

1 AN ACT
2 RELATING TO SUBDIVISIONS; AMENDING THE NEW MEXICO
3 SUBDIVISION ACT TO PROHIBIT THE MERGER OF CONTIGUOUS PARCELS
4 IN CERTAIN CIRCUMSTANCES.
5

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

7 Section 1. A new section of the New Mexico Subdivision
8 Act is enacted to read:

9 "MERGER OF CONTIGUOUS PARCELS-- PROHIBITION. --

10 A. Contiguous parcels that are owned by a single
11 owner shall not be required by a board of county
12 commissioners to be merged into one parcel if:

13 (1) each of the contiguous parcels:

14 (a) is shown on the official plat map
15 of the county; or

16 (b) was created by a deed or survey
17 recorded with the office of the county clerk;

18 (2) the chain of title to the contiguous
19 parcels clearly demonstrates that the parcels have been
20 considered separate prior to transfer into common ownership;
21 and

22 (3) the owner of the contiguous parcels has
23 taken no action to consolidate the parcels.

24 B. Nothing in this section limits a board of
25 county commissioners, pursuant to notice and public hearing,

1 from requiring consolidation of contiguous parcels in common
2 ownership for the purpose of enforcing minimum zoning or
3 subdivision standards on the parcels. "

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