

HOUSE JOINT RESOLUTION 17

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

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This document incorporates committee amendments adopted during standing committee(s) consideration of this measure. It is a tool to show the amendments in context and is not to be used for introduction, amendment or substitution.

A JOINT RESOLUTION

RATIFYING AND APPROVING THE DONATION AND TRANSFER OF TWO TRACTS OF STATE-OWNED REAL PROPERTY THAT ARE CURRENTLY LEASED BY THE VILLAGE OF LOS LUNAS AND OTHERS FOR MUNICIPAL AND RELATED PURPOSES TO THE VILLAGE OF LOS LUNAS.

WHEREAS, the facilities management division of the general services department owns real property located at 660 Main Street, Los Lunas, New Mexico, referred to as the "Don Pasqual" real property, which real property is currently leased by the village of Los Lunas for its administrative offices, road maintenance yard and senior center and by first choice for the care of sick and indigent citizens of the village and of Valencia county; and

WHEREAS, the facilities management division of the general services department owns real property located on highway 314 in Los Lunas, New Mexico, referred to as the "Highway 314" real

.203242.1 Amendments in Context

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property, which real property is currently leased in part by the village of Los Lunas, the Los Lunas public school district and Valencia county for a park, recreational facilities, a sports complex, an animal control shelter and a road and bus maintenance compound, including numerous improvements; and

WHEREAS, Section 13-6-2 NMSA 1978 provides that upon a written determination, a state agency may sell or otherwise dispose of real property by negotiated sale or donation to a local public body; and

WHEREAS, the Don Pasqual and Highway 314 real properties are not needed by the state of New Mexico for any purpose and they may be donated and transferred; and

WHEREAS, the facilities management division of the general services department has made a written determination that it would be in the best interest of the state of New Mexico for the state to donate and transfer the Don Pasqual and Highway 314 real properties to the village of Los Lunas for the continued use by the village, the Los Lunas public school district and Valencia county as described in this resolution; and

WHEREAS, as a condition of the donation and transfer of the Highway 314 real property, the village of Los Lunas shall provide for the Los Lunas public school district and Valencia county to continue uninterruptedly their current use of the Highway 314 real property; and

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WHEREAS, Section 13-6-3 NMSA 1978 provides in pertinent part that any sale, trade or lease of state property for consideration of one hundred thousand dollars (\$100,000) or more shall be subject to ratification and approval by the state legislature; and

WHEREAS, in Rule 1.5.23.7 NMAC, the state board of finance defines "sale, trade or lease" as any disposition of real property, including donation; and

WHEREAS, the Don Pasqual and Highway 314 real properties each separately has a value in excess of one hundred thousand dollars (\$100,000); and

WHEREAS, the Don Pasqual real property is described as follows:

Beginning at the Southwest Corner of the herein described tract of land whence the U.S.G.S. Trangulation Station "Luna-Gallup 2" bears N 16°19'29" W, 1,613.88 feet, thence from said point of beginning the following:

N 53° 34' 59" E, 583.12 feet, Thence

N 37° 07' 42" W, 20.00 feet, Thence

N 53° 34' 43" E, 266.61 feet, Thence along a curve to the left, through a central angle of 36°48'30", with a radius of 250.99 feet a length of 161.24 feet the chord bearing of which is in N 35°10'44" E, and the chord distance of 158.48 feet, Thence

N 16° 46' 29" E, 379.57 feet, Thence

S 68° 59' 23" E, 368.10 feet, Thence
S 22° 12' 58" W, 1,293.54 feet, Thence
S 26° 23' 07" W, 128.21 feet, Thence
S 22° 27' 51" W, 93.24 feet, Thence along a curve to the
right, through a central angle of 72° 36' 43", with a
radius of 18.35 feet, a length of 23.26 feet the chord
bearing of which is S 76° 11' 33" W, and the chord
distance of 21.73 feet, thence

Along a curve to the right through a central angle of
3°17'11", with a radius of 3,760.00 feet, a length of
215.67 feet, the chord bearing of which is N 48°24'52" W,
and the chord distance of 215.64 feet,

Thence

Along a curve to the left, through a central angle of
4°18'16", with a radius of 3,880.00 feet, a length of
291.49 feet, the chord bearing of which is N 48°55'24" W,
and the chord distance of 291.42 feet,

Thence

N 51° 04' 32" W, 180.41 feet, Thence

N 38° 55' 28" E, 30.00 feet, Thence

N 51° 04' 32" W, 60.00 feet, Thence

S 38° 55' 28" E, 30.00 feet, Thence

N 51° 04' 32" W, 58.37 feet to the point and place of
beginning; and

Containing 16.21 ac. more or less; and

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WHEREAS, the Highway 314 real property is described as follows:

Beginning at the Northwest Corner of the herein described Tract of Land whence the U.S.G.S. Brass Cap "Gallup-Luna 2" bears N 14° 01' 49" W, 6,538.23 feet, thence from said point of beginning the following:

S 79° 47' 32" E, 1,099.93 feet, Thence

S 10° 24' 47" W, 3,496.89 feet, Thence

N 78° 18' 06" W, 1,124.74 feet, Thence

N 10° 49' 06" E, 3,467.80 feet to the point and place of beginning; and

Containing 88.91 ac. more or less; and

WHEREAS, the state shall retain appropriate rights of way and easements, and the donation and transfer shall be subject to reservations, restrictions or easements of record;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the donation and transfer of the Don Pasqual real property from the state to the village of Los Lunas be and is hereby ratified and approved by the legislature; and

BE IT FURTHER RESOLVED that the ratification and approval of the donation and transfer of the Don Pasqual real property be contingent upon agreement by the parties in the conveyance document that, if the village of Los Lunas ever decides that the real property is no longer needed for any municipal purpose

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and should be disposed of, at the option of the state and at no cost to the state, the real property shall revert back to the state; and

BE IT FURTHER RESOLVED that the donation and transfer of the Highway 314 real property from the state to the village of Los Lunas be and is hereby ratified and approved by the legislature; and

BE IT FURTHER RESOLVED that the ratification and approval of the donation and transfer of the Highway 314 real property be contingent upon agreement by the parties in the conveyance document that, if the village of Los Lunas ever decides that the real property is no longer needed for any municipal purpose and should be disposed of, at the option of the state and at no cost to the state, the real property shall revert back to the state; and

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the secretary of general services, the capitol buildings planning commission and the mayor of the village of Los Lunas.