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SENATE JOINT RESOLUTION 13

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

Don Kidd

A JOINT RESOLUTION

PROPOSING THE SALE OF REAL PROPERTY LOCATED IN EDDY COUNTY BY  
THE ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT.

WHEREAS, New Mexico law, as provided in Section 13-6-3  
NMSA 1978, requires ratification and approval by the  
legislature of the sale of real property belonging to a state  
agency if the sale shall be for a consideration of one hundred  
thousand dollars (\$100,000) or more; and

WHEREAS, the energy, minerals and natural resources  
department is a state agency and owns a piece of property in  
Eddy county; and

WHEREAS, the state park and recreation commission  
purchased the property in 1972 in order to create a state  
park; and

WHEREAS, since its purchase in 1972 the property has not

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1 been used for a state park; and

2 WHEREAS, it appears that the property will not be used  
3 for a state park because in the nearly thirty years since its  
4 purchase there has been no funding for development or  
5 operation of the property; and

6 WHEREAS, the property does not contain a diversity of  
7 resources and would not provide recreational opportunities  
8 significant enough to assure patronage from the region or the  
9 state as a whole; and

10 WHEREAS, the property does not conform to the state  
11 comprehensive outdoor recreation plan and therefore does not  
12 fit the criteria for development as a state park pursuant to  
13 Section 16-2-11 NMSA 1978; and

14 WHEREAS, the energy, minerals and natural resources  
15 department estimates the value of the property to be in excess  
16 of one hundred thousand dollars (\$100,000); and

17 WHEREAS, the property is legally described as Township 16  
18 South, Range 25 East, N. M. P. M., Section 2: W1/2SW1/4 (save  
19 and except that certain tract described in Deed Book 51 at  
20 page 479 of the records of Eddy county, New Mexico, and  
21 described as follows: beginning 238 feet west of the  
22 southeast corner of the SW1/4SW1/4, thence at right angle  
23 north 144 feet, thence west 262 feet, thence south 150 feet,  
24 thence east 262 feet to the point of beginning), SE1/4SW1/4  
25 and SW1/4SE1/4

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1 Section 3: Lots 12, 13, 14, 15 and 16, SW1/4 and SE1/4

2 Section 4: Lots 9, 10, 11, 14, 15 and 16, E1/2SE1/4 in Eddy  
3 county, New Mexico;

4 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
5 STATE OF NEW MEXICO that the energy, minerals and natural  
6 resources department shall obtain an appraisal of the  
7 property; and

8 BE IT FURTHER RESOLVED that the energy, minerals and  
9 natural resources department shall sell the property at fair  
10 market value; and

11 BE IT FURTHER RESOLVED that the proposed sale of property  
12 at fair market value, subject to review and approval by the  
13 state board of finance, be ratified and approved pursuant to  
14 the provisions of Section 13-6-3 NMSA 1978; and

15 BE IT FURTHER RESOLVED that a copy of this resolution be  
16 transmitted to the secretary of energy, minerals and natural  
17 resources.