

Paving Costs Concern Deer Park Residents

by Patrice Brazie

As plans to set up a special assessment district for paving streets in the Deer Park Valley subdivision of Alto progress, some residents have raised questions about standard road requirements and the projected benefits to property owners.

Before a special taxation district can be formed to cover the cost of paving the roads within the subdivision, it must first be determined that the amount of benefit property owners will receive is

greater than the amount they will be assessed to pay.

Dan Aguirre of Wilson and Associates engineering firm told the Lincoln County Board of Commissioners in October that, had the assessment been evenly distributed per lot, the benefit to smaller lot owners would have been less than the amount of the assessment. By creating two separate categories based on lot size, and giving larger lots a slightly higher assessment, the requirement of benefit outweighing cost can be met, Aguirre said.

"We've completed the drainage studies and our preliminary plan, we've prepared the benefit role and the assessment plats, which basically identifies all of the properties and gives them their numbers for the assessment," Aguirre said. "We're at the point of establishing benefit to the properties for the construction of paving and drainage improvements."

Properties within the subdivision have been appraised, and the two categories established which separates lots of six-tenths of an acre and below from lots

of larger acreage. Lots within the district vary from just under one-half-acre to three acres. The benefit to smaller lots is estimated to be \$15,550, for larger lots that benefit estimate jumps to \$24,500. The total cost of the project is expected to be about \$3,664,000, Aguirre said.

County commissioner Jackie Powell questioned whether or not the benefit to property owners will actually outweigh the cost, and county treasurer Beverly Calaway raised concerns about the administrative costs to her department that will be handling the assessed

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CARRIZOZO, NM 88301



CARRIZOZO MAYOR Bob Hemphill used a map to explain the area included in a special improvement district at the Valle Del Sol subdivision during last week's town council meeting. (Photo by Patrice Brazie)

Valle Del Sol Improvement District is Approved

by Patrice Brazie

Property owners in the Valle Del Sol subdivision in Carrizozo, established and annexed by the town in 2006, will be served notice of the formation of an improvement district there.

With more than 50 percent of the tracts in phases one and two of the subdivision having been sold, the responsibility for maintenance of the road, water and sewer systems serving those tracts will be accepted by the town.

According to Carrizozo Mayor Bob Hemphill, approximately 200 property owners have been notified of the plan to form the improvement district, which will include a \$100 per year assessment to each property for a period of 15 years.

Owners of the Virden ranch and the Pino ranch, properties on the boundary of the Valle Del Sol subdivision, filed objections to the assessment, but Virden withdrew his objection after the town council agreed to annex his 160-acre ranch into the town.

Pino discovered during the Carrizozo town council meeting last week that his land was not included in the improvement district. The Pino ranch borders Valle Del Sol on the eastern side of the subdivision, the portion of the subdivision that

has yet to be developed and marketed, and will not likely be affected by the development for a few more years.

The Carrizozo town council approved a

resolution establishing the improvement district and scheduled an assessment hearing scheduled for December 14th, at 5:30 p.m. at the Carrizozo town hall.



LOCAL RANCHER Paul Pino announced during Monday's Carrizozo town council meeting plans to host a ranch reunion celebration on his property just outside of Carrizozo next summer. (Photo by Patrice Brazie)

County Rescinds Civil Rights Ordinance

by Patrice Brazie

A little known ordinance adopted by Lincoln County in 1992 was rescinded by the board of county commissioners during its October 20th meeting. The ordinance, which obligated county officials to protect the citizenry against any act which might injure, oppress, threaten or intimidate them from exercising or enjoying any right or privilege secured by the Constitution of the United States, was brought to the attention of the board by county resident Jerry Carroll.

Carroll has alleged that he has been singled out for attacks from the New Mexico Environment Department because of his willingness to speak out against what Carroll views as unregulated dumping of liquid waste by septic tank service companies. Carroll has asked that the county officials investigate his allegation and take action to protect him from retaliation from the Environment Department, which he says is claiming that Carroll is possibly dumping domestic waste onto his own property without a permit.

County attorney

Alan Morel has suggested that the old ordinance could bind the county commission to take action whenever a citizen claims that a violation of his or her civil rights has occurred, including those who allege rights violations when fighting a traffic citation.

"I can see where there is state law and federal law to protect property rights," county commis-

sioner Eileen Sedillo commented, "but is there any way we can strike out (components of the ordinance) that would leave us wide open to every little nitpick thing that comes up? What avenue do our citizens have if their property rights are violated?" she asked.

"I think the citizens of Lincoln County will have the exact same rights whether this ordi-

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County Amends Solid Waste Ordinance

by Patrice Brazie

During its regular meeting of October 20th, the Lincoln County Board of Commissioners held a public hearing to gather comments on changes to the county's solid waste ordinance. Among the proposed changes were an addition of language relating to abandoned vehicles, as well as definitions for ashes, debris, litter and rubbish.

"Our prior ordinance just had a lot of words that we used that were really interchangeable, and they didn't have definitions," county attorney Alan Morel explained. "These definitions will make it a clearer ordinance in what it is that we're regulating and what you can and can't do."

Morel said that he had received requests from the Greentree Solid Waste Authority, formerly known as the Lincoln County Solid Waste Authority, to include many of the changes, but one of those requests was denied.

(Continued on Page 3)

County Will Not Set Speed Limits

by Patrice Brazie

In a recent meeting of the Lincoln County Board of Commissioners, county officials were asked by some residents to consider setting speed limits on a gravel road off of State Highway 37. At that time county attorney Alan Morel said that it was recommended by the New Mexico Association of Counties (NMAC) that counties not set speed limits on gravel roads because of the liability factor. Conditions can vary drastically on those types of roads, and safe speeds vary as well.

As a follow-up, Morel presented a memo to the board of county commissioners on October 20th detailing the county's position in the matter of speed limits on county roads.

"When you analyze the laws that relate to setting speed limits, you look at whether it's a residential district, a school district or a business district, and when it doesn't fit within one of those definitions you have to do a speed study and have approval to change a speed limit," Morel said. "If it's a subdivision where the houses are a sufficient distance from the

road, it's not even considered a residential subdivision, and if there has been no speed study done, the speed limit would actually be 75 miles an hour, subject to it being safe for the conditions."

Morel further explained that the conditions that exist on some of the non-paved county roads, at certain times of the year, allow for higher speeds, but the conditions cannot be regulated. Therefore, Morel said, it can be dangerous to set speed limits because of the changing road conditions that occur with wear and weather events. He added that the county has no authority to set speed limits outside of recognized business, school and residential zones without first doing a speed study.

The New Mexico Association of Counties has really cautioned against setting speed limits on gravel roads when you can't control the conditions on the road at all times," Morel said.

Citing the cost of conducting a speed study and analysis of any given road in the county, the county commissioners agreed to take no action regarding speed limits on rural county roads at this time.

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**LINCOLN COUNTY NEWS
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 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.
- FRIDAY, NOVEMBER 13**
--New Mexico Arts Commission meets in Santa Fe 9:30 a.m. to 12:30 p.m. at Center for Museum Resources, 725 Camino Lejo. Public invited..
- MONDAY, NOVEMBER 16**
--Comments will be taken starting at 9:00 a.m. Lincoln County Courthouse concerning Lincoln County Animal Ordinance.
--Federated Republican Women of Lincoln County meets at Cree Meadows Country Club. RSVP to Karen Clontz at 336-1360.
- TUESDAY, NOVEMBER 17**
--Lincoln County Commission 8:30 a.m. Lincoln County Courthouse in Carrizozo.
--Capitan Village Council 6:30 p.m. rescheduled from November 10.
--Carrizozo Planning & Zoning Commission 6:00 p.m.
- WEDNESDAY, NOVEMBER 18**
--Lincoln County Lodger's Tax Committee has rescheduled its regular meeting from November 25 to November 18 at Capitan Village Hall at 10:00 a.m.
- THURSDAY, NOVEMBER 19**
--Alto Lakes Special Zoning District Commission regular meeting 9:00 a.m. at Alto Lakes Golf and Country Club.
--Lincoln Historic Preservation District 7:00 p.m. Community Church in Lincoln.

BOOKMOBILE NEXT WEEK
Check schedule for days and times
Bookmobile for December cancelled
due to budget crunch.

Old Lincoln

by Rosalie Dunlap

We were saddened to hear of the death of Clem Weindorf. Clem worked many years in Lincoln with the County SCS - as it was known at that time. He enjoyed his garden and orchard near Hondo in the Bonito Valley.

In the fall he would love selling his garden produce and apples. He had a huge red plywood apple on his fence post as you entered his driveway. He had many return customers. He had

lived here in Las Cruces for several years.

You never who you are going to run into or where. We were going to the doctor's office and here comes Lois Clements. She was going to another doctor. Ted is working at the Jadano(sp?) College ranch.

We attended the "Old Timers" meeting last week. The program was members giving their sto-

ries about Las Cruces and Mesilla. Many of those present grew up in Las Cruces and Mesilla. Several told stories that their parents and grandparents told of the primitive roads, what they did as children and seeing the growth of Las Cruces and Mesilla. Several told about going to the college - several were classmates. Many went to the college under the Veterans GI Bill. And of course there was always the town characters to make life interesting, especially to the kids.

Ralph told about getting every grade from A to F, and some of the pranks the college kids pulled.

Some of them just came to go to school found jobs here and decided to stay. Then they married the local girls.

It was a very interesting evening about the history of Las Cruces and Mesilla.

