



CRRUA PLANNING AND ZONING COMMISSION

DOÑA ANA COUNTY

COMMUNITY DEVELOPMENT DEPARTMENT

Doña Ana County Government Center • 845 N. Motel Blvd.
Las Cruces, New Mexico 88007 • Telephone: (575) 647-7350

MEETING DATE: January 4, 2016

CASE NO: CRSD15-001

REQUEST: Preliminary-Plat approval for Santa Teresa Intermodal Logistics Park Phase II.

PROPERTY OWNER: IDI Gazely-Brookfield Logistics Properties

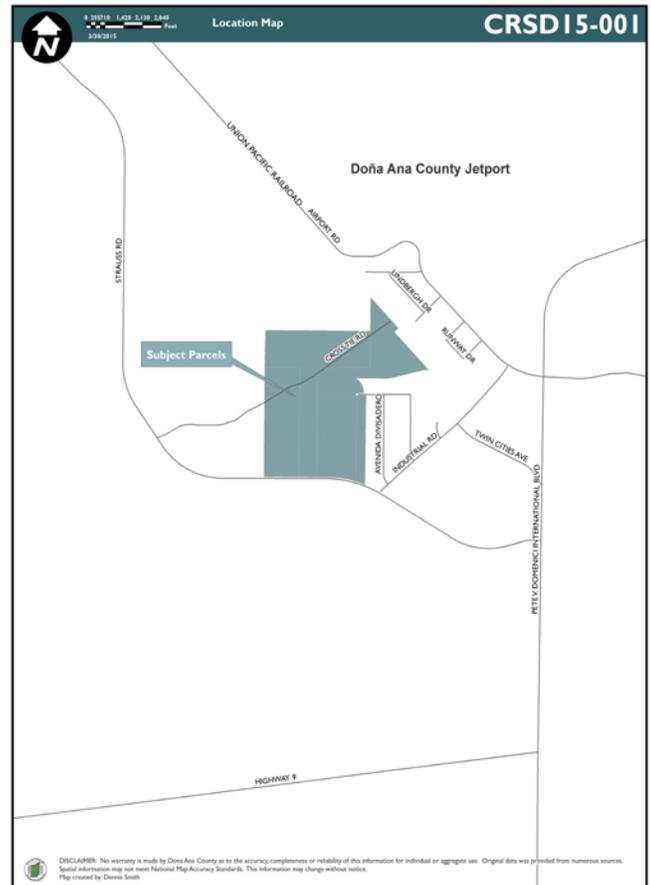
LOCATION: Santa Teresa, NM

EXISTING ZONING: C12, Community Industrial, Medium Intensity

AFFECTED PROPERTY SIZE: 380.377-acres

RECOMMENDATION: Conditional Approval

CASE MANAGER: Luis Marmolejo



SUMMARY: Santa Teresa Intermodal Logistics Park Phase II: Submitted by Gazeley Brookfield Logistics Properties, applicant, this proposed Type IV Subdivision is 380.377-acres comprised of 5 parcels zoned C12, Community Industrial, Medium Intensity. The applicant seeks to create twenty five (25) lots ranging in size from 4.84-acres to 63.38-acres. Community Notification as prescribed by the Code in the form of a Town Hall Meeting, Letters of Notification and Legal Ads and on site postings have been met. The Preliminary Plat and Supporting Documentation has gone through agency review. Water and Waste Water will be provided by the Camino Real Regional Utility Authority (CRRUA) and the proposed internal roads meet the requirements of the Code. The CRRUA Planning and Zoning Commission shall make a recommendation to the CRRUA Zoning Authority. Staff is recommending Conditional Approval of the Preliminary Plat as comments from the New Mexico Department of Transportation and the County Engineering Department are being addressed and will be satisfied prior to Final Plat Approval.

Attachments: (1) Staff Analysis (2) Subdivision Maps (3) Related Documents including the Disclosure Statement

CASE ANALYSIS

The property is owned by Gazeley Brookfield Logistics Properties. this proposed Type IV Subdivision is 380.377-acres comprised of 5 parcels zoned CI2, Community Industrial, Medium Intensity. The applicant seeks to create twenty five (25) lots ranging in size from 4.84-acres to 63.38-acres. It is located in the industrial area of Santa Teresa, immediately south of the Union Pacific Rail Road Yard. The area encompassed by the subdivision is zoned industrial and will tie into the Union Pacific Rail Line. Adjacent and to the east is Santa Teresa Intermodal Logistics Park Phase I, recorded on January 23, 2002.

SURROUNDING ZONING/LAND USE

SITE	ZONING	LAND USE
North	CI2, Community Industrial, Medium Intensity	Vacant
South	CI2, Community Industrial, Medium Intensity	Vacant
East	CI2, Community Industrial, Medium Intensity	Industrial Storage/Transportation
West	CI2, Community Industrial, Medium Intensity	Vacant

UTILITIES

	Above Ground	Below Ground	Utility Company
Electricity	X	X	El Paso Electric
GAS		X	NM GAS
Water		X	CRRUA
Telephone		X	Century Link
Liquid Waste Disposal			CRRUA
Solid Waste Disposal	X		El Paso Disposal

TRANSPORTATION / ROAD ACCESS

Name	Right of Way	Proposed Ownership/Maintenance	Rail Road Easements
Extension of Avenida Chihuahua Pacifico	80 ft., Paved	DAC	
Sunset Route Ave	80 ft., Paved	DAC	
Transload Place	80 ft., Paved	DAC	
Expedited Way	80 ft., Paved	DAC	
		Private	Two (2) 80 ft., Rail Spurs

COMMUNITY NOTIFICATION:

- Town Hall Meeting held on December 22, 2015. Posted on County Web Site on 12/9/15.
- Twenty-three (41) letters of notification were sent out on 12/9/15.
- Signs were posted on the property on 12/14/15
- Agenda posted on the DAC Web site, 12/9/15.
- Legal notification was posted in the Las Cruces Sun-News on 12/11/15
- No correspondence in opposition has been received.

TOWN HALL MEETING SUMMARY

The town hall meeting consisted of the representatives from Santa Teresa Intermodal Logistics Park Phase II and the West Park Logistics Center. Staff coordinated with both parties to hold their respective town hall meeting at the same location and time. The meeting began promptly at 6.30 pm and ended at 7:30 pm. Although no general public attendees were present, the meeting proved to be productive. Representatives from the Santa Teresa Intermodal Logistics Park Phase II and the West Park Logistics Center gave a brief summary of their proposed subdivision and discussed the following:

- Road alignments in the event of future subdivisions.
- A possible right lane dedication at the existing intersection of Strauss Road and Industrial Road.
- Phase III of Santa Teresa Intermodal Park.
- Rail Improvements on Santa Teresa Intermodal Logistics Park Phase II.
- Industrial activities in the area.
- Existing Santa Teresa Master Plan, its need for amendments.
- Continued and increase communication between both parties.

Staff and the representatives generally agreed that the lack of the general public turnout is do to the geographical location of both proposed subdivisions since there are no residential subdivisions anywhere near the area of notification.

