

1 AN ACT

2 RELATING TO LAND GRANTS; APPLYING THE GENERAL PROVISIONS OF
3 CHAPTER 49, ARTICLE 1 NMSA 1978 TO THE ARROYO HONDO ARRIBA
4 LAND GRANT AND THE LOS VIGILES, LOWER GALLINAS AND SAN
5 AUGUSTIN PARTITIONS OF THE LAS VEGAS GRANT; INCLUDING THE
6 CRISTOBAL DE LA SERNA LAND GRANT-MERCED AS A LAND
7 GRANT-MERCED GOVERNED BY THE PROVISIONS OF CHAPTER 49,
8 ARTICLE 1 NMSA 1978; SPECIFYING THE APPLICATION OF CHAPTER
9 49, ARTICLE 1 NMSA 1978 TO CERTAIN LAND GRANTS-MERCEDES;
10 PROVIDING REQUIREMENTS FOR DESIGNATION OF LAND GRANTS-
11 MERCEDES IN STATE LAW; AMENDING A SECTION OF THE NMSA 1978.

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

14 SECTION 1. Section 49-1-2 NMSA 1978 (being Laws 1907,
15 Chapter 42, Section 2, as amended) is amended to read:

16 "49-1-2. APPLICATION.--

17 A. Chapter 49, Article 1 NMSA 1978 shall apply to
18 all land grants-mercedes within the geographic boundaries of
19 lands confirmed by the congress of the United States or by
20 the court of private land claims or designated in any report
21 or list of land grants prepared by the surveyor general in
22 furtherance of meeting the obligations of the Treaty of
23 Guadalupe Hidalgo and designated in this section but shall
24 not apply to any land grant that is now managed or controlled
25 pursuant to another section of Chapter 49 NMSA 1978.

1 B. If a majority of the members of the board of
2 trustees of a land grant-merced covered by specific
3 legislation determines that the specific legislation is no
4 longer beneficial to the land grant-merced, the board has the
5 authority to petition the legislature to repeal the
6 legislation and to be governed by its bylaws and as provided
7 in Chapter 49, Article 1 NMSA 1978.

8 C. The town of Tome land grant-merced, situated in
9 Valencia county, confirmed by congress in 1858 and patented
10 by the United States to the town of Tome, shall be governed
11 by the provisions of Chapter 49, Article 1 NMSA 1978.

12 D. The town of Atrisco land grant-merced, situated
13 in Bernalillo county, confirmed by the court of private land
14 claims in 1894 and patented by the United States to the town
15 of Atrisco in 1905, shall be governed by the provisions of
16 Chapter 49, Article 1 NMSA 1978; provided that the board of
17 trustees shall not have regulatory jurisdiction over, and the
18 provisions of Chapter 49, Article 1 NMSA 1978 shall not apply
19 to or govern, any lands or interests in real property the
20 title to which is held by any other person, including a
21 public or private corporation, partnership or limited
22 liability company.

23 E. The Tecolote land grant-merced, also known as
24 the town of Tecolote, situated in San Miguel county,
25 confirmed by congress in 1858 and patented by the United

1 States to the town of Tecolote in 1902, shall be governed by
2 the provisions of Chapter 49, Article 1 NMSA 1978.

3 F. The San Antonio del Rio Colorado land grant-
4 merced, situated in Taos county, which claim was recommended
5 for confirmation by surveyor general James K. Proudfit in
6 1874 and again in 1886 by surveyor general George W. Julian,
7 but not confirmed by congress, shall be governed by the
8 provisions of Chapter 49, Article 1 NMSA 1978.

9 G. The Manzano land grant-merced, also known as la
10 merced del Manzano land grant-merced, situated in Torrance
11 county, confirmed by congress in 1860 and patented by the
12 United States to the town of Manzano in 1907, shall be
13 governed by the provisions of Chapter 49, Article 1 NMSA
14 1978.

15 H. The Arroyo Hondo Arriba community land
16 grant-merced, also known as the community of San Antonio and
17 as the community of Valdez, situated in Taos county, which
18 was established in 1823 and whose heirs were recognized as
19 the fee simple owners of the grant's common lands by the
20 eighth judicial district court of New Mexico in 1914, shall
21 be governed by the provisions of Chapter 49, Article 1 NMSA
22 1978.

23 I. The Anton Chico land grant-merced, also known
24 as the town of Anton Chico land grant, situated in Guadalupe
25 and San Miguel counties, confirmed by congress in 1860 and

1 patented by the United States to the town of Anton Chico in
2 1883, shall be governed by the provisions of Chapter 49,
3 Article 1 NMSA 1978.

4 J. The Abiquiu land grant-merced, also known as
5 the merced del Pueblo Abiquiu and town of Abiquiu land grant,
6 situated in Rio Arriba county, confirmed by the court of
7 private land claims in 1894 and patented by the United States
8 to the board of grant commissioners of the Abiquiu grant in
9 1909, shall be governed by the provisions of Chapter 49,
10 Article 1 NMSA 1978.

11 K. The Canon de Carnue land grant-merced, situated
12 in Bernalillo county, confirmed by the court of private land
13 claims in 1894 and patented by the United States to the
14 confirmees of the Canon de Carnue grant in 1903, shall be
15 governed by the provisions of Chapter 49, Article 1 NMSA
16 1978.

17 L. The Cebolleta land grant-merced, also known as
18 the town of Cebolleta land grant, situated in Cibola county,
19 confirmed by congress in 1869 and patented by the United
20 States to the town of Cebolleta land grant in 1882, shall be
21 governed by the provisions of Chapter 49, Article 1 NMSA
22 1978.

