

Capitan Police Officer Appeals Mayoral Decision

by Patrice Brazie

A well known line from an old movie, 'what we have here is a failure to communicate', could perhaps be the best way to describe the Capitan Police Department and one officer's response to an official order from Capitan Mayor Sam Hammons.

Capitan police officer Steve Barnett brought his attorney Tim Rose to the Capitan Village Council meeting on Tuesday evening to present a grievance regarding his performance record.

Before a packed crowd of

Capitan citizens, Capitan Attorney Zach Cook explained that there would be no public input heard on Barnett's grievance because the town council would be acting as a quasi-judicial body in the case and should not be swayed in its decision by public opinion. Citizens wishing to express their opinions to their elected officials can do so at any time outside of public meetings designed to take care of the business of the village and its operation, he said.

"If you have concerns about what's going on with the village, call them up," Cook suggested.

Cook also said that a village ordinance denies an employee the right to participate in an appeal hearing, but that policy would be waived in Barnett's case.

"This appeal stems from a written reprimand that (Capitan Mayor Sam Hammons) gave to Officer Barnett following a meeting that was held on June 15th," Cook said. "On June 15th, the mayor held a meeting with the police department and, at that meeting, the mayor expressed his desire for the police officers to communicate more verbally as opposed to communicating only by way of written memo. That was his instruc-

tion to the police officers, to communicate more in person, just as a general public safety issue, they need to be able to communicate as normal people would in this kind of situation," Cook said.

"After that meeting, Officer Barnett gave a written memorandum to Chief Spear requesting instruction on how to give driver's tests," Cook continued. "Because he communicated something in writing that could just as easily have been communicated verbally, as a supervisor talking to his employee, Sam gave him a writ-

(Continued on Page 3)

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CARRIZOZO, NM 88301



DURING LAST TUESDAY evening's village council meeting, Capitan Police Officer Steve Barnett, shown here seated next to his attorney Tim Rose (standing), appealed a decision by Mayor Sam Hammons to include a written reprimand in the officer's personnel file. The Capitan Board of Trustees voted unanimously in Barnett's favor. (Photo by Patrice Brazie)

Capitan Meeting Policy Questioned

by Patrice Brazie

It is often the policy of local governing bodies to allow an item to be added to the agenda of a public meeting if a request is made to do so. Citizens can request an addition to an agenda in order to make a presentation to a local governing board, to request policy clarification or an action by that board. Citizen requests to have an item added to a meeting agenda are not at all uncommon.

Knowing this simple fact leads one to ask what is going on in the Village of Capitan when a village trustee's request to discuss village policies in a public meeting is denied by the mayor.

During a regular monthly meeting of the Capitan Village Council held on Tuesday night, Trustee Jim Davis stated he had asked to have a discussion and review of the

village's operations code added to the agenda for that night's meeting, but the request had been denied.

"The request was denied. Can you explain why?" Davis asked Capitan Mayor Sam Hammons on Tuesday night.

"I think I explained

that to you earlier," Hammons replied.

"I'd like to hear it again," Davis said. "According to the Capitan Code, I have a right as a trustee to place things on the agenda."

Hammons referred Davis' question to Village Attorney Zachary Cook, who tried to explain the

official policy.

"Trustee Davis and I were talking before the meeting, and he did point out in the ordinance where it does say that the meeting is set by the board and clerk. The general rule is that the mayor and the clerk set the agenda."

(Con't. on P. 3)

San Patricio Sr. Center Area Cleanup Event Scheduled for September 19th

The Lincoln County Solid Waste Authority (LCSWA) will be conducting a special fall clean up event this Saturday September 19 at the San Patricio Senior area on Highway 70 for residents in that region. Construction materials, bulk waste items such as discarded appliances and furniture, hot water heaters and other large metal items are among the items that may be disposed of at no charge during the scheduled Saturday cleanup, 8:00 a.m. to 12 noon. Yard waste is not accepted at this event.

LCSWA will provide a crew, a 40 cubic yard roll-off container and a grapple truck to San Patricio residents participating in private property cleanup.

Senior citizens unable to transport large waste items may call the LCSWA office at 378-4697 or toll free, 1-877-548-8772 for free special assistance the day of the cleanup.

Special cleanups are scheduled twice each year, during spring and fall, for county residents in rural areas not receiving forest slash pickup service.

The Glencoe area is scheduled for the next weekend special cleanup event, Saturday September 26.

Schedule for cleanups around Lincoln County:

- September 26 Glencoe Fire Station
- October 03 White Oaks Fire Station
- October 10 Sweet Water Hill area
- October 24 Historic Lincoln Waste Disposal site
- October 31 Nogal Fire Station
- November 07 Loma Grande & Magado Creek Highway 38
- November 14 Rancho Ruidoso Valley Estates
- November 21 Biscuit Hill

Senior citizens residing in the above areas who need free assistance in transporting discarded bulk items to the pickup site may call the Solid Waste Office at 1-877-548-8772 ahead of the scheduled event.

For more information on cleanups, contact the Solid Waste Authority office at 378-4697, or toll free at 1-877-548-8772. The clean up schedule is available on the Authority website at www.lcswa.org.

Free Photo Exhibit at Ruidoso Library

Three local photographers, Herb Brunell, David Tremblay and Frederic Moras, share their talents with the patrons and visitors to the Ruidoso Public Library for September through November.

Herb Brunell brought his collection of Lincoln County from the Sky. This collection resulted from Brunell being asked by his friends if he'd like to go flying in

their planes. He asked if he could take pictures. The collection from 1982 was taken while Tim Morris piloted the plane. Of particular interest is the print showing the airport and runway located where today Cree Meadows Golf Course is located. Depicted near the airport is the Village of Ruidoso building - with no library next door. The other photos in the collection were taken in 1999 with Bob

Dolgener as the pilot.

Brunell is a self-taught photographer. Brunell owned a photographic studio from 1979 to 1983. While there, he started collecting vintage photographs of the Ruidoso area.

That collection, as well as photos shared by many other locals and previous residents came together to become the

(Continued on P. 2)

U.S. Constitution Week Starts Today

Today, September 17, begins the national celebration of Constitution Week. The weeklong commemoration of America's most important document is one of our country's least known official observances. Our Constitution stands as a testament to the tenacity of Americans throughout history to maintain their liberties and freedom, and to ensure those unalienable rights to every American.

The tradition of celebrating the Constitution was started many years ago by the Daughters of the American Revolution (DAR). In 1955, the Daughters petitioned Congress to set aside September 17-23 annually to be dedicated for the observance of Constitution Week. The resolution was later adopted by the U.S. Congress and

signed into Public Law #915 on August 2, 1956 by President Dwight D. Eisenhower.

The aims of the celebration are to (1) emphasize citizens' responsibilities for protecting and defending the Constitution, preserving it for posterity; (2) inform the people that the Constitution is the basis for America's great heritage and the foundation for our way of life; and (3) encourage the study of the historical events which led to the framing of the Constitution in September 1787.

The United States of America functions as a Republic under the Constitution, which is the oldest document still in active use that outlines the self-government of a people. This land-

mark idea that men had the inalienable right as individuals to be free and live their lives under their own governance was the impetus of the American Revolution. Today, the Constitution stands as an icon of freedom for people around the world.

"Constitution Week is the perfect opportunity to read and study this great document which is the safeguard of our American liberties," states DAR President General, Linda Gist Calvin. "We encourage all citizens across the country to take time this week to reflect on our heritage of freedom."

DAR has served America for 119 years as its foremost cheerleader. In 1928, the Daughters began work on a building as a memorial to the

Constitution. John Russell Pope, architect of the Jefferson Memorial, was commissioned to design the performing arts center, known as DAR Constitution Hall. Today, DAR Constitution Hall is the only structure erected in tribute to the Constitution of the United States of America.

Known as the largest women's patriotic organization in the world, DAR has over 165,000 members with approximately 3,000 chapters in all 50 states and 11 foreign countries. The DAR has long promoted patriotism through commemorative celebrations, memorials, scholarships and activities for children, and programs for new immigrants. For more information about DAR and its programs visit www.dar.org or call (202) 628-1776.

Calendar of Events

- MONDAYS and WEDNESDAYS**
 -Free GED classes 6 to 8 p.m. Carrizozo School Library.
- TUESDAYS**
 -Capitan Public Library preschool story hour 4:00 p.m.
- WEDNESDAYS**
 -Corona Public Library story hour 4:00 p.m.
- THURSDAYS**
 -Gambler's Anonymous open meeting 7:15 p.m. at Mescalero Reformed Church, 336 Wardlaw Drive in Mescalero. For information call Mike at 575-682-6200.
- FIRST and THIRD THURSDAYS**
 -Representative from State Engineer's office is at Ruidoso Village Hall from 9 a.m. to 12 noon.
- THIRD SATURDAY of EACH MONTH**
 -American Legion Post #11 Wells Fargo Bank in Carrizozo 9 a.m.
- EACH FRIDAY**
 -Al Anon family group for families and friends of alcoholics, noon at Methodist Church in Carrizozo. Bring lunch.
- TODAY, THURSDAY, SEPTEMBER 17**
 -Constitution Week starts today.
- FRIDAY, SEPTEMBER 18 and SATURDAY, SEPTEMBER 19**
 --Free melodrama at Zenith Park Pavilion in Cloudcroft 7:30 p.m.
- SATURDAY, SEPTEMBER 19 and SUNDAY, SEPTEMBER 20**
 --18th annual White Sands Balloon Invitational. Hot air balloons will begin inflation at White Sands National Monument and the Alamogordo Soccer Complex at 7:00 a.m. both days, weather permitting. There is no charge for the event in Alamogordo. White Sands National Monument does charge admission.
- TUESDAY, SEPTEMBER 22**
 --Lincoln County Solid Waste Authority (LCSWA) 2:00 p.m. in LCSWA offices in Ruidoso Downs.
 --Corona Village Council 5:30 p.m.

Free Photo Exhibit . . .

(Continued from Page 1)

book, Ruidoso and Ruidoso Downs - Images of America Series published in May 2009 with writer Lyn Kidder. Brunell is also a founding member of the Photographic Society of Lincoln County.

David Tremblay's photos are well known, having been published often. Tremblay is a self-taught wildlife and nature photographer. A retired engineer, he devotes his free time to photographing during all seasons the mule deer, elk and many species of birds native to the Sacramento Mountains and also birds native to the vast expanses of Chihuahua desert to the south. This collection of wildlife subjects for Tremblay's photos and note cards is very popular with locals and visitors alike.

Also in the library is Tremblay's collection of Fort Stanton photos and photo montages. The Fort Stanton photos promote Fort Stanton preservation and restoration.

Also available in the Fort Stanton display is

Fort Stanton An Illustrated History, a book that Tremblay recently published with author, Linda A. Sanchez. Sanchez requested Tremblay to be the photographer for the book after talking to him specifically about one of his photos with a red-tailed hawk.

Frederic Moras, native of France, has lived in Ruidoso since 1997. During travels in China, Costa Rica, India and France, he captured moments of everyday life in these various cultures. Moras' work has been published in New Mexico Magazine, New Mexico Journey, USA Today and various other publications. An avid runner, Moras also documents local athletic events. He and his wife, writer Lyn Kidder, often collaborate on projects.

