

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2016-30

INTRODUCED BY:

Mayor Javier Gonzales

AN ORDINANCE

AUTHORIZING THE SALE OF 7,146.1 SQUARE FEET OF REAL PROPERTY LOCATED ADJACENT TO 308 MADRID LANE AND DESCRIBED AS "PORTION OF MADRID LANE" AS SHOWN AND DELINEATED ON A SURVEY ENTITLED, "LEGAL DESCRIPTION PORTION OF MADRID LANE" PREPARED BY DEL RIO SURVEYS, INC., PHILIP B. WEIGEL, N.M.P.S. NO. 9758, DATED JUNE 1, 2016, LYING AND BEING SITUATE WITHIN THE CITY AND COUNTY OF SANTA FE, NEW MEXICO.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Section 1. The attached Exhibit A, Quitclaim Deed between the City of Santa Fe (Grantor) and Barbara Kitchen (Grantee) for real property lying and being situated within the City and County of Santa Fe, New Mexico, is approved subject to the conditions set forth in Section 2 below. The real property is located adjacent to the property at 308 Madrid Lane and is more particularly described as follows:

"A PORTION OF MADRID LANE DEPICTED ON PLAT BOOK 2 AT PAGE 291, RECORDS OF SANTA FE COUNTY, NM AND BEING MORE PARTICULARLY DESCRIBED

1 AS FOLLOWS, TO WIT: BEGINNING AT THE SOUTHEAST CORNER OF THE ABOVE
2 MENTIONED TRACT, BEING THE NORTHEAST CORNER OF LOT 7 OF THE ABOVE
3 MENTIONED PLAT, THENCE FROM SAID POINT OF BEGINNING, ALONG THE NORTH
4 BOUNDARY OF SAID LOT 7, S 89°57'00" W, 144.55 FEET; THENCE LEAVING SAID
5 BOUNDARY, N 02°56'02" E, 50.07 FEET TO THE SOUTH BOUNDARY OF LOT 5 OF THE
6 ABOVE MENTIONED PLAT; THENCE, ALONG SAID BOUNDARY, N 89°57'00" E, 142.39
7 FEET; THENCE, LEAVING SAID BOUNDARY, S 0°47'00" E, 50.00 FEET TO THE POINT
8 AND PLACE OF BEGINNING OF THIS TRACT, CONTAINING 7,146.1 SQUARE FEET."

9 **Section 2.** The sale of the real property is approved subject to the terms herein and the
10 following easements and restrictions:

11 1. The property shall not be considered a separate legal lot of record for any purpose,
12 but rather shall be consolidated with the adjoining lands commonly known as 308 Madrid Lane by the
13 Grantee.

14 2. The property shall be subject to easements for existing utilities and rights thereto.

15 3. The property shall not be transferred to the purchaser until and unless the
16 purchaser becomes the owner of the adjoining lands commonly known as 308 Madrid Lane on or
17 before ten (10) days after the effective date of this ordinance.

18 **Section 3.** The appraised value of the real property is \$48,236.17.

19 **Section 4.** The manner of payment to Grantor shall be cash. The time of payment shall
20 be as soon as practicable after the effective date of this ordinance.

21 **Section 5.** The sale price of the real property is \$48,236.17.


22 **Section 6.** The purchaser of the real property is Barbara Kitchen.

23 **Section 7.** The purpose of the sale of the real property by the municipality is the
24 disposal of surplus real property and the generation of revenue for the municipality.

25 **Section 8.** This ordinance shall become effective forty-five (45) days after its adoption,

1 unless a referendum election is held pursuant to Article 3-54-1 NMSA 1978.

2
3 APPROVED AS TO FORM:

4 
5 _____
6 KELLEY A. BRENNAN, CITY ATTORNEY

QUITCLAIM DEED

The CITY OF SANTA FE, a municipal corporation, herein "Grantor", whose address is 200 Lincoln Avenue, Santa Fe, NM 87501, for good and adequate consideration paid, quitclaims to BARBARA KITCHEN, herein "Grantee", whose address is 308 Madrid Lane, Santa Fe, NM 87505, the following described real estate within the City and County Santa Fe, New Mexico, being more particularly described as follows:

A Portion of Madrid Lane depicted on Plat Book 2 at Page 291, records of Santa Fe County, NM and being more particularly described as follows, to wit:

Beginning at the southeast corner of the above mentioned tract, being the northeast corner of Lot 7 of the above mentioned plat, thence from said point of beginning, along the north boundary of said Lot 7, S89°57'00"W, 144.55 feet; thence leaving said boundary, N02°56'02"E, 50.07 feet to the south boundary of Lot 5 of the above mentioned plat; thence, along said boundary, N89°57'00"E, 142.39 feet; thence, leaving said boundary, S0°47'00"E, 50.00 feet to the point and place of beginning of this tract, containing 7,146.1 square feet.

