

# County Sets Policy for Road Abandonment

by Patrice Brazie

During its regular October 20th meeting, the Lincoln County Board of Commissioners approved the adoption of a new resolution spelling out procedures for the abandonment or vacation of public roads.

During the process of refining the county's road review policies, comments were taken from the planning department, the road review committee and interested members of the public, county attorney Alan Morel said.

Under the new policies, property owners who wish to have a roadway, or section of a roadway, closed, abandoned or vacated by the county must complete a formal application that includes a letter of intent and detailed information regarding the location and size of the roadway requested to be abandoned. Applicants must also explain the reasons or conditions that prompted the request and an assessor's estimate of the value of the land to be vacated.

"They're not required to submit a survey at that point, they're not required

to incur that cost, but they have to give us some indication of how big a land mass we're talking about that they're asking to be vacated or closed," Morel said.

"The way the policy is drafted, if the assessor determines that the value of the road to be vacated is less than \$2,500, they're paid a fee (of \$150) to basically do a market analysis to try to determine what the actual value of the road is. That amount isn't paid unless the road is abandoned or vacated," Morel said. "If it's over \$2,500, the policy requires that there be an appraisal provided by an approved

land appraiser."

The county's abandonment of any roadway with a land value of more than \$25,000 would require approval from the New Mexico Department of Finance and Administration (DFA).

An application fee of \$250 will be used help cover the county's costs associated with the required publication of legal notices regarding a potential road closure and investigation by the county's road review committee, Morel said.

Applications for road closures or vacations must also include letters from

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Independent Since 1905

# Lincoln County News

50c

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CARRIZOZO, NM 88301



SOME PRETTY CREEPY STUFF was spotted in Carrizozo over the weekend. This photo, courtesy of Rose Kratochvil, was taken from the front yard of the Mike Howard family.

## State Deficit Affects County Projects

by Patrice Brazie

With officials of the state scrambling to find ways to cut expenditures and balance a budget that reportedly falls short by millions of dollars, Capital Outlay projects throughout the state are being re-examined.

In a memorandum issued on Monday by Lincoln County Manager Tom Stewart, the manager notified members of the board of county commissioners that appropriations for projects at the county fairgrounds and the fire station in Glencoe will probably be cancelled by the state.

An October 30th letter from Governor Richardson's October 26,

Robert Apodaca, Director of the New Mexico Local Government Division, spells out the new policy of the state regarding capital outlay expenditures and appropriations.

"The state is experiencing a fiscal crisis and is projecting a budget deficit of approximately \$650 million," Apodaca wrote. "(The state legislature) mandated that the Legislative Council Service, Legislative Finance Committee and the Department of Finance and Administration (DFA) identify a minimum of \$150 million of voidable capital outlay projects.

"To that end, and based upon

(Continued on P. 3)

## Polling Sites Changed in Capitan and Tinnie

by Patrice Brazie

On the recommendation of Lincoln County Clerk Tammie Maddox, the board of county commissioners approved a resolution changing the location of two polling sites for elections. The county commissioners are required to designate polling places for each precinct no later than the first Monday in November of each odd-numbered year, as Maddox pointed out during the October 20th meeting of the board of county commissioners.

"I've made two recommendations for changes in the polling places," Maddox said. "Precinct 14, which is in a portion of Capitan, is a small precinct. I'm recommending having that polling place moved to the Capitan Village Hall."

Maddox said that voters in both Precincts 3 and 14 have voted in a building at the county fairgrounds in the past.

"Precinct 3 is a large precinct, so they have to move into the large portion of that hall. In the winter time it's cold and hard to heat, there's not enough room in the front part, and the lighting is not very good in that big hall. I'm asking to move at least one of (the precincts) to the Capitan Village Hall," Maddox explained.

Although only the Precinct 3 polling place will be moved out of the fairgrounds building this year, Maddox said that she hopes to be able to find another location for Precinct 14 sometime down the road.

Farther south, Precinct 12B has used the fire station in Tinnie as a

polling place in the past, but officials and poll workers have complained of heating and lighting issues at that site as well. Maddox said that the superintendent of the Hondo School District has agreed to let the county use the multi-purpose room at the school there for voting in Precinct 12B.

"It's just a couple

(Continued on P. 3)

## Account Established at City Bank for Bobby Dan Crenshaw Medical Expenses

A donation account has been established at City Bank New Mexico in Carrizozo to help defray medical expenses for Bobby Dan Crenshaw.



COLD and WINTRY conditions turned Carrizozo's McDonald Park into a postcard scene last week. Snowfall reports varied from a few inches in Carrizozo to more than a foot on Sierra Blanca. (Photo by Patrice Brazie)

## Improved Flood Insurance Available to County Residents

by Patrice Brazie

A September 30th letter sent to county manager Tom Stewart from Kevin Long of the Federal Emergency Management Agency (FEMA) states that the unincorporated areas of Lincoln County have been removed from an emergency program and will be converted to the regular phase of the National Flood Insurance Program as of October 1st. As a result, residents and property owners in the unincorporated portions of the county will now be able to purchase larger values of flood insurance under the program.

"Our residents will now be able to take full advantage of the National Flood Insurance Program," Stewart said during the October 20th meeting of the Lincoln County Board of Commissioners.

The county has completed 75 percent of the necessary updating of flood plain maps, and the entire

process is expected to be completed sometime in the spring of next year, Stewart said.

Lincoln County's Planning Director, Curt Temple, also serves as Flood Plain Manager for the county, the town of Carrizozo and the village of Capitan. Temple told the county commissioners that updated flood plain maps for those areas as well as Ruidoso are on the way.

"We're getting several areas in the county along the Rio Bonito and from the Ruidoso Downs boundary to the 'Y'," Temple said. "We'll have detailed studies on that part of the Rio Ruidoso and the Rio Hondo. We'll have some really good (baseline flood elevations) now, some elevations to give people along the river that are going to be building from Ruidoso Downs all the way down to the 'Y' where (US highway) 380 and (interstate highway) 70 meet," he said. "I think it's going to be pretty good. The maps are

going back to FEMA now for approval. It will probably be April or May before we can really start using them."

Local flood plain mapping was last done in 1978.

County commissioner Dave Parks said that, prior to the new approval, the maximum flood insurance available to Lincoln County residents living outside of Ruidoso or Ruidoso Downs had been \$35,000 worth of coverage.

"It was a real problem with people in flood plains borrowing money, \$100,000 for instance. The lending institutions would want the coverage to be at least enough to cover the mortgage and that could not be done," Parks said. "Now we can write insurance up to \$260,000. It was quite controversial when the coun-

(Continued on P. 4)

# County Sets Policy . . .

(Continued from Page 1)

all adjacent property owners indicating whether they favor or oppose the action. Copies of the deeds for all adjacent properties must also be included.

Some roadways vacated in past years have amounted to a few acres of land, while others were a matter of a few hundred square feet. Past policy provided no means by which the county could be reimbursed for the value of the land vacated. Closer adherence to anti-donation laws dictates that the county must now be paid for the land it gives away.