Eddie Gamboa is the moderator for the group's meeting and is a very interesting person. He keeps things lively. His family is one the old families in the area and loves to tell stories about the old days.



CARRIZOZO MUNICIPAL SCHOOLS BRAVE ACHIEVERS
for Month of September 2009
Kindergarten, 1st, 2nd, and 3rd Grades

Front Row -- Kaitlin Guevara, Jameal Garcia, Daniel Najar, Mathias Zamora, Robert Lueras, Melissa Barela, and Kelsie Guevara. **2nd Row --** Joanna Vaga, Robert Parkhurst, Tazia Swift, Sydney Zamora, Sunatana Zamora, and Erollyn Lueras. **3rd Row --** Dominic Barela, Patrick Hooten, Tristen Barela, and Bella Bartz. (Courtesy Photo)

Paving Costs Concern . . .

(Continued from Page 1)

payments from Deer Park Valley property owners.

Powell also asked if the costs associated with establishing the Special Assessment District (SAD) have exceeded the \$25,000 put in escrow by the property owners and county manager Tom Stewart estimated the current expense at about \$120,000. If the SAD failed to be completed, the county would be liable for those funds; but those costs will be included in the assessment for the district if it goes forward with construction.

Bob Decker, a Deer Park Valley resident, expressed a concern that, should construction costs rise over the next two years, the cost of the project could end up exceeding the benefit.

"We need to look very carefully at the design parameters that we settle on so that we can, hopefully, reduce this (construction cost)," Decker said.

Decker estimated that a reduction in construction costs of \$100,000 would reduce the cost to each property owner by about \$400. He also said that some of the larger lot owners have complained about having a benefit estimate set higher than that for smaller lots because portions of some of the larger lots are not suitable for building sites.

Because utilities are located on the side of the roadways in parts of Deer Park Valley, Decker said, the costs could be reduced by building roads narrower than county standards to avoid relocating those utilities.

"We feel we can pull several hundred thousand, easily, out of this project with minimal changes to those standards," Decker said, "so we have a little room."

Earl Hobbs, another resident of the district, argued that all of the properties should be equally assessed, and the benefit should be established on a lot by lot basis.

County commissioner Tom Battin suggested that the property owners in Deer Park Valley work closely with Wilson and Associates to perhaps come up with some modifications to the design plan.

An assessment hearing has been scheduled for November 17th, at 1:30 p.m., in the county commission chambers in the Lincoln County Courthouse in Carrizozo. At that hearing, property owners will be given an opportunity to present views on the assessments and construction plans.

Happy Birthday!!! DCA and MJA

Nov. 11th

Nov. 12th

Carrizozo Grizzly Basketball Schedule

Varsity Boys & Girls JV Boys / Mid High Boys & Girls

Date	Time	Opponent/Site	Teams
Nov. 20	4:00 pm	Hondo/Away	Mid B/G
Nov. 21	10:00 am	Mescalero/Home	Mid B/G
Nov. 30	4:00 pm	Capitan/Home	Mid B/G
Dec. 1	4:00 pm	Cloudcroft/Home	JV/V B/G
Dec. 3	TBA	Magdalena Tournament	
Dec. 3	4:00 pm	Magdalena/Home	V/B/G
Dec. 7	4:00 pm	Cloudcroft/Home	Mid B/G
Dec. 8	4:00 pm	Capitan/Home	JV/V B/G
Dec. 11	4:00 pm	Magdalena/Home	JV/V B
Dec. 12	10:00 am	Hondo/Home	Mid B/G
Dec. 17	TBA	Mescalero Tournament	V/ B/G
Dec. 30	2:00 pm	Cliff/Away	V/ B/G
Jan. 5, '10	4:00 pm	Mountainair/Home	Mid B/G
Jan. 7-9	TBA	Capitan Tournament	V/ B/G
Jan. 11	4:00 pm	Cloudcroft/Away	Mid B/G
Jan. 12	4:00 pm	Ruidoso/Away	Mid B/G
Jan. 14	4:00 pm	Capitan/Away	JV/V B/G
Jan. 16	4:00 pm	Mescalero/Home	JV/V B/G
Jan. 19	4:00 pm	Ruidoso/Home	JV/V B
Jan. 22	4:00 pm	Magdalena/Away	Mid B/G
Jan. 23	3:00 pm	Magdalena/Away	Mid B/G
Jan. 26	1:00 pm	Cloudcroft/Away	JV/V B/G
Jan. 29	4:00 pm	*Corona/Home	JV/V B/G
Jan. 29	4:00 pm	*Vaughn/Home	JV/V B/G
Feb. 1	4:00 pm	Mountainair/Away	Mid B/G
Feb. 2	4:00 pm	Capitan/Away	Mid B/G
Feb. 6	4:00 pm	*Hondo?/Away	JV/V B/G
Feb. 9	4:00 pm	*Mountainair/Home	JV/V B/G
Feb. 11	4:00 pm	*Vaughn/Away	JV/V B/G
Feb. 16	4:00 pm	*Corona/Away	JV/V B/G
Feb. 18	4:00 pm	*Hondo/Home	JV/V B/G
Feb. 22-27	TBA	*Mountainair/Away	JV/V B/G
Mar. 1-6	TBA	District Tourney Week	V B/G
Mar. 9-13	TBA	1st. Round	V B/G
		State Tournament	V B/G
		State Tournament	V B/G

*District Games

**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

C'zozo Grizzly News



JENNA SCHATZ (left) and LAUREN SMITH competed in the District 4-A-AA cross Country Championships hosted by Mesilla Valley Christian School October 30 in Las Cruces. Schartz took 1st place and Smith 10th place respectively which qualified both for the state championships which were held at Rio Rancho School November 7. Schools participating in the 4 A-AA District championship were Hagerman, Mesilla Valley Christian, Mesalero, Cloudcroft, and Carrizozo. (Courtesy Photo)

County Amends Solid Waste ...

"They had one request that we implement some type of a permit procedure whereby anybody who had a construction project going on would have to prove where they disposed of the material," Morel said. "We don't issue building permits, so I had some trouble trying to figure out how we were going to implement that one change, so I did not insert it."

County resident Jerry Carroll raised a question regarding abandoned vehicles, and said he has a right to store unlicensed vehicles on his own property.

"I don't want this trying to be applied on my private property," Carroll said. "Maybe you should be a little bit more definitive in your definition."

He suggested that the language of the ordinance should clarify that the abandoned vehicles to which it refers are only those left on public property.

County commissioner Dave Parks suggested that the ordinance refer specifically to vehicles left on a public right-of-way or on someone else's private property, but sheriff Rick Virden said that a property owner has the right to remove any vehicle found abandoned on his or her property whether it is stated in the ordinance or not.

Morel suggested that the definition of abandoned vehicles be simply removed from the ordinance.

Nogal resident Caroline McCoy questioned a portion of the ordinance that requires that containers used for construction projects be removed from the property within five days of completion of the project.

Morel recommended changing the regulation to allow 30 days for removal of the container.

Local ranch owner, Stirling Spencer, said he had some concerns about a section of the ordinance that reads as follows: Subject to any limitations or otherwise provided by law, the Sheriff is authorized to inspect and enter upon any private property or private premises where he/she has probable cause to suspect that unlawful accumulations of refuse, solid waste or litter may exist.

County commissioner Dave Parks asked if the sheriff's access to private property wouldn't require a warrant.

Morel said that the language referred to by Spencer has been a part of the county's solid waste ordinance since 2003.

"I haven't changed that, but I agree with commissioner Parks," Morel said.

Looking Back

'Through Our Old NEWS files'

As the LINCOLN COUNTY NEWS goes into its 105th year of being in existence (1905-2009), we will again be randomly publishing articles from old NEWS files. The following articles appeared in the Lincoln County News on ...

Friday, November 25, 1955

The Folklore Corner

by Ted Raynor

School Days in White Oaks

A small, four-page souvenir, with an American flag on the first page, which bore the words, "White Oaks Public School, White Oaks, Nm, May 10, 1900," is a prized possession of Mrs. R.E. Lemon of Carrizozo. It is her report card for the year she finished high school.

The second page indicates how tough school was in 1900; "The figures opposite the subjects represent the average standing. 100 donates perfect, 95 excellent, 90 good, 85 fair, less than 80 not satisfactory."

A pupil who made less than 80 in a subject had to take it over again, Mrs. Lemon said. Most of the teachers were from the East and required real studying by their pupils.

Mrs. Lemon's standings for the final year were: Spelling 87; writing 95; arithmetic 90; grammar 90; U.S. History 85; physiology 93; algebra 93.

Two in the White Oaks class of 1900 went to New Mexico A&M College. They were William Gallacher, (now a rancher near Carrizozo), and Mrs. Ruth Martin, now of Lincoln. But those in the class who stayed in White Oaks also got two years of college work through the unique plan of E.S. Coombs, the principal, who was from Illinois.

At his suggestion the two students attending A&M sent a list of subjects they were studying, and the courses were given for those who wanted to take them. Regular school was over at 3 p. The college classes were taught from 3 to 5 p.m. The "extension course" continued for two years.

White Oaks students who got two years of college at home were besides Mrs. Lemon: Richard Hamilton, Pearl Keith, Jeannette Lee, Nellie McMains, Roy Treat, Mabel Walsh, Gussita Kastler, Colbert McMains, Julian Taylor and Ethel Wassh.

Milk Route in 1888

John Lee, a former sea captain who had seen most of the world, came to White Oaks in the 1880s and established a dairy near the huge boulder along the road to the gold mining town.

