

1 SENATE JOINT RESOLUTION 1

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020**

3 INTRODUCED BY

4 Nancy Rodriguez

5  
6  
7  
8  
9  
10 A JOINT RESOLUTION

11 RATIFYING AND APPROVING THE TRADE BY THE STATE TO THE CITY OF  
12 SANTA FE OF FIVE TRACTS OF STATE-OWNED REAL PROPERTY LOCATED IN  
13 THE CITY OF SANTA FE TO THE CITY FOR TRADE AND SALE BY THE CITY  
14 TO THE STATE OF TWO TRACTS OF CITY-OWNED REAL PROPERTY.

15  
16 WHEREAS, the city of Santa Fe and the state desire to  
17 trade real properties, including an equalizing monetary payment  
18 from the state to the city to cover the difference in real  
19 property values; and

20 WHEREAS, the city owns real property of approximately  
21 thirty-six and nine-hundredths acres located at 4491 Cerrillos  
22 road, Santa Fe, New Mexico, which is real property currently  
23 leased by the state for the headquarters of the New Mexico  
24 state police and the New Mexico law enforcement academy, and  
25 real property of approximately twelve and thirty-three

.216178.4

underscored material = new  
~~[bracketed material] = delete~~

underscored material = new  
~~[bracketed material] = delete~~

1 thousandths acres located at 2680 Camino Entrada, which is real  
2 property currently leased by the state from the city for an  
3 impound lot; and

4 WHEREAS, the city has obtained an appraisal from a  
5 qualified and member-appraisal-institute-certified real estate  
6 appraiser, licensed in the state, for the city-owned real  
7 property, which estimated the appraised value of the 4491  
8 Cerrillos road property as six million six hundred eighty  
9 thousand dollars (\$6,680,000) and the appraised value of the  
10 2680 Camino Entrada property as two million two hundred twenty-  
11 seven thousand two hundred twenty-one dollars (\$2,227,221), for  
12 an aggregate total of eight million nine hundred seven thousand  
13 two hundred twenty-one dollars (\$8,907,221); and

14 WHEREAS, the state owns four tracts of real property with  
15 an aggregate total of approximately eleven and six hundred  
16 forty-six thousandths acres located on Siringo road in Santa  
17 Fe, New Mexico, referred to as "Tracts A, B, D, and 3", which  
18 tracts are currently vacant; and

19 WHEREAS, the state also owns real property of  
20 approximately seven and nine hundred eight-thousandths acres  
21 located at 1600 Saint Michael's drive in Santa Fe, New Mexico,  
22 referred to as "Tract O-1"; and

23 WHEREAS, the facilities management division of the general  
24 services department, which has administrative control over the  
25 state-owned properties, has obtained an appraisal from a

.216178.4

underscored material = new  
~~[bracketed material] = delete~~

1 qualified and member-appraisal-institute-certified real estate  
2 appraiser, licensed in the state, for the five tracts of state-  
3 owned real property, which estimated the values as follows:  
4 Tract A at six hundred thousand dollars (\$600,000); Tract B at  
5 six hundred ninety thousand dollars (\$690,000); Tract D and  
6 Tract 3 appraised together at a total of one million one  
7 hundred forty thousand dollars (\$1,140,000); and Tract O-1  
8 appraised at one million nine hundred thousand dollars  
9 (\$1,900,000); with an aggregate total for the five tracts of  
10 four million three hundred thirty thousand dollars  
11 (\$4,330,000); and

12 WHEREAS, the difference between the value of the city's  
13 real properties and the state's real properties is four million  
14 five hundred seventy-seven thousand two hundred twenty-one  
15 dollars (\$4,577,221); and

16 WHEREAS, the city seeks to receive the difference in the  
17 values of the city's real property and the state's real  
18 property in a monetary payment, concurrently with the trade of  
19 the real properties in order to equalize the values of the  
20 trade; and

21 WHEREAS, a payment from the state to the city in the  
22 amount of four million five hundred seventy-seven thousand two  
23 hundred twenty-one dollars (\$4,577,221) is subject to the  
24 legislature appropriating sufficient money to make the payment;  
25 and

.216178.4

underscoring material = new  
~~[bracketed material] = delete~~

1           WHEREAS, the city, in its Resolution Number 2019-57, has  
2 approved the trade and transfer of the city-owned real property  
3 for the trade and transfer of the state-owned real property and  
4 an equalizing monetary payment from the state to the city,  
5 subject to the ratification and approval of the trade and  
6 transfer by the legislature; and