The amount owed to the county for the vacated or abandoned roadway, an acquisition fee, will be determined by the value of the land as estimated by the county assessor's office if under \$2,500 or a certified appraiser if more than \$2,500.

Completed applications must be submitted to the Lincoln County Planning Department for review before being forwarded to the road department as well as the Lincoln County Road Review Committee will assess the application and the roadway site before issuing a summary review and pertinent comments to the board of county commissioners, which will make the final determination of whether to approve or deny the request.

If the board decides in favor of a request for abandonment and vacation, a quit claim deed will be issued to the party who submitted the application, once all required fees are paid.

"In the past, they simply got an abandonment and vacation, but they didn't get any deed showing ownership of the property," Morel said. "The county just gave up its interest. Now, in exchange for their money, they're actually getting a deed."

Applications for road closure, different from abandonment and vacation in that the county maintains ownership of the closed roadway, will require a \$250 application fee. Because no property changes hands, there are no assessor's fees or acquisition fees required in requesting a road closure.

According to Morel,

local surveyor Eric Collins submitted a request to have language added to the resolution that would mandate a review by the county's road review committee within 60 days of an application being submitted to the planning department.

County commissioners Eileen Sedillo and Jackie Powell stated opposition to language that

would bind the road review committee to a specific timetable. Members of that committee serve on a voluntary basis.

The new resolution spelling out the county's policies and procedures for road closures or abandonment and vacation was approved unanimously by the board of county commissioners.



**HEAVY SNOW FELL** in parts of Lincoln County in an early winter storm last week, but blue skies, sunny conditions and milder temperatures have returned. (Photo by Patrice Brazie)

## NMSU Rodeo Team at Dine College Rodeo

The New Mexico State University rodeo team continued to hold their own against the competition during the Dine College National Intercollegiate Rodeo Association (NIRA) rodeo Oct. 9-10 in Tsaiile, Ariz.

"The Dine College hosted a great rodeo this year. We are starting to get in our groove and team scores are climbing. We just need to keep it up as we go into our final rodeo of the season here in Las Cruces," said Jim Dewey Brown, NMSU rodeo coach.

The men's team placed third and the women's team finished second during the rodeo.

Capitan native Staci Stanbrough placed third in breakaway roping and second in barrel racing.

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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.  
Corona Public Library 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.
- TODAY, THURSDAY, NOVEMBER 5**  
--Carrizozo Planning and Zoning Commission special workshop meeting at 2:00 p.m. at the old Sign Studio office, 1216 E Avenue.  
--Democratic Party of Lincoln County monthly meeting at home of Maria Quintana in Hondo Valley, party chair at 6:00 p.m. Address is 10598 Hwy 70, everyone invited. Call Maria at 937-8394 for information or directions. Events and Communications committees will meet at K-Bob's steakhouse in lieu of regular meeting.
- FRIDAY, NOVEMBER 6**  
--First Friday adult lecture at Capitan Public Library 7 p.m.
- FRIDAY NOVEMBER 6 - SUNDAY, NOVEMBER 8**  
New Mexico Senior Olympics basketball tournament in Santa Fe.
- SATURDAY, NOVEMBER 7**  
--Electronic Recycling at Sierra Mall in Ruidoso 9 a.m. to 1 p.m.  
--Democratic Party of New Mexico will hold election and candidate training at La Quinta on Highway 70 in Ruidoso from 10 a.m. to 5 p.m. Lunch will be provided. All officers, precinct captains, candidates are invited to attend as well as anyone else interested. RSVP to Maria at 575-937-8394 or 575-653-4102.
- MONDAY, NOVEMBER 9**  
--Carrizozo Town Council 6:00 p.m.
- TUESDAY, NOVEMBER 10**  
--Ruidoso Village Council 4:30 p.m.  
--Corona Village Council 5:30 p.m.  
--Capitan Village Council meeting postponed to November 17.
- WEDNESDAY, NOVEMBER 11**  
--Veteran's Day, federal holiday, governmental offices closed.
- THURSDAY, NOVEMBER 12**  
--Community Thanksgiving dinner at Trinity United Methodist Church in Carrizozo 11 a.m. to 1 p.m. Donations accepted. 648-2893
- 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**  
--Federated Republican Women of Lincoln County meets at Cree Meadows Country Club. RSVP to Karen Clontz at 336-1360.

**MEMO FROM SMOKEY**

*Be Careful...  
with Matches  
with Campfires  
with Every Fire!*

Remember - Only YOU can  
**PREVENT FOREST FIRES!**

### All Are Welcome at White Oaks Community Church

The White Oaks Community Church heartily welcomes visitors to our weekly 11 AM Sunday services. We are a non-denominational, bible-focus church located in historic White Oaks. Our one-hour services are followed by a pot-luck (visitors need only bring a good appetite!).

The White Oaks Community church was opened in 2006, the first church in the community in over 70 years. The church is located on the north side of Route 349 as you enter White Oaks.

White Oaks offers a rich history and beautiful natural mountain setting. While here, visit the School House and Miner Cabin Museums or our veteran's memorial. You can also try your hand at gold panning or explore the Jicarilla, Patos or Carrizo mountains that frame this gold mining ghost town.

Photographers should watch for elk, mule deer and the occasional bear and cougar. All are welcome!

## Paul's New Mexican Take-Out

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

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# 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:

December 2, 1955

## The Lincoln County War

Two Capitan women -- Mrs. Henry Fritz and her daughter, Mrs. Louise Ferguson -- declare that the Lincoln County War in New Mexico in 1878 had its beginning in a \$10,000 life insurance policy on a relative, Col. Emil Fritz.

Lincoln County court records show that Alexander A. McSween, an attorney, stated that he collected the insurance money and that he refused to turn it over to the Fritz estate. The records also show that Charles Fritz, brother of Emil, stated that McSween collected and kept the money. And it is a matter of reliable information among members of the Fritz family today that Charles Fritz' sister, Emile Scholand, to whom the \$10,000 had been willed, never received any of it.

In the six bloody months of the war, the Englishman John H. Tunstall, a partner with McSween in a Lincoln store, was killed by a posse sent by Sheriff William Brady, first administrator of the estate, to seize cattle on the Tunstall ranch; Brady was murdered from ambush in Lincoln by Billy the Kid; and McSween was killed in a siege of his home in Lincoln by the Murphy-Dolan faction.

The estate case dragged thru Lincoln County Probate and District Courts from 1875 to 1884. There is no record of McSween being ordered to turn over the money. The Fritz family received none of it. Where did the \$10,000 go?

The Capitan women have heard the story from the late Henry Fritz, the husband and father. The son of Charles Fritz, a rancher, Henry was 12 years old when the struggle for power started in Lincoln County. The Fritz family, which was related to the German royal family, had no shooting part in the war, and members of both the McSween and Murphy-Dolan factions visited at the Spring Ranch headquarters nine miles east of Lincoln.

**This is the women's story as they heard it from Henry Fritz:**

When McSween, a Kansas attorney, and his wife rode into Lincoln Town in an oxcart, they were virtually penniless. McSween opened a law office, and Charles Fritz and Major Lawrence G. Murphey, the latter a partner of Col. Fritz in the Lincoln store, employed McSween as a lawyer. McSween was starting on a shoestring, and they were glad to help him.