On display along with the photographs is a collection of old cameras in the glass showcase in the front foyer.

To see these wonderful photographs by

some of our local photographers, come to the Ruidoso Public Library at 107 Kansas City Road, Ruidoso.

Art in the library is part of the Ruidoso Regional Council of the Art's Art in Public Places program.

Paul's New Mexican Take-Out

6505 Hwy. 380, Carrizozo, NM
575-648-2885

Monday - Saturday
 11:00 a.m. to 2:00 p.m.
Friday Evenings
 5:00 to 7:00 p.m.

Great New Mexican Food



Capitan Meeting . . .

(Con't. from P. 1)

because the mayor is the chief executive of the village," Cook said. "So, the ordinance and the general rule are in conflict here."

Hammons then agreed that the requested item could be placed on the agenda for the council's next regular meeting in October.

A full review of policies, procedures and the reaches and limits of the authority of elected officials may be in order for the Capitan council.

Carrizozo Water Policy Examined

Carrizozo Mayor Bob Hemphill offered a short report of recent events during the Carrizozo Town Council meeting on Tuesday night. He announced that the town has reached a settlement in the lawsuit filed by former police officer Andy Hill. Hemphill said that he would have to consult with the town's legal counsel before divulging any more information regarding the settlement, but he should have more on the matter in October.

"Any monetary expenses will be covered by the insurance company," Hemphill said.

Town hall employees are calling Carrizozo residents when water bills are overdue, reminding them to come in and pay the bill before the service is terminated. He pointed out that the bill clearly states that payment is due by the 20th of the month, a \$2.50 late charge is added after that.

Old Lincoln Town

by Rosalie Dunlap

Another weekend of activities has come and gone in Lincoln. The annual "Art in the Orchard" was held in Dr. Wood's orchard with other activities at the La Placita.

The six spinners from Las Cruces enjoyed their stay at the La Placita Sunday. The spinners spun wool, buffalo hair, cat hair, silk and some beautiful Lincoln fleece.

The vendors, guests and members of the Partners for Lincoln were served a delicious supper Saturday night at the Wortley Hotel.

The spinners enjoyed a luncheon at the Dolan houses. Bev Strausser, the hostess, gave a very interesting history of the Dolan's and their home.

We really enjoyed visiting with old friends at the fair, pageant - where we were Grand Marshall

Health Council Roster Approved

by Patrice Brazie

During its regular monthly meeting of August 18th, the Lincoln County Board of Commissioners approved the roster of the Lincoln County Community Health Council. The roster is reviewed by the county commissioners at the start of each fiscal year and requires county approval before being forwarded to the state.

The following people currently serve on the Lincoln County Community Health Council: Aimee Bennett, Celeste Bonds, Jennifer Chadwick, Peggy Hayes, James Martin, Tina Godby-Ware, Heather Evans, Melissa Gebhart, Don Franklin, Linda Hand, Jim Kerlin, Nancy LaPointe, Barbara Mader, Lesley Byrd, James McClelland, Dr. Birgit LaMothe, Barbara Whipple, Shirley Beer, Judy Wilkinson, Laurie Brannigan, Brenda Brandt, Tony Martinez, Brad Treptow, Mark O'Rick, Andrea Reed, Toni Peppard, Kelli Shaw, Maurice St. John, Diane Ventura, Pat White, Colleen Widell, Brenda Motley-Lopez, Fran Altieri, Lisa Lyon, Dawna R. Reyes, Anne Lucero, Scott Annala, William Hanson, Shannon Dictson, Kathryn Walker and Eileen Sedillo.

and over the past weekend.

Thanks to all of you for your thoughts, card and prayers the past few months. They meant so much to us. We are now at home in Las Cruces at 2166 Frontier Dr. just off Roadrunner Pkwy. Come by and see us when you are in Las Cruces. It looked like it rained heavily in our area while we were in Lincoln over the weekend.

There will be church services at San Juan's church once a month, beginning the first Sunday in Oct.

Carol Keys and Pam MacArthur were cleaning the church over the weekend.

Best shut off before I lose my news again.

CARRIZOZO GRIZZLY 2009 VARSITY FOOTBALL SCHEDULE

- >Friday, Sept. 4 - vs. Capitan, in Carrizozo, 7:00 pm
 - >Friday, Sept. 11 - vs. Marfa, TX, at Marfa, 7:00 pm
 - >Saturday, Sept. 19 - vs. Ruidoso JV at Ruidoso, 6:00 pm
 - >Friday, Sept. 25 - vs. Escalante, in Carrizozo, 7:00 pm
 - >Friday, Oct. 2 - vs. *Hagerman, at Hagerman, 7:00 pm
 - >Friday, Oct. 9 - vs. Loving, at Loving, 7:00 pm
 - >Friday, Oct. 16 - vs. *Fort Sumner, at Carrizozo, 7:00 pm
 - >Friday, Oct. 23 - vs. *Mescalero, at Carrizozo, 7:00 pm (Homecoming)
 - >Friday, Oct. 30 - vs. *Jal, at Jal, 7:00 pm
- * Denotes District Games

2009 JR. HIGH FOOTBALL SCHEDULE

- >Thursday, Sept. 10 - vs. Capitan, at Capitan, 5:00 pm
- >Thursday, Sept. 19 - vs. Ruidoso, at Ruidoso, 4:00 pm
- >Thursday, Sept. 24 - vs. Mescalero, at Mescalero, 4:00 pm
- >Thursday, Oct. 1 - vs. Capitan, at Carrizozo, 5:00 pm
- >Thursday, Oct. 8 - vs. Ruidoso, at Carrizozo, 10:00 am

GIRL'S 2009 VOLLEYBALL SCHEDULE

- >September 10 - Capitan at Carrizozo JV and Varsity, 4:00 pm
- >Sept. 12 - Jr. High Tourney at Ruidoso TBA
- >Sept. 14 - Cloudcroft at Cloudcroft Jr. High, 4:00 pm
- >Sept. 17 - Valley Christian at C'zozo Jr. High and Varsity, 5:00 pm
- >Sept. 22 - Corona at Carrizozo Jr. High and Varsity, 5:00 pm
- >Sept. 24 - Capitan at Capitan Jr. High, 4:00 p.m.
- >Sept. 25-26 - Capitan Tournament Varsity, TBA
- >Sept. 28 - Mescalero at Carrizozo Jr. High, 4:00 p.m.
- >Sept. 29 - Vaughn at Carrizozo Varsity and ??, 5:00 p.m.
- >Oct. 1 - Mt'Air at Mt'Air Jr. High, JV, Varsity
- >Oct. 4 - Cloudcroft at Carrizozo Jr. High, 4:00 p.m.
- >Oct. 8 - Hondo at Hondo Jr. High, Varsity, 5:00 pm
- >Oct. 13 - Mt'Air at Carrizozo Jr. High, JV, Varsity, 5:00 pm

VOLLEYBALL SCHEDULE WILL BE UPDATED WEEKLY

CARD OF THANKS

The family of Arlene Najar would like to Thank all who were concerned for her condition and welfare during her time of illness as well as those concerned with our grieving upon her departure.

During our most difficult times . . . the outpouring of support was overwhelming. Thank you for all the flowers, cards, food and gifts that were received and Thank You for keeping her in your thoughts and prayers during her lengthy illness.

Our loss is indeed great, but with the gracious outreach from all who knew and loved her, our road to healing will be that much smoother.

And although she is gone . . . she will never be forgotten, for a part of her will live within us forever. May God Bless you all.

With Sincere Thanks,
 The Najar and Hill families

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 Saturday Afternoons



Capitan Police Officer Appeals . . .

(Continued from Page 1)

ten reprimand for failure to follow his clear instruction at that meeting," Cook said. In response to the written reprimand from Hammons, Officer Barnett

wrote a grievance asking the mayor to remove that reprimand from his personnel file. The mayor denied Barnett's request. "He didn't like the

mayor's continued denial to remove the reprimand from his file," Cook said. "The ordinance allows for an appeal to (the village council) and that's basically why we're here."

Cook said that a performance evaluation of Barnett by Capitan Police Chief Randy Spear was still pending and had not yet been signed by Barnett.

"A second request on this appeal is that you guys do not accept that performance evaluation," Cook told the village council.

Rose told the village trustees that Barnett's appeal was not intended to "add any more fuel to the fire" with regards to any disagreements that Barnett might have with the village or other members of the police department.

"This grievance was filed for two purposes," Rose said. "One is to remove the written reprimand from the mayor from Officer Barnett's file. When somebody dedicates their life and their career to serve the public as a law enforcement officer, an untarnished record is very important to them," Rose said. "When someone tries to tarnish that, I think it's reasonable for a police officer to take that personally. Any negative performance evaluations can have negative effects on their ability to make a living."

The second purpose of Barnett's appeal apparently was to have the completion of his performance evaluation postponed until it could be handled properly and in accordance with village operational codes.

Rose said that the Capitan Police Department has an issue with failure to communicate.

"Our problem is, basically, not getting a response from the chief when it comes to ordinary issues. We understand from the written reprimand and the performance evaluation that was suggested that it was the mayor's problem, and the Chief of Police's problem, with Officer Barnett alleging that there was a failure to communicate," Rose said.

Rose explained that Barnett's problems with the mayor and police department began when Barnett verbally requested some training or guidance as to how he should conduct driving tests.

"There was some verbal communication requesting that by Officer Barnett on May 15th of this year," Rose said.

When Barnett received no response from Capitan Police Chief Randy Spear, he wrote an inter-office memorandum simply stating that he would like to have some training or direction of how to proceed, Rose said, but again there was no response.

"There was a meeting held on June 29th, and there was an issue with the mayor telling Officer Barnett not to communicate in writing, communicate verbally, and that communicating in writing was a detriment to safety and the public welfare, something that we obviously didn't agree with but we understood," Rose said.

"In this issue of simple driving instructions, since there was no response, Officer Barnett wrote a second memorandum to Chief Spear. It wasn't a grievance. It wasn't something that was meant to be public in any way, it was just another request for instruction and training," Rose explained. "The day after that letter was issued, Officer Barnett gets a written reprimand stating that he has written this memorandum requesting training

and this was going into his file."

"On June 10th, approximately two weeks prior to this, was the date that my client expected his yearly evaluation," Rose continued. "It's not written and dated until July 27th, and was not given to Officer Barnett until August. By the code, the Chief of Police has a duty to sit down with the employee and discuss the evaluation and then request his signature. It was simply left on Officer Barnett's desk, with a post-it that it's required to be signed and returned within a deadline of two days later. In the evaluation, there were negative remarks about poor performance because he wrote this memorandum and because he was failing to communicate properly," Rose said.

"It seems almost absurd to me that someone could get reprimanded and their file tarnished for simply requesting training. You will see in the suggested evaluation that it also suggests that he should get negative remarks because he doesn't have enough training. We would ask you to consider the reprimand arbitrary, something you'd consider removing from his file, and you should not accept the evaluation until such time that Chief Spear and Officer Barnett can sit down and discuss it. It's very vague about what the problems are," Rose suggested. "Unless there's some sort of communication the problems will continue and we'll have a situation where we go from here to the courtroom, something that probably should be avoided."

