



## Claim of Exemption White Paper for Otero County, New Mexico

### **Q: What is a Claim of Exemption?**

**A:** A Claim of Exemption is a County-regulated process, which encompasses anything to do with changing, creating or dividing property lines on a landowner's deeded tract. This can be done in a number of different ways. A licensed New Mexico Professional Surveyor (NMPS) is required to perform and stamp the necessary field and office work.

If you are looking to legally change any property lines, as they currently exist, you are essentially seeking to gain approval from the County Manager's office and claim an exemption from the requirements of the Otero County Subdivision Ordinance. This process takes much less time than a Summary Subdivision which can require two or more monthly County Planning and Zoning approval meetings.

### **Q: What is the cost for this process? How long does it take?**

**A:** Typically, if you are looking to change any sort of lot line (which is the desire in most cases for a COE) you should expect an average of at least 5-7 hours of field time, 2-3 hours of research, 2-5 hours of drafting, 2-3 hours of legal/administrative work, and 2-3 hours of mathematical calculations.

Currently the competitive hourly rate for a surveyor/survey crew's runs at \$175 an hour. That being said, the starting price for a Claim of Exemption starts at \$2,000 plus tax and can take anywhere from 3-6 weeks to complete.

### **Q: What is required from the surveyor's office?**

**A:** The steps are as follows:

1. Your initial goals are determined and we ask you to have read the Claim of Exemption White Paper and attached County COE packet. You will be asked to decide which of the 12 variations best suits your needs.
2. Please gather any necessary documents that you may have regarding your holdings and bring them to the Alamotero office (i.e. deeds, plats, etc.).
3. We will review them and call to set up an appointment to see Sylvia Tillbrook with the Otero County Manager's office. At this point, we provide her with all of the information and ask her to get authorization to proceed. Sylvia Tillbrook can be reached at 575-439-2620.
4. Please be aware that property taxes for the year are due in full. A notarized tax release must be provided to allow work to commence on the project.



5. A deposit/retainer for the project of 50% will be required to place you on our schedule. Note, if the fieldwork is completed and the project is terminated for any reason, most or all of the retainer will be kept.
6. Once scheduled, office research begins. Deeds and plats will be obtained from the County and pre-field calculations/feasibility analysis will take place with our surveyor.
7. An initial field visit by a two-man survey crew will then occur. This typically is the minimum New Mexico State Standard for performing a boundary survey. This work is performed with precision GPS equipment that requires experience and expertise. We do our best to adhere to a field date, however in order to obtain the best field results we must take into consideration variables such as weather and location conditions that may cause changes to scheduling.
8. Once all data has been collected, the office analysis and post-field calculations are made by the surveyor. It is at this point that the boundary will either come together or will be manipulated to do so.
9. AutoCAD drafting is then performed and a preliminary plat is created and sent for you, the client, to review.
10. With client approval, the proposed plat goes to the County Manager's office for review. This usually takes between 3-5 business days.
11. Upon County approval, our Surveyor will write new legal descriptions. These descriptions are then provided to our clients to take to a deed preparer (Title Company or an Attorney) of their choice to be made into a new deed(s) for the property.
12. Once the new deed(s) have been received, a signing appointment will be set with you to sign your plats and COE paperwork. As a courtesy, we provide the notary to notarize your signatures.
13. The final packet will then go back to the County for submission that includes:
  - Newly approved plat.
  - Approved legal descriptions/deeds.
  - A \$15 County review fee.
14. Upon approval, the COE form MUST be approved and signed by the County.
15. Once signed the plat, deeds and COE form will be filed at the County Clerk's office, which our office will handle for a TBD fee based on the number of deeds. Multiple deeds may be extra.
16. Our survey crew will then return to the field to place new pins/monuments on new property corners as needed.
17. County GIS will then be provided with the new information so they can update their maps.



# ALAMOTERO

LAND SURVEYORS, LLC

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Please keep in mind that considerable coordination between our office and the County Manager is required. Ample time to process each of these steps allows us to provide our clients with the best possible outcome. Patience is requested however, we will always do our best to accommodate any rush that is communicated on the front end.

We are pleased to answer any questions you may have and look forward to the opportunity to assist you in accomplishing the goals for your property!

Our best,

Alamotero Land Surveyors