Col. Fritz died on June 26, 1874, while on a visit to Stuttgart, Germany. Charles Fritz and Emile Scholand employed McSween in 1876 to collect the insurance money after Brady had resigned as administrator. As the women recall, McSween went to New York City to collect the \$10,000. There were no insurance agents in Lincoln at that time; indeed it was unusual for a person on that frontier to carry the insurance. And it would have been difficult, if not impossible, to cash a \$10,000 check because no banks were nearby.

McSween returned. With him was Tunstall, who reputedly had money. In 1877, McSween and Tunstall opened a store in Lincoln, a competitor of the Murphy store.

Some time after McSween's return he and Tunstall bought cattle from a ranchwoman for \$1.98 a head -- cattle that the Murphy firm, in which James J. Dolan had become a partner, had attached for a store bill. Dolan was married to Caroline Fritz, an aunt of Mrs. Ferguson.

When a sheriff's deputy and posse rose out to take possession of the cattle, they encountered Tunstall who opened fire. The posse ordered the Englishman to stop shooting. He turned and rode away but continued firing. The posse first shot Tunstall's horse, and as further shots were exchanged the Englishman was killed. The women emphasize that the posse had been sent out to possess cattle for money due the company and that the law was on the company's side.

(Tunstall was killed on February 18, 1878. The posse had been sent by Sheriff Brady and was led by J.B. Matthews, a deputy. At that time Dolan had acquired control of the Murphy firm and it was known as the J.J. Dolan & Co. At the beginning of the war, Major Murphy, a very ill man, went to Santa Fe, and died there in October, 1878. Billy the Kid was a friend of Tunstall, and it is generally accepted that the Kid's avenging of the Englishman's death touched off the shooting war. Not long after the death of Tunstall, the Kid killed Sheriff Brady from ambush. By July 19 of that year, McSween was dead.)

Two days before the death of Tunstall, McSween filed a petition in Probate Court, charging Emile Scholand and Charles Fritz "were wasting" the estate by bringing suit against him for monies he had collected. The petition alleged attempts to settle were rebuffed, and McSween expressed belief that suit was brought at the request of Dolan "who is striving to obtain possession of

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# State Deficit

(Continued from Page 1)

2009 directive ordering a freeze on all capital outlay projects, this state agency hereby terminates all grant or other forms of inter-governmental agreements that were entered into between this state agency and your public entity utilizing state general or severance tax bond funds for capital projects," Apodaca continued.

The letter goes on to explain that only projects in which it can be proven that there were legally binding third-party contracts in place before October 30th will be considered for funding.

"This state agency will initiate a new grant or other form of inter-governmental agreement up to the amount encumbered by such third-party contracts on or before October 30, 2009," the letter reads. "We are not voiding the legislative appropriation, but we are, as of October 30, 2009, terminating existing grant or other forms of inter-governmental agreements to address the solvency issues for FY 2010."

Local governing bodies have until November 15th to submit evidence of binding third-party contracts for appropriated projects. The state will examine those projects and the accompanying contracts to establish what projects will receive the funding that has been previously granted.

Hubert Quintana of the Southeastern New Mexico Economic Development District (SNMEDD) has scheduled an emergency meeting for representatives of local governments, water associations, school districts and non-profit organizations to receive technical assistance in working with the new requirements to prove-up the status of capital outlay projects.

The meeting will be held in the Career Training Center on the ENMU-R campus in Roswell on November

10th at 1:30 p.m. Quintana can be reached at 626-1685. Dora Batista can be reached at 624-6131. Both can answer questions regarding the November 10th meeting.

## Lincoln Nat'l Forest Christmas Tree Permits Are Now on Sale

Beginning November 2, the Lincoln National Forest has Christmas Tree permits for sale at a cost of \$5 each, one per household. The permits are available for purchase in person through December 24, or by mail now until December 11.

Any live evergreen tree up to ten feet in height can be cut down or dug-up, in the Smokey Bear, Sacramento or Guadalupe Ranger Districts as designated by a map accompanying the permit. Please be considerate (and legal) and do not cut trees on private lands within Wilderness areas or District Ranger Office locations.

You may purchase a permit at all Lincoln National Forest Offices. All sales are final.

For more information on the Christmas Tree program, contact the Smokey Bear Ranger District Office at (575) 257-4095, Sacramento Ranger District Office at (575) 682-2551, Guadalupe Ranger District Office at (575) 885-4181, and the Supervisor's Office at (575) 434-7200.

For more information about the Lincoln National Forest, please review our website at: [www.fs.fed.us/r3/lincoln](http://www.fs.fed.us/r3/lincoln)

With Pride We Say ...

THANK YOU VETERANS for our FREEDOM!

## Poling Sites Changed ...

(Con't. from P. 1)

of miles west of the Tinnie fire station," Maddox said. "I don't think it will cause a problem for any of our voters in that area."

All other voting locations in the county will remain unchanged. The board of county commissioners approved Maddox's recommendations unanimously.

## Three Lincoln County Students Enrolled As Freshmen at ENMU

Three Lincoln County students are enrolled as new freshmen at Eastern New Mexico University (ENMU) in Portales.

Two Carrizozo students are Troy Koroscil and Mark LeBlanc and Corona student is Clint Cogdill.

ENMU has a record enrollment of 4,685 this fall. The previous record of 4,342 in the fall of 1972 had stood for 37 years. Among the record enrollment are 627 new freshmen, a 10.4 percent increase over the 2008 fall semester.

ENMU offers over 70 majors leading to associate, bachelor and master degrees.

For more information, call 1-800-FOR-ENMU (562-2178 local ly), or click [www.enmu.edu](http://www.enmu.edu) <http://www.wenmu.edu/>

# C'zozo Grizzly Bulletin

Kindergarten - 5th grade students were host to a presentation by members of the Carrizozo Volunteer Fire Department. Students received valuable information about the duties of firefighters along with educating students about fire safety. Firefighters taking part in the presentation were Walter Hill, Evaristo and Brandace Baca, Kenny Vega, Jr. and David LaFave. Each student received a 1st Alert smoke and fire alarm hat, safety brochure, certificate, pencil, and badge.

The Lady Grizzly volleyball team won the District Championship Saturday afternoon by beating Mountainair 3 matches to 0. Voted to the All-District 1st team were Alexa Borowski, Tessa Hendricks, Betsy Solis, Lena Reyes and Ashley Ventura. Jordan Hill and Shayna Zamora were honorable mention.

Jenna Schartz placed 1st in the District Cross Country Championship, and Lauren Smith placed 10th. Both girls will be compete in the State Cross Country meet in Rio Rancho -- 8:00 am.

Friday, November 6 -- Lady Grizzly volleyball team will host Valley Christian in Regional competition.



## The White Oaks Community Church heartily welcomes You!

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Photographers should watch for elk, mule deer and the occasional bear and cougar.

All are welcome!