7           WHEREAS, pursuant to Section 3-54-2 NMSA 1978, a  
8 municipality may sell, at private or public sale, exchange or  
9 donate real property to the state, if the sale, exchange or  
10 donation is in the best interests of the public and is approved  
11 by the local government division of the department of finance  
12 and administration; and

13           WHEREAS, pursuant to Section 13-6-2 NMSA 1978, prior to  
14 consummation of the real property trade, the facilities  
15 management division of the general services department must  
16 make a written determination that it would be in the best  
17 interest of the state for the state to transfer Tract A, Tract  
18 B, Tract D, Tract 3 and Tract O-1 and to make an equalizing  
19 payment to the city in exchange for the transfer of the city-  
20 owned real property at 4491 Cerrillos road and 2680 Camino  
21 Entrada to the state's department of public safety; and

22           WHEREAS, it is desired that the state board of finance  
23 review and approve the trade of the state-owned real property  
24 for the city-owned real property; and

25           WHEREAS, the state's capitol buildings planning commission

.216178.4

underscored material = new  
~~[bracketed material] = delete~~

1 may review the trade of the state-owned real property for the  
2 city-owned real property as part of the commission's master  
3 planning and inventory efforts; and

4 WHEREAS, pursuant to Section 13-6-3 NMSA 1978, a trade or  
5 sale of state-owned real property for a consideration of one  
6 hundred thousand dollars (\$100,000) or more shall be subject to  
7 the ratification and approval of the legislature prior to the  
8 trade or sale becoming effective; and

9 WHEREAS, the city-owned 4491 Cerrillos road real property  
10 is described as follows: A portion of those lands as shown and  
11 delineated on a plat entitled "SURVEY OF OLD MUNICIPAL AIRPORT  
12 FOR THE CITY OF SANTA FE NEW MEXICO IN SECTION 7, T.16N.,  
13 R.9E., N.M.P.M., SANTA FE COUNTY, NEW MEXICO", prepared by Jack  
14 G. Home PE & LS No. 889, dated July 28, 1967, being and  
15 intended to be the parcel labeled "NEW MEXICO STATE POLICE" on  
16 above referenced plat of survey, less and excepting therefrom  
17 any portion of the premises lying within the bounds of Jaguar  
18 drive or US Highway 85 also known as Cerrillos road, and being  
19 more particularly described as follows:

20 Beginning at the northeast corner of the lands  
21 herein described from whence a USGLO brass cap  
22 marking section corner common to Sections 5, 6, 7  
23 and 8, T.16N., R.9E., N.M.P.M., bears N. 26° 47' E.,  
24 a distance of 550.7 feet; thence N. 0° 07' W., a  
25 distance of 318.3 feet; thence N. 89° 45' E., a

underscored material = new  
~~[bracketed material] = delete~~

1 distance of 161.3 feet; thence N. 26° 57' E., a  
2 distance of 910.7 feet; thence N. 26° 45' E., a  
3 distance of 901.3 feet; thence N. 26° 48' E., a  
4 distance of 733.8 feet; thence N. 0° 17' W., a  
5 distance of 374.5 feet; thence from said point of  
6 beginning S. 26° 47' W., a distance of 500.0 feet to  
7 the southeast corner of the parcel herein described;  
8 thence S. 89° 23' W., a distance of 2135.4 feet to  
9 the southwest corner of the parcel herein described;  
10 thence N. 19° 45' W., a distance of 372.1 feet;  
11 thence along a curve to the right, Radius of 25 feet  
12 and Arc Length of 39.43 feet; thence N. 70° 15' E.,  
13 a distance of 1198.4 feet; thence along a curve to  
14 the left, Radius of 659.41 feet and Arc Length of  
15 309.95 feet to the northeast corner of the parcel  
16 herein described; thence S. 66° 37' E., a distance  
17 of 1205.4 feet to the point and place of beginning;  
18 containing 36.09 acres more or less; and

