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SENATE BILL 438

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Ben D. Altamirano

AN ACT

RELATING TO SUBDIVISIONS; AMENDING THE NEW MEXICO SUBDIVISION
ACT TO PROHIBIT THE MERGER OF CONTIGUOUS PARCELS IN CERTAIN
CIRCUMSTANCES.

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

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

"[NEW MATERIAL] MERGER OF CONTIGUOUS PARCELS--
PROHIBITION. --

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

(1) each of the contiguous parcels:

(a) is shown on the official plat map of

underscored material = new
[bracketed material] = delete

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the county; or

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

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

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

B. Nothing in this section limits a board of county commissioners from requiring consolidation of contiguous parcels in common ownership for the purpose of enforcing minimum zoning standards on the parcels. "