Terra Bella subdivision on the intersection of Avenida Eldorado and US 285 will need to be determined. Proportional share contribution to a new traffic signal is a possibility. However, according to the District 5 Assistant Engineer, a traffic signal is not part of their long range plans.

Environmental Division

No infrastructure improvements will be required for this project. Neither a cultural resources survey nor an environmental clearance will be necessary.

# DECLARATION OF RESTRICTIVE COVENANTS

FOR:

## TIERRA BELLO SUBDIVISION

KNOW ALL PERSONS BY THESE PRESENTS:

### ARTICLE 1: DECLARATION

The undersigned, Joseph A. Miller and Alma M. Miller, the owners of real property now duly platted as Tierra Bello Subdivision as shown by a plat thereof files in the office of the County Clerk of Santa Fe County, New Mexico on the \_\_\_\_\_ day of \_\_\_\_\_, 2008, in Plat Book \_\_\_\_\_, Page(s) \_\_\_\_\_ under Reception No. \_\_\_\_\_: HEREBY MAKE THE FOLLOWING DECLARATION as limitations, restrictions and use to which the lots or tracts constituting said subdivision may be put. HEREBY SPECIFYING that said declaration shall be constitute covenants to run with all the land, as provided by law, and shall be binding to all parties and all persons claiming under them and for the benefit of and said limitations upon all future homeowners in said subdivision, thus keeping said Subdivision desirable, uniform and suitable in architectural design and use as herein specified, whether or not that same are embodied in the covenants or other instrument affecting any portion of Lot 8A, Eldorado at Santa Fe. This declaration of restriction is intended to protect the visual and environmental integrity; the value and desirability of the subject property.

NOW THEREFORE that the subject property being Lot 8A, Eldorado at Santa Fe and zoned residential use is hereby subject to the restrictions herein set forth below.

### ARTICLE 2: DEFINITIONS

- 2.01. "Lot" shall mean each and every lot sold or leased to purchase or held for sale in the subject property. "Lot" means tract.
- 2.02. "The Subdivision" Tierra Bello refers to any lands lying within Lot 8A, Eldorado at Santa Fe, approved by the County Commissioners in year \_\_\_\_\_ and described on Plat of Survey dated \_\_\_\_\_ and filed \_\_\_\_\_ Book \_\_\_\_\_, Page \_\_\_\_\_.
- 2.03. "Architectural Review Committee" (the Committee): A committee comprising of three (3) members charged with the authority and duty to review and approve or disapprove proposed plans for development within the property cover by these covenants. The developer shall serve as the Architectural Committee until ten (10) lots have been sold or leased to purchase. The developer will then appoint a three (3) member interim committee. A vacancy in the committee will be filled by appointment of new members agreed upon by the remaining committee members. All members of the committee must be owner(s) or lessee(s) of property within Tierra Bello Subdivision.

When a Landowners Association is formed then all members of the Architectural Committee must be elected by the Landowners Association. All members of Architectural Committee must be notified of any meeting of the Committee at least 5 days before the meetings. Each of the three members of the Committee shall have one equal vote. A quorum of the Committee shall exist when majorities of the members are present at properly called meeting.