19 WHEREAS, the city-owned property located at 2680 Camino  
20 Entrada is described as follows: Tract 1, as shown and  
21 delineated on plat entitled "LOT LINE ADJUSTMENT FOR THE CITY  
22 OF SANTA FE WITHIN SECTION 7, T.16N., R.9E., N.M.P.M WITHIN THE  
23 CITY OF SANTA FE, SANTA FE, NEW MEXICO" recorded in the office  
24 of the Santa Fe county clerk in Book 288, Page 035, more  
25 particularly described as follows:

.216178.4

underscored material = new  
~~[bracketed material] = delete~~

1 A Tract of land lying, being and situate in the  
2 County of Santa Fe, State of New Mexico, being more  
3 particularly described as follows: Beginning at the  
4 northeast corner of the herein described tract of  
5 land, from which point a U.S.G.L.O brass cap marking  
6 P.C.689, P.C.T.2, 6025, Sec. 6 bears North 52°22'53"  
7 East, a distance of 264.79 feet; thence North  
8 53°12'21" East, a distance of 64.18 feet; thence  
9 North 50°55'04" East, a distance of 82.53 feet;  
10 thence from said point and place of beginning South  
11 19°49'15" East. A distance of 653.36 feet to the  
12 southeast corner of said tract; thence South  
13 70°10'44" West, a distance of 883.22 feet to a point  
14 on a circular curve concave to the northeast (Radius  
15 = 25.00 feet; Chord = North 62°16'18" West, a  
16 distance of 36.89 feet) thence along said curve, an  
17 arc length of 41.50 feet; thence North 14°42'46"  
18 West, a distance of 345.90 feet; thence North  
19 19°47'47" West, a distance of 155.70 feet to the  
20 northwest corner of said tract; thence North  
21 52°21'14" East, a distance of 461.28 feet; thence  
22 South 19°58'35" East, a distance of 155.79 feet;  
23 thence North 52°22'53" East, a distance of 459.69  
24 feet to the point and place of beginning. Said  
25 tract of land containing 12.033 acres more or less;

.216178.4

underscored material = new  
~~[bracketed material] = delete~~

1           and

2           WHEREAS, the city shall retain appropriate rights of way  
3 and easements on its properties, and the transfer to the state  
4 shall be subject to reservations, restrictions or easements of  
5 record; and

6           WHEREAS, the state-owned properties are described as  
7 follows: TRACT A, as shown and delineated on a plat entitled  
8 "BOUNDARY EASEMENT SURVEY PLAT OF TRACTS A, B, C & D PREPARED  
9 FOR THE COLLEGE OF SANTA FE WITHIN COLLEGE OF SANTA FE PROPERTY  
10 PROJECTED SECTION 34, T17N, R9E, NMPM, CITY AND COUNTY OF SANTA  
11 FE, NEW MEXICO", filed for record on July 15, 2010, as Document  
12 No. 1605161 in Plat Book 719, page 047, records of Santa Fe  
13 County, New Mexico; and being more particularly described as  
14 follows:

15           Beginning at a point being the southwest corner of  
16 the parcel herein described from whence a U.S.G.L.O.  
17 Brass cap marking the one mile marker on the south  
18 boundary of the Santa Fe Grant bears S. 88° 53' 06"  
19 E., a distance of 2572.88 feet; thence from said  
20 point of beginning N. 00° 12' 19" E., a distance of  
21 53.68 feet to the northwest corner of the parcel  
22 herein described; thence N. 57° 01' 01" E., a  
23 distance of 601.69 feet to the northeast corner of  
24 the parcel herein described; thence along a curve to  
25 the right, with Radius of 316.27 feet, Chord bearing

.216178.4

underscored material = new  
~~[bracketed material] = delete~~

1 of S. 30° 15' 05" W., Chord Length of 319.33 feet  
2 and Arc Length of 334.74 feet to a point; thence S.  
3 00° 00' 45" E., a distance of 102.09 feet to a point  
4 at the southeast corner of the parcel herein  
5 described; thence S. 89° 43' 14" W., a distance of  
6 665.80 feet to the point and place of beginning;  
7 containing 3.608 acres more or less; and

8 TRACT B, as shown and delineated on plat entitled "BOUNDARY  
9 EASEMENT SURVEY PLAT OF TRACTS A, B, C & D PREPARED FOR THE  
10 COLLEGE OF SANTA FE WITHIN COLLEGE OF SANTA FE PROPERTY  
11 PROJECTED SECTION 34, T17N, R9E, NMPM, CITY AND COUNTY OF SANTA  
12 FE, NEW MEXICO", filed for record on July 15, 2010, as Document  
13 No. 1605161 in Plat Book 719, page 047, records of Santa Fe  
14 County, New Mexico, and being more particularly described as  
15 follows:

