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SENATE JOINT RESOLUTION 13

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

INTRODUCED BY

Timothy Z. Jennings

A JOINT RESOLUTION

RATIFYING AND APPROVING THE TRANSFER OF LAND IN CHAVES COUNTY
FROM THE INTERSTATE STREAM COMMISSION TO THE TOWN OF HAGERMAN.

WHEREAS, Section 13-6-3 NMSA 1978 requires the
ratification and approval of the legislature of any sale, trade
or lease of real property belonging to a state agency that
involves a consideration of one hundred thousand dollars
(\$100,000) or more; and

WHEREAS, the interstate stream commission has title to
five tracts of certain real property in Chaves county, being
more particularly described as follows:

"A part of the SW/4 SE/4, and the NW/4 SE/4,
and the SW/4 NE/4, Section 3, Township 14
South, Range 26 East, N.M.P.M., Chaves County,
New Mexico, being more particularly described

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as:
From an aluminum-capped rebar set by NMPS9242
(and recorded in Plat Book Q of the Chaves
County Clerk at page 19) to mark the South
Quarter Corner of Section 3, Township 14 South,
Range 26 East (and predicated on the South Line
of the Southeast Quarter of said Section 3
being 2642.58 feet in length and having a
bearing of South 89°47'00" West); Thence North
00°33'08" East a distance of 297.03 feet to a
#4 Rebar with plastic cap marked "LS-8112", and
the Point of Beginning; Thence North 00°33'08"
East along the Longitudinal Quarter line a
distance of 1029.50 feet to a #4 Rebar with
plastic cap marked "LS-8112", which marks the
Center-South 1/16th Corner of said Section 3;
Thence continuing North 00°33'08" East along
the Longitudinal Quarter line a distance of
1326.53 feet to a #4 Rebar with plastic cap
marked "LS-8112", which marks the Center
Quarter Corner of said Section 3; Thence
continuing North 00°33'08" East along the
Longitudinal Quarter line a distance of 1335.51
feet to a #4 Rebar with plastic cap marked "LS-
8112", which marks the Center-North 1/16th

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corner of said Section 3; Thence North
89°37'21" East along the Sixteenth line a
distance of 1282.77 feet to a #4 Rebar with
plastic cap marked "LS-8112", which marks the
North-East 1/16th Corner of said Section 3.
Thence South 00°00'16" West along the Sixteenth
line a distance of 1338.93 feet to a #4 Rebar
with plastic cap marked "LS-8112", which marks
the Center-East 1/16th Corner of said Section
3; Thence South 00°00'15" East along the
Sixteenth line a distance of 1326.46 feet to a
#4 Rebar with plastic cap marked "LS-8112",
which marks the South-East 1/16th Corner of
said Section 3; Thence South 00°00'15" East
along the Sixteenth line a distance of 1326.46
feet to a #4 Rebar with plastic cap marked "LS-
8112", which marks the East 1/16th Corner
Common to Sections 3 and 10; Thence South
89°47'00" West along the Section line a
distance of 697.24 feet to a #4 Rebar with
plastic cap marked "LS-8112"; Thence North
00°33'08" East, Parallel with the Longitudinal
Quarter Line of said Section 3 a distance of
297.03 feet to a #4 Rebar with plastic cap
marked "LS-8112"; Thence South 89°47'00" West

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parallel to the South Section line a distance
of 624.06 feet to the point of Beginning; and
containing 115.00 acres, more or less.;
PART S1/2SE1/4 SECTION 15, TOWNSHIP 14 SOUTH,
RANGE 26 EAST, N.M.P.M.; BEGINNING AT THE SEc
OF SECTION 15: THENCE S89°36'57"W ALONG THE
SOUTH LINE OF SAID SECTION 15 A DISTANCE OF
2363.14 FEET; THENCE N00°07'39"W PARALLEL TO
THE EAST LINE OF SAID SECTION 15 A DISTANCE OF
1321.17 FEET TO THE NORTH LINE OF THE S/2 SE/4
OF SAID SECTION 15; THENCE N89°36'24"E ALONG
SAID NORTH LINE A DISTANCE OF 2363.14 FEET TO
THE EAST LINE OF SAID SECTION 15; THENCE
S00°07'39"E ALONG SAID EAST LINE A DISTANCE OF
1321.54 FEET TO THE POINT OF BEGINNING,
CONTAINING 71.683 ACRES±. THIS PROPERTY IS
SUBJECT TO A ROADWAY AFFECTING THE EAST LINE OF
THIS PROPERTY PER BOOK B PAGE 4 OF
COMMISSIONERS PROCEEDINGS APRIL 2, 1907 AND A
ROADWAY AFFECTING THE SOUTH 30 FEET OF THIS
PROPERTY PER BOOK B, PAGE 37 OF COMMISSIONERS
PROCEEDINGS FEBRUARY 29, 1908.;
TOWNSHIP 14 SOUTH, RANGE 26 EAST N.M.P.M.;
THE SOUTH 100 ACRES OF THE W/2 W/2 OF SAID
SECTION 14. THIS PROPERTY SUBJECT TO AN

