1	CITY OF SANTA FE, NEW MEXICO
2	RESOLUTION NO. 2009-105
3	INTRODUCED BY:
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5	Councilor Wurzburger
6	Councilor Romero
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10	A RESOLUTION
11	TO ACCEPT THE DONATION OF REAL PROPERTY (10 ACRES +) ON THE
12	WESTERN FLANK OF SUN MOUNTAIN ALONG OLD SANTA FE TRAIL SUBJECT
13	TO A DEED OF CONSERVATION EASEMENT.
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15	WHEREAS, the Trust for Public Land ("TPL") is under contract to acquire 22.8 acres,
16	more or less, of real property on the western flank of Sun Mountain along Old Santa Fe Trail
17	within the City of Santa Fe; and
18	WHEREAS, TPL anticipates placing a perpetual deed of conservation easement on
19	approximately 10 acres, more or less, of said property, which will abut and share a common
20	boundary with the City of Santa Fe property constituting Sun Mountain; and
21	WHEREAS, the deed of conservation easement will primarily preserve the scenic, open
22	space and recreational values of said real property and prohibit the development of the property;
23	and
24	WHEREAS, the deed of conservation easement shall be held by the Santa Fe
25	Conservation Trust, or other qualified conservation organization; and

1	WHEREAS, owning said real property will expand and preserve the recreational
2	opportunities on the real property and on Sun Mountain; and
3	WHEREAS, Section 5-4-6 NMSA 1978 authorizes a municipality to accept the donation
4	of land for recreational purposes, provided that if there will be expenses for the maintenance of
5	such land, approval of the donation by the governing body is required.
6	NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
7	CITY OF SANTA FE that the City of Santa Fe: (1) shall accept the donation of the fee interest
8	in the real property, consisting of ten acres, more or less, from The Trust for Public Land, subject
9	to a perpetual deed of conservation easement over the property with a qualified conservation
10	organization as Grantee, subject to the City Attorney's Office review of the reasonableness of the
11	terms of Deed of Conservation Easement; and (2) shall accept by assignment and execute the
12	assignment of all of TPL's right, title and interest in and to the Deed of Conservation Easement as
13	Grantor.
14	AND BE IT FURTHER RESOLVED that upon completion of the donation, the land
15	shall be included in the City's open space inventory and shall be maintained by the City's parks
16	division accordingly.
17	PASSED, APPROVED, and ADOPTED this 28th day of October, 2009.
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20	Duillos
21	DAVID COSS, MAYOR
22	ATTEST:
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25	XOLANDA Y. VIGIL, CITY CLERK
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1	APPROVED AS TO FORM:
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3	Then-
4	FRANK D. KATZ, CITY ATTORNEY
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25	Jp/ca/jpmb/2009 res/Sun Mountain