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SENATE JOINT RESOLUTION 10

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

Michael S. Sanchez

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

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

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

6 WHEREAS, the facilities management division of the general
7 services department has made a written determination that it
8 would be in the best interest of the state of New Mexico for
9 the state to donate and transfer the district courthouse real
10 property to the county of Valencia for the continued use as a
11 district courthouse; and

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

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

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

22 WHEREAS, the district courthouse real property, consisting
23 of ten acres more or less at the southwest corner of state road
24 314 and Morris road in Los Lunas, New Mexico, is described as
25 follows:

.202708.2

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1 A certain parcel of land situate within Tract 4, Harlan
2 Ranches as the same is shown and designated on the plat,
3 filed in the office of the County Clerk of Valencia
4 County, New Mexico on the 7th day of January, 1938
5 (C-15-64), also being designated as a portion of Tract
6 2B1A1, Middle Rio Grande Conservancy District Property Map
7 No. 80, situate within the San Clemente Grant, Projected
8 Section 33, Township 7 North, Range 2 East, New Mexico
9 Principal Meridian, Valencia County, New Mexico, and being
10 more particularly described by metes and bounds as
11 follows:
12 Beginning at the northwest corner of the parcel herein
13 described, a point on the westerly right-of-way line of
14 New Mexico state highway 314, as the same is shown and
15 designated on New Mexico State Highway Commission
16 Right-of-Way Map, New Mexico Project No. IN-025-3(1) 192
17 dated July 19, 1956, whence the northeast corner of said
18 Tract 4 and said Tract 2B1A1 bears N 10° 06' 00" E, a
19 distance of 20.00 feet and whence NGS Control Station P423
20 bears N 10° 24' 06" E, a distance of 1,065.59 feet;
21 Thence, continuing along said westerly right-of-way line
22 of New Mexico State Highway No. 314, S 10° 06' 00" W, a
23 distance of 831.74 feet, to the southeast corner of the
24 parcel herein described;
25 Thence N 85° 20' 07" W, a distance of 518.79 feet, to the

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1 southwest corner of the parcel herein described;
2 Thence N 11° 32' 00" E, a distance of 893.53 feet, to the
3 northwest corner of the parcel herein described;
4 Thence S 78° 28' 00" E, a distance of 494.26 feet, to the
5 northeast corner and point of beginning of the parcel
6 herein described and containing 10.000 acres more or less;
7 and

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

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

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