APPLICABLE PLANS, POLICIES AND CRITERIA:

Resolution No. 2013-08; Establishing the Camino Real Regional Utility Authority as the Extra-Territorial Zoning Authority, Establishing, an Extraterritorial Planning and Zoning Commission.

The following sections within the Doña Ana County Code provide the policies, regulations and criteria that are applicable to the proposed Preliminary Plat for Santa Teresa Intermodal Logistics Park Phase II.

PERTINENT SECTIONS FROM ARTICLES 2 AND 4 OF THE DOÑA ANA COUNTY CODE:

ARTICLE II ADMINISTRATIVE RESPONSIBILITIES

Section 250-15.B Establishment of the Planning and Zoning Commission (P&Z)

9. Review and make recommendations for approval or denial of subdivision plats and re-plats to the Board of County Commissioners, as provided for in the Land Subdivision Regulations of Doña Ana County.

Section 250-12. Community Development Department

- A. Receive, review, file and approve applications for land uses when said land uses are in conformance to the provisions of this Ordinance.
- K. Receive, review and recommend approval or denial of subdivisions and re-plats to the P&Z as provided for Chapter 300, Subdivision of Land.

ARTICLE VI COMMUNITY DISTRICTS

Section 250-57 CI-2 Community Industrial Medium Intensity

- A. The purpose of the CI-2 Medium Intensity Zone is intended to provide for medium-intensity industrial activities that serve a community or several communities in the Community District.

CHAPTER 300 SUBDIVISION OF LAND

ARTICLE I GENERAL PROVISIONS

Section 300.2 Authority

These Regulations are created pursuant to the enabling authority set forth in 47-6-1 et seq. NMSA 1978; 4-37-1 et seq. NMSA 1978; and 3-20-5, 3-20-6, 3-20-9 NMSA 1978, the Doña Ana County Comprehensive Plan (Resolution No. 94-55), effective November 22, 1994 and Chapter 250, Land Use and Zoning of the Doña Ana County Code, as amended.

ARTICLE IV, PRELIMINARY PLAT REVIEW PROCESS

Section 300-11. Preliminary Plat Submission

- A. Preliminary Plat Required. Preliminary plats shall be submitted for Type One, Type Two, Type Three B, and Type Four subdivisions.
- B. Application/Fees. A sub-divider shall prepare a preliminary plat and supporting documentation in accordance with the requirements provided in these Regulations. Preliminary plat submission is initiated by completing an application on a prescribed form available from the County Planning Division, and upon payment of the required administrative fees.

Section 300-13. Public Hearings

- A. **Scheduling.** The Planning and Zoning Commission shall conduct a public hearing after receipt of all requested opinions, either favorable or revised, within the time periods specified in these Regulations. Notice of the public hearing shall be given at least twenty-one (21) days before the hearing date.
- C. **Notice.** The notice of public hearing before the Planning and Zoning Commission shall be published in a newspaper of general circulation in the County and shall contain the following information:
 - 1. Subject of the hearing.
 - 2. Time and place of the hearing.
 - 3. Manner for interested persons to present their views.
 - 4. Place and manner for interested persons to get copies of any favorable or adverse opinion and of the sub-divider's proposal.
- D. **Notification.** Copies of the notice of public hearing shall be transmitted by first class mail to the following:
 - 1. The sub-divider filing the application for preliminary plat approval.
 - 2. Those public agencies which initially received copies of the preliminary plat and supporting documentation with a request for opinion.
 - 3. Any interested persons who previously requested such notice and provided a stamped, self-addressed envelope for such purpose.
 - 4. All private owners of property contiguous to or within 300 feet of land proposed to be subdivided must be informed of a proposed subdivision proposal. If there are not ten (10) different property owners within 300 ft. distance from the boundaries of the proposed subdivision, the area of notice shall be extended in all directions until ten different owners are found. The current tax rolls of the County Assessor shall be used as the source of ownership information.
- E. **Participation/Record.** At the public hearing, the County shall allow all interested persons a reasonable opportunity to submit data, views, or arguments, orally or in writing, and to examine witnesses testifying at the hearing. A record of the public hearing shall be kept. The opinions of the public agencies shall be made a part of the record.
- F. **Approval.** Approval or conditional approval of a preliminary plat shall constitute approval of the proposed subdivision design and layout of streets, lots, blocks and utilities submitted on the preliminary plat, and shall be used as a guide in the preparation of the final plat.

Section 300-14 Expiration of Plat

- A. **Expiration.** An approved or conditionally approved preliminary plat shall expire twenty-four (24) months after its approval or conditional approval. Upon request by the sub-divider, an additional period of no more than twelve (12) months may be added to the expiration date by the Board of County Commissioners.
- B. **Phased Development.** If the preliminary plat was approved for phased development, the sub-divider may file final plats for portions of the preliminary plat, and the expiration date of the preliminary plat shall be extended for an additional thirty-six (36) months after the date of the filing of each final plat. The number of phased final plats shall be determined by the Board of County Commissioners at the time of the approval or conditional approval of the preliminary plat.
- C. **Extension.** Before the expiration date of the approved or conditionally approved preliminary plat, the sub-divider may submit to the Board of County Commissioners an application for extension of the preliminary plat for a period of time not exceeding twelve (12) months, for a total of thirty (36) months.
- D. **Expiration Effect.** The expiration of the approved or conditionally approved preliminary plat shall terminate all proceedings on the subdivision, and no final plat shall be filed without first processing a new preliminary plat.

Note following Section: 300.15.A 1-9 and B 1-7, Preliminary Plat Data Documentation is the Decisional Criteria for approval of the Preliminary Plat.

Section 300-15. Data Requirements

- A. **Purpose;** At a minimum, the supporting documentation required for the Preliminary Plat review is intended to provide sufficient information for the CRRUA ETZ and the CRRUA ETZA that:
 - 1. Water quantity sufficient to fulfill the maximum annual water requirements of the subdivision, including water for indoor and outdoor domestic uses.
 - 2. Water is of an acceptable quality for human consumption and measures are taken to protect the water supply from contamination.
 - 3. There is a means of liquid waste disposal for the subdivision.
 - 4. There is a means of solid waste disposal for the subdivision.
 - 5. There are satisfactory roads to each parcel, including entry and exit for emergency vehicles, and there are appropriate utility easements to each parcel.
 - 6. Terrain management protects against flooding, inadequate drainage, erosion and meets the requirements of the Design and Construction Standards.
 - 7. There are protections for cultural properties, archaeological sites and unmarked burials that may be directly affected by the subdivision, as required by the Cultural Properties Act.
 - 8. The sub-divider can fulfill the proposals contained in the disclosure statement for the subdivision.
 - 9. The subdivision will conform to the New Mexico Subdivision Act and these Regulations.
- B. **Minimum Documentation.** Supporting documentation, as a minimum, shall include:
 - 1. Water supply plan including water quantity demand, conservation, water quality, and fire protection components.
 - 2. Liquid waste disposal plan.
 - 3. Solid waste disposal plan.