Rose told the village council that Officer Barnett would like everybody to know that he doesn't want controversy.

"He wants to live here, he wants to work here, he'd like to continue working at the police department and he would like to have a good

relationship with fellow officers," Rose said. "What he won't stand for is arbitrary action from the village, something that's going to deprive him of his property interests, of his liberty interests in an arbitrary manner."

After Rose finished his presentation of Barnett's appeal, Capitan Trustee Jim Davis made a motion to go into executive session immediately to try resolve the issue. Trustee Diane Riska seconded the motion, Trustee Lilly Wood voted in favor of the motion and Trustee Curtis Payne voted against it.

Earlier in the meeting, Davis asked that a portion of the village code be read out loud so that the council members would have a clear understanding of what was expected of them in an appeal process.

Cook read a paragraph of the code that mandates that the Board of Trustees must make a decision within five days of the appeal. Because Barnett was appealing a decision made by the mayor, the closed session was held by the four trustees, without participation by Mayor Hammons.

After returning from the closed session, Riska, acting as Mayor pro-tem of the executive session, moved that the board grant Barnett's appeal in regard to the written reprimand, and instruct the village attorney to negotiate with Barnett's attorney to find a mutually agreeable way to proceed with regard to the performance evaluation. Trustee Davis seconded the motion, which was passed on a unanimous vote.

Dennis Kintigh
Your State Representative for
Corona, Carrizozo, Capitan and parts
of Ruidoso
invites you to a
Town Hall Meeting
"Come and Go"
Question and Answer Session
from 4 to 7PM
Thursday, September 24, 2009
Lincoln County Fairgrounds
Fair Board Meeting Room
Capitan, New Mexico
Paid for by Dennis Kintigh for State Representative,
Doyle Howerton, CPA, Treasurer

LEGAL NOTICE
STATE OF NEW MEXICO
COUNTY OF LINCOLN
TWELFTH JUDICIAL DISTRICT COURT
NO. CV-08-324

FIRST HORIZON HOME LOANS, A DIVISION OF FIRST TENNESSEE BANK NATIONAL ASSOCIATION, SUCCESSOR IN INTEREST BY MERGER WITH FIRST HORIZON HOME LOAN CORPORATION,
Plaintiff,

ROBIN M. CICCARELLI JOUETT A/K/A ROBIN CICCARELLI-JOUETT, THE UNKNOWN SPOUSE OF ROBIN M. CICCARELLI JOUETT A/K/A ROBIN CICCARELLI-JOUETT, LINDA S. JOUETT, THE UNKNOWN SPOUSE OF LINDA S. JOUETT, AVRIL COAKLEY D/B/A RUIDOSO OFFICE SUPPLY & HALLMARK, UNITED GUARANTY RESIDENTIAL INSURANCE COMPANY OF NORTH CAROLINA, AND WALTON STATIONS-NEW MEXICO, INC., A/K/A KBUY AND KWES RADIO,
Defendant(s).

NOTICE OF SALE
NOTICE IS HEREBY GIVEN that the undersigned Special Master will, on October 13, 2009, at 1:30PM, at the front entrance of the Lincoln County Courthouse, 300 Central, Carrizozo, New Mexico, sell and convey to the highest bidder for cash all the right, title and interest of the above-named defendants in and to the following described real estate located in said County and State: Lots 2 and 3, Tract D, LOMA GRANDE ACRES, located in Lincoln County, New Mexico, as shown by the amended plat thereof filed in the office of the County Clerk and Ex-officio Recorder of Lincoln County, New Mexico, August 7, 1972 in Tube No. 451

which Property is more commonly known to the best of Plaintiff's knowledge as 141 Bonita Drive, Nogal, New Mexico 88316. Plaintiff does not represent or warrant that the stated street address is the street address of the described property; if the street address does not match the legal description, then the property being sold herein is the property more particularly described above, not the property located at the street address; any prospective purchaser at the sale is given notice that it should verify the location and address of the property being sold. Said sale will be made pursuant to the Decree of Foreclosure entered on March 30, 2009, in the above entitled and numbered cause, which was a suit to foreclose a note and mortgage held by the above plaintiff and wherein plaintiff was adjudged to have a lien against the above-described real estate in the sum of \$165,236.42, plus interest from March 19, 2009 to the date of sale at the rate of 6.250% per annum, or \$26.59 per day, the costs of sale, including the Special Master's fee of \$320.63, publication costs, and plaintiff's costs expended for taxes, insurance or keeping the property in good repair. Plaintiff has the right to bid at such sale and submit its bid verbally or in writing. The Plaintiff may apply all or any part of its judgment to the purchase price in lieu of cash. The County of Lincoln recorded a Lien against the property on February 28, 2008, for the collection, transportation and disposal of solid waste.

NOTICE IS FURTHER GIVEN that the real property and improvements concerned with herein will be sold subject to any and all patent reservations, easements, all recorded and unrecorded liens not foreclosed herein, and all recorded and unrecorded special assessments and taxes that may be due. Plaintiff and its attorneys disclaim all responsibility for, and the purchaser at the sale takes the property subject to, the valuation of the property by the County Assessor as real or personal property, affixture of any mobile or manufactured home to the land, deactivation of title to a mobile or manufactured home on the property, if any, environmental contamination on the property, if any, and zoning violations concerning the property, if any.

NOTICE IS FURTHER GIVEN that the purchaser at such sale shall take title to the above described real property subject to right(s) of redemption, as set forth in the Judgment herein.
At the date and time stated above, the Special Master may postpone the sale to such later date and time as the Special Master may specify.
Dated: September 3, 2009.

Jeffrey D. Lake
Special Master
820 Calle Amor SE
Albuquerque, New Mexico 87123
(505) 681-1414
(505) 294-4003 fax

Published in the Lincoln County News on September 10, 17, 24; and October 1, 2009.

GALLERY 408 ON TWELFTH STREET
CARRIZOZO, NM 88301
PRESENTS
THREE SIDES OF A COIN
A Family Exhibition
BILL WIGGINS
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JEREMY HOWE
Saturday, September 19th, 2009
Artists Reception 5:00 PM to 7:00 PM
Show continued through November 22nd, 2009
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1.5 Mbps*	768/kbps*		\$54.95**
3 Mbps*	768/kbps*		\$64.95**

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Editorials/Opinion & Other Stuff

THOUGHTS

From the Editor's Desk

Another look at organ donation By Ruth Hammond

Last week an email was shocking and it caused much concern. The information that your organs can be seized by the government or might not be of interest, but many questions arose.

It seems that 39 states have enacted the Uniform Anatomical Gift Act and it is presumed that you give consent for your organs to be donated. In the past if you chose to be an organ donor you had to check the organ donor box on your driver's license. According to the presumed consent act, it is no longer necessary to check the organ donor box.

This may or may not be in the best interest of everyone. Some people prefer to not check the box because they are aware of health problems they choose to not pass on to a donor recipient.

It makes sense that the individual should have the choice, not the government and/or some other quasi official. It is equally interesting that the Uniform Anatomical Gift Act would allow artificial life support machines to be hooked to a person's body to keep the organs fresh. It was not explained who would be paying for the life support machine.

Government officials have enough to do without being in charge of where your organs go after you have died. If you agree you might want to research this act further before making a decision.

Another concern is who pays for having the organs transplanted. Years ago a man donated a kidney to his son, the man's medical insurance refused to pay for the procedure stating it was a voluntary operation. These concerns should be addressed before any organ donations are made.

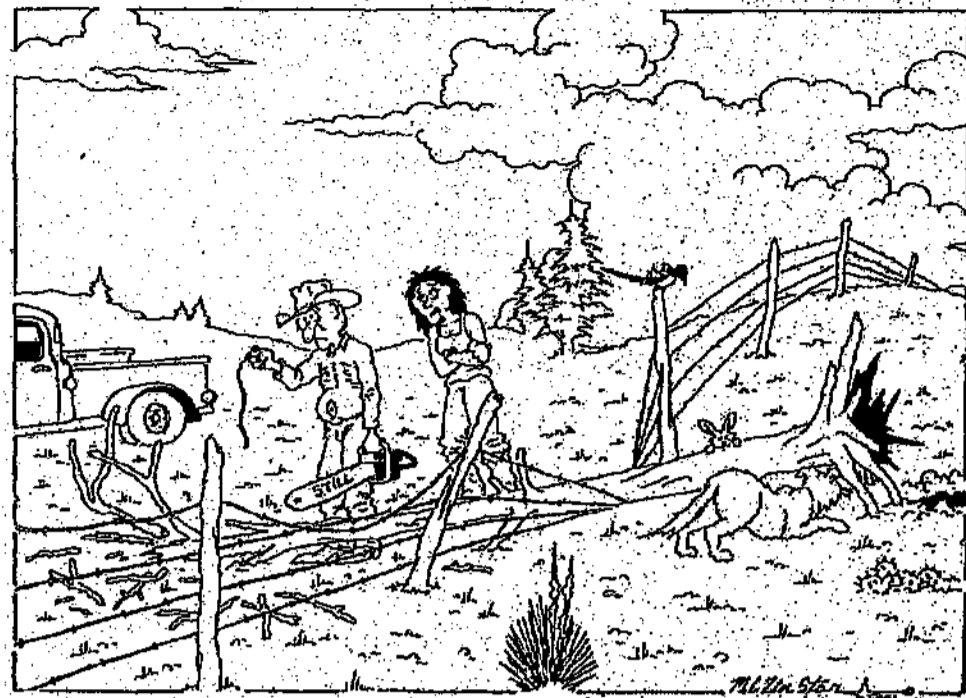
The organ donation procedure is great for some people needing an organ. But what about the person who gets diabetes from a donated organ? Or what about some other dangerous disease being imparted to the recipient from the organ?

Instead of enacting laws that deny people's rights to choose, states should publicize any of the controversial laws before taking action. Giving the impression of being good isn't necessarily right.

One man verbally objected that his body might be butchered after he died. It is his right to object, and states should honor his final request.

Not participating as an organ donor should be in individual choice, not a government mandate.

EARL...



I SWEAR EARL... YOU'VE GOT A PROBLEM FOR EVERY SOLUTION
By DRY SUNDICATE

* Inside the Capitol

By Jay Miller, Syndicated Columnist

SANTA FE -- Count me as the most inept political prognosticator in New Mexico.

Earlier this month, after it was announced that Gov. Bill Richardson would have no grand jury charges filed against him, I made some predictions about what comes next for our governor.

In that and other columns during the past few months, I have predicted Gov. Richardson will want to get involved in tasks that are exciting, that offer maximum publicity, a chance to make some money, to live on the East Coast again and as soon as possible.

So what happens? Gov. Richardson grants an interview to the New York Times late last week and says he's looking forward to finishing his term and remaining in New Mexico after that.

What's more, Richardson said he's not planning his next move to Washington. "That used to be an agenda of mine, but no longer." Furthermore, our governor says the private sector holds no appeal. He has no interest in lobbying and no interest in making money.