# 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	JVV 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	JVV B/G
Dec. 11	4:00 pm	Magdalena/Home	JVV 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	JVV B/G
Jan. 16	4:00 pm	Mescalero/Home	JVV B/G
Jan. 19	4:00 pm	Ruidoso/Home	JVV B
Jan. 22	4:00 pm	Mescalero/Away	Mid B/G
Jan. 23	1:00 pm	Cloudcroft/Away	JVV B/G
Jan. 26	4:00 pm	Corona/Home	JVV B/G
Jan. 29	4:00 pm	Vaughn/Home	JVV 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	JVV B/G
Feb. 9	4:00 pm	Mountainair/Home	JVV B/G
Feb. 11	4:00 pm	Vaughn/Away	JVV B/G
Feb. 13	4:00 pm	Corona/Away	JVV B/G
Feb. 16	4:00 pm	Mescalero/Away	JVV B/G
Feb. 18	4:00 pm	Cloudcroft/Away	JVV B/G
Feb. 22-27	TBA	State Tournament/Week-End	V B/G
Mar. 1-6	TBA	State Tournament	V B/G
Mar. 9-13	TBA	State Tournament	V B/G

\*District Games



Always Be  
Fire Safe

Support Our Local  
Firefighters and EMTs!

**THOUGHTS**

From the Editor's Desk

**Veteran's Day November 11th**

By Ruth Hammond

Next Wednesday is a federal holiday, one that might not receive as much attention as it should. It is Veteran's Day, which was originally Armistice Day to commemorate the signing of the Armistice on the 11th hour of the 11 day of the 11th month of the year to end World War I. It is also a day that should be kept a federal holiday to remind people to honor veterans.

And whether you agree with the conflicts that are going on around the world, you should respect the veterans who have served proudly through the years. It is their dedication that allows you to have the freedoms you take for granted. Most of us have had someone in our family serve in the military or in the merchant marines or possibly in a civilian position that was important to the effort to preserve freedom.

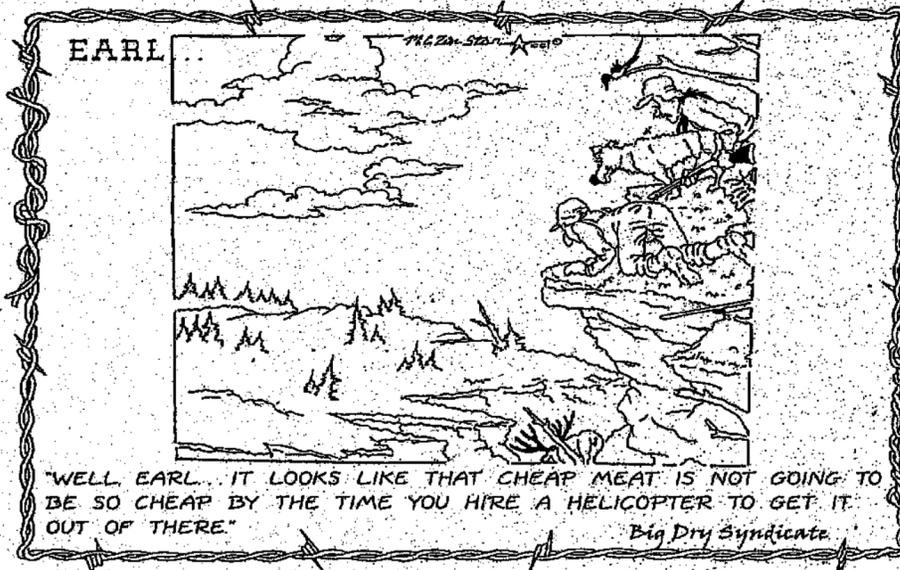
The arc numerous tales told of how men fought bravely and unselfishly and some received medals for their valor. Others are unsung heroes and their stories will remain untold. However, they did serve and they left their homeland to fight battles in areas around the world. The best way to thank them for the sacrifices they made is to honor them, not just on Veteran's Day but every day. It would be nice if you would say a silent prayer at least once a day every day for the things they did for you and yours.

It is easy to get busy and forget that not everyone has the opportunity to sleep in a bed inside a building or to have food daily. These are things we tend to take for granted. A simple "Thank You" would be sufficient, no one needs to hear what you say. It would also be nice if you listed things that make your life easier and realize that these are bonuses that you have because of what veterans did for you years ago.

Of equal importance is to teach youngsters that they should honor veterans. Some people don't know how many lives were lost at Pearl Harbor but they can tell about how horrible the atomic bombs were. They are unaware that sacrifices were made by men and women to preserve our way of life. These facts should be taught to the youngsters to help them know that freedom is earned, it is not free gratis.

Next Wednesday is a special day and please take one moment to say "Thank You" and honor the people who didn't know your name or where you live but they fought for your right to be. You are because of what they did, many giving their lives for you. We will never be able to repay the veterans but we should honor them on their special day, Veteran's Day.

**Editorials/Opinion & Other Stuff**



**\* Inside the Capitol**

By Jay Miller, Syndicated Columnist

SANTA FE -- The parade of Gov. Bill Richardson's department secretaries has begun. Each tells a story of what a 7.6 percent cut will do to the governmental services they provide.

Most have been a little to a lot over the top. But remember, these agencies sustained a four percent cut from the 2009 Legislature which ended last March. And each will be in for more cuts come the 2010 Legislature beginning in January.

Lawmakers are squealing about the scare tactics but one purpose they do fulfill is providing the public a picture of what is at risk either now or after the 2010 Legislature.

Much was said about how many legislators didn't comprehend the extent to which state government had to be cut during the special session. Now the public is learning the extent of those cuts and the cuts to come.

Of course, the cuts to state agencies had to be extra big because the governor wanted to leave education alone. That angered many legislators, including Senate Finance Committee Chairman John Arthur Smith, a Deming Democrat, who said, "That's what the governor gets when he walks the plank for education."

Gov. Richardson also wanted no tax cuts. The majority of lawmakers were thrilled about that but that made the executive agency cuts have to be even deeper.

The governor was counting on much of the deficit being made up with unused capital outlay money. But the Legislature put a stop to that. On the final day of the special session, an Albuquerque Senator managed to tack on an amendment saying next January's regular session would at least consider transferring up to \$150 million of unused pork into the general fund.

That was the vote on which Lt. Gov. Diane Denish broke a tie. The Senate leadership was livid but has now transferred its anger to Gov. Richardson, who subsequently froze that \$150 million so it doesn't get spent before January.

Now Senate leaders have changed their tune and say they were planning to transfer the \$150 million to the general fund in January anyway so there was no good rea-

son for the governor's action.

Capital outlay "pork" is likely to be even more controversial in the 2010 Legislature than tax increases. Reportedly there is over \$1 billion in capital outlay funds sitting unused. But capital outlay is the Holy Grail of nearly every legislator.

They will do anything to get it and keep it because they believe pork is what keeps getting them reelected. They take great pride in pointing to a building, park or stretch of highway as being the bacon they brought home. Even better is to get one's name on a project. Then one doesn't have to point. Everyone knows pointing is impolite.

Pork comes from three sources. General fund money that otherwise could be used for ongoing governmental activities, severance taxes and bond issues approved by voters in November elections.

