

HOUSE JOINT RESOLUTION 15

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 STATE-OWNED REAL PROPERTY AT 301 MILLS AVENUE, LAS VEGAS, NEW MEXICO, TO THE CITY OF LAS VEGAS.

WHEREAS, the facilities management division of the general services department owns real property located at 301 Mills Avenue, Las Vegas, New Mexico, referred to as the "301 Mills Avenue" property; and

WHEREAS, the city of Las Vegas initially donated the 301 Mills Avenue property to the state for the purpose of housing a state agency; and

WHEREAS, the state no longer uses the 301 Mills Avenue property, and the facilities management division has determined that the property is no longer needed by the state for any purpose and that, therefore, the division desires to donate and

.203107.1 Amendments in Context

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New amended language = new by amendment

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New amended language

transfer the property to the city of Las Vegas; and

WHEREAS, the city of Las Vegas desires the 301 Mills Avenue property as a location for city offices and governmental functions; and

WHEREAS, the 301 Mills Avenue property has a value in excess of one hundred thousand dollars (\$100,000); and

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

WHEREAS, Section 13-6-3 NMSA 1978 provides in pertinent part that any sale, trade or lease of state real property for consideration of one hundred thousand dollars (\$100,000) or more shall be subject to the ratification and approval by the state legislature prior to the sale, trade or lease becoming effective; 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 301 Mills Avenue property is more particularly described as:

"A tract of land located between First Street and Second Street in the city of Las Vegas, San Miguel County, New Mexico. Said tract is bounded on the north by Mills Road and being more particularly described as follows: Beginning for a tie at the

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New Mexico state "Golf" Triangulation Station, thence S 31° 19' E a distance of 2492.33 feet to a surveyor's monument being the SE'ly corner and true point of beginning of this tract. Thence along the S'ly boundary of this tract the following courses: N 84° 34' W a distance of 97.24 feet to a surveyor's monument; S 67° 04' W a distance of 64.04 feet to a surveyor's monument; S 67° 54' W a distance of 147.25 feet to a surveyor's monument being the SW'ly corner of this tract. Thence along the E'ly R/W of Second Street along a curve with a radius of 273.97 feet an arc distance of 108.86 feet to a surveyor's monument at a point of tangency. Thence continuing along said R/W N 03° 55' W a distance of 144.20 feet to a surveyor's monument being the NW'ly corner of this tract. Thence along the S'ly R/W of Mills Road N 88° 12' E a distance of 285.75 feet to a surveyor's monument being the NE'ly corner of this tract. Thence along the W'ly R/W of First Street along a curve with a radius of 429.28 feet, with a chord of S 13° 45' 47" E a distance of 191.29 feet, with an arc distance of 192.91 feet to the true point of beginning of this tract. Said tract contains 1.383 acres, more or less.

The above-described tract is shown on a plat prepared by Morris A. Apodaca, titled Proposed State Police Building, dated July 30, 1979, plat no. LS-79-72.";

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the proposed donation **and transfer** of

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the real property at 301 Mills Avenue, Las Vegas, New Mexico, from the state to the city of Las Vegas 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 real property at 301 Mills Avenue, Las Vegas, New Mexico, from the state to the city of Las Vegas be contingent upon agreement by the parties in the conveyance document that if the city of Las Vegas 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 be reconveyed by the city 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 city manager of the city of Las Vegas, New Mexico.