That makes my predictions about 0 for 6. I couldn't have been farther off base. I probably should turn in my reporter's notebook and accompany Richardson on his road tour to every major league baseball stadium in the nation. He says he wants to do all the driving. That's fine with me.

I'm a big baseball fan myself. Back in the late '40s and early '50s, my father and I went to every major league stadium in the country. All but one are new now.

The trip would allow me to get in touch with the new Bill Richardson. I used to know him quite well. A few months after I started writing this column back in 1987, Richardson asked me one day where the leak was in his office. He said I had his every thought pegged so well that I must be getting inside information.

But Bill has changed. It's probably living in New Mexico that did it. The ambition and enthusiasm is gone. He wants to kick back and enjoy life.

I can remember his excitement about moving to New York City when he

became United Nations ambassador. He could go to Yankee baseball games and major prize fights. And he could get to know the local politicians and personalities. First lady Barbara was excited too about art galleries, antique stores and museums.

I remember when Richardson left his cabinet position at the end of the Bill Clinton administration. He was anxious to get into the private sector and make some money for a change. He used to note that he was the poorest of the cabinet members.

Richardson did well for himself during the two years between his cabinet position and being elected governor. And he could do equally as well after his terms as governor.

But now we're looking at mellow Bill. That is so difficult to imagine that I may hold off on turning in my notebook just yet. He hasn't specifically ruled out accepting a really exciting offer if it happened to be presented.

I understand my journalistic career may have recently passed a significant milestone. I received an e-mail a few days ago from John Ackerman, chairman emeritus of Public Service

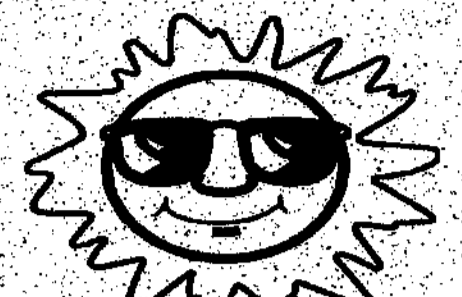
Company of New Mexico and currently president of the New Mexico Ethics Alliance.

Ackerman said his calculations indicate I have now been writing Inside the Capitol longer than the founder of this column, Will Harrison.

My checking indicates Harrison began the column in 1944 and ended sometime around 1965. I have written the column since June 1982 so it appears Ackerman is correct.

Those writing the column in between were Charlie Cullin, Fred Buckles, Fred McCaffrey, Bob Huber and Carroll Cagle. What is unique about this column is that the legal rights to it have been purchased by the new owners each time it changed hands, giving it a continuity that has lasted 65 years.

Any news articles or photos you might want in the Lincoln County News
Just call 575-648-2333
We'll try really hard to get it in the earliest issue possible.



WEATHER REPORT

by JEFF HAMMOND

Lincoln County continues to have an unseasonably wet late summer. The forecast for the upcoming week is basically more of the same. Forecast for Carrizozo, the high plains of Lincoln County and the Hondo Valley:

Thursday, Sept. 17

Showers and thunderstorms very likely, mostly cloudy, with a high near 71, east wind between 5 and 10 mph, night: A good chance for showers and thunderstorms, mostly cloudy, with a low around 52, and east wind around 5 mph.

Friday, Sept. 18

A fair chance of showers and thunderstorms, mostly cloudy, with a high near 74, night: A fair chance of showers and thunderstorms, mostly cloudy, with a low around 48.

Saturday, Sept. 19

A fair chance of showers and thunderstorms, mostly cloudy, with a high near 78, night: A slight chance of showers and thunderstorms, partly cloudy, with a low around 50.

Sunday, Sept. 20

Mostly sunny, with a high near 81, night: Partly cloudy, with a low around 51.

Monday, Sept. 21

Mostly sunny, with a high near 83, night: Partly cloudy, with a low around 49.

Tuesday, Sept. 22

Mostly sunny, with a high near 82, night: Partly cloudy, with a low around 49.

Forecast for Ruidoso, Capitan and Corona and most of the Hondo Valley:

Thursday, Sept. 17

Showers and thunderstorms very likely, mostly cloudy, with a high near 65, east wind around 5 mph, night: A very good chance of showers and thunderstorms, mostly cloudy, with a low around 44, east wind around 5 mph becoming calm.

Friday, Sept. 18

A good chance of showers and thunderstorms, mostly cloudy, with a high near 66, night: A fair chance of showers and thunderstorms, mostly cloudy, with a low around 38.

Saturday, Sept. 19

A fair chance of showers and thunderstorms, mostly cloudy, with a high near 70, night: A slight chance of showers and thunderstorms, partly cloudy, with a low around 42.

Sunday, Sept. 20

Mostly sunny, with a high near 72, night: A slight chance of showers and thunderstorms, partly cloudy, with a low around 46.

Monday, Sept. 21

Mostly sunny, with a high near 75, night: Partly cloudy, with a low around 46.

Tuesday, Sept. 22

Mostly sunny, with a high near 75, night: Partly cloudy, with a low around 46.

The above information was taken from the National Weather Service Website. For up to date weather reports, go to www.srh.noaa.gov/abq/ on the internet. This website is up-dated every four hours.

Lincoln County News
USPS 313460

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LEGAL NOTICE

STATE OF NEW MEXICO
COUNTY OF LINCOLN
TWELFTH JUDICIAL DISTRICT COURT

No. PB-2009-024

Judge Karen Parsons

IN THE MATTER OF THE ESTATE OF
WILLIAM C. MUELLER, Deceased.

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that Victoria Mueller has been appointed personal representative of this estate. All persons having claims against this estate are required to present their claims within two (2) months after the date of the first publication of any published notice to creditors or the date of mailing or other delivery of this notice, whichever is later, or the claims will be forever barred. Claims must be presented either to the law offices of Gibson & Leonard, P.C., at the address listed below, or filed with the District Court of Lincoln County, New Mexico, located at the following address: P.O. Box 725, Carrizozo, New Mexico 88301.

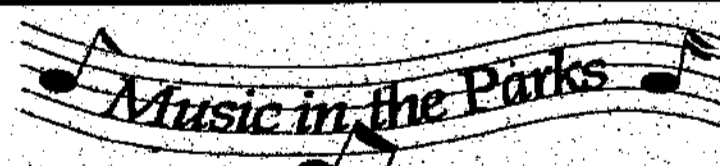
Dated: September 15, 2009.

Respectfully Submitted by:

GIBSON & LEONARD, P.C.

Julie Anne Leonard
505 Mechem Dr.
Ruidoso, New Mexico 88345
575.257.1010

Published in the Lincoln County News on September 17 and 24, 2005.



Sunday, September 20
2:00 - 4:00 P.M.

Chavez Park
Birch Avenue (across from St. Rita's RC
Church)
Carrizozo
presents

Bring a picnic and enjoy
a wonderful afternoon of
music under the shade of
our great little park!

Ron Becker and Mike Byer
guitarists
singing many of your favorites

and
Open Mike

Here's a chance for you and your musical
instrument to entertain you friends and neighbors.

Many thanks to all our sponsors and supporters of
this season's
Music in the Parks series.

Art by Alisa
Carrizozo Heritage Museum
Carrizozo Woman's Club
City Bank of New Mexico
Judy Fitzpatrick
Gallery 408
Deborah & Rick Geary
High Desert Homes and Land
Kaleidoscope Designs

Lincoln County Lodgers Tax
Manny's Cafe
Mavin's Right Along
Ned's Plumbing
Otero Electric
Ruidoso Regional Council
of the Arts
Tierra Verde Properties
Zia Natural Gas

Carrizozo Music in the Parks is an economic development
project of Carrizozo Works, Inc.

SHERIFF'S REPORT

The following information was taken from dispatch records in the Lincoln County Sheriff's Office, located in the Lincoln County Courthouse in Carrizozo.

August 18
 3:38 p.m. Fire reported at mile marker 132 on Hwy 54 north of Carrizozo, Carrizozo fire units and police dispatched.
 5:21 p.m. Medical call at residence on Fourth Street in Capitan, ambulance dispatched.
 5:34 p.m. New Mexico Depart of Corrections Adult Probation and Parole

Officer (APO) requested agency assistance at location on Hwy 70 in Ruidoso, deputy dispatched.
 6:37 p.m. Burglary (attempted) reported at location on High Mesa Road in Alto, deputy dispatched.
 6:38 p.m. Dog reported running loose on Mount Haven Trail in Capitan, police dispatched.
 6:44 p.m. Information report at location on B Avenue in Carrizozo, deputy dispatched.
 7:32 p.m. Medical call at residence on Deer

Park Drive in Alto, ALS ambulance dispatched.
 7:55 p.m. Fraud/illegal credit card use reported at business on Downs Drive in Ruidoso Downs, deputy dispatched.
 10:31 p.m. Suspicious activity reported at mile marker 290 on Hwy 70 in Hondo, deputy dispatched.
August 19
 12:54 a.m. Medical call at residence on Fifth Street in Capitan, ambulance dispatched.
 5:57 a.m. Dog reported running loose on Aspen in Capitan, police dispatched.

7:17 a.m. Medical call at residence on Enchanted Forest Loop in Alto, ALS ambulance and deputy dispatched.
 7:45 a.m. Suspicious activity by person(s) in vehicle reported at intersection of Hwy 37 and Hwy in Bonito, deputy dispatched.
 8:08 a.m. Alarm reported at business location on Hwy 70 in Tinnie, deputy dispatched.
 9:01 a.m. Traffic offenses reported at location on Hwy 37 in Nogal, deputy dispatched.
 10:57 a.m. Medical call at residence on Hwy 37 in Nogal, ambulance dispatched.
 12:17 p.m. Medical call at residence on Schlarb Road in Carrizozo, ambulance dispatched.
 1:10 p.m. Medical call at location on Hwy 48 in Capitan, ambulance dispatched.
 2:54 p.m. Fire reported at location on Gray Fox Lane in Alto, Bonito fire units and deputy dispatched.
 2:54 p.m. Threats by phone reported from location on Wapati Way in Alto, deputy dispatched.
 3:01 p.m. Welfare check requested for person sitting in car on Hwy 380 between Carrizozo and Capitan, deputy dispatched.
 3:37 p.m. Medical call at business location on Smokey Bear Boulevard in Capitan, ambulance dispatched.
 3:48 p.m. Dog reported running loose near mile marker 283 on Hwy 70 in Hondo, deputy dispatched.
 3:54 p.m. Threats by phone reported at from location on Mechem Drive in Ruidoso, deputy dispatched.
 4:20 p.m. Dog reported running loose on Orchard View in Lincoln, deputy dispatched.
 4:26 p.m. Registered Sex Offender check at Lincoln County Sheriff Office (LCSO) located in the Lincoln County Courthouse (LCC) on Central Avenue in Carrizozo, deputy dispatched.
 6:15 p.m. Public relations at location on Pinehurst in Alto, deputy dispatched.
 7:05 p.m. Disturbance reported at location on E Avenue in Carrizozo, police and deputy dispatched.
 7:49 p.m. Medical call at residence on Moccasin Trail in Ruidoso, ALS ambulance and deputy dispatched.
 11:36 p.m. Medical call at residence on Screaming Eagle in Alto, ALS ambulance and deputy dispatched.