Mrs. R.E. Lemon of Carrizozo, who grew up in White Oaks, used to ride the milk route with her father in 1888. They would be on the route before sunup to sell milk at the mines and in White Oaks.

Capt. Lee drove a hack and delivered his milk from 10-gal. cans by quart and pint dippers. The price was five cents a quart. The dairyman had regular customers, and most of them bought milk by the half gallon and gallon. He milked more than a dozen cows.

Sanitary regulations would not permit that kind of delivery today. But, says Mrs. Lemon, "no one ever died of germs."

Desert Dan says

See where college students hung th' weatherman in effigy at Spokane, Wash., because they're havin' the worst weather in 75 years. Th' weatherman is right pop'lar in these parts an' I wouldn't be surprized t' see him nominated for an Oscar.

LEGAL NOTICE
STATE OF NEW MEXICO
COUNTY OF LINCOLN
TWELFTH JUDICIAL DISTRICT COURT
No. CV-09-401

IN THE MATTER OF THE PETITION OF
MARJORIE ELAINE KERR ELLIS

FOR CHANGE OF NAME

NOTICE OF PETITION FOR CHANGE OF NAME
AND NOTICE OF HEARING

COMES NOW the Petitioner and hereby gives notice that a Petition for Change of Name was filed in Carrizozo, Lincoln County, New Mexico, on the 5th day of November, 2009, requesting that the Petitioner's name be changed from Marjorie Elaine Kerr Ellis to Marjorie Elaine Kerr.

Furthermore, Petitioner hereby gives notice of a hearing on the Petitioner's Petition for Change of Name, which shall be held before the Honorable Karen L. Parsons at 1:05 p.m. on the 17th day of December, 2009, at the Lincoln County Courthouse in Carrizozo, New Mexico, whereby the Petitioner will request the Court to sign the final Order changing the his/her name from Marjorie Elaine Kerr Ellis to Marjorie Elaine Kerr.

Marjorie Elaine Kerr Ellis
503 Fifth Street
Carrizozo, NM 88301
575-973-2467

Published in the Lincoln County News on November 12 and 19, 2009.



comes to
CORONA

From 10:30 am to 2 pm
Friday, November 13

at the Corona school

Come meet instructors, student advisors, and members of Lincoln County Workforce Connection.

Learn what programs are available and taste test a Spring 2010 class!

- 10:30 ABE, GED, ESL--What does it all mean?
Computer lab
- 11:00 College Success--How do I get there?
Computer lab
- 11:30 Intro to Hospitality & Tourism--Yummy Tapas
Rec Room
- 12:30 Computer Classes--Creating Your Own Website
Computer lab
- 1:00 Ruidoso Online--Navigation through Web classes
Computer lab

For further information, call ENMU-Ruidoso Community Education department (575) 257-3012

County Recinds ...

nance is in place or not," Morel responded. "I think this ordinance places a burden on the county to investigate every civil rights claim that may be made within Lincoln County. It's untenable. I don't think you can spend public money to do that," he added. "I don't know I can fix it. The fact is, the civil rights that are set forth in here are granted to every individual through state or federal law, irrespective of whether you have this ordinance or not."

The board of county commissioners approved the revocation of the ordinance in a vote of 4-to-1, with Sedillo voting against.



Always Be Fire Safe

Support Our Local Firefighters and EMTs!

THOUGHTS

From the Editor's Desk

Next Holiday is for the Birds

By Ruth Hammond

The next holiday listed on the calendar may be one of the more popular holidays as far as food is concerned, but it could be the worst holiday for fowl. That is if fowl are capable of knowing that Thanksgiving is a day that birds appear to hate. You've heard the joke about the talking bird that used fowl, not fowl, language and the owner tried without success to change the bird's language and finally tossed the feathered creature in the freezer to cool it off. When the owner opened the door to the freezer to remove the bird from the icy depths, the talking bird vowed to never use bad language again and meekly asked what the turkey in the freezer did to the owner.

However the joke is told, the consensus is that sometimes dire measures must be taken to gain the necessary results. Few are offended that the bird was in cold storage for a time and often laugh that the cooling off respite worked. It would help if similar actions would work in other situations. Right now the budget is in crises almost everywhere except at the national level where it seems there are millions and billions of dollars available to be spent quite freely.

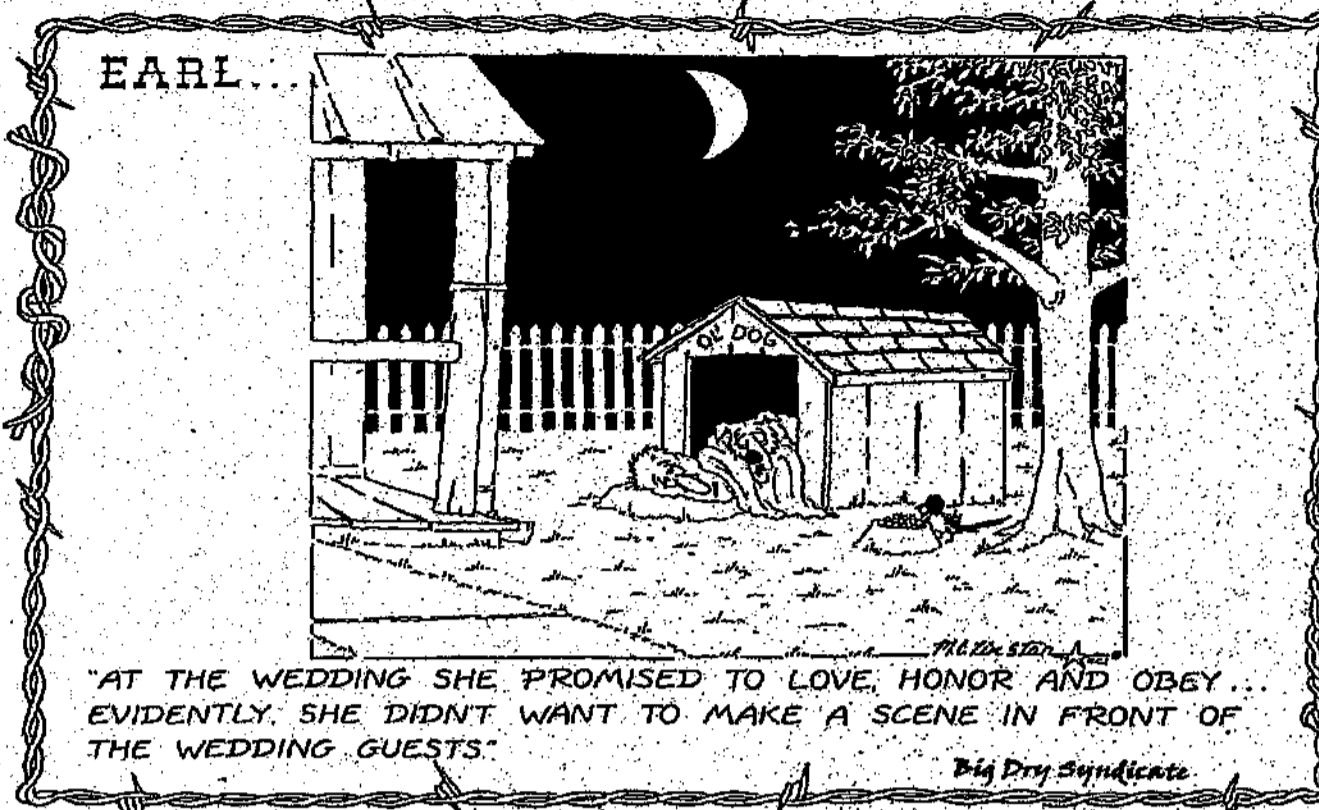
Although the money is welcome at most places, some people are asking where the money is coming from and how it will be repaid and by who, or is it whom? Regardless of which word is used, the \$\$\$ should be repaid eventually. Will our children and grandchildren pay or will it be fluffed off as if it was never spent? These are all questions that should be answered by the powers in charge of spending.

Next thing that should be explained is how much money has already been spent and how much more will be spent. Some of the expenditures are worthy, just as the money spent to hire workers back in the 1930s during the Depression was worthy, but does the similarity end there? Will the projects being scheduled in this century be beneficial to people?

Knowtowing to public opinion to garner favor with the public is one thing, but increasing the nation debt to astronomical proportions might need some tempering such as cold storage was for the fowl. Will future generations despise this time in history or will they accept the fact that other nations own much of the public land in the continental United States?

Sometimes drastic measures must be taken and this could well be one of those times. If you have questions, contact US Senators and Congressmen and demand answers. Maybe they need to wake up.

Editorials/Opinion & Other Stuff



*** Inside the Capitol**

By Jay Miller, Syndicated Columnist

SANTA FE -- New Mexico voters are smarter than many people think. There has been talk recently that no House member is going to vote for a tax increase in the coming 2010 Legislature because all 70 must stand for reelection next year.

Essentially they are saying voters won't stand for a tax increase no matter what the reason. And yet two polls in the past month indicate a majority of registered voters say they support higher taxes to get us through this period of economic crisis.

Neither poll asked about voting for a legislator who has helped raise taxes but the implication is that if the tax seems reasonable, voters aren't going to kick out the incumbent.

Going into the recent special session, some legislative leaders lamented that most lawmakers still weren't accepting the reality of a state budget in need of major help. A few days later, it appears registered vot-

ers were willing to face that reality.