Subject to reservations, restrictions, easements of record and taxes for the year of 2016 and thereafter.

Further, by this deed, the real estate is subject to the following conditions:

1. The property shall not be considered a legal lot of record for any purpose, but rather shall be consolidated with the adjoining lands commonly known as 308 Madrid Lane by Grantee.
2. The parcel herein conveyed is subject easements for existing utilities and rights thereto.

Witness my hand and seal this _____ day of _____, 2016.

GRANTOR:
CITY OF SANTA FE

BY: _____
JAVIER M. GONZALES, MAYOR

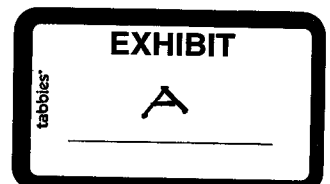
ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

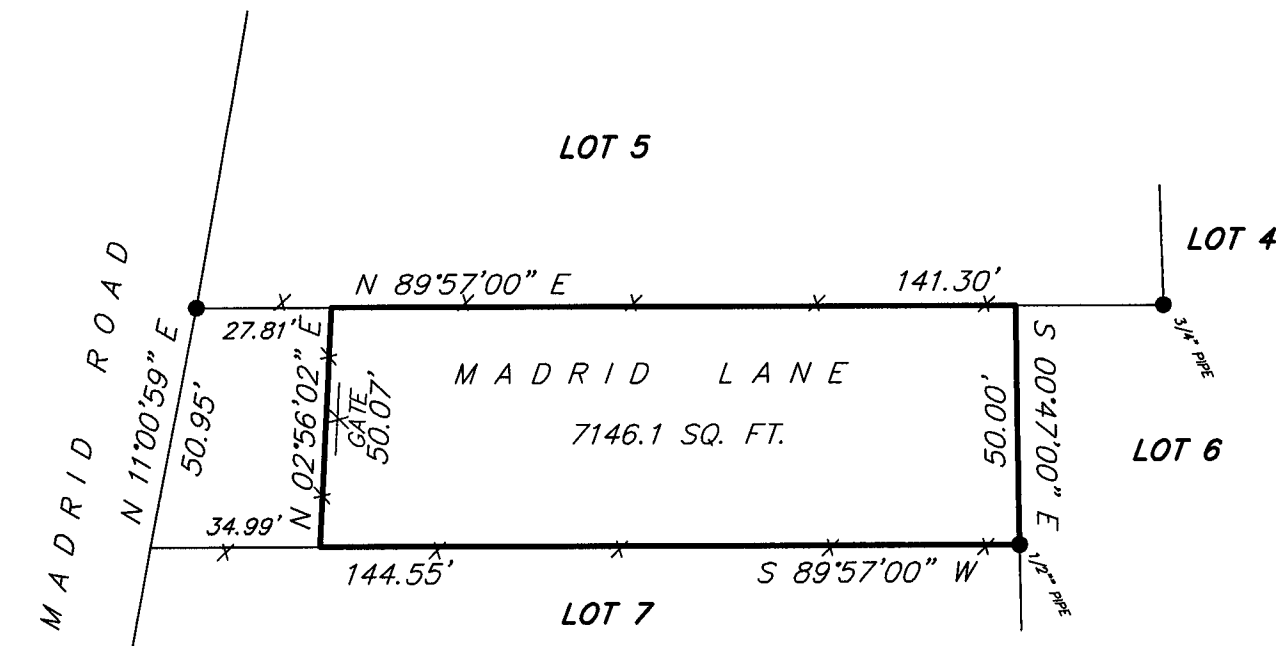
APPROVED AS TO FORM:



KELLEY A. BRENNAN, CITY ATTORNEY



LEGAL DESCRIPTION
PORTION OF MADRID LANE



SCALE: 1"=40'

LEGEND

- Points found.
- *—*—* Fences.