- 2.04. "Manufactured Housing." "Based on New Mexico Statutes and Regulations Article 21A Manufactured Housing and Zoning." Multi section manufactured housing means a manufactured home or modular home that is a single family dwelling with a heated area of at least thirty-six by twenty-four feet and at least eight hundred sixty-four square feet and constructed in a factory to the standards of the United States Department of Housing and Urban Development, the National Manufactured Housing Construction and Safety Standards Act of 1974 and the Housing and Urban Development Zone Code 2 or the Uniform Building Code, as amended to the date of the unit's construction, and installed consistent with the Manufactured Housing Act [Chapter 60, Article 14 NMSA 1978] and with the regulations made pursuant thereto relating to permanent foundations.
- 2.05. "Mobile Home" means a moveable or portable housing structure larger than forty feet in body length, eight feet in width or eleven feet in overall height, designed for and occupied by no more than one family for living and sleeping purposes that is not constructed to the standards of the United States department of housing and urban development, the National Manufactured Housing Construction and Safety Standards Act of 1974 and the Housing and Urban Development Zone Code 2 or Uniform Building Code, as amended to the date of the unit's construction or built to the standards of any municipal building code.
- 2.06. "Manufactured Housing; permissible regulations." Based on NM Statues and regulations Article 3-21A-3. In the exercise of any of the powers and duties conferred by law, no governing body of a political subdivision of the state or any planning and zoning agency there under shall exclude multi-section manufactured homes from a specific- use district in which site-built, single family housing is allowed or place more severe restrictions upon a multi-section manufactured home than are placed upon single-family, site-built housing within that specific-use district so long as the manufactured housing is built or constructed according to the Housing and Urban Development Zone Code II or the Uniform Building Code. The governing body of any political subdivision of the state or any planning and zoning agency there under is authorized to regulate manufactured housing to require that it meets all requirements other than original construction requirements of other single-family dwellings that are site-built homes in the same specific-use district and to further require by ordinance that such manufactured housing be consistent with applicable historic or aesthetic standards.
- 2.07. "Landowners Association" (The Association): If 2/3 of the landowners and lessees approve the Landowners may form a Landowners Association after ten (10) lots within Tierra Bello are sold, transferred, or leased. Such an association shall be a non-profit corporation for the benefit of Tierra Bello Subdivision. Each lot within the Subdivision shall be to one membership and each membership will have one vote. Said Association shall develop their bylaws and conduct an

election to select 3 members to the Architectural Committee. The Bylaws of the Landowners Association must be approved by 2/3 of the landowners voting. The Landowners Association shall have the right and power to assess lot owners and lessees for improvements and maintenance of roads, facilities and open space for the benefit of the landowners or lease of Tierra Bello. The developer of Tierra Bello will be exempt from all assessments. The Association shall appoint by plurality of voting members a Chairperson, a Secretary and a Treasurer. The Secretary may also serve as the Treasure. The Chairperson shall be obligated to conduct the meeting of the Association in accordance with the then current issue of Robert's Rules of Order. The Association must foster the best interest of the Subdivision.

- 2.08. Household pets shall mean dogs, cats, hamsters, and birds and reptiles.

### **ARTICLE 3: DURATION**

- 3.01. These Restrictive Covenants shall run with and bind with the land, as provided for by law and shall be binding on all parties, persons claiming under them and to insure, and limitations upon all future residence in Tierra Bello Subdivision keeping Tierra Bello Subdivision desirable, uniform and suitable for use as herein specified.
- 3.02. These covenants may be changed or terminated with the approval of 60% of the landowners. Changes will take effect when all instruments stating so is filed with the Clerk of Santa Fe County.

### **ARTICLE 4: SEVERABILITY**

- 4.01. Invalidation of anyone or more of these covenants by judgment or court order shall in no way effect any or the remaining provisions, which shall remain in full force and effect.
- 4.02. In the event that any party violates or attempts to violate any of the covenants contained herein it shall be lawful for the Landowners Association or any person owning or leasing real property situated in said subdivision to prosecute any proceedings at law or equity against the person or persons violating or attempting to violate any such covenant in order to prevent them from further violation and to recover damages for such action.

### **ARTICLE 5: PERMITTED USES**

- 5.01. The following are permitted in Tierra Bello Subdivision as zoned by Santa Fe County for residential uses. Single-family dwellings together with such structures and outbuildings as are commonly and customarily thereto including but not limited to, private garages, and studios when permitted by the County of Santa Fe or permitted under these covenants. Any dwelling may be used for Home occupied business provided all the requirements of the County codes are met.
- 5.02. Accessory uses and uses not listed shall be governed by the Santa Fe County Development Code and the Landowners Association.

