

EXCLUDED NEW MEXICO STATE HIGHWAY DEPARTMENT

LOT 1
265,256.45 sq. ft.
6.089 ac. (GROSS)
EAGLE TAIL INC., FIRST SUBDIVISION
OF THE CITY OF RATON, N.M.
BLOCK 5

LOT 2
154,678.46 sq. ft.
3.551 ac. (GROSS)
EAGLE TAIL INC., FIRST SUBDIVISION
OF THE CITY OF RATON, N.M.
BLOCK 5

UTILITY COMPANIES

RATON NATURAL GAS CO.
1115 S. 2ND STREET
RATON, NM 48458
(505 445-3613)

U.S. WEST
COOK STREET
RATON, NM 48458
(505 445-5521)

RATON PUBLIC SERVICE
344 N. 2ND STREET
RATON, NM 48458
(505 445-9861)

TOI CABLE
1026 S. 2ND STREET
RATON, NM 48458
(505 445-5553)

RATON WATER WORK
224 SAVAGE AVENUE
RATON, NM 48458
(505 445-3861)

RATON SIGN COMPANY
P.O. BOX 458
RATON, NM 48458
(505 445-8031)

OVERALL PROPERTY LEGAL DESCRIPTION

BLOCK 5, EAGLE TAIL INC. FIRST SUBDIVISION OF THE CITY OF RATON, NEW MEXICO

A TRACT OF LAND LOCATED IN SECTION 1, TOWNSHIP 30 NORTH, RANGE 23 EAST, N.M.P.M., COUNTY OF COLFAX, NEW MEXICO, SAID TRACT OF LAND BEING BLOCK 5 OF EAGLE TAIL INC. FIRST SUBDIVISION OF THE CITY OF RATON, NEW MEXICO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE "T RAIL" AT THE SOUTHEAST CORNER OF SAID BLOCK 5; THENCE N 17° 50' 20" E ALONG THE EASTERLY LINE OF BLOCK 5, A DISTANCE OF 1196.20' TO THE NORTHEAST CORNER OF SAID BLOCK 5; THENCE S 89° 55' 52" W, A DISTANCE OF 559.76' TO THE NORTHWEST CORNER OF SAID BLOCK 5; THENCE S 00° 16' 00" E, ALONG THE WESTERLY LINE OF BLOCK 5, A DISTANCE OF 1078.21' TO A "T-RAIL" AT THE SOUTHWEST CORNER OF BLOCK 5; THENCE S 72° 22' 34" E, ALONG THE SOUTHERLY LINE OF BLOCK 5, A DISTANCE OF 197.57' TO THE POINT OF BEGINNING, CONTAINING 9.640 ACRES MORE OR LESS.

LOT 1, BLOCK 5 LEGAL DESCRIPTION

LOT 1, BLOCK 5, EAGLE TAIL INC. FIRST SUBDIVISION OF THE CITY OF RATON, NEW MEXICO

A TRACT OF LAND LOCATED IN SECTION 1, TOWNSHIP 30 NORTH, RANGE 23 EAST, N.M.P.M., COUNTY OF COLFAX, NEW MEXICO, ALSO BEING LOCATED IN BLOCK 5 OF EAGLE TAIL INC. FIRST SUBDIVISION OF THE CITY OF RATON, NEW MEXICO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE "T RAIL" AT THE SOUTHEAST CORNER OF SAID BLOCK 5; THENCE N 17° 50' 20" E ALONG THE EASTERLY LINE OF BLOCK 5, A DISTANCE OF 599.97' TO A POINT; THENCE S 89° 44' 06" W, A DISTANCE OF 374.47' TO A POINT ON THE WESTERLY LINE OF BLOCK 5; THENCE S 00° 16' 00" E ALONG THE WESTERLY LINE OF BLOCK 5, A DISTANCE OF 509.58' TO A "T-RAIL" AT THE SOUTHWEST CORNER OF BLOCK 5; THENCE S 72° 22' 34" E, ALONG THE SOUTHERLY LINE OF BLOCK 5, A DISTANCE OF 197.57' TO THE POINT OF BEGINNING, CONTAINING 6.089 ACRES MORE OR LESS.