4. Documentation of legal status, and general description of condition of the accessibility of site to roads and utilities.
5. Terrain management plan.
6. Cultural properties protection.
7. Disclosure statement.

AGENCY COMMENTS: (also included herein as part of the Disclosure Statement submitted by the applicant's agent)

County Fire Marshall: Approved, any future structures will be required to meet all fire code requirements.

Camino Real Regional Utility Authority: Has provided a Ready Willing and Able Letter, to provide service to the proposed subdivision.

Community Development Department: Conditional Approval;

1. Comments from the NMDOT and the DAC Engineering Department shall be satisfied prior to Final Plat Approval.

County Engineering Department: Approved with Conditions:

1. The construction plans must incorporate all mitigation associated with this project as shown on the Santa Teresa Intermodal Logistic Park, Phase II TIA dated August 31, 2015. To include mitigation listed within report text.
2. Individual lot access from Strauss Road is strictly prohibited and shall be noted as such on the plat of survey.
3. Improvements associated with CRRUA facilities must meet there requirements and needs to include offsite improvements as determined by CRRUA.

County Flood Commission: Approved

County Utilities Department: Approval.

County Addressing: Approved.

State Engineer, Santa Fe: A positive opinion has been issued.

NMED, Santa Fe: Approval.

NMDOT, Santa Fe: See attached comments.

SHPO, Santa Fe: Approval. Archeological sites have been identified within the proposed subdivision but no eligible significant properties will be impacted. There are no properties located on the State Registrars of Cultural Properties.

Doña Ana S&WCD: Approved

Gadsden Independent School District: Approval.

El Paso Electric: Approved, existing 100 ft. easement to be vacated at a later date after line relocation per agreement with property owner.

STAFF ANALYSIS:

The Preliminary Plat application does not require final design/construction plans for the infrastructure. However, it does require minimum supporting documentation as outlined in Section 300-15.B.1-7 of the Doña Ana County Code. This is in order to provide sufficient information to the CRRUA ETZ and the CRRUA ETZA to make a determination for a decision regarding the application as outlined in Section 300-15.A.1-9 of this Code. Water and Waste Water will be provided by CRRUA and the proposed Internal Roads meet the requirements of the Code. All applicable agencies have had the opportunity to review the minimum documentation including the design and construction plans. Comments from the New Mexico Department of Transportation and the DAC Engineering Department are being addressed and will be satisfied prior to Final Plat submittal, staff is coordinating such efforts. The applicants states that all necessary improvements to substantially complete the subdivision will take approximately 6 months.

FINDINGS:

The CRRUA ETZ shall receive, hear and make determination on said Case # CRSD15-001/ Santa Teresa Intermodal Logistics Park Phase II: a request for a Preliminary Plat approval based on the following findings of fact:

1. Resolution No. 2013-08; Establishing the Camino Real Regional Utility Authority as the Extra-Territorial Zoning Authority, Establishing, an Extraterritorial Planning and Zoning Commission.
2. This application is consistent with the Doña Ana County Code; Article IV regarding procedures and requirements for the processing of Preliminary Plats.
3. The CRRUA Planning and Zoning Commission has jurisdiction to review this application. The property is outside of any incorporated municipal zoning authority and is within the CRRUA Zoning, Subdivision Planning and Platting Service Area.
4. This application is consistent with the Doña Ana County Code, Section 250-Standards
5. Santa Teresa Intermodal Logistics Park Phase II Plat Data Requirements meet Section 300-15 of the Code, per the reviews by various agencies, for review by the P&Z and:
 - a. Water quantity is sufficient to fulfill the maximum annual water requirements of the subdivision, including water for indoor and outdoor domestic uses, per the Office of the State Engineer.
 - b. Water is of an acceptable quality for human consumption and measures are taken to protect the water supply from contamination, per NMED.
 - c. There is a means of liquid waste disposal for the subdivision, per NMED.
 - d. There is a means of solid waste disposal for the subdivision, per NMED.
 - e. There are satisfactory roads to each parcel, including entry and exit for emergency vehicles, and there are appropriate utility easements to each parcel.
 - f. Terrain management protects against flooding, inadequate drainage, erosion and meets the requirements of the Design and Construction Standards, per DAC Flood Commission and the Doña Ana Soil and Water Conservation District.
 - g. Archeological sites have been identified within the proposed subdivision but no eligible significant properties will be impacted. There are no properties

- located on the State Registrars of Cultural Properties per SHPO, gives approval.
- h. The sub-divider can fulfill the proposals contained in the disclosure statement for the subdivision.
 - i. The subdivision will conform to the New Mexico Subdivision Act and these Regulations.
6. Approval of the Preliminary Subdivision Plat shall constitute approval of the proposed subdivision design and layout of streets, lots, blocks and utilities, and shall be used as a guide in the preparation of the Final Plat.
7. Section 300-13.A Scheduling, C. Notice, and D. Notification, of Article IV Preliminary Plat Review of the Code have been followed and met for public notification.

RECOMMENDATION:

The Preliminary Plat for Santa Teresa Intermodal Logistics Park Phase II meets the minimum lot and access development standards within the Community District. Public and Private Notification procedures as outlined in the Subdivision Section have been met. The minimum supporting documentation as required by the Code for Preliminary Plat approval were submitted and reviewed by the appropriate agencies and positive recommendations have been issued. Therefore, staff is recommending **Approval** of Case # SD15-001, the Santa Teresa Intermodal Logistics Park Phase II with the following conditions:

NMDOT: See attached letter.

Engineering: The following conditions must be prior final plat submittal:

1. The construction plans must incorporate all mitigation associated with this project as shown on the Santa Teresa Intermodal Logistic Park, Phase II TIA dated August 31, 2015. To include mitigation listed within report text.
2. Individual lot access from Strauss Road is strictly prohibited and shall be noted as such on the plat of survey.
3. Improvements associated with CRRUA facilities must meet there requirements and needs to include offsite improvements as determined by CRRUA.

SANTA TERESA INTERMODAL PRELIMINARY PLAN

**380.377 ACRE PARCEL, BEING A REPLAT OF LOT 7A, SANTA TERESA IN
23, PG.'S 365-368, OCT. 11, 2012), A REPLAT OF LOT 3, VERDE LOGIS
321-322, JUN. 7, 2012), PART OF THOSE PARCELS DESCRIBED IN REC
(NOV. 30, 2006), REC. NO. 0346824
LOCATED WITHIN SECTIONS 14, 22, 23 AND 24, T.28S., R.2
SANTA TERESA, DONA ANA COUNTY
DECEMBER 18, 2015**

DEDICATION

THE TRACT OF LAND SHOWN HEREON IS TO BE KNOWN AS SANTA TERESA INTERMODAL LOGISTICS PARK AND CONTAINS 3.455 ACRES OF LAND AND TOTAL RIGHT OF WAY AREA IS 6.532, MORE OR LESS.