- 5.03.** Manufactured or Modular Homes placed on permanent foundations with wood, cement board, metal, vinyl or stucco siding, or suitable siding approved by the Architectural Board. Detached carports, garages, sheds shall be placed within twenty (20) feet of the main residence. Manufactured homes shall be no older than 2006 models and would be required to meet Architectural Committee Approvals.
- 5.04.** Camp trailers, RVs, and construction trailers to be utilized during construction, are allowed for a period of no more that one (1) year.
- 5.05.** Compliance with National Standards for Star Energy Efficient, Green Build Development Planning is encouraged and will be the responsibility of the homeowners/ builders.

#### **ARTICLE 6: PROHIBITIONS**

- 6.01.** Single wide mobile homes of any make or model are prohibited as permanent housing. Modular or manufactured homes that have extensive damage due to age or transport are prohibited.
- 6.02.** "Minimum square footage"-The main structure, exclusive of porches and garages shall be no less than one-thousand (1000) square feet for a single story structure. The first floor area of a multi story structure must be at least one thousand (1000) square feet and the entire structure must be at least sixteen hundred (1600) square feet, exclusive of porches and garages. Height of structures will be governed the Santa Fe County Code.
- 6.03.** "Set backs"- No structures shall be placed nearer than twenty-five (25) feet from any side, rear, or lot line and not closer than seventy-five (75) feet from the centerline of a road. No other structure or fencing shall be built closer than twenty-five (25) feet from any sideline. Barbed wire fencing is prohibited.
- 6.04.** "Types and use"- No campers, tents, shacks, garages, barns or trailers shall at any time be used as a permanent residence.
- 6.05.** "Animals"- No animals or poultry of any kind shall be kept or raised on lots, except household pets not to exceed three in number. Horses not to exceed two in number are permitted in each lot. Horses shall be controlled and confined that they cannot open graze. The area or all barns, stables and corrals for confining horses combined shall not total more than one-third (1/3) of an acre of land for each lot and shall be in good design and sound construction as determined by the Landowners Association. Fencing of lots is prohibited. Fences, barns or horse facilities shall not be closer than fifty (50) feet from any lot line and must be two-hundred (200) feet from the road. All animals must be under the control of their owners at all times. Owners shall prevent the animals in any way from becoming a nuisance. Noise created by the animals, odor or other practices or conduct which may create a nuisance is prohibited.
- 6.06.** "Oil and Mineral Operations"- No oil drilling, oil development, quarry or mining operations of any kind shall be permitted upon any lot.

- 6.07. "Hunting"- No hunting shall be permitted and no firearms shall be discharged, except in self-defense, in Tierra Bello.
- 6.08. "Signage"- No sign, except signs no larger than three (3) by two (2) feet in size, indicating the name, address or residence or as identification for business purposes shall be permitted with out approval of the Architectural Committee. However any owner may without such approval erect one (1) sign not more than four (4) feet by three (3) feet advertising the lot or house for sale or rent.
- 6.09. "Storage"- No storage of any material, except building material during construction, shall be permitted. No more than one (1) recreational vehicle and one boat may be stored on any lot. RV's and boats must be parked in the least conspicuous possible place. Covers are encouraged.
- 6.10. "Lighting"- No exterior lighting more than twelve (12) feet above ground designed to illuminate an area from dusk to dawn may be placed on a lot unless it is adequately shielded to prevent being a nuisance to surrounding landowners.
- 6.11. "Tanks"- Butane tanks and other storage tanks shall be placed in such a manner as not to distract the appearance of any lot as determined by the committee.
- 6.12. "Nuisance"- No noxious or offensive activity can be carried on any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the owners or renters in the subdivision. This provision shall be liberally construed to include activities, which are offensive to reasonable persons such as disposal or retention of junk vehicles, carrying on loud activities. Nor the conduct of any activities, which produce interferences to ordinary TV reception such as improperly tuned HAM or CB reception transmission stations, etc. Any activation that interferes with the peace and tranquility of the residence of Tierra Bello shall be prohibited.
- 6.13. "Other uses"- No uses inconsistent with the residential character of the Subdivision shall occur, as determined by the Committee.
- 6.14. "Subdivision of lots"- No lot shall be subdivided as to create an additional lot.
- 6.15. "Access to lots"- All lots will be accessed from roads within the subdivision. No lot may be accessed from Spur Ranch Road or from Avenida de Compadres except Lot No. 1
- 6.16. "Waivers"- Any prohibition may be waiver by the Committee when the proposed waiver is not inconsistent with the purpose and intent of these covenants.