23 M. The Cristobal de la Serna land grant-merced,
24 situated in Taos county, confirmed by the court of private
25 land claims in 1892 and patented by the United States to the

1 Cristobal de la Serna grant in 1903, shall be governed by the
2 provisions of Chapter 49, Article 1 NMSA 1978.

3 N. The Cubero land grant-merced, also known as the
4 town of Cubero land grant, situated in Cibola county,
5 confirmed by the court of private land claims in 1892 and
6 patented by the United States to the confirmees of the town
7 of Cubero grant in 1900, shall be governed by the provisions
8 of Chapter 49, Article 1 NMSA 1978.

9 O. The Don Fernando de Taos land grant-merced,
10 situated in Taos county, confirmed by the court of private
11 land claims in 1897 and patented by the United States to the
12 confirmees of the Don Fernando de Taos grant in 1907, shall
13 be governed by the provisions of Chapter 49, Article 1 NMSA
14 1978.

15 P. The Santo Tomas Apostol del Rio de Las Trampas
16 land grant-merced, situated in Taos county, also known as the
17 town of Las Trampas land grant, confirmed by congress in 1860
18 and patented by the United States to the town of Las Trampas
19 grant in 1903, shall be governed by the provisions of Chapter
20 49, Article 1 NMSA 1978.

21 Q. The Santa Barbara land grant-merced, also known
22 as la merced de Santa Barbara, situated in Taos county,
23 confirmed by the court of private land claims in 1894 and
24 patented by the United States to the heirs of the Santa
25 Barbara grant in 1905, shall be governed by the provisions of

1 Chapter 49, Article 1 NMSA 1978.

2 R. The Juan Bautista Baldes land grant-merced,
3 also known as the merced comunitara de Juan Bautista Baldes,
4 situated in Rio Arriba county, confirmed by the court of
5 private land claims in 1898 and patented by the United States
6 to the heirs of Juan Bautista Baldes in 1913, shall be
7 governed by the provisions of Chapter 49, Article 1 NMSA
8 1978.

9 S. The San Joaquin del Rio de Chama land
10 grant-merced, also known as the merced de San Joaquin del Rio
11 de Chama and the Canon de Chama land grant-merced, situated
12 in Rio Arriba and Sandoval counties, confirmed by the court
13 of private land claims in 1894 and patented by the United
14 States to the heirs of the Canon de Chama grant in 1905,
15 shall be governed by the provisions of Chapter 49, Article 1
16 NMSA 1978.

17 T. The San Miguel del Bado land grant-merced, also
18 known as the merced de San Miguel del Bado, situated in San
19 Miguel county, confirmed by the court of private land claims
20 in 1894 and patented by the United States to the board of the
21 San Miguel del Bado grant in 1910, shall be governed by the
22 provisions of Chapter 49, Article 1 NMSA 1978.

23 U. The Santo Domingo de Cundiyo land grant-merced,
24 situated in Santa Fe county, confirmed by the court of
25 private land claims in 1900 and patented by the United States

1 to the confirmees of the Santo Domingo de Cundiyo grant in
2 1903, shall be governed by the provisions of Chapter 49,
3 Article 1 NMSA 1978.

4 V. The Tierra Amarilla land grant-merced, also
5 known as the merced de los Pueblos de Tierra Amarilla,
6 situated in Rio Arriba county, confirmed by congress in 1860
7 and patented by the United States to Francisco Martinez in
8 1881, shall be governed by the provisions of Chapter 49,
9 Article 1 NMSA 1978.

10 W. The San Antonio de las Huertas land
11 grant-merced, also known as the merced de San Antonio de las
12 Huertas, situated in Sandoval county, confirmed by the court
13 of private land claims in 1897 and patented by the United
14 States to the San Antonio de las Huertas grant claimants in
15 1907, shall be governed by the provisions of Chapter 49,
16 Article 1 NMSA 1978.

17 X. The Tajique land grant-merced, also known as
18 the town of Tajique land grant, situated in Tarrant county,
19 confirmed by congress in 1860 and patented by the United
20 States to the confirmees of the town of Tajique land grant in
21 1912, shall be governed by the provisions of Chapter 49,
22 Article 1 NMSA 1978.

23 Y. The Torreon land grant-merced, also known as
24 the town of Torreon, situated in Tarrant county, confirmed
25 by congress in 1860 and patented by the United States to the

1 confirmees of the town of Torreon grant in 1909, shall be
2 governed by the provisions of Chapter 49, Article 1 NMSA
3 1978.

4 Z. The Los Vigiles land grant-merced situated in
5 San Miguel county, which was partitioned from the town of Las
6 Vegas grant through a deed of indenture issued by the board
7 of trustees for the Las Vegas grant and approved by the
8 fourth judicial district of New Mexico in 1951, shall be
9 governed by the provisions of Chapter 49, Article 1 NMSA
10 1978.

11 AA. The Lower Gallinas land grant-merced, situated
12 in San Miguel county, which was partitioned from the town of
13 Las Vegas grant through a deed of indenture issued by the
14 board of trustees for the Las Vegas grant in 1951 and
15 approved by the fourth judicial district of New Mexico, the
16 approval of which was reaffirmed by the court in 1997, shall
17 be governed by the provisions of Chapter 49, Article 1 NMSA
18 1978.

19 BB. The San Augustin land grant-merced, situated
20 in San Miguel county, which was partitioned from the town of
21 Las Vegas grant through a deed of indenture issued by the
22 board of trustees for the Las Vegas grant and approved by the
23 fourth judicial district of New Mexico in 1929, shall be
24 governed by the provisions of Chapter 49, Article 1 NMSA
25 1978."