ALL RIGHTS OF WAY AND PUBLIC AREAS SHOWN HEREON ARE DEDICATED TO DONA ANA COUNTY. UTILITY EASEMENTS ARE GRANTED FOR THE USE OF THE UTILITY COMPANIES THAT ARE SIGNATORY TO THIS PLAT AND TO DONA ANA COUNTY. ALL RULES AND REGULATIONS OF DONA ANA COUNTY AND SAID UTILITY COMPANIES WILL APPLY TO THESE EASEMENTS. ALL OTHER EASEMENTS SHOWN HEREON ARE GRANTED FOR THE USE INDICATED. NO ENCROACHMENT THAT WILL INTERFERE WITH THE USE OF EASEMENTS AS SHOWN ON THIS PLAT IS ALLOWED.

THIS SUBDIVISION HAS BEEN DEDICATED IN ACCORDANCE WITH THE PROVISIONS OF THE UNDESIGNED OWNERSHIP OF THE LAND SHOWN HEREON. IN WITNESS WHEREOF SAID OWNERS HAVE SET THEIR HAND AND SEAL AS FOLLOWS:

VERDE SANTA TERESA, LLC

I, THE UNDERSIGNED AND AUTHORIZED REPRESENTATIVE FOR VERDE SANTA TERESA, LLC, AND DO HEREBY SET MY HAND AND SEAL

THIS _____ DAY OF _____, 2015.

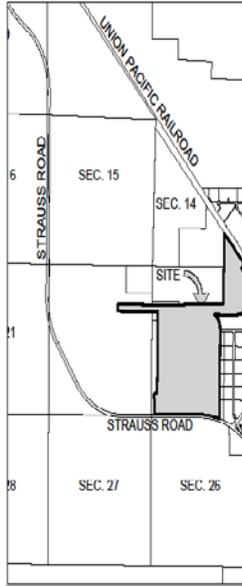
NAME _____ SIGNATURE _____
TITLE _____ ADDRESS _____

CENTRO, LLC

I, THE UNDERSIGNED AND AUTHORIZED REPRESENTATIVE FOR CENTRO, LLC, AND DO HEREBY SET MY HAND AND SEAL

THIS _____ DAY OF _____, 2015.

NAME _____ SIGNATURE _____
TITLE _____ ADDRESS _____



VICINITY MAP -

COUNTY OF DONA ANA, CLERK'S RECEPTION

PLAT NO. _____ RECEPTION NO. _____
(STATE OF NEW MEXICO) (COUNTY OF DONA ANA)

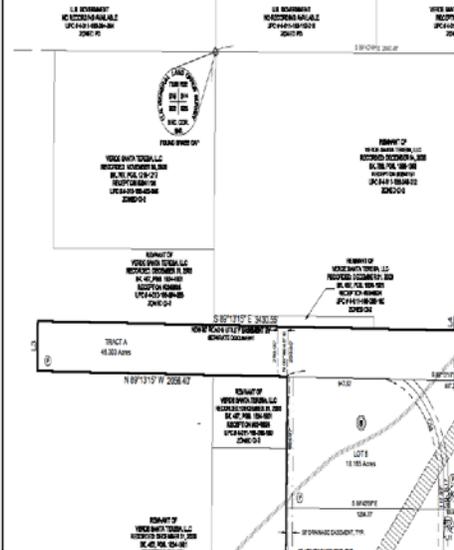
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THE
DAY OF _____, 2015, AT _____ O'CLOCK (A.M.)

NOTES:

1) BASIS OF BEARINGS AND VERTICAL CONTROL: COUTH PROPERTY-SANTA TERESA, N.M., BH PROJECT No. 0783 REVISED MAY 07, 2006
CONTROL SURVEYING REPORT FOR LOGISTICS PARK IN

SANTA TERESA INTERMODAL LOGISTICS PARK PRELIMINARY PLAT

380.377 ACRE PARCEL, BEING A REPLAT OF LOT 7A, SANTA TERESA INTERMODAL PARK PHASE I BLOCK 4 REP 23, PG.'S 365-366, OCT. 11, 2012), A REPLAT OF LOT 3, VERDE LOGISTICS INDUSTRIAL PARK PHASE I (PLAT 321-322, JUN. 7, 2012), PART OF THOSE PARCELS DESCRIBED IN REC. NO. 0642501 (SEC. 04, 2006), REC. 1 (NOV. 30, 2006), REC. NO. 0346624 (DEC. 31, 2003), LOCATED WITHIN SECTIONS 14, 22, 23 AND 24, T.28S., R.2E., N.M.P.M. OF THE U.S.G.L.O. SURVEYS SANTA TERESA, DONA ANA COUNTY, NEW MEXICO
DECEMBER 16, 2015