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1 EASEMENT FOR IRRIGATION AND ACCESS FOR
2 MAINTENANCE OF WELL AND IRRIGATION DITCH
3 BETTER DESCRIBED AS BEGINNING AT THE POINT OF
4 INTERSECTION OF THE NORTH PROPERTY LINE OF
5 PARCEL 3 AND THE EAST RIGHT OF WAY OF MONO
6 ROAD; THENCE N89°45'50"E ALONG SAID NORTH
7 PROPERTY LINE A DISTANCE OF 50.00 FEET; THENCE
8 S00°07'39"E PARALLEL TO SAID EAST RIGHT OF WAY
9 A DISTANCE OF 593.46 FEET; THENCE N89°02'49"E A
10 DISTANCE OF 50.00 FEET; THENCE S00°07'39"E A
11 DISTANCE OF 68.55 FEET; THENCE N89°02'49"E A
12 DISTANCE OF 1192.82 FEET TO THE EAST PROPERTY
13 LINE OF PARCEL 3. THENCE S00°08'02"E ALONG
14 SAID EAST PROPERTY LINE A DISTANCE OF 50.00
15 FEET; THENCE S89°02'49"W A DISTANCE OF 1292.84
16 FEET TO THE EAST RIGHT OF WAY OF MONO ROAD;
17 THENCE N00°07'39"W ALONG SAID RIGHT OF WAY A
18 DISTANCE OF 713.36 FEET TO THE POINT OF
19 BEGINNING. PROPERTY IS ALSO SUBJECT TO A
20 ROADWAY AFFECTING THE WEST LINE OF THIS
21 PROPERTY PER BOOK B PAGE 4 OF COMMISSIONERS
22 PROCEEDINGS APRIL 2, 1907 AND A ROADWAY
23 AFFECTING THE SOUTH 30 FEET OF THIS PROPERTY
24 PER BOOK B PAGE 37 OF COMMISSIONERS PROCEEDINGS
25 FEBRUARY 29, 1908.;

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1 PART N1/2SE1/4, SECTION 15, TOWNSHIP 14 SOUTH,
2 RANGE 26 EAST, N.M.P.M.; BEGINNING AT THE SEc
3 N/2 SE/4 OF SAID SECTION 15 FROM WHICH THE SEC
4 OF SAID SECTION 15 BEARS S00°07'39"E A DISTANCE
5 OF 1321.54 FEET; THENCE S89°36'24"W ALONG THE
6 SOUTH LINE OF SAID N/2 SE/4 A DISTANCE OF
7 2363.14 FEET; THENCE N00°07'39"W PARALLEL TO
8 THE EAST LINE OF SAID SECTION 15 A DISTANCE OF
9 804.97 FEET; THENCE N89°36'24"E PARALLEL TO
10 SAID SOUTH LINE N/2 SE/4 A DISTANCE OF 2363.14
11 FEET TO THE EAST LINE OF SAID SECTION 15;
12 THENCE S00°07'39"E ALONG SAID EAST LINE A
13 DISTANCE OF 804.97 FEET TO THE POINT OF
14 BEGINNING, CONTAINING 43.689 ACRES±. THIS
15 PROPERTY IS SUBJECT TO A ROADWAY AFFECTING THE
16 EAST PROPERTY LINE PER BOOK B PAGE 4 OF
17 COMMISSIONERS PROCEEDINGS APRIL 2, 1907.; and
18 Section 3: SE/4SE/4, less and except the North
19 198' of the East 136'
20 Section 10: lots 1, 2, 11 and 12 West Hagerman
21 Addition (SE/4NE/4), NE/4NE/4
22 Section 11: NW/4NW/4, SW/4NW/4, NW/4SW/4
23 All in Township 14 South, Range 26 East,
24 N.M.P.M., Chaves County, New Mexico
25 containing 236.657 acres more or less.";

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and

WHEREAS, the described real property is no longer suitable for agricultural uses because the water rights have been separated and transferred; and

WHEREAS, the described real property should be utilized in order to control the environmental issues of land erosion, blowing dust and noxious weed growth; and

WHEREAS, the town of Hagerman has suffered catastrophic financial losses as a result of the decrease in agricultural-based businesses; and

WHEREAS, the described real property would be used by the town of Hagerman for economic development, new housing and other facilities serving the community; and

WHEREAS, the interstate stream commission desires to donate and the town of Hagerman desires to accept title to the described real property;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the interstate stream commission be authorized to donate or otherwise transfer the described real property to the town of Hagerman and that the donation or other transfer is hereby ratified and approved pursuant to the provisions of Section 13-6-3 NMSA 1978; and

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the chair of the interstate stream commission and to the mayor and town council of the town of Hagerman.

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