DISTRICT COURT CALENDAR

The Calendar for District Judge Karen Parsons

Monday, August 31
 8:15 a.m. Telephonic - In the Matter of Sultemeier name change; CV-2009-250 (Merits) Pro Se
 8:30 a.m. Telephonic - Everhome Mortgage v. Chenault et al; CV-2008-365 (Presentment) Drantel
 9:00 a.m. 1/2 Day Jury Trial Continued from 8-28-09 Rebecca Serrano; CR-2008-271
 Blakney/Mitchell p.c.
 1:15 p.m. Leah Bain v. Clay Griffin; DM-2008-119 (Resp notice to relocate/mth for joint legal and physical custody) Gibson/S-Cook
 4:00 p.m. In the Matter of the Guardianship; PQ-2009-01 (Merits) S-Cook
 Tuesday, September 1
 1:15 p.m. Jennifer Brizeno n/k/a Hernandez v. Mark Brizeno; DM-2009-56 (Motion to Modify Parenting Plan/Mtn/ Camera with Minor Ch) S-Cook/ProSe
 4:00 p.m. Angela C'DeBaca v. Edward C'DeBaca DM-2004-171 (Mtn/Modify C.S) ProSe/ProSe
 Darrell Brantley
 10:00 a.m. DV-2008-91
 11:00 a.m. DV-2009-63
 1:15 p.m. DV-2004-57 Mtn Dismiss ProSe/McSwane
 2:00 p.m. DV-2009-66
 3:00 p.m. DV-2009-67
 DV-2009-78

Wednesday, September 2
 8:15 a.m. Malcolm Westmacott v. MVD; CV-2009-73 (Merits) ProSe/Belles
 9:00 a.m. Grand Jury Orientation
 10:00 a.m. (Small Cr Room)
 JQ-2009-06 (Temp Custody)
 11:00 a.m. Ralph Nix v. Kimberlee Sanchez; CV-2009-95 (Merits) Hawthorne/Hawthorne
 1:15 p.m. Michael Cabra; LR-2009-07 (Trial De Novo) MTD/Rose
 Trailing - Marvin Masseur; LR-2009-11 (Trial De Novo) Newton/Rose
 Trailing - Donald Hubbard; LR-2009-008 (Trial De Novo)
 4:00 p.m. City Bank v. Black et al; CV-2009-183 (MSJ) Griffin/Beauvais

Thursday, September 3
 8:15 a.m. In the matter of Walema name change; CV-2009-272 (Merits) Garcia
 8:30 a.m. In the Matter of Luz Perez; CV-2009-283 (Presentment) Bass
 9:00 a.m. Mike Yeager v. Sarah Whitaker; DM-2009-01 (Custody/Support & Visitation) (One Day Merits) Gibson/McSwane
 1:15 p.m. In the Matter of Hutto name change; (Merits) CV-2009-276
 4:00 p.m. Phillip Dauster v. Enid McNatt; DM-2009-84 (Mtn/Modification of CC/CS & Timesharing) Sutherland/R. Hawthorne
 Darrell Brantley
 1:30 p.m. DV-2009-54

Friday, September 4
 8:30 a.m. (Lg. Cr Rm) Pica/Meet/Confer
 8:30 a.m. (Small Cr Rm) Richard Ramsdale
 OCR-09-111

Pre-Trial/Motions
 9:00 a.m. FA/Initial
 Donathan York CR09-111
 Gary Sugamoto CR-09-112
 Weaver Ballard; CR-08-69-199

Change of Plea
 Steven Noseff; CR-09-23
 Latasha Crockett CR09-42
 Bruce Parsons CR08-115/82
 William Wilson CR09-52
 Adan Quintallia; CR-09-109

Adjudicatory
 Brandy West; CR-08-209
 Buddie Hirsch CR03-150

Motions/Other
 J. Tyrone Riordan; CR-07-80/113/193 - CV-09-85

Bryon Carpenter CR09-68
 Adelina Payne; CR-08-28
 Steven Hernandez; CR-09-50
 Steven Grain; CR-04-105-106-163
 Jose Valenzuela; CR-09-95
 Travis Prins; CR-01-157
 Francisco Solis CV-09-313/314

Sentencing
 Billy Durham; CR-07-107
 Beau Hirsch CR-09-32/54
 Thomas Daniel CR-09-13/58
 Dustin Bentley CR-08-204/174
 2:00 p.m. Trial De Novo - Mario Madrid
 LR09-06
 3:00 p.m. Cory Tucker; LR-2009-09
 Trailing Abran Barela LR-2009-17
 4:00 p.m. City Bank v ASAP Wildfire Suppression; CV-09-318 (Replevin/TRO) Arland

LEGAL NOTICE

STATE OF NEW MEXICO
 COUNTY OF LINCOLN
 TWELFTH JUDICIAL DISTRICT COURT
 CV 2009-54

HIGH SIERRA CONDOMINIUMS OWNERS ASSOCIATION, INC., a New Mexico corporation,

Plaintiff,

vs.
 OSCAR ACEBEDO, VERNON ALLEN, TIMOTHY ALLISH and MARICELA ALLISH, DOUGLAS W. ANDERSON, MANUEL CARLOS, VANESSA Y. CARLOS, AVONN A. DAVIS and CHRISTA M. BROWN, MARCOS R. FLORES and RAMONA FLORES, GERARDO GONZALES and IRMA JAQUEZ DE GONZALES, RAY GONZALES and CYNTHIA D. NAJERA, CARLOS HERNANDEZ and VICTORIA Sacotta Hernandez, TERRY KALIES and ELAINE J. KALIES, GEORGE LUCKY and BETTY J. LUCKY, ARMANDO MARCOS PENILLA and PATRICIA BARQUERA, JOSE MARTINEZ and BEATRIZ G. MARTINEZ, HECTOR MOLINAR and LAURA C. DE MOLINAR, JAMES NELSON, JR. and MARGARET ANN NELSON, ELSA NEVAREZ, DEE D. PARKS and CLAUDIA FAY PARKS, GABRIEL PEREZ CANPOY and SOCCORRO CORRAL C. PEREZ, WANDA PERRY, OSVALDO RAZO and SHIRLEY C. RAZO, BENJAMIN F. RICHER and MARGARET A. RICHER, RAY R. RODRIGUEZ, JORGE SANDOVAL VIDAL, HENRY E. TORRES and DEBBIE V. TORRES, ROSARITA WALKER, GREGORY J. WELSH, JAMES YANAGA.

Defendants.

NOTICE OF FORECLOSURE SALE

NOTICE IS GIVEN that on October 9, 2009, at 10:00 a.m., at the front entrance to the Village of Ruidoso Municipal Building located at 313 Cree Meadows Drive, Ruidoso, Lincoln County, New Mexico, the undersigned special master will offer for public sale and sell the following described real property and improvements to the highest bidder for cash. All of the real properties are timeshare and the legal descriptions thereof are as follows:

EXHIBIT "A"

Name	Unit	Interval Week
Oscar and Virginia Acebedo	Unit 0401	No.
33 Vernon Allen	Unit 0201	No. 16
Timothy Allish & Maricela Allish	Unit 1201	No. 2&3
Douglas W. Anderson	Unit 1301	No. 3
Manuel Carlos	Unit 1001	No. 22
Vanessa Y. Carlos	Unit 0701	No. 35
Avon A. Davis & Christa M. Brownis	Unit 0601	No. 45
Marcos R. Flores & Ramona Flores	Unit 0302	No. 37
Gerardo Gonzales and Irma Jaquez de Gonzales	Unit 0602	No. 09
Ray Gonzales & Cynthia D. Najera	Unit 0602	No. 44
Carlos Hernandez & Victoria Sacotta Hernandez	Unit 0601	No. 27
Terry Kalies & Elaine J. Kalies	Unit 1202	No. 39
George Lucky & Betty J. Lucky	Unit 1402	No. 51
Armando Marcos Penilla and Patricia Barquera	Unit 0501	No. 1
Jose Martinez & Beatriz G. Martinez	Unit 1101	No. 18
Hector Molinar & Laura C. De Molinar	Unit 0801	No. 24
James Nelson, Jr. & Margaret Ann Nelson	Unit 1202	No. 1
Elsa Nevarez	Unit 0102	No. 10
Dee D. Parks & Claudia Fay Parks	Unit 0601	No. 25
	Unit 1302	No. 32
	Unit 1301	No. 14
Gabriel Perez Canpoy & Socorro Corral C. Prez	Unit 0402	No. 15
Wanda J. Perry	Unit 1301	No. 37
Osvaldo Razo & Shirley C. Razo	Unit 0102	No. 4
Benjamin F. Richer	Unit 1001	No. 30
Ray R. Rodriguez	Unit 0202	No. 13
Jorge Sandoval Vidal	Unit 1301	No. 4
Henry E. Torres & Debbie V. Torres	Unit 0402	No. 24
Rosarita Walker	Unit 1102	No. 43
Gregory J. Welsh	Unit 0401	No. 51
	Unit 1301	No. 36
James Yanago	Unit 1002	No. 7&8

The special Master's sale will be conducted pursuant to the Default Judgment entered by this court on September 1, 2009 in an action for collection of the maintenance fee lien on the intervals, and the amounts to be realized at the sale of the intervals, with interest calculated to date of sale, are as follows:

Plaintiff's Judgment directed foreclosure of the real property to satisfy the following judgment liens:

Amount of Maintenance fees	\$ 456,975.80
Cost of Suit	1,320.74
Attorney fees	2,771.02
Special Masters fee	250.00

In addition to the judgment liens referred to above, there will be accruing costs, including costs for publication of notice.

The Special Master may continue the date of sale by appearing on the date and time designated in this notice and announcing the postponement to another specific date.

The terms of this sale are that the purchaser must pay cash at the time the intervals are struck off to him, except plaintiff may bid all or any part of the judgment, plus interest without paying cash.

WITNESS my hand and seal of the District Court of Lincoln County, New Mexico this 23rd day of September 2009.