A balanced package of cuts in government spending, coupled with sensible revenue enhancements may find favor with voters. People laugh at revenue enhancements being just a politically correct way of talking about taxes.

But there are some ways to raise revenue without raising taxes. The oil and gas industry has a major effect on state revenues. Easing restrictions on drilling would improve the state's financial condition.

So would the \$4-a-gallon gas that national TV ads are forecasting if the federal energy bill passes. That would make us well real quick. We'd have to pay more for gas but with the trade off of no tax increases.

This column has suggested tapping into the severance tax revenue stream that currently is used to finance pork projects. We could even raid the \$3.4 billion Severance Tax Permanent Fund, which is

designed for rainy day use.

Blogger Joe Monahan reports that Senate Majority Leader Michael Sanchez, a Belen Democrat, is looking at tapping the \$8.4 billion Land Grant Permanent Fund, which also is set aside for rainy days. Sanchez says it is raining.

Voters would have to decide next November whether it is raining hard enough and whether they want to use some of those funds to balance the budget instead of increasing taxes.

If lawmakers decide to raise taxes, "sin taxes" on junk food, cigarettes and alcohol will be popular, although not with the representatives of those industries.

It has been noted that a disproportionate number of poor people smoke so a cigarette tax would work too much of a burden on them. I suppose that is true, but then, they always could quit smoking.

A gasoline tax might be considered because the highway folks are moaning about their losses in revenue. But gas taxes are highly unpopular with anyone who owns a car.

Rolling back the tax cuts of the past seven years also will be proposed. Opponents say they want a sunset clause in the legislation so tax increases don't continue indefinitely.

Opponents of the tax cuts seven years ago wanted a circuit breaker that would end the cut as soon as a budget deficit occurred. Had they succeeded, we wouldn't be in the mess we currently are.

There will be another major effort to tax out-of-state corporations that now declare their New Mexico profits in other states that have lower, or no, corporate taxes. That effort will run into major corporate lobbying.

Raising income taxes doesn't appear very high on many lawmakers' priority lists, even though there were some major cuts in the past seven years. The biggest cuts were on the wealthy but everyone got some help.

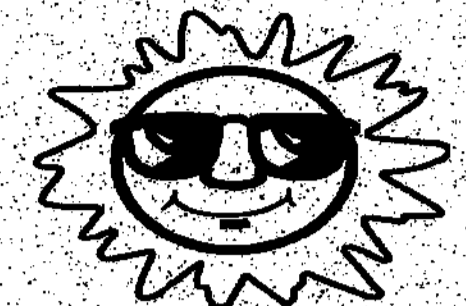
Income taxes are unpopular to raise, however, because they hit all at once and because they hit almost all voters. That puts them in the same category as gas taxes and motor vehicle license fees.

We'll talk about possible cuts in the next column.

NOTICE

The Lincoln County News Thanksgiving issue will be published a day early -- Wednesday, Nov. 25th. Please try to get 'stuff' in by Monday, Nov. 23, or real early Tuesday morning, Nov. 24th.

Caroline McCoy



WEATHER REPORT

by JEFF HAMMOND

There is a slight chance for showers at the lower elevations and snow showers at the higher elevations of Lincoln County. BUT, there is a chance the low pressure system that is currently over the northern Pacific Ocean will move further south, making for a much better chance of colder stormier conditions to hit all of New Mexico. This is the "Bust Potential" talked about on broadcast TV weather reports. It is still too early accurately forecast exactly how severe the cold front will affect us here in Lincoln County.

Forecast for Carrizozo, the high plains of Lincoln County and the Hondo Valley:

Thursday, Nov. 12. Mostly sunny, with a high near 71, southwest winds between 10 and 20 mph, night: Mostly cloudy, with a low around 40, southwest winds around 20 mph, with gusts as high as 30 mph.

Friday, November 13. Mostly sunny and breezy, with a high near 65, night: Partly cloudy, with a low around 36.

Saturday, November 14. Partly sunny, with a high near 61, night: A slight chance of showers, mostly cloudy, with a low around 33.

Sunday, November 15. A slight chance of showers, partly cloudy, with a high near 58, night: Mostly clear, with a low around 28.

Monday, November 16. Sunny, with a high near 57, night: Mostly clear, with a low around 27.

Tuesday, November 17. Sunny, with a high near 60, night: Mostly clear, with a low around 27.

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

Thursday, Nov. 12. Mostly sunny, with a high near 68, southwest wind between 10 and 20 mph, night: Mostly cloudy, with a low around 38, windy, with a west wind between 25 and 30 mph, with gusts as high as 45 mph.

Friday, November 13. Partly sunny and windy, with a high near 60, night: Mostly cloudy, with a low around 31.

Saturday, November 14. Partly sunny, with a high near 53, night: A slight chance of snow showers, mostly cloudy, with a low around 31.

Sunday, November 15. A slight chance of showers, mostly cloudy, with a high near 50, night: Mostly clear, with a low around 25.

Monday, November 16. Sunny, with a high near 52, night: Mostly clear, with a low around 26.

Tuesday, November 17. Sunny, with a high near 53, night: Mostly clear, with a low around 26.

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.

LETTER TO THE EDITOR

ANIMAL ORDINANCE WAKE-UP CALL

Decisions may be being made by the County Commissioners regarding your pets. They will not make any changes to the current Ordinance without a public hearing. However certain people with specific interests are gathering now to give the Commissioners written input. There is a public meeting about this at the County Commissioners meeting hall (Courthouse bldg., Carrizozo) at 9 a.m. Monday, November 16. Be there! Your input will guide decisions like:

Do all dogs and all cats have to be licensed? Microchipped? If not, how do we know if they have been vaccinated for rabies? Must all dogs and cats wear a collar all times?

What are the rules concerning feral cats? How much should the sterilization deposit be for shelters?

If you have wire fences on your ranch that a dog could get through, even though they don't, should you be cited and penalized for having an animal "roam at large"? If some person drops off dogs or cats at your home, or they just wander on, and you feed them, do you now have to spay/neuter/license chip?

Can you have 100 cats and/or 40 dogs (for example), call yourself a "sanctuary" or "rescue" (for example) and not have mandatory inspections for safety, cleanliness, and humane animal treatment?

What is the number of any one kind of animal allowed before permitting is required (re: dogs cats birds)?

Should there be specific restrictions of shelter, warmth, type of chain for chained dogs?

Should horses be microchipped so that if the

owner abandons several horses on your land, there is an ID?

Should a "kennel" be allowed in a townsite, even though the town is unincorporated?

Should there be escalating penalties for citations for dogs allowed to bark incessantly (1,2,3 hrs. or all night)?

Does our current Ordinance deal adequately with "extreme cruelty" to animals?

Should there be different rules for working ranch dogs than non-working breeds?

Will the Ordinance be structured so stringently that neighbor can harass neighbor and be unreasonable?

What does "trespass" mean? What does "reasonable force", for restraint, mean?

Should a "breeder" be licensed? How do rules change for "livestock" animals? Is a horse a pet or livestock?

What "wild" animals may you have as pets (wolves/coyotes/skunks/ferrets/bobcats/deer/antelope, etc.)?

What euthanasia methods are permitted for shelters?

Should the majority of the Ordinance be more relaxed, less government and enforcement, and which areas? How can a financially stressed county afford more enforcement, or should fees be increased to cover that cost? Should we only concentrate on cruelty to animals and safety/tranquility to persons?

Should we leave the Ordinance just the way it is? Remember no local Ordinance trumps the State Animal Ordinance.

Please do NOT bring your emotions to a meeting. Rather, look up the current Animal Ordinance under lincolncountynm.net, then Ordinances, then Animal Ordinance 2008-08.....here is the url:

(<http://www.lincolncountynm.net/ORD%20FINAL%20Control%20Ord%202008-08.pdf>), or obtain from the County in Carrizozo, and write down your thoughts, referring to the section of the Ordinance with which you disagree, or would like to see re-worded, to discuss with the public and to be presented to the County Commissioners for their consideration. Check the "Definitions" of the Ordinance to see if they are adequate. Bring your written ideas of what should be included in the Ordinance which now does not exist. Spread the word. We all need to be involved. Please do not call me. Come to the meeting or send written suggestions to Barbara Culler, P.O. Box 881, Carrizozo, NM 88301.

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LEGALS

LEGAL NOTICE

STATE OF NEW MEXICO
COUNTY OF LINCOLN
TWELFTH JUDICIAL DISTRICT COURT
NO. CV09-297

FIRST HORIZON HOME LOANS, A DIVISION OF FIRST TENNESSEE BANK NATIONAL ASSOCIATION,

Plaintiff,

KEITH D. CLEVINGER, TRACIE R. CLEVINGER, AND BANK OF AMERICA, N.A.,

Defendant(s).

FIRST AMENDED NOTICE OF SALE

NOTICE IS HEREBY GIVEN that the undersigned Special Master will, on November 17, 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:

Lot 6, Block 9, WHITE MOUNTAIN ESATES, UNIT 5, Ruidoso, 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, May 20, 1981, in Cabinet D, Slide Nos. 13 & 14

which Property is more commonly known to the best of Plaintiff's knowledge as 1119 Hull Road, Ruidoso, New Mexico 88345. 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 October 5, 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 \$426,324.00, plus interest from October 3, 2009 to the date of sale at the rate of 7.500% per annum, or \$79.14 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.

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: October 19, 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 October 22, 29; November 5 and 12, 2009.

