

1 SENATE JOINT RESOLUTION 9

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016**

3 INTRODUCED BY

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10 A JOINT RESOLUTION

11 RATIFYING AND APPROVING THE DONATION AND TRANSFER OF TWO TRACTS
12 OF STATE-OWNED REAL PROPERTY THAT ARE CURRENTLY LEASED BY THE
13 VILLAGE OF LOS LUNAS AND OTHERS FOR MUNICIPAL AND RELATED
14 PURPOSES TO THE VILLAGE OF LOS LUNAS.

15
16 WHEREAS, the facilities management division of the general
17 services department owns real property located at 660 Main
18 Street, Los Lunas, New Mexico, referred to as the "Don Pasqual"
19 real property, which real property is currently leased by the
20 village of Los Lunas for its administrative offices, road
21 maintenance yard and senior center and by first choice for the
22 care of sick and indigent citizens of the village and of
23 Valencia county; and

24 WHEREAS, the facilities management division of the general
25 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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