CODE	MAP_CODE	NAME	ADDRESS1	CITY	STATE	ZIP
1	4.011-166-520-110	CENTO LLC	5847 SAN FELIPE ST STE 4400	HOUSTON	TX	77057
1	4.011-166-248-012	VERDE SANTA TERESA LLC	PO BOX 790830	SAN ANTONIO	TX	78279-0830
1	4.011-166-066-332	VERDE SANTA TERESA LLC	PO BOX 790830	SAN ANTONIO	TX	78279-0830
1	4.011-166-270-389	VERDE SANTA TERESA LLC	PO BOX 790830	SAN ANTONIO	TX	78279-0830
1	4.011-166-394-400	VERDE SANTA TERESA LLC	PO BOX 790830	SAN ANTONIO	TX	78279-0830
2	4.011-165-112-266	UNITED STATES OF AMERICA	1800 MARQUESS	LAS CRUCES	NM	88005-3371
3	4.011-165-316-273	CLUB DEAL 21	610 NORTH WYMORE RD STE 200	MAITLAND	FL	32751
4	4.011-165-311-426	VERDE SANTA TERESA LLC	PO BOX 790830	SAN ANTONIO	TX	78279-0830
5	4.011-165-415-341	TITAN ST BUSINESS PARK LLC	6300 RIVERSIDE PLAZA STE 200	ALBUQUERQUE	NM	87120
6	4.011-165-492-388	TITAN INDUSTRIAL DEVELOPMENT LP	6300 RIVERSIDE PLAZA LN NW STE 200	ALBUQUERQUE	NM	87120
7	4.011-165-516-453	INDEL FOOD PRODUCTS INC	9515 PLAZA CIRCLE	EL PASO	TX	79927
8	4.010-165-264-264	UNITED STATES OF AMERICA	1800 MARQUESS	LAS CRUCES	NM	88005-3371
9	4.012-165-046-506	PM MANGEMENT INC	60 MONTE ALTO RD	SANTA FE	NM	87505
10	4.012-166-114-012	WILGER ENTERPRISES INC	425 EDMON RD NE	ALBUQUERQUE	NM	87107-4938
11	4.009-166-524-090	DONA ANA COUNTY	845 N MOTEL BLVD	LAS CRUCES	NM	88007
12	4.010-166-263-263	VERDE SANTA TERESA LLC	PO BOX 790830	SAN ANTONIO	TX	78279-0830
13	4.012-167-146-265	PASEO DEL NORTE LLC	PO BOX 790830	SAN ANTONIO	TX	78279
14	4.010-166-462-045	VERDE SANTA TERESA LLC	PO BOX 790830	SAN ANTONIO	TX	78279-0830
15	4.012-166-150-085	CITY OF ANTHONY	820 HWY 478	ANTHONY	NM	88021
16	4.012-166-217-147	GEORGIA-PACIFIC CORRUGATED III LLC	PO BOX 105681	ATLANTA	GA	30348-5681
17	4.011-166-066-160	VERDE SANTA TERESA LLC	PO BOX 790830	SAN ANTONIO	TX	78279-0830
18	4.012-166-147-234	KALISCHATARRA IRON & METAL NM LLC	6248 EDGEMERE #229	EL PASO	TX	79925
19	4.012-166-041-196	CENTO LLC	5847 SAN FELIPE ST STE 4400	HOUSTON	TX	77057
20	4.011-166-476-200	CSC ENTERPRISES INC	PO BOX 99	OFALLON	IL	62269
21	4.010-167-264-265	SANTA TERESA LAND LLC	PO BOX 790830	SAN ANTONIO	TX	78279
22	4.011-167-260-306	PASEO DEL NORTE LLC	PO BOX 790830	SAN ANTONIO	TX	78279
23	4.012-166-044-258	J H ROSE LOGISTICS LLC	3590 W PICACHO	LAS CRUCES	NM	88007
24	4.012-166-096-260	DONA ANA COUNTY	845 N MOTEL BLVD	LAS CRUCES	NM	88007
25	4.011-167-417-057	DONA ANA COUNTY	845 N MOTEL BLVD	LAS CRUCES	NM	88007
26	4.011-166-421-261	BOBYLANDIA LLC	1665 FUTURITY DR	SUNLAND PARK	NM	88063
27	4.011-166-473-261	STT DEVELOPMENT LLC	7167 CHINO DR	EL PASO	TX	79915
28	4.011-166-501-261	W SILVER RECYCLING INC	739 WOODLAND AVE	EL PASO	TX	79922
29	4.011-166-421-309	BOBYLANDIA LLC	1665 FUTURITY DR	SUNLAND PARK	NM	88063
30	4.011-166-473-309	STT DEVELOPMENT LLC	7167 CHINO DR	EL PASO	TX	79915
31	4.011-166-421-356	VERDE SANTA TERESA LLC	PO BOX 790830	SAN ANTONIO	TX	78279-0830
32	4.011-166-473-356	STT DEVELOPMENT LLC	7167 CHINO DR	EL PASO	TX	79915
33	4.011-166-217-389	VERDE REALTY MASTER LP	PO BOX 790830	SAN ANTONIO	TX	78279
34	4.011-166-421-408	VERDE SANTA TERESA LLC	PO BOX 790830	SAN ANTONIO	TX	78279-0830
35	4.011-166-473-408	VERDE SANTA TERESA LLC	PO BOX 790830	SAN ANTONIO	TX	78279-0830
36	4.011-166-421-456	VERDE SANTA TERESA LLC	PO BOX 790830	SAN ANTONIO	TX	78279-0830
37	4.011-166-473-456	VERDE SANTA TERESA LLC	PO BOX 790830	SAN ANTONIO	TX	78279-0830
38	4.011-166-421-524	VERDE SANTA TERESA LLC	PO BOX 790830	SAN ANTONIO	TX	78279-0830
39	4.011-166-473-509	VERDE SANTA TERESA LLC	PO BOX 790830	SAN ANTONIO	TX	78279-0830
40	4.012-167-287-116	VERDE SANTA TERESA LLC	PO BOX 790830	SAN ANTONIO	TX	78279-0830
41		BNSF RAILROAD	3001 LOU MENK DR	FORT WORTH	TX	76131
42		DAC ROAD DEPT.	2025 E. GRIGGS	LAS CRUCES	NM	88001

Disclosure Statement for Subdivisions Containing Six (6) Parcels or More

YOU SHOULD READ THIS DISCLOSURE STATEMENT BEFORE YOU SIGN ANY DOCUMENTS OR AGREE TO ANYTHING.

This disclosure statement is intended to provide you with enough information to make an informed decision on the purchase, lease or acquisition of the property described in this statement. You should read carefully all of the information contained in this disclosure statement before you decide to buy, lease or otherwise acquire 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 Board of County Commissioners has examined this disclosure statement to determine whether the subdivider can fulfill what the subdivider has 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. 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 Board of County Commissioners 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 land. You should also determine whether such permits are requirements for construction of additional improvements before you occupy the property.

1. NAME OF SUBDIVISION

(name of subdivision) **Santa Teresa Intermodal Logistics Park – Phase II**

2. NAME AND ADDRESS OF SUBDIVIDER

(name of subdivider) **IDI Gazeley – Brookfield Logistics Properties**

(address of subdivider) **500 W. Overland, Suite #250-O, El Paso, Texas 79901**

3. NAME AND ADDRESS OF PERSON IN CHARGE OF SALES, LEASING OR OTHER CONVEYANCE IN NEW MEXICO

(name of person in charge of sales, leasing or other conveyance) **Hildeberto Moreno**

(address of person in charge of sales, leasing or other conveyance) **500 W. Overland, Suite #250-O, El Paso, Texas 79901**

(telephone number of person in charge of sales, leasing or other conveyance) **(915) 225-3241**

4. SIZE OF SUBDIVISION BOTH PRESENT AND ANTICIPATED

Present	Anticipated
(number of parcels) 0	(number of parcels) 25
(number of acres in subdivision) 0	(number of acres in subdivision) 380.37

5. SIZE OF LARGEST PARCEL OFFERED FOR SALE, LEASE OR CONVEYANCE WITHIN THE SUBDIVISION

(size of largest parcel in acres) **63.48**

6. SIZE OF SMALLEST PARCEL OFFERED FOR SALE, LEASE OR CONVEYANCE WITHIN THE SUBDIVISION

(size of smallest parcel in acres) **4.84**

7. PROPOSED RANGE OF PRICES FOR SALES, LEASES OR OTHER CONVEYANCES

(\$ = lowest amount)	\$1.50/SF	(size of parcel sold, leased or conveyed)
(\$ = highest amount)	\$3.25/SF	(size of parcel sold, leased or conveyed)

8. FINANCING TERMS

(interest rate) **N/A**

(term of loan or contract) **N/A**

(minimum down payment) **N/A**

(service charges and/or escrow fees) **N/A**

(premium for credit life or other insurance if it is a condition for giving credit) **N/A**

(closing costs) **N/A**

(any other information required by the Truth in Lending Act and Regulation Z if not set forth above) **N/A**

9. NAME AND ADDRESS OF HOLDER OF LEGAL TITLE

(name of person who is recorded as having legal title) **Verde Santa Teresa, LLC; CENTO LLC**

(address of person who is recorded as having legal title) **c/o IDI Gazeley Brookfield Logistics Properties, 500 W. Overland, Suite #250-O, El Paso, TX 79901**

NOTE: IF ANY OF THE HOLDERS OF LEGAL TITLE NAMED ABOVE IS A CORPORATION, LIST THE NAMES AND ADDRESSES OF ALL OFFICERS OF THAT CORPORATION.