#### **ARTICLE 7: CONSTRUCTION**

- 7.01. "Approval"- Architectural Committee must approve all plans prior to the construction, or placing structures built offsite, or exterior modification, or additions to any structure on any lot in Tierra Bello Subdivision. The Architectural Committee shall render its decision relating to the proposed construction within 15 days following the date of submission of plans and specifications. If no

decision is forth coming within this time the plans and specifications shall be deemed to have been approved. Development applications and permits are required from Santa Fe County and New Mexico Construction Industries Division along with New Mexico Environment Improvement Division for liquid waste disposal systems.

- 7.02.** "Standard"- The type of architecture design for on site constructed homes shall be based upon, but not strictly adhere to Santa Fe style, Territorial style, Pueblo style and Northern New Mexico Style. Reasonable innovative and creative ways are permitted. The use of construction material will not be visually offensive. The only requirement of the decision to approve modifications in the standard is that the committee shall act in good faith for the benefit of all residents of lots in the subdivision.
- 7.03.** All Utilities shall be underground.
- 7.04.** All construction shall be completed within twelve (12) months from the date such work is started.
- 7.05.** Temporary construction quarters are permitted, but must be removed immediately when the home is occupied. During construction the owner of the site must insure the area be clear of debris and use reasonable efforts to minimize noise, dust and fumes.
- 7.06.** "Construction"- During construction, the lot owner must insure that they or the builder shall be required to refrain from damaging or removing trees and other vegetation except as may be reasonably necessary in clearing the building site or the construction of driveways and parking areas.
- 7.07.** "Solid Waste Disposal"- All lot owners are to dispose of their solid waste in an approved sanitary landfill or to contract for solid waste pick-up service by an approved waste management firm.
- 7.08.** Any property owner, tenants and members of their family, and guest may have use of the common areas. No motorized vehicle of any type shall be operated on any common area.
- 7.09.** Property owners within Tierra Colinas may use open space through Tierra Bello Open Space upon an agreement with the Homeowners Association of Tierra Colinas and Tierra Bello.

Failure to enforce any covenant herein shall in no event be deemed as waiver of the right to do so thereafter.

**PLEASE READ THIS DISCLOSURE STATEMENT**

**BEFORE YOU**

**SIGN ANY DOCUMENT OR AGREE TO ANYTHING**

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

The Board of County Commissioner has examined the disclosure statement to determine whether the sub divider can satisfy what he said in this disclosure statement. However, the Board of County Commissioners does not vouch for the accuracy of what is said in this disclosure statement. Further, this disclosure statement is not a recommendation or endorsement of the subdivision by the County or the State, it is informative only.

Finally, the Board of County Commissioner recommends that you see the property before buying or leasing it. However, if you do not see the property prior to purchasing or leasing it, you have thirty (30) days from the time of purchase or lease is signed to inspect the property. Upon inspecting the property, you have three days from the date of inspection to rescind the transaction and receive all of your money back paid to the seller, with the exception of commissions paid to brokers, recording fees interest paid and fees paid to the title company. You must give the sub divider notice of your intent to rescind within three days of your inspection of the property. This applies only to sales by subdivider.