LEGAL NOTICE

STATE OF NEW MEXICO
COUNTY OF LINCOLN
TWELFTH JUDICIAL DISTRICT COURT
No. PB-2009-31
Div. III

IN THE MATTER OF THE ESTATE OF CODY L. TRAVER, Deceased.

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that Taryn M. McCain 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: October 30, 2009.

Respectfully Submitted by: GIBSON & LEONARD, P.C.

Lori L. Gibson
505 Mechem Dr.
Ruidoso, New Mexico 88345
575.257.1010

Published in the Lincoln County News on November 5 and 12, 2009.

LEGALS

LEGAL NOTICE

STATE OF NEW MEXICO
COUNTY OF LINCOLN
TWELFTH JUDICIAL DISTRICT COURT
Case No. D-1226-CV-200900092

HSBC Bank USA N.A., as trustee on behalf of ACE Securities CORP. Home Equity Loan Trust and for the registered holders of ACE Securities CORP. Home Equity Loan Trust 2007-HE1 Asset Backed Pass-Through Certificates, Plaintiff, v. Janis Rowe; Michael B. Rowe, Defendants,

NOTICE OF SALE NOTICE IS HEREBY GIVEN that the undersigned Special Master will on December 2, 2009 at 9:00 AM, Front Entrance to the Lincoln County District Court, 300 Central Ave Carrizozo, NM 88301, 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:

Lot 14, Block 5, Green Meadows Addition, Ruidoso, 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, August 29, 1958. The address of the real property is 122 Clover Drive, Ruidoso, NM 88345.

Said sale will be made pursuant to the Decree of Foreclosure entered on September 2, 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 \$152,101.28 plus interest from August 26, 2009 to the date of sale at the rate of 10.750% 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.

Dated: 2009

Peter Baca Special Master
c/o Castle Meinhold & Stawarski
999 18th St., Suite 2201, Bin 1
Denver, CO
80202 (800) 286-0013 (303) 285-2222
08-2384 P630607

Published in the Lincoln County News on October 22, 29; November 5 and 12, 2009.

LEGAL NOTICE

STATE OF NEW MEXICO
COUNTY OF LINCOLN
TWELFTH JUDICIAL DISTRICT COURT
No. SA-2009-11
Div. III

IN THE MATTER OF THE ADOPTION PETITION OF JOSEPH H. CAYWOOD And KATHERINE A. CAYWOOD, Petitioners,

SUMMONS AND NOTICE OF PENDENCY OF PROCEEDING

THE STATE OF NEW MEXICO

To: COREY D. CHANCEY

GREETINGS:

YOU ARE HEREBY NOTIFIED that the above named Petitioners have commenced a proceeding against you in the above entitled Court and Cause, the objectg thereof being Petition for Adoption.

YOU ARE FURTHER NOTIFIED that, unless you serve and file a responsive pleading or motion in said Cause on or before the 11th day of December, 2009, the relief sought in the Petitioners' Petition shall be granted against you in said cause by default.

Petitioners' attorneys are: Gibson & Leonard, P.C., whose address is 505 Mechem Dr., Ruidoso, New Mexico 88345.

WITNESS, my hand and seal of the District Court of Lincoln County, State of New Mexico, this 4th day of November, 2009.

JAN PERRY
Clerk of the District Court
By: Elizabeth Ysasi
Deputy Clerk

Published in the Lincoln County News on November 12, 19 and 25, 2009.

LEGAL NOTICE

STATE OF NEW MEXICO
COUNTY OF LINCOLN
TWELFTH JUDICIAL DISTRICT COURT
No. CV-2009-393
Div. III

HORTENCIA DIAZ, Plaintiff

vs.

GROUP I ANY AND ALL UNKNOWN CLAIMANTS OF INTEREST IN THE PREMISES ADVERSE TO THE PLAINTIFF

Defendants.

SUMMONS AND NOTICE OF PENDENCY OF PROCEEDING

THE STATE OF NEW MEXICO

To: Unknown persons who may claim a lien, interest or title adverse to Plaintiff

GREETINGS:

LEGALS

YOU ARE HEREBY NOTIFIED that the above named Plaintiff has commenced a proceeding against you in the above entitled Court and Cause, the object thereof being a Complaint for Quiet Title with respect to the real property described as:

All of the Lot 3, Block One (1), Unit 2, Villa Madonna Subdivision according to the map and plat thereof on file in Book 13, Page 122 of the Lincoln County Records. Subject to any easements, restrictions and reservations of record. Together with all improvements thereon.

YOU ARE FURTHER NOTIFIED that, unless you serve and file a responsive pleading or motion in said Cause on or before the 31st day of December, 2009, judgment will be rendered against you in said Cause by default.

Plaintiff's attorneys are: Gibson & Leonard, P.C., whose address is 505 Mechem Dr., Ruidoso, New Mexico 88345.

WITNESS my hand and seal of the District Court of Lincoln County, State of New Mexico, this 5th day of November, 2009.

JAN PERRY
Clerk of the District Court
By: Elizabeth Ysasi
Deputy Clerk

Published in the Lincoln County News on November 12, 19 and 25, 2009.

LEGAL NOTICE

State of New Mexico
County of Lincoln
Twelfth Judicial District
Case No. D1226CV200800144

Wells Fargo Bank, NA,

Plaintiff,

v.

Jeremiah D. Hobbs; The unknown Spouse of Jeremiah D. Hobbs, if any; Occupants whose true names are unknown,

Defendants.

Notice of Sale

Notice is hereby given that the undersigned Special Master will on December 1, 2009 at 9:05 A.M., Front Entrance to the Lincoln County District Court, 300 Central Ave Carrizozo, NM 88301, 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:

Lot 8, block 1, of Morris Addition, Capitan, 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, on April 4, 1933. The address of the real property is 415 Third Street W, Capitan, NM 88316.

Said sale will be made pursuant to the Decree of Foreclosure entered on September 24, 2008, 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 \$105,967.44 plus interest from September 12, 2008 to the date of sale at the rate of 6.5% 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 & Stawarski
999 18th St., Suite 2201, Bin 1
Denver, CO 80202
(800) 286-0013 (303) 285-2222
P631464

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LEGAL NOTICE

INVITATION FOR BIDS
Lincoln County Solid Waste Authority
Purchase of Heavy Duty Bathtub Roll Off Containers

Sealed BIDS for Heavy Duty Bathtub Roll Off Containers will be received by the Lincoln County Solid Waste Authority. All bids are to be submitted to Lincoln County Solid Waste Authority, 222 2nd Street, Ruidoso Downs, New Mexico 88346, 575-378-4697. Bids will be accepted until 2:00 p.m. on November 20, 2009 and then will be publicly opened and read aloud.

Bid Forms and Specifications may be obtained from the Lincoln County Solid Waste Authority's Office, 222 2nd Street, Ruidoso Downs, New Mexico 88346, or you may call 575-378-4697. Mailed Bids should be addressed to the Lincoln County Solid Waste Authority, P.O. Box 2405, Ruidoso Downs, New Mexico 88346; with the envelope clearly marked: Heavy Duty Bathtub Roll Off Containers on the lower left hand corner of the submitted envelope. It shall be the responsibility of the bidder to see that their Bid is delivered to the Authority's office by the date and time set for opening. If the mailed or delivery of said Bid is delayed beyond the opening date and time, Bid thus delayed will not be considered.

The Lincoln County Solid Waste Authority reserves the right to reject any/or all Bids submitted.

Published in the Lincoln County News on November 12 and 19, 2009.

Have A

Great Weekend!!

NEW MEXICO PUBLIC EDUCATION DEPARTMENT
SCHOOL DISTRICT REPORT CARD FOR 2007-08 SCHOOL YEAR

ADEQUATE YEARLY PROGRESS SUMMARY

HONDO VALLEY PUBLIC SCHOOLS

AYP Rating: Meets AYP
Improvement Status: Progressing

Schools rated in district	Total Number	Percent
Schools in School Improvement	0	0
Schools in Corrective Action	0	0
Schools in Restructuring	0	0

THIS REPORT INCLUDES:

- District Student Demographics
- ESEA District Summary
- ESEA Accountability by Subgroup
- 4th and 8th Grade NAEP Assessments
- 3rd, 4th, 5th, 6th, 7th, 8th and 11th Grade State Assessments
- School Board Member Participation
- Data on District Expenditures
- Teacher Quality Data
- Parent Survey on the Quality of Education

2007-2008 STUDENT DEMOGRAPHICS*

	Number	Percent	Number	Percent
Female	65	61.2	157811	48.9
Male	62	48.8	165190	51.1
Caucasian	9	7.1	95275	29.6
African-American	2	1.6	8424	2.6
Hispanic	116	90.6	17918	56.5
Asian/Pacific Islander	0	0.0	4441	1.4
American Indian	1	0.8	35780	11.1
English Language Learners	25	19.7	59903	18.8
Students with Disabilities	12	9.4	48891	16.1
Free/Reduced Lunch Program	127	100.0	205891	63.6
Migrant	0	0.0	616	0.2

What is Adequate Yearly Progress (AYP)?

AYP is the annual academic proficiency targets in reading and math that the state, school districts and schools must reach to be considered on track for 100% proficiency by school year 2013-14. AYP is part of state and federal statute. The Elementary & Secondary Education Act (ESEA) of 2001 says that each state shall establish a timeline for adequate yearly progress. The timeline shall ensure that no later than 12 years after the 2001-2002 school year all students in each group described in the law will meet or exceed the state's proficient level of academic achievement. New Mexico State says: "The Department shall measure the performance of every public school in New Mexico." (§ 22-2C-3, D)

What do schools have to do in order to meet AYP?

