

A JOINT RESOLUTION

APPROVING AN EASEMENT OF STATE GAME COMMISSION LAND LOCATED IN SAN MIGUEL COUNTY FOR A TERM GREATER THAN TWENTY-FIVE YEARS AND FOR CONSIDERATION THAT MAY EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000).

WHEREAS, Section 13-6-3 NMSA 1978 requires ratification and approval of any sale, trade or lease for a period exceeding twenty-five years in duration of real property belonging to a state agency if the sale, trade or lease is for a consideration of one hundred thousand dollars (\$100,000) or more; and

WHEREAS, the state game commission intends to grant to San Ignacio Joint Venture a nonexclusive easement for the term of ninety-nine years for the sole and exclusive purpose of access along and through a nonestablished existing roadway, including construction and maintenance of underground utilities within the confines of the roadway; and

WHEREAS, the easement includes the right to enter upon the real estate hereafter described within the county of San Miguel to construct, maintain and repair the structures within the easement and to sub-assign this easement to not more than forty-five single-family residential lots, provided each sub-assignment is appurtenant only to each residential lot; and

WHEREAS, the easement is located within the NW 1/4 of

Township 16N, Range 12E, Section 19, N.M.P.M., San Miguel county, New Mexico and is more specifically an easement 30 feet in width along the now existing roadway that is approximately 2,525 feet in length; and

WHEREAS, the state game commission proposes to grant San Ignacio Joint Venture access to the easement for a term of ninety-nine years for a one-time consideration of twenty-five thousand dollars (\$25,000) of which five thousand five hundred thirty-six dollars ten cents (\$5,536.10) has already been received and applied to the sum of the consideration; and

WHEREAS, if San Ignacio Joint Venture or its assignees avail themselves of the right to install utilities within the easement, additional consideration shall be payable commencing with the date construction of the utilities begins in an amount set forth in the grant of easement; and

WHEREAS, because the exact consideration associated with the easement cannot be predetermined and because it is possible that the total consideration payable by San Ignacio Joint Venture and its assignees during the ninety-nine year term of the easement may exceed one hundred thousand dollars (\$100,000), this easement comes within the provisions of Section 13-6-3 NMSA 1978;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the grant of an easement by the state game commission to San Ignacio Joint Venture for consideration

that may, during the ninety-nine year term of the easement, exceed one hundred thousand dollars (\$100,000) be approved pursuant to Section 13-6-3 NMSA 1978; and

BE IT FURTHER RESOLVED that copies of this joint resolution be transmitted to the chair of the state game commission, the attorney general and the business manager of San Ignacio Joint Venture.