

HOUSE JOINT RESOLUTION 17

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

INTRODUCED BY

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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

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1 in Los Lunas, New Mexico, referred to as the "Highway 314" real  
2 property, which real property is currently leased in part by  
3 the village of Los Lunas, the Los Lunas public school district  
4 and Valencia county for a park, recreational facilities, a  
5 sports complex, an animal control shelter and a road and bus  
6 maintenance compound, including numerous improvements; and

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

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

14 WHEREAS, the facilities management division of the general  
15 services department has made a written determination that it  
16 would be in the best interest of the state of New Mexico for  
17 the state to donate and transfer the Don Pasqual and Highway  
18 314 real properties to the village of Los Lunas for the  
19 continued use by the village, the Los Lunas public school  
20 district and Valencia county as described in this resolution;  
21 and

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

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1 Highway 314 real property; and

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

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

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

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

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

19 N 53° 34' 59" E, 583.12 feet, Thence

20 N 37° 07' 42" W, 20.00 feet, Thence

21 N 53° 34' 43" E, 266.61 feet, Thence along a curve to the  
22 left, through a central angle of 36°48'30", with a radius  
23 of 250.99 feet a length of 161.24 feet the chord bearing  
24 of which is in N 35°10'44" E, and the chord distance of  
25 158.48 feet, Thence

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1 N 16° 46' 29" E, 379.57 feet, Thence  
2 S 68° 59' 23" E, 368.10 feet, Thence  
3 S 22° 12' 58" W, 1,293.54 feet, Thence  
4 S 26° 23' 07" W, 128.21 feet, Thence  
5 S 22° 27' 51" W, 93.24 feet, Thence along a curve to the  
6 right, through a central angle of 72° 36' 43", with a  
7 radius of 18.35 feet, a length of 23.26 feet the chord  
8 bearing of which is S 76° 11' 33" W, and the chord  
9 distance of 21.73 feet, thence  
10 Along a curve to the right through a central angle of  
11 3°17'11", with a radius of 3,760.00 feet, a length of  
12 215.67 feet, the chord bearing of which is N 48°24'52" W,  
13 and the chord distance of 215.64 feet,  
14 Thence  
15 Along a curve to the left, through a central angle of  
16 4°18'16", with a radius of 3,880.00 feet, a length of  
17 291.49 feet, the chord bearing of which is N 48°55'24" W,  
18 and the chord distance of 291.42 feet,  
19 Thence  
20 N 51° 04' 32" W, 180.41 feet, Thence  
21 N 38° 55' 28" E, 30.00 feet, Thence  
22 N 51° 04' 32" W, 60.00 feet, Thence  
23 S 38° 55' 28" E, 30.00 feet, Thence  
24 N 51° 04' 32" W, 58.37 feet to the point and place of  
25 beginning; and

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1           Containing 16.21 ac. more or less; and

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

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

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

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

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

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

13          Containing 88.91 ac. more or less; and

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

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

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

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

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