

1 SENATE JOINT RESOLUTION 20

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 Pete Campos

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10 A JOINT RESOLUTION

11 AUTHORIZING THE PROPERTY COMPRISING THE VIETNAM VETERANS
12 MEMORIAL STATE PARK IN COLFAX COUNTY TO BE TRANSFERRED FROM THE
13 STATE PARKS DIVISION OF THE ENERGY, MINERALS AND NATURAL
14 RESOURCES DEPARTMENT TO THE FACILITIES MANAGEMENT DIVISION OF
15 THE GENERAL SERVICES DEPARTMENT.

16
17 WHEREAS, in 2005, the state parks division of the energy,
18 minerals and natural resources department acquired property,
19 including the Vietnam veterans memorial, from the David
20 Westphall veterans foundation, incorporated, as authorized in
21 Senate Joint Resolution 11 from the second session of the
22 forty-sixth legislature for use as a state park; and

23 WHEREAS, property that includes the Vietnam veterans
24 memorial in Colfax county is currently owned by the state parks
25 division of the energy, minerals and natural resources

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1 department and operated as a state park; and

2 WHEREAS, the state parks division of the energy, minerals,
3 and natural resources department, the veterans' services
4 department and the David Westphall veterans foundation,
5 incorporated, desire that the property be transferred from the
6 state parks division of the energy, minerals and natural
7 resources department to the facilities management division of
8 the general services department; and

9 WHEREAS, the property comprising the Vietnam veterans
10 memorial state park has a value in excess of one hundred
11 thousand dollars (\$100,000); and

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

18 WHEREAS, in 1.5.23.7 NMAC, the state board of finance
19 defines "sale, trade or lease" as any disposition of real
20 property, including donation by one governmental entity to
21 another governmental entity; and

22 WHEREAS, the property to be transferred has met the
23 requirements for property to be used as a Vietnam veterans
24 memorial and is of historical importance to the residents of
25 the state; and

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1 WHEREAS, the property to be transferred is more
2 particularly described as:

3 "All that certain parcel of land lying and being situate
4 within the Maxwell Land Grant, within Projected Section 36,
5 T26N, R15E, and Projected Section 31, T26N, R16E, N.M.P.M.,
6 Colfax County, New Mexico.

7 Commencing at the section corner common to Sections 29,
8 30, 31 and 32, T26N, R16E, N.M.P.M.; Thence S54°21'02"W, a
9 distance of 6005.47 feet to the point of beginning of the
10 herein described parcel of land; said point being the most
11 northerly corner of lands described as Tract 3 in that certain
12 quitclaim deed to David Westphall Veterans Foundation, Inc.
13 recorded in the Office of the Colfax County Clerk in Real
14 Estate Records Book 9, Page 13490, said point also being the
15 most easterly corner of Tract 4 described in the last mentioned
16 deed;

17 Thence running from said point of beginning South
18 57°44'00" East, along the northeasterly line of said Tract 3
19 and along the southwesterly line of Parcel B as shown on a plat
20 titled "BOUNDARY SURVEY PLAT FOR SALADON PROPERTIES, LLC,"
21 filed in the Office of the Colfax County Clerk in Survey Book
22 1, Page 03034, a distance of 490.36 feet to a point on the
23 northwesterly right-of-way of U.S. Highway No. 64;
24 Thence South 40°54'07" West, along said right-of-way, a
25 distance of 232.70 feet to a point on the northerly

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1 right-of-way of Onate Road;

2 Thence in a general westerly direction along the last
3 mentioned right-of-way the following courses and distances:
4 South 73°16'32" West, a distance of 179.10 feet to a point;
5 Thence along a curve to the right having a central angle of
6 21°40'15", a radius of 387.77 feet, an arc length of 146.67
7 feet and whose chord bears South 84°06'39" West, a distance of
8 145.79 feet to a point;

9 Thence North 85°03'13" West, a distance of 496.45 feet to
10 a point;

11 Thence along a curve to the right having a central angle
12 of 3°49'35", a radius of 2959.53 feet, an arc length of 197.64
13 feet and whose chord bears North 83°10'28" West, a distance of
14 197.61 feet to a point;

15 Thence North 81°15'14" West, a distance of 366.49 feet to
16 a point;

17 Thence along a curve to the right having a central angle
18 of 41°08'27", a radius of 369.19 feet, an arc length of 265.09
19 feet and whose chord bears North 60°42'50" West, a distance of
20 259.44 feet to a point;

21 Thence North 40°02'37" West, a distance of 443.49 feet to
22 a point;

23 Thence along a curve to the left having a central angle of
24 11°34'29", a radius of 537.68 feet, an arc length of 108.62
25 feet and whose chord bears North 45°48'14" West, a distance of
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1 108.44 feet to the southeast corner of Lot 9, Block 1 of Val
2 Verde Ranch Subdivision Unit Five, a plat of said subdivision
3 having been filed in the Office of the Colfax County Clerk in
4 Plat Book 4, page 25;

5 Thence North 27°37'56" East, along the easterly line of
6 said Lot 9, a distance of 259.26 feet to a point on the
7 southerly right-of-way of Country Club Road;

8 Thence in a general northeasterly direction along said
9 right-of-way the following courses and distances:

10 Along a curve to the left having a central angle of
11 19°27'51", a radius of 209.16 feet, an arc length of 71.05 feet
12 and whose chord bears South 89°42'52" East, a distance of 70.71
13 feet to a point;

14 Thence North 80°35'37" East, a distance of 231.66 feet to
15 the most easterly corner of said Country Club Road as shown on
16 the last mentioned plat;

17 Thence North 25°51'00" West, along the northeasterly end
18 of said Country Club Road and continuing along TRACT D - TRACT
19 1 as shown on the aforesaid plat titled "BOUNDARY SURVEY PLAT
20 FOR SALADON PROPERTIES, LLC" filed in the Office of the Colfax
21 County Clerk in Survey Book 1, Page 03034, a distance of 141.71
22 feet;

23 Thence North 57°48'45" East, continuing along said TRACT D
24 - TRACT 1, a distance of 273.33 feet;

25 Thence South 57°42'03" East, along PARCEL B as shown on
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1 the last mentioned plat, a distance of 1310.38 feet to the
2 Point of Beginning. Containing 31.546 acres of land more or
3 less.

4 Also Lot 9, Block 1 of Val Verde Ranch Subdivision, Unit
5 No. 5, Colfax County, New Mexico, as shown on Plat recorded in
6 Plat Book 4, Page 25, records of Colfax County, New Mexico; and
7 Lot 8, Block 1, Val Verde 5 Subdivision, located within Colfax
8 County containing 0.5 acres more or less.";

9 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
10 STATE OF NEW MEXICO that the proposed donation and transfer of
11 the real property that the state parks division of the energy,
12 minerals and natural resources department owns and operates as
13 the Vietnam veterans memorial state park as described above
14 from the state parks division of the energy, minerals and
15 natural resources department to the facilities management
16 division of the general services department be and is hereby
17 ratified and approved by the legislature; and

18 BE IT FURTHER RESOLVED that copies of this resolution be
19 transmitted to the David Westphall veterans foundation,
20 incorporated, the facilities management division of the general
21 services department, the veterans' services department and the
22 state parks division of the energy, minerals and natural
23 resources department.