

HOUSE JOINT RESOLUTION 13

48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008

INTRODUCED BY

Rhonda S. King

A JOINT RESOLUTION

PROPOSING THE LONG-TERM LEASE OF THE PENITENTIARY OF NEW MEXICO
WASTEWATER TREATMENT SYSTEM TO SANTA FE COUNTY.

WHEREAS, Section 13-6-3 NMSA 1978 requires ratification
and approval of any sale, trade or lease of state property over
one hundred thousand dollars (\$100,000) in value; and

WHEREAS, the property control division of the general
services department is desirous of leasing the penitentiary of
New Mexico's wastewater treatment system to Santa Fe county;
and

WHEREAS, the lease is contingent upon mutually agreed-to
terms between the property control division and Santa Fe county
for a lease term not to exceed ninety-nine years; and

WHEREAS, Santa Fe county currently manages and operates
the wastewater treatment system located at the penitentiary of

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1 New Mexico; and

2 WHEREAS, the real property, buildings, aerated lagoons,
3 facultative lagoons, storage pond and land application field
4 and system, a tract of land lying and being situate within
5 Section 35, T.16N., R.8E., NMPM, Santa Fe County, New Mexico,
6 beginning at a point, from whence the South quarter corner of
7 Section 36, T.16N., R.8E., bears N.88°51'25" E., 2660.24 feet,
8 thence along the following: S.88°51'25"W., 2057.21 feet,
9 thence N.00°22'51"W., 924.41 feet, thence N.85°33'11"W., 518.52
10 feet, thence N.32°15'42"W., 463.32 feet, thence N.19°28'33"W.,
11 106.67 feet, thence N.48°34'39"W., 635.03 feet, thence
12 N.13°45'15"W., 246.70 feet, thence N.05°21'53"W., 579.06 feet,
13 thence N.89°35'58"W., 3111.34 feet, thence S.00°01'42"E.,
14 467.10 feet, thence N.89°37'57"W., 380.97 feet, thence
15 S.00°22'03"W., 973.14 feet, thence N.89°54'45"E., 341.36 feet,
16 thence S.01°33'45"W., 234.70 feet, thence N.89°48'55"W., 444.30
17 feet, thence S.00°11'05"W., 675.00 feet, thence S.89°48'55"E.,
18 840.01 feet, thence S.00°10'55"W., 325.82 feet to the point and
19 place of beginning, comprise an area of one hundred thirty-five
20 and six-tenths acres; and

21 WHEREAS, both the state and Santa Fe county realize and
22 understand the advantages of providing efficient and economical
23 regional wastewater treatment for the area; and

24 WHEREAS, to compensate the state for use of the land and
25 existing wastewater facilities, Santa Fe county will provide to

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1 the corrections department and the New Mexico national guard a
2 seven percent reduction in the government/institutions
3 commodity charge for all wastewater flow from their respective
4 existing facilities as of January 2008 for a period of ten
5 years; and

6 WHEREAS, the state shall retain appropriate right-of-way
7 easements and provide access and egress to Santa Fe county and
8 may provide additional land adjacent to the existing property
9 for wastewater treatment where and when considered necessary by
10 using entities; and

11 WHEREAS, the lease agreement shall be subject to
12 reservations, restrictions or easements of record;

13 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
14 STATE OF NEW MEXICO that the lease agreement, not to exceed
15 ninety-nine years and excluding any water rights owned by the
16 state of New Mexico, be hereby ratified and approved pursuant
17 to the provisions of Section 13-6-3 NMSA 1978; and

18 BE IT FURTHER RESOLVED that a copy of this resolution be
19 transmitted to the property control division of the general
20 services department, the corrections department, the department
21 of military affairs, the office of the state engineer and Santa
22 Fe county.