

1 SENATE BILL 533

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

4 Mary Kay Papen

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10 AN ACT

11 RELATING TO STATE PARKS; REQUIRING THE STATE GAME COMMISSION TO
12 TRANSFER THIRTEEN AND THIRTY-NINE HUNDREDTHS ACRES, MORE OR
13 LESS, OF REAL PROPERTY SITUATED IN DONA ANA COUNTY TO THE STATE
14 PARKS DIVISION OF THE ENERGY, MINERALS AND NATURAL RESOURCES
15 DEPARTMENT FOR THE MESILLA VALLEY BOSQUE STATE PARK; MAKING AN
16 APPROPRIATION; DECLARING AN EMERGENCY.

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18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

19 SECTION 1. TEMPORARY PROVISION.--

20 A. The legislature finds that:

21 (1) the transfer of land and buildings of the
22 Mesilla Valley Bosque state park by the commissioner of public
23 lands by quitclaim deed to the state game commission in June
24 2018 was without required legislative approval;

25 (2) the land and buildings of the Mesilla

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1 Valley Bosque state park are not in excess of the reasonable
2 needs of the state parks division of the energy, minerals and
3 natural resources department for use as a state park; and

4 (3) the provisions of Sections 13-6-3 and
5 17-4-3 NMSA 1978 shall not apply to the transfer of property
6 required by Subsection B of this section.

7 B. The state game commission shall return to the
8 energy, minerals and natural resources department by quitclaim
9 deed for use by the state parks division of the department as a
10 state park all land, buildings and interests in the following
11 thirteen and thirty-nine hundredths acres, more or less,
12 situated in Dona Ana county, New Mexico, and described as
13 follows:

14 A tract of land situated within the Mesilla Civil Colony Grant
15 in Sections 2 & 3, T.24S., R.1E., and Section 34, T.23S.,
16 R.1E., N.M.P.M. of the U.S.R.S. Surveys being U.S.R.S. Tracts
17 Map 12-12, 12-13, 12-14, 12-15, 12-16A, 12-16C, 12-16D, 12-16E
18 & 12-34, and being more particularly described as follows, to
19 wit:

20 Beginning at a 1/2" iron rod set on the East line of the
21 Picacho Drain for a corner of the tract herein described;
22 whence meander corner No. 20 on the Mesilla Civil Colony Grant
23 bears N.46 deg. 43'29"W., 4155.14 feet;

24 Thence from the point of beginning and leaving said Picacho
25 Drain, N.58 deg.30'00"E., 597.65 feet to a 1/2" iron rod set

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1 for a corner of this tract;
2 Thence S.31 deg. 30'00"E., 424.07 feet to a 1/2" iron rod set
3 on the West line of a 60 foot wide road for a corner of this
4 tract and point of curvature;
5 Thence along the West line of said 60 foot wide road the
6 following courses and distances, around the arc of a curve to
7 the left, having a radius of 1055.81 feet, through a central
8 angle of 42 deg. 21'00" and whose long cord bears N.20 deg.
9 00'18"E., 762.75 feet to a 1/2" iron rod set;
10 Thence N.01 deg. 08'54"W., 1184.93 feet to a 1/2" iron rod set
11 a point of curvature;
12 Thence around the arc of a curve to the left, having a radius
13 of 1819.90 feet, through a central angle of 41 deg. 03'48" and
14 whose long cord bears N.21 deg. 39'44"W., 1276.57 feet to a
15 1/2" iron rod set;
16 Thence N.42 deg. 11'36"W., 1248.73 feet to a 1/2" iron rod set
17 for a corner of this tract;
18 Thence N.19 deg. 05'52"W., 152.96 feet to a 1/2" iron rod set
19 on the West line of the Rio Grande for the most Northerly
20 corner of this tract;
21 Thence along the West line of the Rio Grande the following
22 courses and distances, S.42 deg. 11'36"E., 1389.48 feet to an
23 I.B.C. Pipe found and point of curvature;
24 Thence around the arc of a curve to the right, having a radius
25 of 1879.90 feet, an arc length of 1347.26 feet, through a
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1 central angle of 41 deg. 03'43" and whose long chord bears S.21
2 deg. 39'42"E., 1318.61 feet to an I.B.C Pipe found;
3 Thence S.01 deg.08'54"E., 1184.91 feet to an I.B.C. Pipe found
4 and point of curvature;
5 Thence around the arc of a curve to the right, having a radius
6 of 1115.81 feet, an arc length 1237.36 feet, through a central
7 angle of 63 deg. 32'14" and whose long chord bears S.30 deg.
8 35'57"W., 1174.93 feet to an I.B.C. Pipe found;
9 Thence S.62 deg.21'12"W., 161.86 feet to a 1/2" iron rod set at
10 the Southwest intersection of the Rio Grande and Picacho Drain
11 for Southwest corner of this tract;
12 Thence along East line of the Picacho Drain the following
13 courses and distances, N.41 deg. 30'00"W., 161.24 feet to a
14 1/2" iron rod found and point of curvature;
15 Thence around the arc of a curve to the right, having a radius
16 of 1095.90 feet, an arc length of 202.02 feet, through a
17 central angle of 10 deg. 33'44" and whose long chord bears N.36
18 deg. 46'52"W., 201.74 feet to a 1/2" iron rod set;
19 Thence N.31 deg. 30'00"W., 158.85 feet to the point of
20 beginning, containing 13.392 acres of land, more or less.

21 C. The real property transferred pursuant to
22 Subsection B of this section shall be used to reestablish
23 Mesilla Valley Bosque state park as that park existed prior to
24 the transfer of the property by quitclaim deed of the
25 commissioner of public lands on June 18, 2018.

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SECTION 2. APPROPRIATION.--Seventy thousand dollars (\$70,000) is appropriated from the general fund to the state parks division of the energy, minerals and natural resources department for expenditure in fiscal year 2020 for the reestablishment and operation of Mesilla Valley Bosque state park. Any unexpended or unencumbered balance remaining at the end of fiscal year 2020 shall revert to the general fund.

SECTION 3. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.