A PORTION OF MADRID LANE DEPICTED ON PLAT BOOK 2 AT PAGE 291, RECORDS OF SANTA FE COUNTY, NM. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT THE SOUTHEAST CORNER OF THE ABOVE MENTION TRACT, BEING THE NORTHEAST CORNER OF LOT 7 OF THE ABOVE MENTIONED PLAT, THENCE FROM SAID POINT OF BEGINNING, ALONG THE NROTH BOUNDARY OF SAID LOT 7, S 89°57'00" W, 144.55'; THENCE, LEAVING SAID BOUNDARY, N 02°56'02" E, 50.07' TO THE SOUTH BOUNDARY OF LOT 5 OF THE ABOVE MENTIONED PLAT, THENCE, ALONG SAID BOUNDARY, N 89°57'00" E, 142.39'; THENCE, LEAVING SAID BOUNDARY, S 0°47' 00" E, 50.00' TO THE POINT AND PLACE OF BEGINNING OF THIS TRACT. CONTAINING 7146.1 SQ. FT.

CERTIFICATE

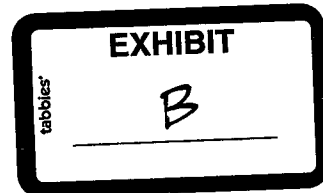
I, Philip B. Wiegel, a duly registered Professional Surveyor in the State of New Mexico hereby certify that I conducted and am responsible for this survey, that this survey and plat represent an actual survey made in the field by me or under my direction, that it meets the Minimum Standards for Surveys in New Mexico and that the information contained herein is true and correct to the best of my knowledge, information and belief.

Philip B. Wiegel

Philip B. Wiegel
P.O. Box 22773

DATE
1 JUNE, 2016

P.S. No. 9758
Santa Fe, NM.



DEL RIO SURVEYS, INC.

PROJ. No.
16040239

OPINION OF VALUE

APPRAISAL REPORT

DISPUTED DRIVEWAY/CITY ROW

308 Madrid Lane
Santa Fe, New Mexico 87501

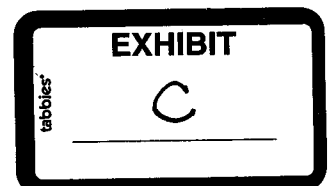
THE BAHL REVOCABLE LIVING TRUST
C/O LEE LEWIN
438 APODACA HILL
SANTA FE, NEW MEXICO 87501

AND

MATTHEW O'REILLY
DIRECTOR OF ASSET DEVELOPMENT
CITY OF SANTA FE
POB 909
SANTA FE, NEW MEXICO 87504

Effective Date Of Appraisal	May 17, 2016 Reflecting As Is Condition
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PREPARED BY GINNY OLCOTT, MAI





May 26, 2016

BAHL Revocable Living Trust
c/o Lee Lewin
438 Apodaca Hill
Santa Fe, New Mexico 87501

And

Matthew O'Reilly
Director of Asset Development
City of Santa Fe
PO Box 909
Santa Fe, New Mexico 87504-0909

Re: Disputed Driveway/City ROW
308 Madrid Lane
Santa Fe, New Mexico

The attached appraisal provides an opinion of value for the described disputed land, expressed as a value per square foot, and reflecting as is condition as of the effective date. The appraisal conforms to the Uniform Standards of Professional Appraisal Practice (USPAP) for appraisal assignments with supporting documentation and analysis included in the attached report.

Property rights appraised are those of fee simple estate, subject to easements and restrictions of record.

Based on this appraisal, my opinion of value of the referenced property, under the assumptions and conditions defined herein, is

MARKET VALUE OPINION

**DISPUTED DRIVEWAY/CITY ROW
308 MADRID LANE
SANTA FE, NEW MEXICO
AS OF MAY 17, 2016**

\$ 6.75 PER SQUARE FOOT

This appraisal is made subject to the following special assumptions and conditions.

- No recent, legible survey available showing the disputed land. The land under negotiation falls within the existing ROW of Madrid Lane, a 50' wide street, but the specific depth of area to be acquired from the City is still under negotiation; as the final acquisition area has yet to be determined, this appraisal contains a value opinion per square foot. Note that the acquisition area will likely range from about 6,000 to 8,500 square feet.