**15. SUBDIVISION ACCESS**

U.S. Highway 285, to Avenida Vista Grande, or to Avenida Eldorado, to Avenida de Las Compadres serves access as the principal routes leading to and from this subdivision. Residents of Tierra Bello Subdivision will most likely use this route versus Spur Ranch Road due to the proximity to paved Avenida Eldorado to U.S. Highway 285 a four lane, paved federal highway that is maintained by District 5 of the New Mexico State Department of Transportation. All roads within the subdivision are fifty (50) feet public road and utility easements with twenty-four (24) foot wide driving surfaces with a 6-inch gravel surface. All roads within the subdivision are public roads maintained by the Tierra Bello Subdivision Homeowner's Association.

**16. FIRE PROTECTION**

The Eldorado Area Water and Sanitation District water system provides water service to the fire hydrants within the Subdivision. Fire Protection is provided by Santa Fe County Fire Department with a Fire substation located in the Eldorado vicinity. A professional engineer has evaluated the fire flow capacity of the water system to verify the ability of the water system to satisfy County Fire Marshall standards. Each Lot owner will be required to pay to the County, a fire impact fee for the purpose of capital expenditures for fire protection. The purchaser or lessee should request a fee schedule, which is based on the square feet in the building, from the County Land Use office.

**17. GUEST HOUSES, SWIMMING POOLS & NO FURTHER SUBDIVISION OF LOTS**

Guest houses are permitted only with the approval of Santa Fe County. Swimming pools are not permitted within the subdivision. No further division of Lots is permitted; this shall not prevent the adjustment of lot lines.

**To be sent Certified Mail return receipt requested to all property owners within 100 ft. (excluding right of ways) of subject property and any neighborhood association or group registered with the County, for the area in which the development is proposed. Mailings must be sent out by August 30, 2012.**

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**CDRC Case # Z 08-5440**

Dear Property Owner:

Notice is hereby given that a public hearing will be held to consider a request by Joseph Miller for Master Plan Zoning approval for a 73-lot residential subdivision (Tierra Bello) on 263.769 acres  $\pm$  and Preliminary and Final Plat and Development Plan Approval for Phase 1, which will consist of 9 lots. The property is located at the Northeast intersection of Avenida de Compadres and Spur Ranch Road, south of Avenida Eldorado in Eldorado, within Sections 24 and 25, Township 15 North, Range 9 East (Commission District 5), NMPM, Santa Fe County.

A public hearing will be held in the County Commission Chambers of the Santa Fe County Courthouse, corner of Grant and Palace Avenues, Santa Fe, New Mexico on the 20th day of September, 2012, at 4 p.m. on a petition to the County Development Review Committee.

Please forward all comments and questions to the County Land Use Administration Office at 986-6225.

All interested parties will be heard at the Public Hearing prior to the Commission taking action. All comments, questions and objections to the proposal may be submitted to the County Land Use Administrator in writing to P.O. Box 276, Santa Fe, N.M. 87504-0276; or presented in person at the hearing.

Sincerely:

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Encl: Vicinity Map

**BYLAWS**  
**FOR**  
**TIERRA BELLO SUBDIVISION**  
**HOME OWNERS' ASSOCIATION**

**ARTICLE I**

**NAME AND LOCATION**

The name of the corporation is **Tierra Bello Subdivision Home Owners Association**, hereinafter referred to as the "Association." The principal office of the corporation shall be located at 286 Riverbank Road, Lamy, New Mexico, 87540, but meetings of members and directors may be held at such places within the State of New Mexico as may be designated by the Board of Directors.

**ARTICLE II**

**DEFINITIONS**

- Section 1. Association shall mean and refer to the **Tierra Bello Subdivision Home Owners Association**, its successors and assigns.
- Section 2. Project and Properties shall mean and refer to that certain real property described in the Declaration of Covenants, Conditions and Restriction, and such additions thereto as may hereafter be brought within the jurisdiction of the Association.
- Section 3. Common Area shall mean all real property owned by the Association for the common use and enjoyment of the owners.
- Section 4. Lot shall mean and refer to any plot of land shown and recorded subdivision map of the Properties, along with its improvements, any exclusive easements appurtenant to the Lot, and the non-exclusive easement to use the common areas. Ownership of a Lot shall include membership in the Association and rights appurtenant thereto.
- Section 5. Owner shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot which is a part of the Properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.
- Section 6. Declaration shall mean and refer to the Declaration of Covenants, Conditions and Restrictions applicable to the Properties recorded in the office of the County Clerks of Santa Fe, New Mexico, as amended.
- Section 7. Member shall mean and refer to those persons entitled to membership as provided in the Declaration.