16 Beginning at a point being the southwest corner of  
17 the parcel herein described from whence a U.S.G.L.O  
18 Bass cap marking the one mile marker on the south  
19 boundary of the Santa Fe Grant bears S. 89° 43' 14"  
20 E., a distance of 665.80 feet, thence S. 88° 53' 06"  
21 E., a distance of 2572.88 feet; thence from said  
22 point of beginning N. 00° 00' 45" W., a distance of  
23 102.09 feet to a point; thence along a curve to the  
24 left, with Radius of 316.27 feet, Chord bearing of  
25 N. 30° 15' 05" W., Chord Length of 319.33 feet and

.216178.4

underscoring material = new  
~~[bracketed material] = delete~~

1 Arc Length of 334.75 feet to the northwest corner of  
2 the parcel herein described; thence N. 58° 37' 39"  
3 E., a distance of 465.30 feet to the northeast  
4 corner of the parcel herein described; thence S. 03°  
5 40' 49" E., a distance of 620.14 feet to the  
6 southeast corner of the parcel herein described;  
7 thence S. 89° 43' 14" W., a distance of 276.18 feet  
8 to the point and place of beginning; containing 3.73  
9 acres more or less; and

10 TRACT D, as shown and delineated on plat entitled "BOUNDARY  
11 EASEMENT SURVEY PLAT OF TRACTS A, B, C & D PREPARED FOR THE  
12 COLLEGE OF SANTA FE WITHIN COLLEGE OF SANTA FE PROPERTY  
13 PROJECTED SECTION 34, T17N, R9E, NMPM, CITY AND COUNTY OF SANTA  
14 FE, NEW MEXICO", filed for record on July 15, 2010, as Document  
15 No. 1605161 in Plat Book 719, page 047, records of Santa Fe  
16 County, New Mexico, and being more particularly described as  
17 follows:

18 Beginning at a point being the southwest corner of  
19 the parcel herein described from whence a U.S.G.L.O  
20 Bass cap marking the one mile marker on the south  
21 boundary of the Santa Fe Grant bears S. 00° 12' 19"  
22 W., a distance of 53.68 feet, thence S. 88° 53' 06"  
23 E., a distance of 2572.88 feet; thence from said  
24 point of beginning N. 00° 54' 20" E., a distance of  
25 424.73 feet to the northwest corner of the parcel

.216178.4

underscoring material = new  
~~[bracketed material] = delete~~

1           herein described; thence N. 56° 42' 16" E., a  
2           distance of 275.73 feet to the northeast corner of  
3           the parcel herein described; thence S. 33° 13' 26"  
4           E., a distance of 59.12 feet to a point; thence  
5           along a curve to the left, with Radius of 503.0  
6           feet, Chord bearing of S. 46° 53' 54" E., Chord  
7           Length of 237.82 feet and Arc Length of 240.09 feet  
8           to a point; thence S. 60° 34' 20" E., a distance of  
9           74.42 feet to the southeast corner of the parcel  
10          herein described; thence S. 57° 01' 01" W., a  
11          distance of 601.69 feet to the point and place of  
12          beginning; containing 3.42 acres more or less; and  
13          TRACT 3 as shown and delineated on a plat entitled "LOT LINE  
14          ADJUSTMENT PLAT PREPARED FOR COLLEGE OF SANTA FE & N.M. STATE  
15          PROPERTY CONTROL TRACT 3 AND 3A-1 CITY OF SANTA FE, SANTA FE  
16          COUNTY, NEW MEXICO", filed for record on September 4, 1996, as  
17          Document No. 957,883 in Plat Book 343, page 046, records of  
18          Santa Fe County, New Mexico, and being more particularly  
19          described as follows:

20                Beginning at a point being the southeast corner of  
21                the parcel herein described from whence a U.S.G.L.O  
22                Bass cap marking the one mile marker on the south  
23                boundary of the Santa Fe Grant bears S. 88° 53' 06"  
24                E., a distance of 2572.88 feet; thence from said  
25                point of beginning S. 89° 46' 43" W., a distance of

