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A JOINT RESOLUTION

RATIFYING AND APPROVING THE DONATION AND TRANSFER OF
STATE-OWNED REAL PROPERTY IN THE VILLAGE OF LOS LUNAS,
CURRENTLY LEASED FOR THE VALENCIA COUNTY COURTHOUSE, TO
VALENCIA COUNTY FOR THE CONTINUED OPERATION OF A COURTHOUSE.

WHEREAS, Section 34-6-24 NMSA 1978 requires that in each
county the district court shall be held at the county seat
and that each board of county commissioners will provide
adequate quarters for the operation of the district court;
and

WHEREAS, since 2008, the Valencia county district
courthouse has been located on a ten-acre tract of state real
property in the village of Los Lunas pursuant to a lease from
the state; and

WHEREAS, Section 13-6-2 NMSA 1978 provides that upon a
written determination a state agency may sell or otherwise
dispose of real property by negotiated sale or donation to a
local public body; and

WHEREAS, the district courthouse real property is not
needed by the state of New Mexico for any purpose and it may
be donated and transferred; and

WHEREAS, the facilities management division of the
general services department has made a written determination
that it would be in the best interest of the state of

1 New Mexico for the state to donate and transfer the district
2 courthouse real property to the county of Valencia for the
3 continued use as a district courthouse; and

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

9 WHEREAS, in Rule 1.5.23.7 NMAC, the state board of
10 finance defines "sale, trade or lease" as any disposition of
11 real property, including donation; and

12 WHEREAS, the district courthouse real property has a
13 value in excess of one hundred thousand dollars (\$100,000);
14 and

15 WHEREAS, the district courthouse real property,
16 consisting of ten acres more or less at the southwest corner
17 of state road 314 and Morris road in Los Lunas, New Mexico,
18 is described as follows:

19 A certain parcel of land situate within Tract 4, Harlan
20 Ranches as the same is shown and designated on the plat,
21 filed in the office of the County Clerk of Valencia
22 County, New Mexico on the 7th day of January, 1938
23 (C-15-64), also being designated as a portion of Tract
24 2B1A1, Middle Rio Grande Conservancy District Property
25 Map No. 80, situate within the San Clemente Grant,

1 Projected Section 33, Township 7 North, Range 2 East,
2 New Mexico Principal Meridian, Valencia County,
3 New Mexico, and being more particularly described by
4 metes and bounds as follows:
5 Beginning at the northwest corner of the parcel herein
6 described, a point on the westerly right-of-way line of
7 New Mexico state highway 314, as the same is shown and
8 designated on New Mexico State Highway Commission
9 Right-of-Way Map, New Mexico Project No. IN-025-3(1) 192
10 dated July 19, 1956, whence the northeast corner of said
11 Tract 4 and said Tract 2B1A1 bears N 10° 06' 00" E, a
12 distance of 20.00 feet and whence NGS Control Station
13 P423 bears N 10° 24' 06" E, a distance of 1,065.59 feet;
14 Thence, continuing along said westerly right-of-way line
15 of New Mexico State Highway No. 314, S 10° 06' 00" W, a
16 distance of 831.74 feet, to the southeast corner of the
17 parcel herein described;
18 Thence N 85° 20' 07" W, a distance of 518.79 feet, to
19 the southwest corner of the parcel herein described;
20 Thence N 11° 32' 00" E, a distance of 893.53 feet, to
21 the northwest corner of the parcel herein described;
22 Thence S 78° 28' 00" E, a distance of 494.26 feet, to
23 the northeast corner and point of beginning of the
24 parcel herein described and containing 10.000 acres more
25 or less; and

1 WHEREAS, the state shall retain appropriate rights of
2 way and easements, and the donation and transfer shall be
3 subject to reservations, restrictions or easements of record;

4 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
5 STATE OF NEW MEXICO that the donation and transfer of the
6 district courthouse real property in Los Lunas, New Mexico,
7 from the state to the county of Valencia be and is hereby
8 ratified and approved by the legislature; and

9 BE IT FURTHER RESOLVED that the ratification and
10 approval of the donation and transfer of the district
11 courthouse real property in Los Lunas, New Mexico, from the
12 state to the county of Valencia be contingent upon agreement
13 by the parties in the conveyance document that if the county
14 of Valencia ever decides that the real property is no longer
15 needed for any county purpose and should be disposed of, at
16 the option of the state and at no cost to the state, the real
17 property shall revert back to the state; and

18 BE IT FURTHER RESOLVED that copies of this resolution be
19 transmitted to the secretary of general services, the capitol
20 buildings planning commission and the board of county
21 commissioners of Valencia county. _____

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