10. NAME AND ADDRESS OF PERSON HAVING EQUITABLE TITLE

(name of person who is recorded as having equitable title) **Verde Santa Teresa, LLC; CENTO LLC**

(address of person who is recorded as having equitable title) **c/o IDI Gazeley Brookfield Logistics Properties, 500 W. Overland, Suite #250-O, El Paso, TX 79901**

NOTE: IF ANY OF THE HOLDERS OF EQUITABLE TITLE NAMED ABOVE IS A CORPORATION, LIST THE NAMES AND ADDRESSES OF ALL OFFICERS OF THAT CORPORATION.

11. CONDITION OF TITLE

Include at least the following information where applicable

(number of mortgages) **N/A**

(name and address of each mortgagee) **N/A**

(balance owing on each mortgage) **N/A**

(summary of release provisions of each mortgage) **N/A**

(number of real estate contracts on the subdivided land for which the subdivider is making payments as a purchaser) **N/A**

(name and address of each person holding a real estate contract as owner of the subdivided land for which the subdivider is making payments as a purchaser) **N/A**

(balance owing on each real estate contract) **N/A**

(summary of default provisions of each real estate contract) **N/A**

(summary of release provisions of each real estate contract) **N/A**

(statement of any other encumbrances on the land) **N/A**

(statement of any other conditions relevant to the state of title) **N/A**

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

(state here all deed and plat restrictions affecting the subdivided land) **Non Residential Uses Only. See Covenants, Conditions, and Restrictions for additional restrictions.**

13. ESCROW AGENT

(name of escrow agent) **N/A**

(address) **N/A**

(statement of whether or not the subdivider has any interest in or financial ties to the escrow agent) **N/A**

14. UTILITIES

(name of entity providing electricity, if available) El Paso Electric (estimated cost to purchaser) Varies

(name of entity providing gas service, if available) NM Gas (estimated cost to purchaser) \$500-\$1,000

(name of entity providing water, if available) Camino Real Regional Utility Authority (estimated cost to purchaser) \$1,500 - \$8,200

(name of entity providing telephone, if available) Century Link (estimated cost to purchaser) varies

(name of entity providing liquid waste disposal, if available) Camino Real Regional Utility Authority (estimated cost to purchaser) \$1,300 - \$6,700

(name of entity providing solid waste disposal, if available) El Paso Disposal (estimated cost to purchaser) Varies

15. INSTALLATION OF UTILITIES

(electricity) Utility crossings only; no physical lines (date) At Time of Subdivision Completion (line extensions shall be arranged and paid for by lot owners at time of lot improvements construction)

(gas) (date) At Time of Subdivision Completion

(water) (date) At Time of Subdivision Completion

(telephone) Utility crossings only; no physical lines (date) At Time of Subdivision Completion (line extensions shall be arranged and paid for by lot owners at time of lot improvements construction)

(liquid waste disposal) (date) At Time of Subdivision Completion

(solid waste disposal) (date) At Time of Subdivision Completion

16. UTILITY LOCATION

(if all utilities are to be provided to each parcel in the subdivision, please state here) Utilities as noted above will be provided to each parcel in the subdivision.

(if utilities are to be provided to some but not all parcels in the subdivision, state which utilities will be provided to each parcel)

(state whether each utility will be above ground or underground)

	Above ground	Underground
Electricity	<u>X</u>	<u>X</u>
Gas	<u></u>	<u>X</u>
Water	<u></u>	<u>X</u>
Telephone	<u></u>	<u>X</u>
Liquid Waste Disposal	<u></u>	<u>X</u>
Solid Waste Disposal	<u>X</u>	<u></u>

17. WATER AVAILABILITY

(describe the maximum annual water requirements of the subdivision including water for indoor and outdoor domestic uses) **Based on a previous report included in the application package, it has been estimated that the development could consume approximately 197,700 gpd.**

(describe the availability and sources of water to meet the subdivision's maximum annual water requirements) **Water rights jointly owned by Verde Operating Partnership (an related IDI Gazeley entity) and CRRUA.**

(describe the means of water delivery within the subdivision) **Water will be conveyed by a 16” water main along Strauss Road and a 12” distribution line looped throughout the subdivision.**

(describe any limitations and restrictions on water use in the subdivision) **Dona Ana County Water Conservation Ordinance**

(summarize the provisions of any covenants or other restrictions requiring the use of water saving fixtures and other water conservation measures) **N/A**

(describe what measures, if any, will be employed to monitor or restrict water use in the subdivision) **N/A**

18. FOR SUBDIVISIONS WITH COMMUNITY WATER SYSTEMS

(name and address of entity providing water) **Camino Real Regional Utility Authority, 4950 McNutt Road, Sunland Park, NM 88063**

(source of water and means of delivery) **Mesilla Bolson. Delivered via pressurized water transmission lines connected to regional pump station.**

(summary of any legal restrictions on either indoor or outdoor usage) **Dona Ana County Water Conservation Ordinance**

(statement that individual wells are prohibited, if such is the case) **N/A**

19. FOR SUBDIVISIONS WITH INDIVIDUAL DOMESTIC WELLS OR SHARED WELLS

(state whether wells will be provided by the subdivider or by the prospective purchaser/lessee/conveyee) **N/A**

(if wells are provided by purchaser/lessee/conveyed, state the estimated cost to complete a domestic well, including drilling, pressure tank, control devices, storage and treatment facilities) **N/A**

(if wells are provided by the subdivider, state the cost, if any to the purchaser/lessee/conveyed) **N/A**

(summary of legal restrictions on either indoor or outdoor usage) **N/A**

(average depth to groundwater and the minimum and maximum well depths to be reasonably expected) **N/A**

(recommended total depth of well) **N/A**

(estimated yield in gallons per minute of wells completed to recommended total depth) **N/A**

20. LIFE EXPECTANCY OF WATER SUPPLY

(state the life expectancy of each source of water supply for the subdivision under full development of the subdivision) **40+ years**

21. SURFACE WATER *Not applicable where subdivider intends to provide water for domestic use.*

(provide a detailed statement the source and yield of the surface water supply and any restrictions to which the surface water supply is subject) **N/A**

22. NEW MEXICO STATE ENGINEER'S OPINION ON WATER AVAILABILITY

Include here the approved summary of the opinion received by the Board of County Commissioners from the New Mexico State Engineer regarding:

See Attached

23. WATER QUALITY

(describe the quality of water in the subdivision available for human consumption) **Public water system meeting applicable water quality requirements.**

(describe any quality that would make the water unsuitable for use within the subdivision) **N/A**

(state each maximum allowable water quality parameter that has been exceeded with the approval of the Board of County Commissioners and the name of the element, compound or standard that has exceeded that parameter) **N/A**

24. NEW MEXICO ENVIRONMENT DEPARTMENT'S OPINION ON WATER QUALITY

Include here the approved summary of the opinion received by the Board of County Commissioners from the New Mexico Environment Department on:

See Attached

25. LIQUID WASTE DISPOSAL

(describe the precise type of liquid waste disposal system that is proposed and that has been approved by the Board of County Commissioners for use within the subdivision)

Liquid waste will be conveyed underground via gravity lines within the subdivision to an existing connection point entering into Santa Teresa Intermodal Park Phase 1 where it will be conveyed via a lift station located along Industrial Drive, to a second lift station located along Strauss Road, and then pumped to the West Mesa WWTP for final treatment.