It shouldn't surprise you to learn that capital outlay projects voted

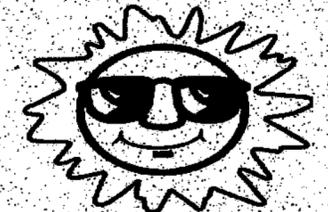
on in bond elections are for popular projects such as school buildings, senior centers and public safety projects.

Projects financed with general fund or severance tax money likely would never survive a statewide vote of the people.

Severance taxes paid by the oil and mining industries are recurring revenues. The amount varies depending on the price of the oil, gas and minerals extracted from New Mexico soil but there always will be a good stream of income.

That means it would be possible to use severance taxes for operational expenses without running into the argument that it is one-time money.

So two of the sources of pork could be used to plug the big hole in our budget. That still would leave bond issues approved by voters to finance capital outlay projects -- as long as they are approved by voters.



**WEATHER REPORT**

by JEFF HAMMOND

The sunny and clear skies will be major factors in contributing to the cold nighttime temperatures Lincoln County will be experiencing this upcoming week. The clear skies will allow the ground heat that is collected during daylight hours to quickly escape into the atmosphere once the sun goes down.

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

Thursday, Nov. 5, the 309th day of 2009

Sunny, with a high near 71, mild south winds between 5 and 10 mph, night: Clear, with a low around 35, very mild south winds around 5 mph.

Friday, November 6 Sunny, with a high near 72, night: Clear, with a low around 37.

Saturday, November 7 Sunny, with a high near 73, night: Mostly clear, with a low around 37.

Sunday, November 8 Mostly sunny, with a high near 68, night: Partly cloudy, with a low around 34.

Monday, November 9 Mostly sunny, with a high near 57, night: Partly cloudy, with a low around 28.

Tuesday, November 10 Mostly sunny, with a high near 61, night: Partly cloudy, with a low around 29.

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

Thursday, Nov. 5, the 309th day of 2009

Sunny, with a high near 64, mild south winds around 5 mph, night: Clear, with a low around 33, southwest winds between 5 and 10 mph.

Friday, November 6 Sunny, with a high near 67, night: Clear, with a low around 34.

Saturday, November 7 Sunny, with a high near 65, night: Mostly clear, with a low around 34.

Sunday, November 8 Mostly sunny, with a high near 60, night: Partly cloudy, with a low around 29.

Monday, November 9 Mostly sunny, with a high near 53, night: Partly cloudy, with a low around 25.

Tuesday, November 10 Partly sunny, with a high near 56, night: Partly cloudy, with a low around 25.

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

The New Mexico Highways Department has developed a new toll free number for up to the hour road constructions/ conditions information. Just dial 511, listen to the options and follow the directions.

You can also get up to the minute, in-depth, construction updates by logging in to [www.nmroads.com](http://www.nmroads.com) for any area of the state.

**VETERANS'S DAY**

Wednesday, Nov. 11th

**Improved Flood Insurance ...**

(Continued from Page 1)

ty agreed to go into this, but we did it because the state passed a law that all governmental entities that hadn't (updated flood plain maps) should. It's good particularly for people that have mortgages," Parks said.

Temple added that a lot of areas that were not previously mapped for flood plains, like Nogal, now are.

**COMMUNITY THANKSGIVING DINNER**

Thursday, November 12  
11:00 am to 1:00 pm

Pickup and Delivery Available

Donations Accepted

**TRINITY UNITED METHODIST CHURCH**

10th Street and D Avenue  
CARRIZOZO

648-2893

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**NOTICE**

The Lincoln County Thanksgiving issue will be published a day early -- Wednesday, Nov. 25th.

**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.

# SHERIFF'S REPORT

**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.

**NOTICE OF SALE**

NOTICE IS HEREBY GIVEN that on December 2, 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, Shautia 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 Babington 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 5, 12, 19 and 25, 2009.

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

**October 13**  
6:42 p.m. Alarm reported at location on Cora Dutton Road in Capitan, deputy dispatched.

9:02 p.m. Medical call for person sitting in car at mile marker 303 on Hwy 70 in Hondo, ambulance dispatched.

9:08 p.m. Medical call at residence on Hunter Lane in Alto, Advanced Life Support (ALS) ambulance and deputy dispatched.

9:58 p.m. Suspicious activity reported at mile marker 114 on Hwy 54 south of Carrizozo, deputy dispatched.

**October 14**  
7:19 a.m. Fire alarm reported at Capitan elementary school, fire units dispatched.

7:24 a.m. Dog reported running loose near mile marker 283 on Hwy 70 in Hondo, deputy dispatched.

8:08 a.m. Medical call at location on Pine Lodge Road in Capitan, ambulance dispatched.

9:36 a.m. Warrant service at residence on Sun Valley Trail in Alto, deputy dispatched.

10:41 a.m. Medical call at residence on Sun Valley Road in Alto, ALS ambulance and deputy dispatched.

11:44 a.m. Accident reported at mile marker 72 on Hwy 380 in Carrizozo, Carrizozo

emergency units and police dispatched.

4:02 p.m. Welfare check requested at residence on Patsy Drive, deputy dispatched.

5:11 p.m. Temporary Restraining Order (TRO) violation resulting in arrest at residence on F Avenue in Carrizozo, police dispatched.

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

10:05 p.m. Medical call at residence on Adobe Avenue in Carrizozo, ambulance dispatched.

**October 15**  
8:07 a.m. Medical call/Death reported at residence on Nogal Canyon Road in Nogal, ambulance and deputy dispatched.

8:09 a.m. Civil dispute reported at residence on West Lobo in Capitan, police dispatched.

9:56 a.m. Alarm reported at location on John West Lane in San Patricio, deputy dispatched.

12:28 p.m. Civil dispute reported at residence on Reynolds Circle in Palo Verde, deputy dispatched.

1:07 p.m. Fire reported at location on Hwy 48 in Capitan, Bonito fire units and deputy dispatched.

6:01 p.m. Verbal assault reported at location on Hwy 54 in Carrizozo, police dispatched.

11:33 p.m. Motorist assistance requested at location on Hwy 380 in Capitan, deputy dispatched.

**October 16**  
4:17 a.m. Medical call at residence on Manfor Road in San Patricio, ALS ambulance dispatched.

7:21 a.m. Funeral escort requested at St. Jude Church in Hondo, deputy dispatched.

8:20 a.m. Medical call at residence on G Avenue in Carrizozo, ambulance dispatched.

9:58 a.m. Medical call at location on Fort Stanton Road 1 Fort Stanton, ALS ambulance and deputy dispatched.

10:37 a.m. Dog reported running loose on Cedar Creek Road in Ruidoso, deputy dispatched.

12:59 p.m. Dog reported running loose on Hwy 48 in Capitan, police dispatched.

1:59 p.m. Domestic battery reported at location on Steele Avenue in Corona, deputy dispatched.

7:41 p.m. Fire reported at mile marker 86 on Hwy 380 in Carrizozo, Carrizozo fire units dispatched.

7:42 p.m. Dog reported running loose on Hwy 48 in Alto, deputy dispatched.

7:58 a.m. Larceny/theft reported at location on Calle la Placita in Lincoln, deputy dispatched.