Schools need to:

- Achieve a 95% participation rate on state assessments
- Reach targets for proficiency or reduce non-proficiency
- Reach targets for the attendance rate for elementary and middle schools and the graduation rate for high schools

Who has to meet AYP?

The state, school districts, schools and subgroups of 25 or more students within schools. The subgroups include Ethnicity/Race: Caucasian, African American, Asian/Pacific, Hispanic, American Indian/Alaskan Native, as well as Economically Disadvantaged (FRLP), Students with Disabilities (SWD) and English Language Learners (ELL).

Adequate Yearly Progress STATE ACCOUNTABILITY DATA (AYP)

School Name	School AYP Rating	Improvement Status
HONDO ELEMENTARY	Meets AYP	Progressing
HONDO HIGH	AYP Not Met	Progressing

ESEA ADEQUATE YEARLY PROGRESS (AYP) BY SUBGROUP

AYP data are based on students who have attended a school for a full academic year. In addition to reading and math scores, a third academic indicator is required. For elementary and middle schools, it is attendance rate, while graduation rate is used for high schools. Results are not reported for subgroups with fewer than 10 students and are indicated by ***.

PERCENT OF STUDENTS PROFICIENT OR ABOVE

School Name	Academic Indicator	ESEA Goal	All Students	Caucasian	African American	Hispanic	Asian/Pacific Islander	American Indian	English Language Learners	Students with Disabilities	Economically Disadvantaged
District Wide Grades 3, 4 & 5	Reading Proficiency	59	59.0	59.3	59.0	59.0	59.0	59.0	59.0	59.0	59.0
District Wide Grades 6, 7 & 8	Reading Proficiency	53	53.8	53.8	53.8	53.8	53.8	53.8	53.8	53.8	53.8
District Wide Grades 9, 10 & 11	Reading Proficiency	56	56.0	56.0	56.0	56.0	56.0	56.0	56.0	56.0	56.0
HONDO ELEMENTARY	Reading Proficiency	55	55.8	55.1	55.6	55.6	55.6	55.6	55.6	55.6	55.6
HONDO HIGH	Reading Proficiency	56	56.0	56.0	56.0	56.0	56.0	56.0	56.0	56.0	56.0
District Wide Grades 3, 4 & 5	Math Proficiency	44	36.7	37.0	36.7	36.7	36.7	36.7	36.7	36.7	36.7
District Wide Grades 6, 7 & 8	Math Proficiency	35	31.1	31.1	31.1	31.1	31.1	31.1	31.1	31.1	31.1
District Wide Grades 9, 10 & 11	Math Proficiency	40	31.1	31.1	31.1	31.1	31.1	31.1	31.1	31.1	31.1
HONDO ELEMENTARY	Math Proficiency	41	30.6	31.3	30.8	30.8	30.8	30.8	30.8	30.8	30.8
HONDO HIGH	Math Proficiency	37	31.0	31.0	31.0	31.0	31.0	31.0	31.0	31.0	31.0
All Students Grades K-5	Attendance Rate	92	97.4	97.4	97.4	97.4	97.4	97.4	97.4	97.4	97.4
All Students Grades 6-8	Attendance Rate	92	96.4	96.4	96.4	96.4	96.4	96.4	96.4	96.4	96.4
HONDO ELEMENTARY	Attendance Rate	92	96.0	96.0	96.0	96.0	96.0	96.0	96.0	96.0	96.0
All Students in Grade 9	Graduation Rate	90	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
HONDO HIGH	Graduation Rate	90	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

National Assessment of Educational Progress (NAEP)

The National Assessment of Educational Progress (NAEP) is often called the "Nation's Report Card" because it allows the comparison of student performance across states and by nation as a whole. NAEP does not replace the Standards-Based Assessment (SBA) that students take every year, which measures student performance according to New Mexico curriculum standards. All students in New Mexico are required to take the SBA, while the NAEP is administered to a representative sample of students. The sampling method does not allow for reporting results by district much like a political poll does not sample and report by neighborhood. For further information, visit the NAEP web site at <http://www.naep.gov>.

NAEP assessments have been given in subjects such as reading, mathematics, science, writing, U.S. history, geography, the arts, and others. Reading and mathematics are assessed every two years at grades 4 and 8. Science is assessed every four years. Results presented here are from 2007 reading and mathematics, and from 2005 science.

4th Grade

Overall	Advanced	Proficient	Basic	Below Basic
New Mexico	5	15	34	42
Nation	7	24	34	34

8th Grade

Overall	Advanced	Proficient	Basic	Below Basic
New Mexico	3	15	39	43
Nation	4	13	27	56

State Assessment Results for District (excluding charter schools)

Students in New Mexico schools are assessed in Reading, Mathematics and Science in the 3rd through 8th and 11th grade by the Standards-Based Assessment (SBA), and the NM Alternative Proficiency Assessment (NMAP) for Students with Disabilities. These assessments were developed to measure the NM Standards and Benchmarks that educators and the public determined are important for our students to know and be able to do. The assessment results reported are for ALL students enrolled and participating in the testing during the 2007-08 school year. The assessments were administered during March 2008. Results for groups of fewer than 10 students are not reported and are indicated by ***. Percentages may not add to 100, due to rounding.

3rd Grade

Reporting Group	Percent at Each Proficiency Level
Female	4
Male	7
Caucasian	1
Black	0
Hispanic	10
Asian	0
Am Indian	0
SWD	1
ELL	0
FRLP	11
Migrant	0
All 2007-08	11
All 2006-07	14
NM2007-08	11
NM2006-07	14

* Includes Alaska Natives * SWD - Students with Disabilities * ELL - English Language Learners * Economically Disadvantaged

Parent Survey on the Quality of Education Spring 2008

The Quality of Education Survey is provided to all parents statewide yearly by regulation. It consists of ten required questions by the NM Public Education Department.

- My child is safe at school.
- My child's school building is in good repair and has sufficient space to support quality education.
- My child's school holds high expectations for academic achievement.
- School personnel encourage me to participate in my child's education.
- The school offers adequate access to up-to-date computers and technologies.
- School staff maintains consistent discipline, which is conducive to learning.
- My child has an adequate choice of school-sponsored extracurricular activities.
- My child's teacher provides sufficient and appropriate information regarding my child's academic progress.
- The school staff employs various instructional methods and strategies to meet my child's needs.
- My child takes responsibility for his or her learning.

Teacher Quality Data

Percent of Teachers Teaching with Emergency or Provisional Credentials: STATEWIDE: 0.14% DISTRICT: 0.00%

Category	Statewide	District
High Poverty Schools	5.0%	0.0%
Low Poverty Schools	4.2%	N/A

Category	Number of Teachers	Percent of Teachers
STATEWIDE	22,391	56.5%
DISTRICT WIDE	20	70.0%
HONDO ELEMENTARY	11	81.8%
HONDO HIGH	13	53.8%

HONDO VALLEY PUBLIC SCHOOLS

State Assessments Results for District (excluding charter schools)

4th Grade

Reporting Group	Percent at Each Proficiency Level
Female	5
Male	8
Caucasian	1
Black	0
Hispanic	10
Asian	0
Am Indian	0
SWD	1
ELL	0
FRLP	14
Migrant	0
All 2007-08	14
All 2006-07	14
NM2007-08	14
NM2006-07	14

5th Grade

Reporting Group	Percent at Each Proficiency Level
Female	3
Male	7
Caucasian	2
Black	0
Hispanic	8
Asian	0
Am Indian	0
SWD	0
ELL	0
FRLP	10
Migrant	0
All 2007-08	10
All 2006-07	10
NM2007-08	11
NM2006-07	14

State Assessments Results for District (excluding charter schools)

6th Grade

Reporting Group	Percent at Each Proficiency Level
Female	4
Male	4
Caucasian	1
Black	0
Hispanic	7
Asian	0
Am Indian	0
SWD	1
ELL	0
FRLP	8
Migrant	0
All 2007-08	8
All 2006-07	8
NM2007-08	8
NM2006-07	8

7th Grade

Reporting Group	Percent at Each Proficiency Level
Female	5
Male	5
Caucasian	1
Black	0
Hispanic	7
Asian	0
Am Indian	0
SWD	0
ELL	0
FRLP	5
Migrant	0
All 2007-08	5
All 2006-07	5
NM2007-08	5
NM2006-07	5

State Assessments Results for District (excluding charter schools)

8th Grade

Reporting Group	Percent at Each Proficiency Level
Female	2
Male	2
Caucasian	1
Black	0
Hispanic	6
Asian	0
Am Indian	0
SWD	1
ELL	0
FRLP	1
Migrant	0
All 2007-08	1
All 2006-07	1
NM2007-08	1
NM2006-07	1

* Includes Alaska Natives * SWD - Students with Disabilities * ELL - English Language Learners * Economically Disadvantaged

11th Grade

Reporting Group	Percent at Each Proficiency Level
Female	4
Male	4
Caucasian	0
Black	0
Hispanic	10
Asian	0
Am Indian	0
SWD	1
ELL	0
FRLP	10
Migrant	0
All 2007-08	10
All 2006-07	10
NM2007-08	10
NM2006-07	10

* Includes Alaska Natives * SWD - Students with Disabilities * ELL - English Language Learners * Economically Disadvantaged

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.

October 23
8:50 a.m. Dog reported running loose on Cedar Creek in Ruidoso, deputy dispatched.