NOTE: NO LIQUID WASTE DISPOSAL SYSTEM MAY BE USED IN THIS SUBDIVISION OTHER THAN A SYSTEM APPROVED FOR USE IN THIS SUBDIVISION BY THE BOARD OF COUNTY COMMISSIONERS. PRIOR TO OCCUPANCY, ALL LOTS MUST HAVE EVIDENCE OF A FUNCTIONING LIQUID WASTE DISPOSAL SYSTEM INSTALLED BY A LICENSED CONTRACTOR OR PLUMBER IN ACCORDANCE WITH PERMITS ISSUED BY THE NEW MEXICO ENVIRONMENT DEPARTMENT, INSPECTED BY THE CONSTRUCTION INDUSTRIES DIVISION, AND VERIFIED BY THE OFFICE OF BUILDING INSPECTION.

26. N.M. ENVIRONMENT DEPARTMENT'S OPINION ON LIQUID WASTE DISPOSAL

Include here the approved summary of the opinion received by the Board of County Commissioners from the New Mexico Environment Department on:

See Attached

27. SOLID WASTE DISPOSAL

(describe the means of solid waste disposal that is proposed for use within the subdivision) **El Paso Disposal will provide the solid waste disposal services.**

28. NEW MEXICO ENVIRONMENT DEPARTMENT'S OPINION ON SOLID WASTE DISPOSAL

Include here the approved summary of the opinion received by the Board of County Commissioners from the New Mexico Environment Department on:

See Attached

29. TERRAIN MANAGEMENT

(describe the suitability for residential use of the soils in the subdivision as defined in the Natural Resource Conservation District's soil survey for Doña Ana County) **According to the NRC the majority of the soil onsite is Wink-Pintura complex, which is a loamy fine sand and generally suitable for construction. See Terrain Management Plan.**

(describe any measures necessary for overcoming soil and topographic limitations, and who will be responsible for implementing these measures) **Any soils unsuitable for construction shall be removed and replaced with suitable materials by the lot owners prior to construction of lot improvements.**

(identify by lot and block numbers all parcels within the subdivision that are subject to flooding) **N/A**

(identify by lot and block number all parcels within the subdivision located in whole or in part on slopes in excess of 8%) **N/A**

(describe the subsurface drainage for all lots in the subdivision) **On-Site Ponding**

(describe the nature, location and completion dates of all storm drainage systems constructed or required to be constructed in the subdivision) **Storm drainage provisions for all public streets and all off-site runoff will be completed at time of subdivision construction by Developer. Storm drainage provisions for lot/site development shall be completed at time of site development by Lot Owner.**

30. NATURAL RESOURCE CONSERVATION DISTRICT'S OPINION ON TERRAIN MANAGEMENT

Include here the approved summary of the opinion received by the Board of County Commissioners from the Soil & Water Conservation District on:

See Attached

31. SUBDIVISION ACCESS

(name of town nearest to subdivision) **Unincorporated Community of Santa Teresa, NM**

(distance from nearest town to subdivision and the route over which that distance is computed) **< 10 miles via Strauss Road, Domenici Highway (NM 136), and McNutt Road (NM 273).**

(describe access roads to subdivision) **All access roads are paved and maintained by DAC or NMDOT.**

(state whether or not subdivision is accessible by conventional vehicle) **The subdivision is accessible by conventional vehicle.**

(state whether or not subdivision is ordinarily accessible at all times of the year and under all weather conditions) **Accessible at all times of the year and under all weather conditions.**

(describe the width and surfacing of all roads within the subdivision) **All interior roadways are paved with asphaltic cement and concrete curb and gutter, with a 44' width (back to back of curb).**

(state whether the roads within the subdivision have been accepted for maintenance by the County) **The interior roadways will be dedicated to DAC and will be subject to a 12 month warranty from the Developer prior to final acceptance for maintenance by DAC.**

(if the roads within the subdivision have not been accepted for maintenance by the County, state how the roads will be maintained and describe lot owners' responsibilities and obligations with respect to road maintenance) **The interior roadways will be dedicated to DAC and will be subject to a 12 month warranty from the Developer prior to final acceptance for maintenance by DAC.**

32. MAINTENANCE

(state whether the roads and other improvements within the subdivision will be maintained by the county, the subdivider or an association of lot owners, and what measures have been taken to make sure that maintenance takes place) **Public roads will be dedicated to Dona Ana County and will be subject to a 12 month warranty from Developer prior to final acceptance by DAC. Once accepted for maintenance, the roads will be maintained by Dona Ana County. On-Site drainage improvements will be maintained by Lot Owners.**

33. STATE HIGHWAY DEPARTMENT'S OPINION ON ACCESS

Include here the approved summary of the opinion received by the Board of County Commissioners from the State Highway and Transportation Department on:

See Attached

34. CONSTRUCTION GUARANTEES

(describe any proposed roads, drainage structures, water treatment facilities or other improvements that will not be completed before parcels in the subdivision are offered for sale) **N/A**

(describe all performance bonds, letters of credit or other collateral securing the completion of each proposed improvement) **N/A**

NOTE: UNLESS THERE IS A SUFFICIENT BOND, LETTER OF CREDIT OR OTHER ADEQUATE COLLATERAL TO SECURE THE COMPLETION OF PROPOSED IMPROVEMENTS, IT IS POSSIBLE THAT THE PROPOSED IMPROVEMENTS WILL NOT BE COMPLETED. CAUTION IS ADVISED.

35. ADVERSE OR UNUSUAL CONDITIONS

(state any activities or conditions adjacent to or nearby the subdivision, such as feed lots, dairies, cement plants or airports, that would subject the subdivided land to any unusual conditions affecting its use or occupancy) **N/A**

36. RECREATIONAL FACILITIES

(describe all recreational facilities, actual and proposed in the subdivision) **There are no proposed recreational facilities within this proposed industrial park.**

37. FIRE PROTECTION

(distance to nearest fire station from subdivision) **< 3 miles**

(route over which that distance is computed) **Strauss Road to Industrial Road, to Airport Road, to Dona**

Ana County Jetport.

(state whether the fire department is full-time or volunteer) **Volunteer.**

38. POLICE PROTECTION

List the various police units that patrol the subdivision.