9:47 p.m. Disturbance reported at location on Ruth Road in Bonito, deputy dispatched.

**October 17**  
12:00 a.m. Accident reported on Hwy 48 in Alto, deputy dispatched.

11:26 a.m. Dog reported running loose on Aspen in Carrizozo, police dispatched.

2:14 p.m. 911 Hang-up from residence on Crestview in Capitan, police dispatched.

4:39 p.m. Dog reported running loose near 11th and E Avenue in Carrizozo, police dispatched.

4:46 p.m. Report of shots fired north of

Bancroft Road in Capitan, deputy dispatched.

5:48 p.m. Disturbance/family dispute reported at location on Hwy 380 in Capitan, deputy dispatched.

8:12 p.m. Traffic hazard reported at mile marker 3 on Hwy 220 in Alto, deputy dispatched.

9:04 p.m. Suspicious activity by person(s) in vehicle reported on Fort Stanton Cave Road, deputy dispatched.

9:35 p.m. Children Youth and Family Department (CYFD) referral at location on Steele Street in Corona, deputy dispatched.

10:12 p.m. Disturbance reported at location in Alto, deputy dispatched.

**October 18**  
7:54 a.m. CYFD referral at residence on Reynolds Circle in Palo Verde, deputy dispatched.

10:42 a.m. Welfare check requested at loca-

tion on Cottage Grove in Alto, deputy dispatched.

10:44 a.m. Civil dispute reported at residence on B Avenue in Carrizozo, police dispatched.

11:03 a.m. Medical call at residence on D Avenue in Carrizozo, ambulance dispatched.

12:49 p.m. Warrant service at residence on Reynolds Circle in Palo Verde, deputy dispatched.

3:35 a.m. Police presence/peacekeeping requested at mile marker 280 on Hwy 70 in Hondo, deputy dispatched.

4:38 p.m. Burglary in progress reported location on High Mesa in Alto, deputy dispatched.

10:05 p.m. Traffic hazard reported behind Carrizozo post office, police dispatched.

**October 19**  
12:26 a.m. Motorist assistance requested at mile marker 298 on Hwy 70 in Hondo,

(Continued on Page 6)

## 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,

vs. 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, 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:

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° 13' 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 228 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 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 \$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 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  
P632148

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

# Lincoln County CHURCH DIRECTORY

**MOUNTAIN MINISTRY PARISH  
SIERRA BLANCA PRESBYTERY  
NOGAL PRESBYTERIANA CHURCH**

E.W. "Bo" Lewis, Pastor  
Sunday School . . . 10:00 a.m.  
Worship . . . 11:00 a.m.

**RUIDOSO DOWNS  
FIRST SOUTHERN BAPTIST CHURCH**

361 East Hwy #70  
Ruidoso Downs, NM 88346  
575-378-4611  
Dr. Randy Widener PhD Sr. Pastor  
8:00 a.m. . . . Early Bird Service  
9:00 a.m. . . . Breakfast  
9:30 a.m. . . . Sunday School  
11:00 a.m. . . . Traditional Services  
6:00 p.m. . . . Preaching/Bible Study  
West Community Dinner . . . 6:30 p.m.  
Kids Activities . . . Wed. 5:30 p.m.

**ANCHO COMMUNITY  
PRESBYTERIAN CHURCH**

Worship . . . 9:00 a.m.  
Sunday School . . . 10:00 a.m.

**CORONA UNITED  
PRESBYTERIAN CHURCH**

Sunday School . . . 10:00 a.m.  
Worship . . . 11:00 a.m.

**CARRIZOZO FIRST BAPTIST CHURCH**

Hayden Smith, Pastor  
514 10th Avenue  
648-2968 (Church) or 648-2107  
Sunday School . . . 9:45 a.m.  
Worship Service . . . 10:55 a.m.  
Sunday Evening . . . 6:00 p.m.  
AWANAS . . . 6:00 p.m. Wednesday  
(September - April)

**CARRIZOZO ASSEMBLY OF GOD**

Corner of 13th and C Avenue  
Barbara Bradley, Pastor  
Children's Ministry and Nursery Available  
Worship Service . . . 10:00 a.m.  
Youth Service 6:00 p.m.

**SANTA RITA  
CATHOLIC COMMUNITY**

Carrizozo / Capitan / Corona  
Fr. Franklin, Pastor  
213 Birch, Carrizozo, NM  
648-2853  
Daily Mass / Santa Rita . . . 8:30 a.m.  
Saturday Services  
Capitan Sacred Heart . . . 5:00 p.m.  
Carrizozo Santa Rita . . . 7:00 p.m.  
Sunday Services  
Capitan Sacred Heart . . . 8:30 a.m.  
Carrizozo Santa Rita . . . 10:30 a.m.  
Corona St. Theresa . . . 1:30 p.m.

**CARRIZOZO ST. MATTHIAS  
EPISCOPAL CHURCH**

Corner of E Ave. and 6th  
Rev. Canon Peter Sandersen,  
Priest in Charge  
Holy Eucharist . . . Sunday, 9:30 a.m.

**WHITE OAKS COMMUNITY CHURCH**

(Non-Denominational)  
Sunday Worship . . . 11:00 a.m.

**ANGUS CHURCH OF THE NAZARENE**

Serving All of Lincoln County  
Rick Hutchingson, Pastor  
336-8032  
SW Corner of Hwy 48 & Hwy 37 Junction  
(Between Ruidoso and Capitan)

**Sunday**  
Sunday School for All Ages . . . 9:30 a.m.  
Morning Worship &  
Children's Church . . . 10:30 a.m.  
Family Worship . . . 6:00 p.m.

**Wednesday**  
Community Dinner . . . 6:00 p.m.  
Adult Classes, Youth Games and Study,  
Kids Klub . . . 7:30 p.m.

**UNITED METHODIST CHURCHES**

1000 D Avenue, Carrizozo  
648-2893 or 648-2846  
Johanna Anderson, Pastor

Sunday School All Ages . . . 10:00 a.m.  
Worship Service 11:00 a.m.  
Choir Practice . . . Tuesdays 6:30 p.m.  
United Methodist Women  
Third Wednesday of Month 2:00 p.m.  
Fellowship Dinner  
Fourth Sunday of Month . . . 12:30 p.m.

**CAPITAN**

Adult Sunday School . . . 8:30 a.m.  
Worship Service 9:15 a.m.  
Children's Sunday School 9:30 a.m.  
Fellowship Time . . . 10:15 p.m.  
Adult Sunday School . . . 11:00 a.m.  
Choir Practice Tuesday . . . 7:00 p.m.  
Fellowship Dinner Third Sunday of Month  
Handmaidens Ecumenical Woman's Group  
1st and 3rd Tuesday . . . 9:30 a.m.

**CAPITAN CHRIST COMMUNITY  
FELLOWSHIP**

Inter-denominational  
514 Smekey Bear Blvd.  
Ed Vinson, Pastor  
Sunday School . . . 9:30 a.m.  
Sunday Morning Worship . . . 10:30 a.m.

