

1 A JOINT RESOLUTION

2 AUTHORIZING THE PROPERTY COMPRISING THE VIETNAM VETERANS
3 MEMORIAL STATE PARK IN COLFAX COUNTY TO BE TRANSFERRED FROM
4 THE STATE PARKS DIVISION OF THE ENERGY, MINERALS AND NATURAL
5 RESOURCES DEPARTMENT TO THE FACILITIES MANAGEMENT DIVISION OF
6 THE GENERAL SERVICES DEPARTMENT.

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8 WHEREAS, in 2005, the state parks division of the
9 energy, minerals and natural resources department acquired
10 property, including the Vietnam veterans memorial, from the
11 David Westphall veterans foundation, incorporated, as
12 authorized in Senate Joint Resolution 11 from the second
13 session of the forty-sixth legislature for use as a state
14 park; and

15 WHEREAS, property that includes the Vietnam veterans
16 memorial in Colfax county is currently owned by the state
17 parks division of the energy, minerals and natural resources
18 department and operated as a state park; and

19 WHEREAS, the state parks division of the energy,
20 minerals, and natural resources department, the veterans'
21 services department and the David Westphall veterans
22 foundation, incorporated, desire that the property be
23 transferred from the state parks division of the energy,
24 minerals and natural resources department to the facilities
25 management division of the general services department; and

1 WHEREAS, the property comprising the Vietnam veterans
2 memorial state park has a value in excess of one hundred
3 thousand dollars (\$100,000); and

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

10 WHEREAS, in 1.5.23.7 NMAC, the state board of finance
11 defines "sale, trade or lease" as any disposition of real
12 property, including donation by one governmental entity to
13 another governmental entity; and

14 WHEREAS, the property to be transferred has met the
15 requirements for property to be used as a Vietnam veterans
16 memorial and is of historical importance to the residents of
17 the state; and

18 WHEREAS, the property to be transferred is more
19 particularly described as:

20 "All that certain parcel of land lying and being situate
21 within the Maxwell Land Grant, within Projected Section 36,
22 T26N, R15E, and Projected Section 31, T26N, R16E, N.M.P.M.,
23 Colfax County, New Mexico.

24 Commencing at the section corner common to Sections 29,
25 30, 31 and 32, T26N, R16E, N.M.P.M.; Thence S54°21'02"W, a

1 distance of 6005.47 feet to the point of beginning of the
2 herein described parcel of land; said point being the most
3 northerly corner of lands described as Tract 3 in that
4 certain quitclaim deed to David Westphall Veterans
5 Foundation, Inc. recorded in the Office of the Colfax County
6 Clerk in Real Estate Records Book 9, Page 13490, said point
7 also being the most easterly corner of Tract 4 described in
8 the last mentioned deed;

9 Thence running from said point of beginning South
10 57°44'00" East, along the northeasterly line of said Tract 3
11 and along the southwesterly line of Parcel B as shown on a
12 plat titled "BOUNDARY SURVEY PLAT FOR SALADON PROPERTIES,
13 LLC," filed in the Office of the Colfax County Clerk in
14 Survey Book 1, Page 03034, a distance of 490.36 feet to a
15 point on the northwesterly right-of-way of U.S. Highway No.
16 64;

17 Thence South 40°54'07" West, along said right-of-way, a
18 distance of 232.70 feet to a point on the northerly
19 right-of-way of Onate Road;

20 Thence in a general westerly direction along the last
21 mentioned right-of-way the following courses and distances:
22 South 73°16'32" West, a distance of 179.10 feet to a point;
23 Thence along a curve to the right having a central angle of
24 21°40'15", a radius of 387.77 feet, an arc length of 146.67
25 feet and whose chord bears South 84°06'39" West, a distance

1 of 145.79 feet to a point;

2 Thence North 85°03'13" West, a distance of 496.45 feet
3 to a point;

4 Thence along a curve to the right having a central angle
5 of 3°49'35", a radius of 2959.53 feet, an arc length of
6 197.64 feet and whose chord bears North 83°10'28" West, a
7 distance of 197.61 feet to a point;

8 Thence North 81°15'14" West, a distance of 366.49 feet
9 to a point;

10 Thence along a curve to the right having a central angle
11 of 41°08'27", a radius of 369.19 feet, an arc length of
12 265.09 feet and whose chord bears North 60°42'50" West, a
13 distance of 259.44 feet to a point;

14 Thence North 40°02'37" West, a distance of 443.49 feet
15 to a point;

16 Thence along a curve to the left having a central angle
17 of 11°34'29", a radius of 537.68 feet, an arc length of
18 108.62 feet and whose chord bears North 45°48'14" West, a
19 distance of 108.44 feet to the southeast corner of Lot 9,
20 Block 1 of Val Verde Ranch Subdivision Unit Five, a plat of
21 said subdivision having been filed in the Office of the
22 Colfax County Clerk in Plat Book 4, page 25;

23 Thence North 27°37'56" East, along the easterly line of
24 said Lot 9, a distance of 259.26 feet to a point on the
25 southerly right-of-way of Country Club Road;

1 Thence in a general northeasterly direction along said
2 right-of-way the following courses and distances:

3 Along a curve to the left having a central angle of
4 $19^{\circ}27'51''$, a radius of 209.16 feet, an arc length of 71.05
5 feet and whose chord bears South $89^{\circ}42'52''$ East, a distance
6 of 70.71 feet to a point;

7 Thence North $80^{\circ}35'37''$ East, a distance of 231.66 feet
8 to the most easterly corner of said Country Club Road as
9 shown on the last mentioned plat;

10 Thence North $25^{\circ}51'00''$ West, along the northeasterly end
11 of said Country Club Road and continuing along TRACT D -
12 TRACT 1 as shown on the aforesaid plat titled "BOUNDARY
13 SURVEY PLAT FOR SALADON PROPERTIES, LLC" filed in the Office
14 of the Colfax County Clerk in Survey Book 1, Page 03034, a
15 distance of 141.71 feet;

16 Thence North $57^{\circ}48'45''$ East, continuing along said TRACT
17 D - TRACT 1, a distance of 273.33 feet;

18 Thence South $57^{\circ}42'03''$ East, along PARCEL B as shown on
19 the last mentioned plat, a distance of 1310.38 feet to the
20 Point of Beginning. Containing 31.546 acres of land more or
21 less.

22 Also Lot 9, Block 1 of Val Verde Ranch Subdivision,
23 Unit No. 5, Colfax County, New Mexico, as shown on Plat
24 recorded in Plat Book 4, Page 25, records of Colfax County,
25 New Mexico; and

1 Lot 8, Block 1, Val Verde 5 Subdivision, located within
2 Colfax County containing 0.5 acres more or less.";

3 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
4 STATE OF NEW MEXICO that the proposed donation and transfer
5 of the real property that the state parks division of the
6 energy, minerals and natural resources department owns and
7 operates as the Vietnam veterans memorial state park as
8 described above from the state parks division of the energy,
9 minerals and natural resources department to the facilities
10 management division of the general services department be
11 and is hereby ratified and approved by the legislature; and

12 BE IT FURTHER RESOLVED that copies of this resolution
13 be transmitted to the David Westphall veterans foundation,
14 incorporated, the facilities management division of the
15 general services department, the veterans' services department
16 and the state parks division of the energy, minerals and
17 natural resources department. _____

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