LOT 2, BLOCK 5 LEGAL DESCRIPTION

LOT 2, BLOCK 5, EAGLE TAIL INC. FIRST SUBDIVISION OF THE CITY OF RATON, NEW MEXICO

A TRACT OF LAND LOCATED IN SECTION 1, TOWNSHIP 30 NORTH, RANGE 23 EAST, N.M.P.M., COUNTY OF COLFAX, NEW MEXICO, ALSO BEING LOCATED IN BLOCK 5 OF EAGLE TAIL INC. FIRST SUBDIVISION OF THE CITY OF RATON, NEW MEXICO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE "T RAIL" AT THE SOUTHEAST CORNER OF SAID BLOCK 5; THENCE N 17° 50' 20" E ALONG THE EASTERLY LINE OF BLOCK 5, A DISTANCE OF 599.97' TO A POINT; THENCE S 89° 44' 06" W, A DISTANCE OF 374.47' TO A POINT ON THE WESTERLY LINE OF BLOCK 5; THENCE S 00° 16' 00" E ALONG THE WESTERLY LINE OF BLOCK 5, A DISTANCE OF 509.58' TO A "T-RAIL" AT THE SOUTHWEST CORNER OF BLOCK 5; THENCE S 72° 22' 34" E, ALONG THE SOUTHERLY LINE OF BLOCK 5, A DISTANCE OF 197.57' TO THE POINT OF BEGINNING, CONTAINING 3.551 ACRES MORE OR LESS.

REPORT OF SURVEY

LOTS 1 & 2, BLOCK 5, EAGLE TAIL INC. FIRST SUBDIVISION OF THE CITY OF RATON, NEW MEXICO

SUBJECT LOTS ARE LOCATED IN SECTION 1, TOWNSHIP 30 NORTH, RANGE 23 EAST, N.M.P.M., COUNTY OF COLFAX, NEW MEXICO. THE LOTS ARE SHOWN ON THE BOUNDARY SURVEY AND RESUBDIVISION OF BLOCK 5 EAGLE TAIL INC., FIRST SUBDIVISION OF THE CITY OF RATON, NEW MEXICO PLAT RECORD NO. 199900544 AS RECORDED IN BOOK 9 OF PLATS, PAGE 70 ON FEBRUARY 4, 1999 IN THE COUNTY OF COLFAX, STATE OF NEW MEXICO.

ALL PROPERTY CORNERS WERE FOUND AS DESCRIBED ON THE AFOREMENTIONED PLAT.

LEGEND

- ⊕ EXISTING ROW MARKER T-RAIL
- ⊕ EXISTING 5/8" REBAR WITH CAP
- ⊕ EXISTING FLOOD LIGHT
- ⊕ EXISTING LUMINAIRE
- ⊕ EXISTING WOOD POLE
- ⊕ EXISTING MONITORING WELL
- () RECORD DATA (SEE NOTE 1.)
- — — — — EXISTING BUILDING SETBACK LINE
- x — — — — — EXISTING BARB WIRE FENCE
- o — — — — — EXISTING CHAIN LINK FENCE
- — — — — BLOCK 5 PROPERTY BOUNDARY LINE
- - - - - EXCLUDED PORTION OF BLOCK 5 (NEW MEXICO HIGHWAY DEPARTMENT BUILDINGS).
- ⊕ EXISTING ELM TREE 20' TALL
- ⊕ EXISTING WATER KEYBOX
- ⊕ EXISTING SANITARY SEWER MANHOLE
- ⊕ EXISTING TELEPHONE MAN HOLE
- ⊕ EXISTING TELEPHONE J-BOX
- ⊕ EXISTING ADVERTISING SIGN