**CAPITAN CHURCH OF CHRIST**

5th and Lincoln  
Leslie Barwood, Minister  
Sunday Bible Study . . . 10:00 a.m.  
Worship Service . . . 11:00 a.m.  
Evening Worship . . . 6:00 p.m.  
Wednesday Bible Study . . . 6:00 p.m.

**FIRST BAPTIST CHURCH OF CORONA**

Cal West, Pastor / 849-7975  
Sunday School . . . 10:00 a.m.  
Worship Service . . . 11:00 a.m.  
Wednesday Bible Study . . . 7:00 p.m.  
Fellowship Dinner  
(First Sunday of Month)

**GRACE FELLOWSHIP CHURCH**

Corona, New Mexico  
Terry Aiello, Pastor / 849-0105  
Worship . . . 9:50 a.m.

**CLAUNCH COMMUNITY CHURCH**

Tony Scaccia, Minister 849-1402  
Second Sunday of Each Month . . . 9:00 a.m.

# Sheriff's Report

(Continued from Page 6)

deputy dispatched.  
 8:11 a.m. Public relations at location on Calle la Placita in Lincoln, deputy dispatched.  
 10:10 a.m. Medical call at location on Torrance Road in Corona, ambulance dispatched.  
 12:50 p.m. Medical call at residence on 10th Street in Carrizozo, Advanced Life Support (ALS) ambulance dispatched.  
 1:35 p.m. Welfare check resulting in agency assistance requested at residence on corner of Fourth and Nogal in Capitan, police and deputy dispatched.  
 3:48 p.m. Accident reported at intersection of Hwy 37 and Hwy 48 in Bonito, Bonito emergency units and ALS ambulance dispatched.  
 4:44 p.m. Run away juvenile reported at location on Smokey Bear Boulevard in Capitan, police dispatched.  
 5:42 p.m. Information report at Lincoln County Sheriff Office (LCSO) located in the Lincoln County Courthouse (LCC) on Central Avenue in Carrizozo, deputy dispatched.  
 6:37 p.m. Information report at loca-

tion on Calle la Placita in Lincoln, deputy dispatched.  
 8:29 p.m. Accident reported at location on Paso Monte in Alto, deputy dispatched.  
**October 20**  
 12:00 a.m. Stolen or lost credit card reported at Carrizozo Airport, deputy dispatched.  
 6:01 a.m. Welfare check requested at residence on Birchwood in Alto, deputy dispatched.  
 8:59 a.m. Welfare check requested at residence on Second Street in Capitan, police dispatched.  
 9:29 a.m. Traffic

hazard reported at intersection of Hwy 37 and Hwy 48 in Bonito, deputy dispatched.  
 9:40 a.m. Medical call at residence on West Fourth Street in Capitan, ambulance dispatched.  
 10:36 a.m. Dog reported running loose on Screaming Eagle in Alto, deputy dispatched.  
 1:08 p.m. Alarm reported resulting in agency assistance requested at location on Laughing Horse in Capitan, police and deputy dispatched.  
 4:11 p.m. Shots fired reported at Hondo schools playground in Hondo, deputy dispatched.  
 4:37 p.m. Welfare check requested at residence on Canaan Trail resulting in medical call in Bonito, Bonito emergency units and deputy dispatched.  
 5:29 p.m. Traffic offenses reported at mile marker 75 on Hwy 380 n Capitan, deputy dispatched.  
 5:57 p.m. Warrant service at Lincoln County Detention Center (LCDC) on Air Port Road in Carrizozo, deputy dispatched.  
 6:10 p.m. Fire reported on Hwy 54 near White Oaks Road turn off, Carrizozo fire units and deputy dispatched.

**October 21**  
 6:21 a.m. Medical call at Ladder Lane in Capitan, police and ambulance dispatched.  
 3:32 p.m. Disturbance/family dispute reported at residence on West Grandview in Capitan, police dispatched.  
 8:25 p.m. Disturbance/family dispute reported at residence on Glencoe, deputy dispatched.  
 9:14 p.m. Threats reported at location on White Cat Road in San Patricio, deputy dispatched.  
 10:01 p.m. Disturbance reported at location on West Grandview in Capitan, police dispatched.

**October 22**  
 9:12 a.m. Civil dispute reported at location on Hwy 70 in Hondo, deputy dispatched.  
 10:31 a.m. Civil dispute reported at location in Glencoe, deputy dispatched.  
 10:34 a.m. Welfare check requested at residence on Loma Grande in Nogal, deputy dispatched.  
 11:08 a.m. Medical call at LCC on Central Avenue in Carrizozo, ambulance dispatched.  
 11:14 a.m. Welfare check requested at residence on E Avenue in Carrizozo, police dispatched.  
 11:24 a.m. Vandalism reported at location in Tanbark Canyon in Bonito, deputy dispatched.  
 5:21 p.m. Agency assistance requested at location on Ranger Road in Nogal, deputy dispatched.  
 5:27 p.m. Fire assistance requested at location in Fort Stanton, Bonito fire units dispatched.  
 8:59 p.m. Traffic offenses reported at location in Capitan, police dispatched.  
 10:37 p.m. Medical call at residence on Snell Road, east of Carrizozo, Carrizozo ambulance and deputy dispatched.  
 11:37 p.m. Medical call at residence on El Paisano in Capitan, ambulance dispatched.

**October 23**  
 6:51 a.m. Medical call at residence on Hwy 246 in Capitan, ambulance dispatched.

## DISTRICT COURT CALENDAR

The Calendar for District Judge Karen Parsons

**Wednesday, October 28**  
 8:30 a.m. Kay Welch v. Anderson Freeman visitors et al; CV-2008-234(Sch Conf)(Valles/Chapman)  
 9:00 a.m. Keith Ditmore v. Bob Sleeper; CV-2007-469(Merits)Rose/Pro Se  
 10:30 a.m. JQ-2009-06(App. for use Immunity)Martwick/Kwasniewski  
 3:00 p.m. J. Tyron Riordan CR-2007-80/113/193(Motion/Def Req. to be transported to Law Library)DA/ProSe/Walker

**Thursday, October 29**  
 8:30 a.m. Mike Yeager v. Sarah Whittaker;(Merits)DM-2009-01 Gibson/McSwane  
 1:30 p.m. Angela Robinson v. David Robinson; DM-2009-89(Pet Otsc)(Resp Otsc)S-Cook/ProSe  
 4:00 p.m. James Sainz v. Kendra King; DM-2006-157(Custody Issues)ProSe/S-Cook  
 Darrell Brantley  
 1:15 p.m. DV-2009-54 Mtn/Alleging Violation

**Friday, October 30**  
 Jury Trial 8:30 a.m. Mario Madrid; LR-2009-06(Trial De Novo)Newton/Rose

**Monday, November 2**  
 8:30 a.m. Warren Malkerson v. Kermit Swedeon Jr; CV-2008-340 (Presentment of Def. Judgment & Damages)Gibson/ProSe  
 9:00 a.m. Windsor Laceywell et al v. Bill Campbell et al; CV-2007-463(Merits)R. Haw/Grueninger  
 12:00 p.m. Judges Brown Bag  
 4:00 p.m. Mike Skeen et al v. Bob Boyles; CV-2002-134(Atty Fees)D. Stevens/M. Stevens