(sheriff's department, if applicable) **Dona Ana County Sheriff Department (Anthony Sub Station)**

(municipal police, if applicable) **N/A**

(state police, if applicable) **New Mexico State Police**

39. PUBLIC SCHOOLS

(name of and distance to nearest public elementary school serving the subdivision) **Santa Teresa Elementary School / 5 miles**

(name of and distance to nearest public junior high or middle school serving the subdivision) **Santa Teresa Middle School / 6 miles**

(name of and distance to nearest public high school serving the subdivision) **Santa Teresa High School / 3.5 miles**

40. HOSPITALS

(name of nearest hospital) **Providence Memorial Hospital, El Paso, TX**

(distance to nearest hospital and route over which that distance is computed) **10 miles via Strauss Road to Domenici Highway (NM 136), to I-10 East, to W. Schuster Avenue.**

(number of beds in nearest hospital)

41. SHOPPING FACILITIES

(description of nearest shopping facilities including number of stores) **Sunland Park Mall, El Paso, TX**

(distance to nearest shopping facilities and route over which that distance is computed) **14 miles via Strauss Road to Domenici Highway (NM 136), to I-10 East, to Sunland Park Drive.**

42. PUBLIC TRANSPORTATION

(describe all public transportation that serves the subdivision on a regular basis)

43. AGRICULTURE

New Mexico law includes statute (NMSA 47-9) cited as the Right to Farm Act. According to this law, any agricultural operation or facility is not, nor shall it become, a private or public nuisance by any changed condition in or about the locality of the operation or facility, if the operation was not a nuisance at the time it began and has been in existence for more than a year. The Right to Farm Act includes, but is not limited to, operations and facilities within the farm or ranch such as: chemical application, field preparation, irrigation, cultivation, conservation practices, pruning, plowing, planting, roadside market or any other use of the land for the production of plants, crops, trees, forest products, orchard crops, livestock, poultry or fish.

44. CULTURAL AND HISTORIC PROPERTIES PROTECTION

There are/are not any properties within the boundary of this subdivision that have been entered into the New Mexico Register of Cultural Properties. Any such properties entered in the Register must comply with the requirements of the Cultural Properties Act 18-6-1 through 18-6-17 NMSA 1978 and all applicable laws regarding cultural properties and archaeological sites.

No investigation into unmarked burials has been made. During construction, it is the buyer=s responsibility to report any unmarked burials that are discovered to the State Medical Investigator or to the State Historic Preservation Office.

45. CERTIFICATION AND NOTARY

I certify that the information provided by me in this disclosure statement is true and correct.

Signature	Hildeberto Moreno Print your name here
500 W. Overland, Suite #250-O Address	El Paso, TX 79901 City, state and zip code
(915) 225-3241 Telephone number(s)	IDI Gazeley – Brookfield Logistics Properties Corporation or Partnership

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2015.

Notary Public

} ss

My commission expires:

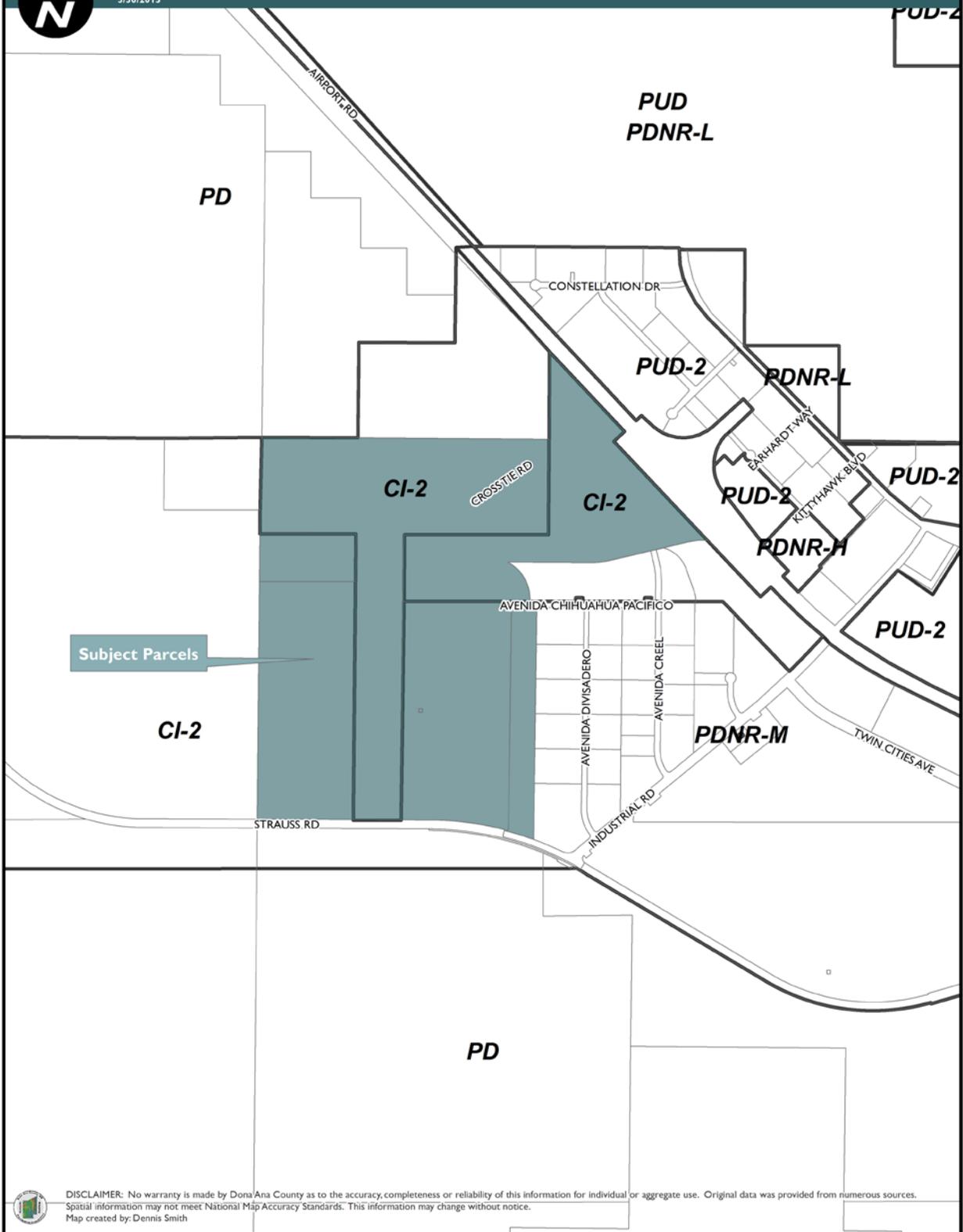
State of New Mexico



0 195390 780 1,170 1,560
3/30/2015
Feet

Zoning Map

CRSD 15-001



DISCLAIMER: No warranty is made by Dona Ana County as to the accuracy, completeness or reliability of this information for individual or aggregate use. Original data was provided from numerous sources. Spatial information may not meet National Map Accuracy Standards. This information may change without notice. Map created by: Dennis Smith

On site postings