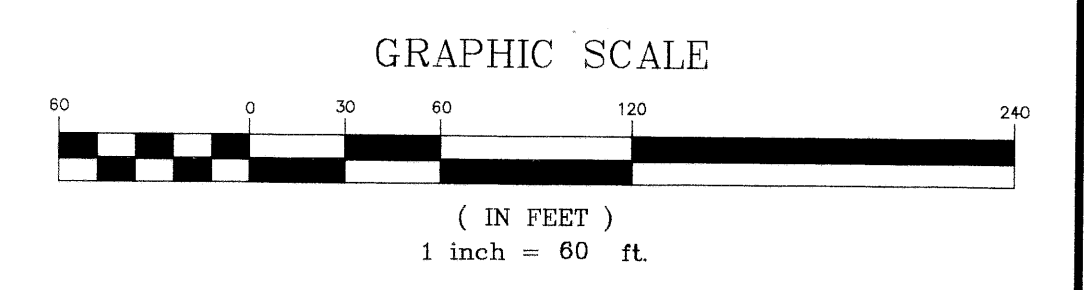
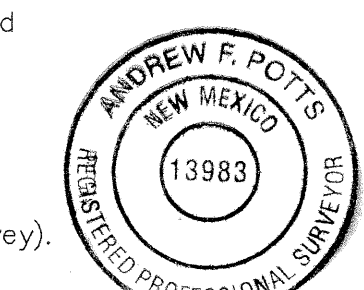
NOTES AND REFERENCES

1. Basis of bearing was obtained from the original plat of Eagle Tail Inc., First Subdivision of the City of Raton as filed in Book 5 on page 6 in the County of Colfax, in the State of New Mexico on July 15, 1970.
2. Basis of vertical datum was Station 3610415013 (NMHC) with a published elevation of 6595 feet VABM located on the east side of Interstate No. 25 near the overpass bridge on Hereford Avenue.
3. Building setbacks are shown on the drawing and are 25 feet on all sides of the subject property.
4. The subject property is currently zoned as C-1 (Commercial).
5. Access to the subject property is from South Second Street and Exit 450 on Interstate No. 25.
6. Right of way width varies on South Second Street.
7. Station 3610415013 (NMHC) bears North 29°10'14" East 1,487.18 feet from the most southeasterly right of way monument on Block 5 of Eagle Tail Inc., First Subdivision of the City of Raton, NM.
8. Existing overhead electric line on west property line of Block 5 services the existing signs on Block 5.
9. A cursory review of the site did not reveal the presence of wetlands on the property.

CERTIFICATION

I hereby certify to First American Title Company, to CFJ Properties, a Utah general partnership, and Flying J Inc., a Utah corporation that this plat and survey on which it is based were made in accordance with the "minimum standard detail requirements for land title surveys", jointly established and adopted by ALTA and ASCM in 1992, and pursuant to the accuracy standards (as adopted by ALTA and ASCM and in effect on the date of this certification); and there are no encroachments, either any across the property lines, as shown, on this date, (unless noted on survey).

(signed) *Andrew F. Potts* Registration No. 13983 Date 2/9/99 (seal)



1		1/97078-1150/RATON/NATIONAL/2-9-99/KAM	
REVISION	DATE	DESCRIPTION	
TOPOGRAPHIC SURVEY OF BLOCK 5, EAGLE TAIL INC., FIRST SUBDIVISION OF THE CITY OF RATON, NEW MEXICO LOCATED NEAR THE CITY OF RATON, NEW MEXICO, WITHIN SECTION 1, TOWNSHIP 30 NORTH, RANGE 23 EAST, NEW MEXICO PRINCIPAL MERIDIAN IN COLFAX COUNTY, CONTAINING 9.64 ACRES OF LAND MORE OR LESS.			
DESIGN BY	—	DESIGN BY	—
CHECKED BY	—	CHECKED BY	—
DRAWN BY	KAM	DRAWN BY	KAM
SCALE	1" = 60'	SCALE	1" = 60'
DATE	2-9-99	DATE	2-9-99
LEEDSHILL - HERKENHOFF, INC. ALBUQUERQUE ENGINEERS ARCHITECTS SANTA FE		ANDY POTTS	
LH PROJECT MANAGER	SHEET	1 of 1	SEQUENCE NO.