**Tuesday, November 3**  
 Judge Parsons In Ruidoso  
 8:30 a.m. Christopher B. JR-2009-15(Cont. of Mtn Suppress)  
 9:00 a.m. Juveniles  
 First Appearance  
 Tyler H; JR-2009-46  
 Dawna K; JR-2009-45  
 Change of Plea  
 Wyatt N.; JR-2009-36/40  
 Sabin G; JR-2008-59 (PT/COP)  
 Hilee D.; JR-2009-37  
 Ellis S; JR-2009-34

Status  
 Arielle L.; JR-2009-01  
 Dispositions  
 Jared S.; JR-2009-39  
 Stephen C.; JR-2008-45 JR-2009-13 JR-2009-29 (plea)  
 Laramy B.; JR-2009-41  
 Bench Trial - Uriel C; JR-2009-21  
 12:00 p.m. Advisory  
 2:00 p.m. LCJJB  
 3:00 p.m. Staffing  
 4:30 p.m. Drug Court  
 Darrell Brantley  
 10:00 a.m. DV-2009-82  
 11:00 a.m. DV-2009-83

**Wednesday, November 4**  
 8:30 a.m. Glenda Perry v Hamid Feroze, MD; CV-2007-470 (Sch Conf)  
 Sharp/Toulouse/Travers  
 9:00 a.m. Beauvais v. Black Blk et al; CV-2007-336 (Bench Trial)Beauvias/C. Hawthorne  
 1:15 p.m. Filbert Herrera v. MVD; CV-2009-332 (Merits)Pro Se /Belles  
 4:00 p.m. Steve Martin v. Eric & Vickie Lopez; CV-2009-347 (TRO)ProSe/ProSe

**Thursday, November 5**  
 8:15 a.m. Telephonic - Deutsche Bank v. Estate of Merta; CV-2009-328(JI Req. by Crt)Snyder  
 8:30 a.m. Glynis Racine v. Village of Capitan & Lilly Wood; CV-2008-103 (MSJ)Leonard/Cook  
 10:30 a.m. Dawn Salcido v. Jonathan Warren; DM-2009-85 (Default)(Kallunki/ProSe)

11:00 a.m. Stephen Waites v. Mary Arenivas; DM-2009-49 (Merits) ProSe/ProSe  
 Darrell Brantley - No hearings scheduled

**Friday, November 6**  
 Judge Parsons vacation

**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, C1, E, G3 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 Nameing 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 between the hours of 7:00 AM and 5:30 PM Monday through Thursday.  
 Village of Capitan  
 Kay Strickland, CMC  
 Village Clerk  
 Published in the Lincoln County News on November 5 and 12, 2009.

**THE TASK AHEAD OF YOU, IS NEVER AS GREAT AS THE POWER BEHIND YOU.**

**BE STRONG IN THE LORD, AND IN HIS MIGHTY POWER. EPHESIANS 6:10**

"Lord, hold our troops in your loving hands. Protect them as they protect us. Bless them and their families for the selfless acts they perform for us in our time of need. Amen"

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**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,

v.  
 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.

**LEGAL NOTICE**

STATE OF NEW MEXICO  
 COUNTY OF LINCOLN  
 TWELFTH JUDICIAL DISTRICT  
 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 & Stawiariski  
 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  
 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 & Stawiariski  
 999 18th St., Suite 2201, Bin 1  
 Denver, CO 80202  
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 Great Weekend!!*

# Looking Back . . .

(Continued from Page 3)

said monies and who is not entitled thereto as petitioner believes." (The suit apparently referred to a court order attaching McSween's property.)

McSween charged further that Dolan on January 19, 1878, "sold, assigned and mortgaged all his property" to Thomas B. Catron. McSween also charged that Dolan tried to assign all interest "due and owing" to the Fritz estate firm, the later firm of L.G. Murphy & Co. (Catron, a power in New Mexico politics, has sometimes been called a silent partner in the Lincoln County War.)

At the time of the war Lincoln was the county seat. Records in the courthouse in Carrizozo, the county seat since 1913, begin with the Probate Court documents in September, 1876. Brady's petition for resignation as administrator stated that the Merchants Mutual Life Insurance Company of the City and State of New York, which has insured Col Fritz for \$10,000, had gone into bankruptcy about the time he had been appointed administrator in 1875.

"Being far from New York," Brady's petition read, "I authorized Levi Spiegelberg of that city, with the concurrence of this honorable court, to collect, compromise and discharge the amount of said policy as my agent and attorney. Since then, said Spiegelberg wishes to be appointed administrator for the State of New York; unwilling to bear the responsibility of accepting or refusing this request, I leave the matter to the sound discretion of this court."

Charles Fritz was named administrator to succeed Brady.

On August 1, 1877, McSween filed a petition asking to be released as surety on administrator's bond. The petition stated that Dolan was co-surety, and that Emile Scholand and Charles Fritz were administratrix and administrator of the Emil Fritz estate.

In his petition McSween stated: "Your petitioner has collected the amount of a policy of insurance on the life of said deceased (Emil Fritz) for ten thousand dollars in the Merchants Life Insurance Company of the City and State of New York, No. 1058, dated July 12, A.D. 1871, and that he is satisfied from information from reliable sources that if said money is paid to the said Emile Scholand and Charles Fritz or either of them, such will be misappropriated by them, leaving said bondsmen or sureties to make good their defalcations and maladministration."

McSween asked the court to order an account of the administration of the estate. He also asked to be relieved from responsibility as bondsman and that the bond be declared null and void.

On July 8, 1880, nearly two years after the death of McSween, Charles Fritz replied to a citation served on him to report proceedings in the case. The reply in Lincoln County Probate Court stated, in part:

"A suit was instituted and is now pending in District Court concerning the interest of said Emil Fritz in said partnership and also in reference to a life insurance of \$10,000 that said Emil Fritz had on his life and was collected and kept by A.A. McSween, deceased. That no assets have ever come to my hands from said estate and all the interest involved in said estate are now in litigation in District Court.

The final document in the case is an administrator's report filed on July 9, 1884. Charles Fritz stated that from the time of his appointment to January 2, 1883, he did not receive one dollar's worth of property. On November 12, 1881, (cq) he obtained judgment for \$3,300 in District Court as administrator.

The sheriff levied on what was known as the Tunstall store, in which McSween had been partner, and the land on which it was located. At a public sale Fritz bought the store and land for \$1,870. On February 1, 1883, he rented the building to Dolan at \$30 a month, with the provision that Dolan was to apply the rent on repairing the property. A new store was built for \$350 and repairs cost \$300. The report stated Fritz never had any funds belonging to the estate to pay bill other than the \$3,300.

That was the end of the court records. None of the proceedings gave a hint where the \$10,000 went.

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## FAST ACTION

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## RUIDOSO Living Estate SALE

Saturday, Nov. 7 Has Been Re-scheduled

for **NOV. 27, 28 and 29**

## Have A Good Day!



**A Salute to ALL of our Veterans on their day, VETERAN'S DAY WEDNESDAY, NOVEMBER 11TH. THANK YOU!!!**

### 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 unto 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@littledranted.com

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