9:48 a.m. Vandalism reported at location on Holden in Alto, deputy dispatched.

2:46 p.m. Disturbance reported at location on Hwy 368 in Arabella, deputy dispatched.

10:25 p.m. Suspicious activity reported at location on Sun Valley in Alto, deputy dispatched.

October 24
4:42 a.m. Medical call at mile marker 276 on Hwy 70 in Glencoe, ALS ambulance dispatched.

12:45 p.m. Information report at residence on Cedar in

Carrizozo, police and deputy dispatched.

4:11 p.m. Trespassing reported at business location on Hwy 48 in Alto, deputy dispatched.

5:58 p.m. Agency assistance requested at mile marker 4 on Hwy 37 in Bonito, deputy dispatched.

6:09 p.m. Medical call at intersection of Hwy 37 and Crockett Canyon Road in Bonito, ALS ambulance and deputy dispatched.

6:54 p.m. Dog reported running loose near intersection of Hwy 54 and Hwy 380 in Carrizozo, police dispatched.

7:34 p.m. Welfare check resulting in medical call at location on Reynolds Court in Palo Verde, ALS ambulance and deputy dispatched.

9:48 p.m. Suicide reported at residence on Reynolds Circle in Palo Verde, ALS ambulance

and deputy dispatched.

October 25
1:58 a.m. Disturbance reported at location on Holden in Alto, deputy dispatched.

8:43 a.m. Alarm reported at location on Smokey Bear Boulevard in Capitan, police dispatched.

9:33 a.m. Police presence/stand-by requested at residence on Lamay Road in Loma Grande, deputy dispatched.

9:39 a.m. Warrant service at LCDC on Air Port in Carrizozo, deputy dispatched.

9:58 a.m. Shots fired reported at location on Sulfimier Ranch in Corona, deputy dispatched.

10:04 a.m. Dog reported running loose on Hwy 70 in Ruidoso Downs, deputy dispatched.

11:23 a.m. Alarm reported at location on Hill Country Road in Rancho Ruidoso Valley

Estates, deputy dispatched.

11:28 a.m. Unknown trouble call from residence on Long Road in Capitan, police dispatched.

12:11 p.m. Information report at location on Little Creek Road in Rancho Ruidoso Valley Estate, deputy dispatched.

12:48 p.m. Battery reported at LCDC on Air Port Road in Carrizozo, deputy dispatched.

3:11 p.m. Peacekeeping/police presence requested at location on Cedar in Carrizozo, police and deputy dispatched.

6:01 p.m. Traffic offenses reported at location on Nogal Avenue in Capitan, police dispatched.

7:02 p.m. Suspicious activity reported at location on Franklin Street in Corona, deputy dispatched.

7:24 p.m. Medical call at residence on Jackalope in Capitan, ambulance dispatched.

10:09 p.m. Agency assistance requested by Ruidoso Downs police at Ruidoso Downs police station in Ruidoso Downs, deputy dispatched.

10:59 p.m. Agency assistance requested at business located on Mechem Drive in Ruidoso, deputy dispatched.

October 26
1:00 a.m. Information report at mile marker 286 on Hwy 70 in Hondo, deputy dispatched.

10:23 a.m. Children Youth and Family Department (CYFD) referral from location on Franklin Street in Corona, deputy dispatched.

10:39 a.m. Police presence/stand-by requested at location on Steel in Corona, deputy dispatched.

10:51 a.m. Agency assistance requested on Hwy 48 3-4 miles south of Capitan, deputy dispatched.

11:24 a.m. Sex offenses reported at location on Loma Grande in Nogal, deputy dispatched.

1:03 p.m. Warrant service at Lincoln County Detention Center (LCDC) on Air Port Road in Carrizozo, deputy dispatched.

1:07 p.m. Information report at location on Arabella Hwy in Arabella, deputy dispatched.

1:14 p.m. Medical call at location on Central Avenue in Carrizozo, ambulance dispatched.

3:17 p.m. 911 Hang-up from residence on Santiago Circle in Ranches of Sontero, deputy dispatched.

4:41 p.m. Police presence/peacekeeping requested at residence on Reynolds Circle in Ruidoso Downs, deputy dispatched.

October 27
7:43 a.m. Traffic hazard reported at location on Hwy 48 in Alto, deputy dispatched.

7:55 a.m. Dog reported running loose on Butch Cassidy in Rancho Ruidoso Valley Estates, deputy dispatched.

9:19 a.m. Information report at Lincoln County Sheriff Office (LCSO) located in the Lincoln County Courthouse (LCC) located on Central Avenue in Carrizozo, deputy dispatched.

11:20 a.m. Dog reported running loose on Hale Lake Road, deputy dispatched.

11:42 a.m. Traffic offenses reported at intersection of CR E044 and Arabella Road in Arabella, deputy dispatched.



LEGAL

LEGAL NOTICE

State of New Mexico
County of Lincoln
Twelfth Judicial District

Case No. D-1226-CV-200800193

US Bank National Association as Trustee
Plaintiff,

v.
Monique J. Ramos; Mortgage Electronic Registration Systems, Inc. (Solely as nominee for Lender and Lender's successor and assigns); occupants whose true names are unknown; the unknown spouse of Monique J. Ramos, if any.
Defendants.

Second Notice of Sale

NOTICE IS HEREBY GIVEN that the undersigned Special Master will on December 1, 2009 at 9:00AM, Prior Entrance to the Lincoln County District Court, 300 Central Ave Carrizozo, NM 88301, 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:

See attached Exhibit "A" Lot 7, Block 3, Ruidoso Downs Heights Subdivision, Ruidoso Downs, 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, March 26, 1957, in Tube No. 151; A tract of land within Lot 6, Block 3, Ruidoso Downs Heights Subdivision, Ruidoso Downs, 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, March 26, 1957, in Tube No. 151, described by metes and bounds as follows:

Beginning at the Southeast corner of said Lot 6 thence South 55° 56' West along the Southerly boundary of said Lot 6, a distance of 10.75 feet; thence North 30° 1' West, a distance of 110.02 feet to a point on the Southerly right-of-way line of East Circle Drive, also being the Northerly boundary of said Lot 6; thence North 55° 56' East along said boundary, a distance of 3.18 feet to the Northeast boundary of said Lot 6; thence South 34° 10' East along the Easterly boundary of said Lot 6, a distance of 110.00 feet to the place of beginning. The address of the real property is 22 East Circle Dr., Ruidoso Downs, NM 88346.

Said sale will be made pursuant to the Decree of Foreclosure entered on September 19, 2008, in the above entitled and numbered cause, which was a suit to foreclose 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 \$94,101.63 plus interest from September 26, 2008 to the date of sale at the rate of 7.5% 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. Plaintiff may apply all or 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.
Dated: 2009.

Peter Baca Special Master
c/o Castle Meinhold & Stawarski
999 18th St., Suite 2201, Bin 1
Denver, CO 80202
(800) 286-0013 (303) 285-2222
P632148

Published in the Lincoln County News on October 29; November 5, 12 and 19, 2009.

OBSERVE
ALL
TRAFFIC SIGNS.
Children are
now back at
school

HONDO VALLEY SCHOOL DISTRICT YEARLY REPORT CARD 2007-2008 SCHOOL YEAR

(Continued from Page 6)

Data on School Expenditures

Includes state general fund operational moneys only for 2007-2008

	Expenditure	Percent	
Direct Instruction	1,177,815		59
Instructional Support Services	785,427		38
Students	177,652	23	
Instruction	54,768	7	
General Administration	175,219	23	
School Administration	57,277	7	
Central Services	63,158	8	
Operations & Maintenance	237,353	31	
Student Transportation	0	0	
Non-Instructional Support	64,576		3
Food Services	64,576	100	
Community Services	0	0	
Capital Outlay	0		0
Total Expenditures	2,007,818		

Source: End of year school-reported expenditures to NM Public Education Department School Budget office.

School Board Member Participation*

In order to meet the law, Board members must have accumulated five points during the year by attending specific training

Board Member	Number of Points
Cooper, Jim	12
Gomez, Godfrey	22
Nosker, Dennis	6
Prudencio, Corinne	9
Torrez, Joe	14

Source: 2007-08 New Mexico School Board Association annual report.

Data Definitions and Explanations

Enrollment/AYP by Subgroup/Performance

ELL - English Language Learners, or students whose first language is a language other than English
Migrant - Students whose parents/guardians are primarily employed in agriculture on a seasonal basis and establish temporary residence in NM.
FRLP - Students eligible for the free or reduced lunch program at their school
SWD - Students with Disabilities

Elementary & Secondary AEP District Summary - What happens if a school does not make AYP?

- After 1st year of not making AYP - the school, in partnership with its district and local community, will be encouraged to:
 - perform a data analysis to determine why it did not make AYP,
 - amend its Educational Plan for Student Success (EPSS), and
 - provide technical assistance, as requested, during this process.
- After 2nd Year of not making AYP (designated School Improvement I) - the school must develop an improvement plan and offer parents the option to choose a school that is not in School Improvement.
- After 3rd Year of not making AYP (designated School Improvement II) - the school must provide supplemental educational services (SES) such as after school programs, tutoring and summer services, based on budget availability. The school must also continue to offer school choice and provide transportation or pay the cost of transportation, based upon budget availability, for students who choose to enroll in a school that is not in School Improvement.
- After 4th Year of not making AYP (designated Corrective Action) - In addition to the requirements listed above the school and district must also implement one or more of the following: replace staff as allowed by law, implement a new curriculum, decrease management authority of the public school, appoint an outside expert to advise the public school, extend the school day or year, and change the public school's internal organizational structure.
- After 5th Year of not making AYP (designated Restructuring I) - in addition to the requirements listed above, the school, district and PED must develop a plan including one or more of the following actions: re-open the public school as a charter school, replace all or most of the staff, as allowed by law, turn over the management of the public school to the PED, and make other governance changes.
- After 6th year of not making AYP (designated Restructuring II) - in addition to the requirements listed above, the school, district and PED must implement the plan developed in Restructuring I.

