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A JOINT RESOLUTION

RATIFYING AND APPROVING THE DONATION AND TRANSFER OF TWO TRACTS OF STATE-OWNED REAL PROPERTY THAT ARE CURRENTLY LEASED BY THE VILLAGE OF LOS LUNAS AND OTHERS FOR MUNICIPAL AND RELATED PURPOSES TO THE VILLAGE OF LOS LUNAS.

WHEREAS, the facilities management division of the general services department owns real property located at 660 Main Street, Los Lunas, New Mexico, referred to as the "Don Pasqual" real property, which real property is currently leased by the village of Los Lunas for its administrative offices, road maintenance yard and senior center and by first choice for the care of sick and indigent citizens of the village and of Valencia county; and

WHEREAS, the facilities management division of the general services department owns real property located on highway 314 in Los Lunas, New Mexico, referred to as the "Highway 314" real property, which real property is currently leased in part by the village of Los Lunas, the Los Lunas public school district and Valencia county for a park, recreational facilities, a sports complex, an animal control shelter and a road and bus maintenance compound, including numerous improvements; and

WHEREAS, Section 13-6-2 NMSA 1978 provides that upon a written determination, a state agency may sell or otherwise

1 dispose of real property by negotiated sale or donation to a
2 local public body; and

3 WHEREAS, the Don Pasqual and Highway 314 real properties
4 are not needed by the state of New Mexico for any purpose and
5 they may be donated and transferred; and

6 WHEREAS, the facilities management division of the
7 general services department has made a written determination
8 that it would be in the best interest of the state of New
9 Mexico for the state to donate and transfer the Don Pasqual
10 and Highway 314 real properties to the village of Los Lunas
11 for the continued use by the village, the Los Lunas public
12 school district and Valencia county as described in this
13 resolution; and

14 WHEREAS, as a condition of the donation and transfer of
15 the Highway 314 real property, the village of Los Lunas shall
16 provide for the Los Lunas public school district and Valencia
17 county to continue uninterruptedly their current use of the
18 Highway 314 real property; and

19 WHEREAS, Section 13-6-3 NMSA 1978 provides in pertinent
20 part that any sale, trade or lease of state property for
21 consideration of one hundred thousand dollars (\$100,000) or
22 more shall be subject to ratification and approval by the
23 state legislature; and

24 WHEREAS, in Rule 1.5.23.7 NMAC, the state board of
25 finance defines "sale, trade or lease" as any disposition of

1 real property, including donation; and

2 WHEREAS, the Don Pasqual and Highway 314 real properties
3 each separately has a value in excess of one hundred thousand
4 dollars (\$100,000); and

5 WHEREAS, the Don Pasqual real property is described as
6 follows:

7 Beginning at the Southwest Corner of the herein
8 described tract of land whence the U.S.G.S.
9 Triangulation Station "Luna-Gallup 2" bears N 16°19'29"
10 W, 1,613.88 feet, thence from said point of beginning
11 the following:
12 N 53° 34' 59" E, 583.12 feet, Thence
13 N 37° 07' 42" W, 20.00 feet, Thence
14 N 53° 34' 43" E, 266.61 feet, Thence along a curve to
15 the left, through a central angle of 36°48'30", with a
16 radius of 250.99 feet a length of 161.24 feet the chord
17 bearing of which is in N 35°10'44" E, and the chord
18 distance of 158.48 feet, Thence
19 N 16° 46' 29" E, 379.57 feet, Thence
20 S 68° 59' 23" E, 368.10 feet, Thence
21 S 22° 12' 58" W, 1,293.54 feet, Thence
22 S 26° 23' 07" W, 128.21 feet, Thence
23 S 22° 27' 51" W, 93.24 feet, Thence along a curve to the
24 right, through a central angle of 72° 36' 43", with a
25 radius of 18.35 feet, a length of 23.26 feet the chord

1 bearing of which is S 76° 11' 33" W, and the chord
2 distance of 21.73 feet, thence
3 Along a curve to the right through a central angle of
4 3°17'11", with a radius of 3,760.00 feet, a length of
5 215.67 feet, the chord bearing of which is N 48°24'52"
6 W, and the chord distance of 215.64 feet,
7 Thence
8 Along a curve to the left, through a central angle of
9 4°18'16", with a radius of 3,880.00 feet, a length of
10 291.49 feet, the chord bearing of which is N 48°55'24"
11 W, and the chord distance of 291.42 feet,
12 Thence
13 N 51° 04' 32" W, 180.41 feet, Thence
14 N 38° 55' 28" E, 30.00 feet, Thence
15 N 51° 04' 32" W, 60.00 feet, Thence
16 S 38° 55' 28" E, 30.00 feet, Thence
17 N 51° 04' 32" W, 58.37 feet to the point and place of
18 beginning; and
19 Containing 16.21 ac. more or less; and

20 WHEREAS, the Highway 314 real property is described as
21 follows:

22 Beginning at the Northwest Corner of the herein
23 described Tract of Land whence the U.S.G.S. Brass Cap
24 "Gallup-Luna 2" bears N 14° 01' 49" W, 6,538.23 feet,
25 thence from said point of beginning the following:

1 S 79° 47' 32" E, 1,099.93 feet, Thence
2 S 10° 24' 47" W, 3,496.89 feet, Thence
3 N 78° 18' 06" W, 1,124.74 feet, Thence
4 N 10° 49' 06" E, 3,467.80 feet to the point and place of
5 beginning; and
6 Containing 88.91 ac. more or less; and

7 WHEREAS, the state shall retain appropriate rights of
8 way and easements, and the donation and transfer shall be
9 subject to reservations, restrictions or easements of record;

10 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
11 STATE OF NEW MEXICO that the donation and transfer of the Don
12 Pasqual real property from the state to the village of Los
13 Lunas be and is hereby ratified and approved by the
14 legislature; and

15 BE IT FURTHER RESOLVED that the ratification and
16 approval of the donation and transfer of the Don Pasqual real
17 property be contingent upon agreement by the parties in the
18 conveyance document that, if the village of Los Lunas ever
19 decides that the real property is no longer needed for any
20 municipal purpose and should be disposed of, at the option of
21 the state and at no cost to the state, the real property
22 shall revert back to the state; and

23 BE IT FURTHER RESOLVED that the donation and transfer of
24 the Highway 314 real property from the state to the village
25 of Los Lunas be and is hereby ratified and approved by the

1 legislature; and

2 BE IT FURTHER RESOLVED that the ratification and
3 approval of the donation and transfer of the Highway 314 real
4 property be contingent upon agreement by the parties in the
5 conveyance document that, if the village of Los Lunas ever
6 decides that the real property is no longer needed for any
7 municipal purpose and should be disposed of, at the option of
8 the state and at no cost to the state, the real property
9 shall revert back to the state; and

10 BE IT FURTHER RESOLVED that copies of this resolution be
11 transmitted to the secretary of general services, the capitol
12 buildings planning commission and the mayor of the village of
13 Los Lunas.

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