1. **NAME OF SUBDIVISION**

Tierra Bello Subdivision

2. **NAME & ADDRESS OF SUBDIVIDER**

Joseph & Alma Miller, Revocable Trust  
286 Riverbank Road  
Lamy, NM 87540

3. **NAME & ADDRESS OF PERSON IN CHARGE OF SALE OR LEASING IN NM**

Joseph F. Miller or his agent  
286 Riverbank Road  
Lamy, NM 87540

4. **WATER USE**

Water use is limited to 0.25-acre feet per year for all lots.

5. **AMOUNT OF WATER**

Typically each household within the Eldorado subdivision uses approximately 0.80 acre feet of water per year. Water will be provided to each lot for domestic use by Eldorado Area Water and Sanitation District.

6. **WATER DELIVERY**

The Eldorado Area Water and Sanitation District, is the entity responsible for delivery of water within the Tierra Bello Subdivision. The Eldorado Area Water and Sanitation District is a water distributor operated by an elected board as a quasi-municipal government.

7. **WATER SYSTEM EXTENSION**

The developer is responsible for the extension of the main water line and service lines to lots. A three-quarter ( $\frac{3}{4}$ ) inch service line will be stubbed out to each lot. It will be the responsibility of each lot owner to extend the service line to the house and install a meter.

8. **LIFE EXPECTANCY OF THE WATER SUPPLY**

Life expectancy for the water system satisfies the requirements established by the Santa Fe County Land Development Code.

9. **WELLS**

Water service is provided through Eldorado Area Water and Sanitation District. Private Wells are prohibited on individual lots by the Restrictive Covenants and the Santa Fe County Land Use Office.

10. **SURFACE WATER**

Drainage easements are located as shown on the subdivision plat. The buyer should review the final plat for the location and size of these drainage easements. Check dams must be maintained by Tierra Bello Homeowner's Association.

11. **WATER QUALITY**

The water quality of the Eldorado Area Water and Sanitation District complies with all local, state, and federal water quality standards. Detailed Water Quality Data is provided by Eldorado Area and Water and Sanitation District,

12. **LIQUID WASTE DISPOSAL**

The types of permitted liquid waste disposal system is dependent on the types of soils, depth of soil to bedrock, proximity to natural water courses, and steepness of slope. The New Mexico Environment Department has established standards for liquid waste disposal system. These standards are amended from time to time and each lot owner should review the New Mexico Environmental Department standards, which are in force and effect when they decide to develop each lot. If conditions are not suitable for a conventional septic tank, leach field system, and alternative system, such as advanced on-site treatment, closed vault sand beds, or other system acceptable to New Mexico Environment Department must be installed on the lot. These alternative systems are more costly to install and maintain and must be designed by a professional engineer.

13. **SOLID WASTE**

Each lot owner must contract for removal of solid waste by a company licensed to do business in Santa Fe County, New Mexico or by utilizing Santa Fe County Refuse Center located in the vicinity of Eldorado.

14. **TERRAIN MANAGEMENT**

With proper sighting and engineering design, the soils are suitable for foundations for buildings.

All drainage easements shown on the subdivision plat must be maintained in their natural state, free of debris and material, which impedes the flow of storm water. These ponds and check dams in the drainage easement must be maintained from time to time by the Association, which will be paid for by dues collected from each lots owner. No portion of the subdivision is located within a 100-year flood plain as defined on panel 350069 0325B of the Flood Insurance Rate Map.