Peter Baca, Special Master
 PO Box 215
 Carrizozo, NM 88301
 575-648-9925

CHARLES E. HAWTHORNE, Ltd

Charles E. Hawthorne
 Attorney for Plaintiff
 900 Sudderth Drive
 Ruidoso, NM 88345
 (575) 257-1323 fax 257-1327

7:17 a.m. Medical call at residence on Enchanted Forest Loop in Alto, ALS ambulance and deputy dispatched.
 7:45 a.m. Suspicious activity by person(s) in vehicle reported at intersection of Hwy 37 and Hwy in Bonito, deputy dispatched.
 8:08 a.m. Alarm reported at business location on Hwy 70 in Tinnie, deputy dispatched.
 9:01 a.m. Traffic offenses reported at location on Hwy 37 in Nogal, deputy dispatched.
 10:57 a.m. Medical call at residence on Hwy 37 in Nogal, ambulance dispatched.
 12:17 p.m. Medical call at residence on Schlarb Road in Carrizozo, ambulance dispatched.
 1:10 p.m. Medical call at location on Hwy 48 in Capitan, ambulance dispatched.
 2:54 p.m. Fire reported at location on Gray Fox Lane in Alto, Bonito fire units and deputy dispatched.
 2:54 p.m. Threats by phone reported from location on Wapati Way in Alto, deputy dispatched.
 3:01 p.m. Welfare check requested for person sitting in car on Hwy 380 between Carrizozo and Capitan, deputy dispatched.
 3:37 p.m. Medical call at business location on Smokey Bear Boulevard in Capitan, ambulance dispatched.
 3:48 p.m. Dog reported running loose near mile marker 283 on Hwy 70 in Hondo, deputy dispatched.
 3:54 p.m. Threats by phone reported at from location on Mechem Drive in Ruidoso, deputy dispatched.
 4:20 p.m. Dog reported running loose on Orchard View in Lincoln, deputy dispatched.
 4:26 p.m. Registered Sex Offender check at Lincoln County Sheriff Office (LCSO) located in the Lincoln County Courthouse (LCC) on Central Avenue in Carrizozo, deputy dispatched.
 6:15 p.m. Public relations at location on Pinehurst in Alto, deputy dispatched.
 7:05 p.m. Disturbance reported at location on E Avenue in Carrizozo, police and deputy dispatched.
 7:49 p.m. Medical call at residence on Moccasin Trail in Ruidoso, ALS ambulance and deputy dispatched.
 11:36 p.m. Medical call at residence on Screaming Eagle in Alto, ALS ambulance and deputy dispatched.
August 20
 4:18 a.m. Alarm reported at Carrizozo Health Clinic on E Avenue in Carrizozo, police dispatched.
 5:41 a.m. Fire reported by Union Pacific Railroad personnel at mile marker 130 on Hwy 54 north of Carrizozo, Carrizozo fire units dispatched.
 6:55 a.m. Medical call at residence on D Avenue in Carrizozo, ambulance dispatched.
 9:31 a.m. Dog reported running loose on Ski Run Road in Alto, deputy dispatched.
 9:38 a.m. Medical call at Carrizozo Health Clinic on E Avenue in Carrizozo, ambulance dispatched.
 9:53 a.m. Dog reported running loose on Bonito Lake Road in Bonito, deputy dispatched.
 10:26 a.m. Alarm reported at location on Caprock Court in Alto, deputy dispatched.
 10:30 a.m. Warrant service at residence on Bonito Lake Road in Bonito,
 (Continued on P. 6)

**OBSERVE
 ALL
 TRAFFIC SIGNS.
 Children are
 now back at
 school.**

STATE OF NEW MEXICO COUNTY OF LINCOLN TWELFTH JUDICIAL DISTRICT Case No. D-1226-CV-200900275

Sheriff's Report

(Continued from Page 5)

34C HOME LOANS... COUNTRYWIDE... L.P. FKA... SERVING, L.P.

STEPHEN... SMITH; COMIRICA... WHOSE TRUE NAMES ARE UNKNOWN

NOTICE OF SUIT STATE OF NEW MEXICO to the above-named Defendants... GREETINGS... notified that the above-named Plaintiff...

LOT 39 BLOCK 10 OF CENTRAL SUBDIVISION, RUIDOSO, LINCOLN COUNTY, NEW MEXICO, AS SHOWN BY THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF LINCOLN COUNTY, OCTOBER 9, 1947.

Unless you serve a pleading or motion in response to the complaint in said cause on or before October 26, 2009, judgment by default will be entered against you.

CASTLE MEINHOLD & STAWIARSKI by: Keya Koul Sharer, Harkis D. Renae Richards, Jarney Keya Koul, 999 18th St., Suite 2201, Bin 1, Denver, CO 80202, (800) 286-0013, (303) 285-2222 Attorneys for Plaintiff

WITNESS the Honorable KAREN L. PARSONS, DISTRICT COURT JUDGE, of the Twelfth Judicial District of New Mexico Judicial District Court, Lincoln County, New Mexico, this 27th day of August 2009.

Jan Perry CLERK OF THE DISTRICT COURT By: Elizabeth Ysasi Deputy

Published in the Lincoln County News on September 17, 24; and October 1, 2009.

deputy dispatched. 10:42 a.m. Civil dispute reported at location on Midiron Road in Alto, deputy dispatched. 10:51 a.m. Information report at location on Hwy 48 in Capitan, deputy dispatched. 10:54 a.m. Information report at location on Broken Bow Trail in Ruidoso, deputy dispatched. 11:53 a.m. Dog reported running loose on Hwy 246 in Capitan, deputy dispatched. 3:45 p.m. Medical call at location on E Avenue in Carrizozo, ambulance dispatched. 5:23 p.m. Dog reported running loose on Enchanted Forest Loop in Alto, deputy dispatched. 5:53 p.m. Dog reported running loose on Hitching Post in Palo Verde, deputy dispatched. 10:15 p.m. Alarm reported at Carrizozo schools on D Avenue in Carrizozo, police dispatched. August 21 7:43 a.m. Information report at location on Antelope Trail in Nogal, deputy dispatched. 9:58 a.m. Medical call at residence on Spring Canyon Road in Ruidoso, ALS ambulance and deputy dispatched.

10:14 a.m. Littering or illegal dumping reported on Enchanted Forest Loop in Alto, deputy dispatched. 10:23 a.m. Larceny reported at location on El Ojito in Hondo, deputy dispatched. 4:34 p.m. Traffic offenses reported at location in Capitan, police dispatched. 7:16 p.m. Suspicious activity reported at location in Alto, deputy dispatched. 9:11 p.m. Medical call at residence on Cottage Grove Lane in Alto, ALS ambulance and deputy dispatched. August 22 1:59 a.m. Fire reported at intersection of Dulce and Central Avenue in Carrizozo, fire units and police dispatched. 3:37 a.m. Fire reported by Union Pacific Railroad personnel five miles south of Carrizozo, Carrizozo fire units and deputy dispatched. 10:38 a.m. Medical call at residence on Nogal Canyon Road in Nogal, ambulance dispatched. 1:29 p.m. Warrant service at location on Bonito Lake Road in Bonito, deputy dispatched. 1:53 p.m. Dog reported running loose near intersection of Sagebrush and Stetson in Palo Verde, deputy dispatched. 3:08 p.m. Missing person reported from location approximately mile marker 4 on Nogal Canyon Road in Nogal, deputy dispatched. 4:00 p.m. Smokey reported in Forest Heights area in Alto, Bonito fire units dispatched. 6:36 p.m. Alarm reported at location on Sunset Mesa in Nogal, deputy dispatched. 6:58 p.m. Shots fired reported at location on Brentwood Road in Alto, deputy dispatched. 8:06 p.m. Vandalism reported at Capitan schools, police dispatched. 8:23 p.m. Suspicious activity by person(s) in vehicle reported at location on Parajita in Ruidoso Downs, deputy dispatched. 8:56 p.m. Civil dispute reported at residence on Sitting Bull in Rancho Ruidoso Valley Estates, deputy dispatched. 9:38 p.m. Suspicious activity reported at last campground on Cedar Creek in Ruidoso, deputy dispatched. August 23 10:12 a.m. Report of motor vehicle theft from location on Aspen in Capitan, police dispatched. 3:52 p.m. Found property reported at Fox Cave on Hwy 70 in Ruidoso Downs, deputy dispatched. 5:04 p.m. Dog reported running loose on Sierra Vista in Alto, deputy dispatched. 6:22 p.m. 911 Hang-up from residence on Reynolds Circle in Ruidoso Downs, deputy dispatched.

THANK YOU... to the First Baptist Church of Carrizozo and the members of this community for the wonderful celebration in honor of our 20 years here. We were overwhelmed by your presence, kind words and gifts. We feel so very blessed to live and serve here. Hayden, Cheryl, Lauren and Johnathan Smith

LEGAL NOTICE STATE OF NEW MEXICO COUNTY OF LINCOLN TWELFTH JUDICIAL DISTRICT Case No. D-1226-CV-200900103 BANK OF AMERICA, N.A., Plaintiff, v. MICHELLE BROOKS; OCCUPANTS, WHOSE TRUE NAMES ARE UNKNOWN, Defendants.

NOTICE OF SALE NOTICE IS HEREBY GIVEN that the undersigned Special Master will on September 29, 2009 at 9:00:00 AM, outside the front entrance of the Lincoln County District Court, 300 Central Ave, Carrizozo, NM 87544, sell and convey to the highest bidder for cash all the right, title, and interest of the above-named defendants in and to the following described real estate located in said County and Legal Description attached as Exhibit "A" Exhibit A Lot 16, Block 5, Rainmakers, Unit Three, Lincoln County, New Mexico, as shown by the plat thereof filed in the Office of the County Clerk and Ex-officio Recorder of Lincoln County, New Mexico, June 1, 2005, in Cabinet 1, Slide No. 309; The address of the real property is BLK 5 Lot 16 3 3, ALTO, NM 88312. Said sale will be made pursuant to the Decree of Foreclosure entered on July 29, 2009, in the above entitled and numbered cause, which was a suit to foreclose a mortgage held by the above Plaintiff and wherein Plaintiff was adjudged to have a lien against the above-described real estate in the sum of \$115,784.83 plus interest from August 12, 2009 to the date of sale at the rate of 6.7500% per annum, the costs of sale, including the Special Master's fee, publication costs, and Plaintiff's costs expended for taxes, insurance, and keeping the property in good repair. Plaintiff has the right to bid at such sale and submit its bid verbally or in writing. The Plaintiff may apply all or any part of its judgment to the purchase price in lieu of cash. At the date and time stated above, the Special Master may postpone the sale to such later date and time as the Special Master may specify. NOTICE IS FURTHER GIVEN that this sale may be subject to a bankruptcy filing, a pay off, a reinstatement or any other condition that would cause the cancellation of this sale. Further, if any of these conditions exist, at the time of sale, this sale will be null and void, the successful bidder's funds shall be returned, and the Special Master and the mortgagee giving this notice shall not be liable to the successful bidder for any damages. NOTICE IS FURTHER GIVEN that the real property and improvements concerned with herein will be sold subject to any and all patent reservations, easements, all recorded and unrecorded liens not foreclosed herein, and all recorded and unrecorded special assessments and taxes that may be due. NOTICE IS FURTHER GIVEN that the purchaser at such sale shall take title to the above-described real property subject to rights of redemption.

Peter Baca Special Master c/o Castle Meinhold & Stawiariski 999 18th St., Suite 2201, Bin 1, Denver, CO 80202 (800) 286-0013 (303) 285-2222 P614780-9/3, 9/10, 9/17, 09/24/2009

Published in the Lincoln County News on September 3, 10, 17 and 24, 2009.

What A Wonderful Day!