.216178.4

underscored material = new  
~~[bracketed material] = delete~~

1 120.45 feet to the southwest corner of the parcel  
2 herein described; thence N. 00° 05' 17" E., a  
3 distance of 320.94 feet to the northwest corner of  
4 the parcel herein described; thence along a curve to  
5 the left, with Radius of 2781.14 feet, Chord bearing  
6 of N. 86° 55' 35" E., Chord Length of 118.86 feet  
7 and Arc Length of 118.87 feet to the northeast  
8 corner of the parcel herein described; thence S. 00°  
9 13' 17" E., a distance of 326.85 feet to the point  
10 and place of beginning; containing 0.888 acres more  
11 or less; and

12 TRACT O-1 as shown and delineated on a plat entitled "REPLAT  
13 PREPARED FOR CITY OF SANTA FE LOT LINE ADJUSTMENT PLAT OF  
14 EXISTING TRACT O & P, RECORDED PLAT BOOK 707, PAGE 50-50A  
15 WITHIN THE COLLEGE OF SANTA FE PROPERTY PROJECTED SECTION 34,  
16 T17N, R9E, NMPM, CITY AND COUNTY OF SANTA FE, NEW MEXICO",  
17 filed for record on October 12, 2010, as Document No. 1613544  
18 in Plat Book 722, page 049, records of Santa Fe County, New  
19 Mexico; and being more particularly described as follows:

20 Beginning at a point along the westerly boundary of  
21 the parcel herein described being a survey cap  
22 bearing "CORPS OF ENGINEERS USARC SE COR. YEAR  
23 1962", thence from said point of beginning N. 32°  
24 17' 11" W., a distance of 295.81 feet to the  
25 northwest corner of the parcel herein described;

.216178.4

underscoring material = new  
~~[bracketed material] = delete~~

1           thence N. 58° 16' 21" E., a distance of 514.24 feet  
2           to the northeast corner of the parcel herein  
3           described; thence S. 31° 57' 08" E., a distance of  
4           710.49 feet to the southeast corner of the parcel  
5           herein described; thence S. 57° 43' 21" W., a  
6           distance of 263.41 feet to a point; thence N. 31°  
7           57' 08" W., a distance of 97.93 feet to a point;  
8           thence S. 57° 43' 21" W., a distance of 258.32 feet  
9           to a point the southwest corner of the parcel herein  
10          described; thence N. 32° 21' 29" W., a distance of  
11          304.08 feet to a point; thence N. 00° 47' 58" E., a  
12          distance of 21.0 feet to the point and place  
13          beginning; containing 7.908 acres more or less; and

14          WHEREAS, the state shall retain appropriate rights of way  
15          and easements on its properties, and the transfer to the city  
16          shall be subject to reservations, restrictions or easements of  
17          record;

18                 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
19          STATE OF NEW MEXICO that the legislature hereby approve the  
20          trade and transfer of state-owned real property at Tract A,  
21          Tract B, Tract D, Tract 3 and Tract O-1 to the city of Santa Fe  
22          in trade and transfer of city-owned real property at 4491  
23          Cerrillos road and 2680 Camino Entrada to the state, together  
24          with a concurrent payment of four million five hundred  
25          seventy-seven thousand two hundred twenty-one dollars

.216178.4

underscored material = new  
[bracketed material] = delete

1 (\$4,577,221) to be paid by the state to the city, subject to  
2 reservations, restrictions and easements of record as recited  
3 in this resolution and contingent upon:

4 A. a written determination by the facilities  
5 management division of the general services department that it  
6 would be in the best interests of the state for the state to  
7 transfer the state-owned real property together with an  
8 equalizing monetary payment to the city in exchange for the  
9 transfer of the city-owned real property to the state;

10 B. the approval by the local government division of  
11 the department of finance and administration of the city's  
12 participation in the trade of real property with the state; and

13 C. the approval by the state board of finance of  
14 the state's participation in the trade of real property with  
15 the city; and

16 BE IT FURTHER RESOLVED that copies of this resolution be  
17 transmitted to the governor, the mayor and the city clerk of  
18 the city of Santa Fe, the director of the facilities management  
19 division of the general services department, the directors of  
20 the local government division and the board of finance division  
21 of the department of finance and administration and the  
22 director of the legislative council service on behalf of the  
23 capitol buildings planning commission.