How can a school be removed from Improvement status? By reaching AYP targets for two consecutive years.

Assessments - Proficiency Levels

Standards-based assessments are scored according to proficiency levels that are established by committees of teachers from across New Mexico. Every student on each test is evaluated and studied in order to specify knowledge, skills and abilities that students should have in order to demonstrate proficiency. Based upon how many items a student answers correctly, and how well they can justify their answers, a proficiency level is assigned. The proficiency levels are: Beginning, Emerging Proficient, Proficient and Advanced. Since the assessments are designed to measure how well students are achieving the New Mexico standards, students scoring at the Proficient or Advanced level are designated as having met the standards.

Teacher Quality Data

Data for the "Percent of teachers..." with Bachelor's degree or Master's degree and higher are obtained from the STARS 120th day Staff file submission for the 2007-08 school year. Data for the "Percent of core academic classes taught by Highly Qualified Teachers" also comes from the report obtained from the STARS 120th day for 2007-08, highly qualified teacher report generated on 2/18/2009.

Feeder School Methodology

Feeder schools are kindergarten through second grade schools, and their students do not take the standards-based tests. ESEA requires that all schools be rated for Adequate Yearly Progress, including feeder schools. These schools are rated on the performance of third grade students who once attended them.

High and Low Poverty Schools

High Poverty Schools: Schools with the most students eligible for Free or Reduced Lunch (Top 25%).
Low Poverty Schools: Schools with the fewest students eligible for Free or Reduced Lunch (Bottom 25%).

LEGALS

LEGAL NOTICE
STATE OF NEW MEXICO
LINCOLN COUNTY
TWELFTH JUDICIAL DISTRICT
 No. CV-2009-293
 Judge Karen L. Parsons

COMPASS BANK, formerly known as State National Bank, Plaintiff,

vs.
JAY CASTLEBERRY, CAROL CASTLEBERRY, FOX-WORTH-GALBRAITH LUMBER COMPANY, and any and all unknown claimants, Defendants.

AMENDED NOTICE OF SALE

NOTICE IS HEREBY GIVEN that on December 15, 2009, at the hour of 9:00 a.m., the undersigned Special Master will, at the North East Entrance of the Lincoln County Courthouse, 300 Central Avenue, Carrizozo, New Mexico, sell and convey all of the right, title and interest of the above-named Defendants in and to the below described real estate to the highest bidder for cash. The property to be sold is located at 7 Silver Fox Lane, Alto, New Mexico, and is situated in Lincoln County, New Mexico, and being more particularly described as follows.

Lot 7, Block 3, Shauna Downs Estates, 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 August 18, 1981, in Cabinet D, Slide Nos. 40 & 41.

Together with that certain Reservation of Utility and Driveway Easement. Recorded December 15, 2006, in Book 2006 of County Records, Page 12149, Records of Lincoln County, New Mexico.

THE FOREGOING SALE will be made to satisfy a default judgment rendered by the above Court in the above-entitled and numbered cause on October 15, 2009 against Defendants Jay Castleberry and Carol Castleberry, being an In Rem Complaint to foreclose a real estate mortgage under which Plaintiff was adjudged to have a first and prior lien against the above-described real estate securing payment of its judgment in the principal sum of \$215,200.91 with interest continuing at the rate of 6.75% per annum from October 15, 2009, until paid, plus attorney fees and costs of \$3,426.35 and tax thereon, plus the costs of this action including Special Master's fee and publication of this notice. The judgment bears interest to date of sale. Sale is being made to satisfy the judgment plus interest and will be made to the highest and best bidder for cash, except that the Plaintiff may bid its judgment or any part thereof. The time and date of sale may be postponed by the special master if he deems it advisable.

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 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 a one (1) month right of redemption.

The attorney for the plaintiff is Matthew P. Holt of Holt Baxington Mynatt P.C., P.O. Box 2699, Las Cruces, New Mexico 88004-2699.

PETER BACA
 Special Master

Published in the Lincoln County News on November 12, 19, 25; and December 3, 2009.

LEGAL NOTICE

INVITATION FOR BIDS
Lincoln County Solid Waste Authority
Purchase of a Recycle Conveyor Belt
for Greentree TS/RC

Sealed BIDS for Recycle Conveyor Belt will be received by the Lincoln County Solid Waste Authority. All bids are to be submitted to Lincoln County Solid Waste Authority, 222 2nd Street, Ruidoso Downs, New Mexico 88346, 575-378-4697. Bids will be accepted until 2:00 p.m. on November 20, 2009 and then will be publicly opened and read aloud.

Bid Forms and Specifications may be obtained from the Lincoln County Solid Waste Authority's Office, 222 2nd Street, Ruidoso Downs, New Mexico 88346, or you may call 575-378-4697. Mailed Bids should be addressed to the Lincoln County Solid Waste Authority, P.O. Box 2405, Ruidoso Downs, New Mexico 88346; with the envelope clearly marked Recycle Conveyor Belt on the lower left hand corner of the submitted envelope. It shall be the responsibility of the bidder to see that their Bid is delivered to the Authority's office by the date and time set for opening. If the mailed or delivery of said Bid is delayed beyond the opening date and time, Bid thus delayed will not be considered.

The Lincoln County Solid Waste Authority reserves the right to reject any or all Bids submitted.

Published in the Lincoln County News on November 5, 12 and 19, 2009.

LEGAL NOTICE
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, November 17, 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- Amending Section 7, Public Ways and Property, Chapter 3, Municipal Cemetery, Section 7-3-3B, C, E, G and H; Section 7-3-4B, C, F, H
2. Ordinance 2009- Establishing a Penalty Assessment Program: Motor Vehicle and Traffic, Chapter 3
3. Ordinance 2009- Establishing a Road Naming and Site Addressing System: Public Health and Safety, Chapter 4

The public is invited to attend the Public Hearing.

Comments or inquiries should be directed to Village Hall, PO Box 246, Capitan, New Mexico 88316; 575-354-2247 through Thursday.

Village of Capitan
 Kay Strickland, CMC
 Village Clerk

Published in the Lincoln County News on November 5 and 12, 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 SALE -- Alfalfa, small and large square bales, round bales. Various qualities.

The Hay Ranch
 in Roswell
 575-973-2200

4tc/8/13-9/3

FOR RENT -- New Remodeled Mobile Home, 2-bdrm, 1-bath, covered porch. Paid water, sewer, trash. Great spec for 1 or 2 adults.

INDIAN SUMMER
 648-2407

3tp/11/12-25

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.

Call
 575-648-2598

tfn/6/18

ALL AMERICAN STORAGE

Now renting units in Carrizozo

575-937-1061
 575-973-0237

RUIDOSO Living Estate SALE

Saturday, Nov. 7
 Has Been Re-scheduled
 for
NOV. 27, 28 and 29



LEGAL NOTICE
STATE OF NEW MEXICO
COUNTY OF LINCOLN
TWELFTH JUDICIAL DISTRICT COURT
 No. D-1226-CV-2009-00333

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR SAXON ASSET SECURITIES TRUST 2007-3,

Plaintiff,

vs.

SHANDA N. HERRERA AND RAFAEL A. HERRERA,
 Defendants.

NOTICE OF SALE

Notice is hereby given that on December 1, 2009, at the hour of 9:00 am the undersigned Special Master, or his designee, will, at the North 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 198 Eagle Creek Canyon Road, 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:

Lot 15, Block 3 of PINE MEADOWS SUBDIVISION, Lincoln County, New Mexico, as shown by the plat thereof filed in the office of the County Clerk of Lincoln County, New Mexico, on October 7, 1976, in Tube No. 577,

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 October 26, 2009, being an action to foreclose a mortgage on the above-described property. The Plaintiff's judgment is

\$795,970.97, and the same bears interest at the variable rate of 9.9900%, which accrues at the rate of \$217.86 per diem, commencing on October 26, 2009, with the Court reserving entry of final judgment against said Defendants, Shanda N. Herrera and Rafael A. Herrera, 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 into the registry of the Court any balance remaining to satisfy future adjudication of priority mortgage holders;

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 \$795,970.97, plus interest to and including date of sale of \$8,060.82 for a total judgment plus interest of \$804,031.79. 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
 Telephone: (575) 648-9925
 E-mail: sale@littledrantedel.com

Published in the Lincoln County News on November 5, 12, 19 and 25, 2009.

Have A Good Day!

EMPLOYMENT NOTICE

The City of Ruidoso Downs is accepting applications for: Full Time Lincoln County Transit Dispatcher/Clerk. Starting pay is \$9.27 hour. Full Benefit Package. Must be a US Citizen, 21 years of age and possess a valid NM Driver's License. EEOE. Closing date for applications 11/19/2009. For complete job application visit City Hall at 122 Downs Drive, Ruidoso Downs, NM call 575-378-4422 or email reynolds@ruidosodowns.us.

1tc/11/12

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LINCOLN COUNTY NEWS

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575-648-2333