The Labor Day Street Fair Committee cannot thank everyone enough for their support:

- * the sponsors and their financial assistance: Big Blue Auction, City Bank NM, Lincoln County News, Ned's Plumbing, Remodeling, the Rockin' Rafter Ranch, Sierra Blanche Landscaping Company, and The Sign Studio;
* the sponsors and their support of cash, goods and/or time, Maria Bradburn, John Hemphill, Bob Hemphill, GVS Title Service, Marie Scott, The Yacht Club, Lucia Vega, Sen Talley, Ann Tompkins, Elsie's, The Gibson Trust, American Oxygen Company, Frances and Joe Horton, The Insurance Exchange, Ortiz Auto Sales, Johnson Stearns, Superior Title Company, and Gallery 400;
* the 22 vendors who came and shared their various goods,
* the folks who helped with various events, especially the following people who are listed in no particular order:
* Lee Gross who soloed at the Information Booth all day,
* Mike and Bo who worked at the Jumping Balloon instead of just enjoying the festivities,
* Mike New for helping with the Balloon and birdhouse float,
* Joey Thornton, Town workers and Town Hall for prep ping the park, delivering the traffic barrels and financial support,
* Paula Wilson and Mike Lagg for designing and building the birdhouse float,
* Laura Rose for that awesome parade,
* Millie Woods for her military contacts for the parade,
* Julie Carter for her outstanding news coverage, as usual,
* Paul Pino for again donating a portion of his CD sales,
* the Mountair Marching Band for really livening up this year's parade,
* Frank and Korene Walker and their expertise re auc tions,
* Clarence Beltran for his emceeing,
* Paula and Carter Wilson for our Street Fair website, www.carrizozostreetfair.org,
* and everyone who attended to make the Fair so much fun:

The Street Fair Committee is proud to report that funds will be available for five scholarships this coming year, instead of the four scholarships awarded last year.

Scholarship applications are in several locations around town and can be requested online at www.carrizozostreetfair.org. Recipient will be chosen in early 2010 and announced in May - thanks to you!

Mark your calendar for the 17th Annual Street Fair Monday, September 6, 2010!

LEGALS

LEGALS

LEGALS

LEGAL NOTICE

**STATE OF NEW MEXICO
COUNTY OF LINCOLN
TWELFTH JUDICIAL DISTRICT COURT
No. D-1226-CV-2009-00224**

**DEUTSCHE BANK NATIONAL TRUST
COMPANY AS TRUSTEE FOR THE MORGAN
STANLEY ABS CAPITAL I INC. TRUST 2004-SD1**
Plaintiff,

vs.
SILVIA LEGASPI AND ANTIÑO LEGASPI,
Defendants.

NOTICE OF SALE

Notice is hereby given that on September 22, 2009, at the hour of 9:00 am the undersigned Special Master, or his designee, will, at the North Side entrance of the Lincoln County Courthouse, at Twelfth Judicial District Court, 300 Central, Carrizozo, NM 88301, sell all of the rights, title and interest of the above-named Defendants, in and to the hereinafter described real estate to the highest bidder for cash. The property to be sold is located at 103 Don Snyder Dr., Ruidoso, New Mexico 88345, (if there is a conflict between the legal description and the street address, the legal description shall control) and is more particularly described as follows:

Lots 5 and 6, Block 9, of WHITE MOUNTAIN ESTATES, Unit 1, Ruidoso, Lincoln County, New Mexico, as shown by the Amended Plat of a Portion of White Mountain Estates, Unit 1, filed in the office of the County Clerk and Ex-officio Recorder of Lincoln County, New Mexico, on January 4, 1973, in Tube No. 476,

including any improvements, fixtures, and attachments, such as, but not limited to, mobile homes. Subject to all taxes, utility liens and other restrictions and easements of record, and subject to a one (1) month right of redemption by the Defendants upon entry of an order approving sale. The foregoing sale will be made to satisfy foreclosure judgment rendered by this Court in the above-entitled and numbered cause on August 20, 2009, being an action to foreclose a mortgage on the above-described property. The Plaintiff's judgment is \$197,132.62, and the same bears interest at the rate of 6.7500% per annum, which accrues at the rate of \$36.46 per diem, commencing on August 26, 2009, with the Court reserving entry of final judgment against said Defendant, Silvia Legaspi, for the amount due after foreclosure sale, for costs and attorney's fees, plus interest as may be assessed by the Court. The Plaintiff has the right to bid at such sale all of its judgment amount and submit its bid verbally or in writing. The Plaintiff may apply all or any part of its judgment to the purchase price in lieu of cash. The sale may be postponed and rescheduled at the discretion of the Special Master.

The Court's decree, having duly appointed its Special Master to advertise and immediately offer for sale the subject real estate and to apply the proceeds of sale, first to the costs of sale and the Special Master's fees, then to pay the above-described judgment, interest, and costs of sale, and to pay unto the registry of the Court any balance remaining to satisfy future adjudication of priority mortgage holders;

LEGAL NOTICE

**STATE OF NEW MEXICO
IN THE PROBATE COURT
LINCOLN COUNTY
No. 2362**

**IN THE MATTER OF THE ESTATE OF
LARRY RAWSON, DECEASED**

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of this estate. All persons having claims against this estate are required to present their claims within two (2) months after the date of the first publication of this notice, or the claims will be forever barred. Claims must be presented either to the undersigned personal representative at the address listed below, or filed with the Probate Court of Lincoln County, New Mexico, located at the following address: Carrizozo, New Mexico.

Dated: September, '09.

Caitlin Rawson, Personal Representative
5659 State Route 5
Herkimer, NY 13350
Phone 315-717-8411

Published in the Lincoln County News on September 10 and 17, 2009.

LEGAL NOTICE

Affidavit-Public Notice

TO: Public

Mike Padway -- Padway Law Firm
David Idinopulos -- Keller & Keller Law Firm
Carl Green, Attorney
Zachary Construction Co.
Willie Haley, Jr.
Marc Lilley -- Lilley Law Firm
Russ Brown, Attorney

All medical facilities, physicians, hospitals, ambulance services, air med evac, etc., et al.

Regarding: Traffic accident which occurred on April 5, 2005 in Las Cruces, New Mexico.
I, Jane Campbell revoke the Power of Attorney given to David Idinopulos, in which was suppose to be used to pay all medical bills sustained by said traffic accident which were supposedly paid by check, by the responsible party of Willie Haley, Jr. and or Zachary Construction Co. and/or Carl Green and/or their insurance co.

I, Jane Campbell never gave my permission for any Trust Fund or any other action in my behalf other than being represented as the victim of said accident in which I was in a coma, on total life support, which was caused, as per a Police Report by Willie Haley, Jr. employed by Zachary Construction Co., represented by Carl Green.

I, Jane Campbell am not in anyway financially responsible for any costs incurred from said accident, such as hospitals, doctors, labs, ambulances, etc., et al or liable in any way for any actions or reactions or in any way at fault or responsible for this said accident taking place in which I was told Willie Haley, Jr. plead guilty for failure to yield after stop in which he came across 4 lanes of traffic when said accident occurred, to the best of my knowledge.

JANE CAMPBELL

State of New Mexico
County of Lincoln

Signed this 14th day of September, 2009 by Jane Campbell
Linda Zamora, Notary Public

Roger A. Linfoot, Witness

Published in the Lincoln County News on September 17, 2009.

NOW, THEREFORE, notice is hereby given that in the event that said property is not sooner redeemed, the undersigned will as set forth above, offer for sale and sell to the highest bidder for cash or equivalent, the lands and improvements described above for the purpose of satisfying, in the adjudged order of priorities, the judgment described herein and decree of foreclosure together with any additional costs and attorney's fees, costs of advertisement and publication, a reasonable receiver and Special Master's fee to be fixed by the Court. The total amount of the judgment due is \$197,132.62, plus interest to and including date of sale of \$984.42 for a total judgment plus interest of \$198,117.04. Sale is subject to the entry of an order of the Court approving the terms and conditions of this sale.

PETER BACA, Special Master
P.O. Box 215
Carrizozo, NM 88301
E-mail: peterbaca@tularosa.net

Published in the Lincoln County News on August 27; September 3, 10 and 17, 2009.

LEGAL NOTICE

**STATE OF NEW MEXICO
TWELFTH JUDICIAL DISTRICT COURT
No. CV-09-19**

WELLS FARGO BANK, N.A.,
Plaintiff,

vs.
SCOTT M. MCCULLOUGH,
Defendant.

AMENDED NOTICE OF SALE ON FORECLOSURE
PLEASE TAKE NOTICE that the above-entitled Court, has appointed me Special Master in this matter with the power to sell the following described real property in the County of Lincoln, State of New Mexico:

A TRACT OF LAND IN THE SE/4 NW/4 OF SECTION 8, TOWNSHIP 9 SOUTH, RANGE 13 EAST, N.M.P.M., LINCOLN COUNTY, NEW MEXICO, DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 8; THENCE N 87 DEGREES 56 MINUTES 00 SECONDS E ALONG THE NORTH BOUNDARY OF SAID SECTION 8 A DISTANCE OF 1668.05 FEET; THENCE S 05 DEGREES 10 MINUTES 00 SECONDS W A DISTANCE OF 1318.63 FEET; THENCE S 87 DEGREES 38 MINUTES 46 SECONDS W A DISTANCE OF 53.39 FEET TO THE PLACE OF BEGINNING OF THE HEREIN DESCRIBED TRACT OF LAND; THENCE S 87 DEGREES 38 MINUTES 46 SECONDS W A DISTANCE OF 197.27 FEET; THENCE S 00 DEGREES 36 MINUTES 35 SECONDS E A DISTANCE OF 304.67 FEET; THENCE N 77 DEGREES 37 MINUTES 02 SECONDS E A DISTANCE OF 196.93 FEET; THENCE N 04 DEGREES 28 MINUTES 32 SECONDS W A DISTANCE OF 120.74 FEET; THENCE N 04 DEGREES 10 MINUTES 01 DEGREES E A DISTANCE OF 150.46 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.2544 ACRES, MORE OR LESS, AND BEING THE SAME PROPERTY DESCRIBED IN THAT CERTAIN PLAT FILED IN THE OFFICE OF THE COUNTY CLERK OF LINCOLN COUNTY, ON MAY 22, 1996, IN CABINET F, SLIDE 445.

The street address of this property is 3/4 mile off Highway 37, Noga, New Mexico 88341 (hereafter "Subject Property").

The Default and Stipulated Judgment and Decree of Foreclosure (hereafter "Judgment") was entered on April 2, 2009.

The sale is to begin at 10:00 a.m. on October 6, 2009, at the front steps of the Village of Ruidoso City Hall, 313 Cree Meadows Drive, Ruidoso, New Mexico. The property will be sold to the highest bidder for cash, free and clear of all liens of the parties hereto and all persons claiming under and through the parties or any persons claiming an interest by an instrument filed for record after the date of Plaintiff's filing of the Notice of Lis Pendens in the records of Lincoln County, New Mexico. Every bid made shall be deemed an irrevocable offer until the sale has been completed, and the sale is completed when confirmed by the court. In the event the purchaser fails to pay the purchase price at sale, or make satisfactory arrangements with the Special Master for such payment, the Special Master may accept the next highest bid or proceed with the sale of the Property to the highest bidder. The Special Master may postpone or continue the sale by public declaration at the time and place originally scheduled for such sale. No other notice of the postponed or continued sale need be given.

The purchaser of the Subject Property will take it subject to any unpaid property taxes, municipal charges, assessments, or liens not identified and foreclosed in this action.

The Plaintiff has the right to bid at the sale all of its judgment amount or any portion thereof. The proceeds of the sale shall first be applied to pay the expenses of the sale, including special master's fee, then for any costs incurred for the maintenance and protection of the property, then to satisfy the judgment in favor of Plaintiff, Wells Fargo Bank, N.A.

As of August 13, 2009, the sum necessary to satisfy the judgment is as follows:

1.	The remaining principal balance	\$97,338.06
2.	Accrued interest	9,326.07
3.	Late Fees	110.76
4.	BPO/appraisal fees	325.00
5.	Property preservation and reconveyance fees	105.00
6.	Reconveyance fee	9.00
7.	Reasonable attorney's fees, costs and expenses	\$ 2,703.33
TOTAL		\$109,917.22

Interest shall continue to accrue at the rate of \$21.47 per day thereafter until the judgment is satisfied. In addition, reasonable attorneys' fees and any additional costs of collection and suit (to include the cost of publication of this notice, recording fees, and special master fees) may be awarded by the Court and satisfied from the proceeds of the sale. Any additional proceeds remaining after the satisfaction of the above will be held in trust by the Special Master, paid into the Court Registry by the Special Master, or applied as determined by the Court.

/Signed/

Margie Morales,
1221 Mechem, Suite 5
Ruidoso, NM 88345
Telephone: 575.258.9090

Published in the Lincoln County News on September 3, 10, 17 and 24, 2009.

LEGAL NOTICE

**VILLAGE OF CAPITAN
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Governing Body of the Village of Capitan, New Mexico will hold a public hearing in conjunction with the regularly scheduled meeting on Tuesday, September 15, 2009 beginning at 6:30 PM at the Village Hall Meeting Room of the Village of Capitan. The public hearing is concerning the following:

1. Ordinance 2009-_____ An Ordinance incorporating the 2009 Amendments to the 2004 Compilation of the Uniform Traffic ordinance. Amending Articles 7 and 12. Comments or inquiries should be directed to Village Hall, PO Box 246, Capitan, New Mexico 88316; 575-354-2247 between the hours of 7:00 AM and 5:30 PM. Monday through Thursday.

ATTEST:
KAY STRICKLAND, Village Clerk

Published in the Lincoln County News on September 3 and 10, 2009.



LEGAL NOTICE

NOTICE is hereby given that on August 7, 2009, Ann Pollard Kinnan Trust, P.O. Box 1030, Ruidoso, NM: 88355-1030, and Apple Valley Estates, LLC, P.O. Box 550, Roswell, NM 88202-0550, filed application No. 0750-1 with the STATE ENGINEER for permit to change point of diversion and place and/or purpose of use of surface water in the Hondo Underground Water Basin in the State of New Mexico.

The applicant proposes change point of diversion of 16.0 acre feet per annum of surface waters from the E. Sanchez No. 2 Ditch, which diverts from the Rio Ruidoso NW1/4SE1/4NE1/4 of Section 28, Township 10 South, Range 16 East, N.M.P.M. by ceasing the irrigation of 5.0 acres described below:

SUBDIVISION	SECTION	TOWNSHIP	RANGE	ACRES
Pl. S1/2NE1/4				
Pl. N1/2SE1/4	27	10 South	16 East	5.0

The applicant proposes to commence the diversion of up to 16.0 acre feet per annum of surface waters from the Storm Ditch which diverts from the Rio Ruidoso in the SW1/4NW1/4NE1/4 of Section 5, Township 11 South, Range 17 East for the irrigation of 5.0 acres described as follows:

SUBDIVISION	SECTION	TOWNSHIP	RANGE	ACRES
Pt. S1/2NE1/4	5	11 South	17 East	5.0

The move from point of diversion and place of use are located approximately 3 miles west of San Patricio, Lincoln County, New Mexico. The move to point of diversion and place of use are located approximately 1 mile west of Hondo, Lincoln County, New Mexico.

Any person, firm or corporation or other entity having standing to file objections or protests shall do so in writing (Legible, signed, and include the writer's complete name and mailing address). The objection to the approval of the application must be based on: (1) Impairment; if impairment you must specifically identify your water rights; and/or (2) Public welfare/conservation of water; if public welfare or conservation of water within the state of New Mexico, you must show you will be substantially affected. The written protest must be filed, in triplicate, with John R. D'Antonio, Jr., P.E., State Engineer, 1900 West Second Street, Roswell, New Mexico 88201, within ten (10) days after the date of last publication of this Notice. Facsimiles (fax) will be accepted as a valid protest as long as the hard copy is sent within 24-hours of the facsimile. Mailing postmark will be used to validate the 24-hour period. Protest can be faxed to Office of the State Engineer, (575) 623-8559. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with Sections 72-2-16, 72-5-6, and 72-12-3.

Published in the Lincoln County News on September 3, 10 and 17, 2009.

Carrizozo School Coming Events

* Thursday, Sept. 17 -- Jr. High and Varsity teams host Valley Christian. Games start at 5:00 pm

* Thursday and Friday, Sept. 17 & 18 -- Parent Teacher Conferences . . .

P/T Conferences Thursday, 1:00 to 6:00 pm. Students will be dismissed at 12:30 pm. Busses will run at 12:30 pm.

P/T Conferences Friday, 8:00 am to 12 Noon. K-12th Grade Students will not be in school on Friday.

* Saturday, Sept. 19 -- Jr. High and Varsity Football at Ruidoso. Jr. High begins at 4:00 pm followed by Varsity at 6:00 pm at Ruidoso High School football stadium.

Have A Really Great Day !!!

LEGAL NOTICE
 STATE OF NEW MEXICO
 COUNTY OF LINCOLN
 TWELFTH JUDICIAL DISTRICT COURT
 No. CV-09-135
 WELLS FARGO BANK, N.A.,
 Plaintiff,
 vs.
 BRIAN N. LYNCH and RITA M. LYNCH,
 Defendants.

NOTICE OF SALE ON FORECLOSURE
 PLEASE TAKE NOTICE that the above-entitled Court, has appointed me Special Master in this matter with the power to sell the following described real property in the County of Lincoln, State of New Mexico:

LOT 23, BLOCK 3 OF WHITE MOUNTAIN ESTATES, UNIT 4, RUIDOSO, LINCOLN COUNTY, NEW MEXICO, AS SHOWN BY THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF LINCOLN COUNTY, FEBRUARY 16, 1979, IN TUBE NO. 652.

The street address of this property is 115 Marble Dr., Ruidoso, New Mexico 88345 (hereafter "Subject Property").

The Default and Stipulated Judgment and Decree of Foreclosure (hereafter "Judgment") was entered on July 5, 2009.

The sale is to begin at 10:00 a.m. on October 13, 2009, at the front steps of the Village of Ruidoso City Hall, 313 Cree Meadows Drive, Ruidoso, New Mexico. The property will be sold to the highest bidder for cash, free and clear of all liens of the parties hereto and all persons claiming under and through the parties or any persons claiming an interest by an instrument filed for the record after the date of Plaintiff's filing of the Notice of Lis Pendens in the records of Lincoln County, New Mexico. Every bid made shall be deemed an irrevocable offer until the sale has been completed, and the sale is completed when confirmed by the court. In the event the purchaser fails to pay the purchase price at sale, or make satisfactory arrangement with the Special Master for such payment, the Special Master may accept the next highest bid or proceed with the sale of the Property to the highest bidder. The Special Master may postpone or continue the sale by public declaration at the time and place originally scheduled for such sale. No other notice of the postponed or continued sale need be given.

The purchaser of the Subject Property will take it subject to any unpaid property taxes, municipal charges, assessments, or liens not identified and foreclosed in this action. The Plaintiff has the right to bid at the sale all of its judgment amount or any portion thereof. The proceeds of the sale shall first be applied to pay the expenses of the sale, including special master's fee, then for any costs incurred for the maintenance and protection of the property, then to satisfy the Judgment in favor of Plaintiff, Wells Fargo Bank, N.A.

As of June 29, 2009, the sum necessary to satisfy the judgment is as follows:

1. The remaining principal balance	\$75,500.00
2. Accrued interest	\$ 4,390.50
3. Late fees	\$ 96.86
4. BPO/appraisal fees	\$ 87.50
5. Prepayment penalty	\$ 500.00
6. Reconveyance fee	\$ 9.00
7. Reasonable attorney's fees, Costs and expenses	\$ 2,172.95
TOTAL	\$82,756.81

Interest shall continue to accrue at the rate of \$13.70 per day thereafter until the judgment is satisfied. In addition, reasonable attorneys' fees and any additional costs of collection and suit (to include the cost of publication of this notice, recording fees, and special master fees) may be awarded by the Court and satisfied from the proceeds of the sale. Any additional proceeds remaining after the satisfaction of the above will be held in trust by the Special Master, paid into the Court Registry by the Special Master, or applied as determined by the Court.

/Signed/
 Margie Morales, Special Master
 1221 Mechem, Suite 5
 Ruidoso, NM 88345
 Telephone: 575.258.9090

Published in the Lincoln County News on September 3, 10, 17 and 24, 2009.

FAST ACTION Lincoln County News CLASSIFIED ADS

Call 575-648-2333

WANTED: Grocery Store in Carrizozo

ELSIE'S FLAME CHARBROILED BURGERS, HOMEMADE ENCHILADAS AND BURRITOS, HOT DOGS, SANDWICHES, FRESH SALADS, ICE CREAM, SHAKES, FLOATS AND SODAS. CARRIZOZO 380@ 54, VISIT US SOON. LOCAL BUSINESS DELIVERY 648-4200.

FOR RENT -- 4 offices in Carrizozo with meeting space, kitchenette and bathroom. Up one flight of stairs, next to Gallery 408; available July 1st. \$325.00 utilities included.

FOR SALE -- Alfalfa, small and large square bales, round bales. Various qualities. The Hay Ranch in Roswell. 575-973-2200 4tc/8/13-9/3

Call 575-648-2598 tfn/6/18

FOR SALE -- Used Bl-Fold Doors, 5' x 79", \$5.00. Glazed Ceramic Wall Tile (sand color) 20 pieces, \$10.00. Call 648-2858, Hill 1tp/9/17

Get the MOST FOR YOUR ADVERTISING DOLLAR at the LINCOLN COUNTY NEWS Check out our REASONABLE PRICES Call ... 575-648-2333

MARK YOUR CALENDAR!
 Carrizozo Heritage Museum COMMUNITY RUMMAGE SALE at Heritage Hall / 101 12th St. * Friday, September 25th 8:00 am to 5:00 pm * Saturday, September 26th 8:00 am to Noon Spaces Available for \$5.00 2tc/9/17-24



CLASSIFIED AD FORM

YOUR NAME _____
 MAILING ADDRESS _____
 CITY/STATE _____ ZIP _____

I WOULD LIKE MY AD TO RUN (Check appropriate box for number of weeks.)
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Here's What I Would Like to Say
 \$6.00 per week for 20 words or less*

* Add 10 cents per word for each word over 20

Cost of Ad _____
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 Total _____

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