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**CITY OF SANTA FE, NEW MEXICO**

**RESOLUTION 2018-\_\_**

**INTRODUCED BY:**

Councilor Peter N. Ives

Councilor Carol Romero-Wirth

**A RESOLUTION**

**APPROVING THE EXCHANGE AND TRANSFER OF ONE TRACT OF CITY-OWNED REAL PROPERTY LOCATED AT 4491 CERRILLOS ROAD TO THE STATE OF NEW MEXICO IN EXCHANGE FOR THE TRANSFER OF MULTIPLE TRACTS OF STATE-OWNED REAL PROPERTY TO THE CITY OF SANTA FE.**

**WHEREAS**, the City of Santa Fe (“City”) owns real property located at 4491 Cerrillos Road, Santa Fe, New Mexico, which real property is currently leased by the State of New Mexico for the headquarters of the New Mexico State Police and its Law Enforcement Academy; and

**WHEREAS**, the Facilities Management Division of the State General Services Department (“State”) owns four tracts of real property located on Siringo Road in Santa Fe, New Mexico, referred to as “Tracts A, B, D and 3”, which tracts of real property are currently vacant except for Tract D which contains a small storage building; and

**WHEREAS**, the State also owns real property located at 1600 St. Michael’s Drive in Santa Fe, New Mexico, referred to as “Tract O-1”, which real property currently contains old army barracks scheduled for demolition that were once part of the College of Santa Fe; and

1           **WHEREAS**, the State also owns five parcels of real property located at 2551, 2555, 2557,  
2 2559, and 2563 Camino Entrada in the Valdez Industrial Park in Santa Fe, New Mexico referred to as  
3 “Lots 1A, 2, 3, 4 and 5A”, which parcels of real property are currently vacant; and

4           **WHEREAS**, NMSA 1978, Section 13-6-3 provides in pertinent part that any sale, trade or  
5 lease of State property for consideration of one hundred thousand dollars (\$100,000) or more shall be  
6 subject to ratification and approval by the state legislature; and

7           **WHEREAS**, all of the State-owned real properties described herein each separately has a  
8 value in excess of one hundred thousand dollars (\$100,000); and

9           **WHEREAS**, in 1.5.23.7 NMAC, the State Board of Finance defines “sale, trade or lease” as  
10 any disposition of real property, including donation by one governmental entity to another  
11 governmental entity; and

12           **WHEREAS**, NMSA 1978, Section 13-6-2 provides that, providing a written determination is  
13 made, a state agency may sell or otherwise dispose of real property by negotiated sale or donation to a  
14 local public body and that a local public body may sell or otherwise dispose of real property by  
15 negotiated sale or donation to a state agency; and

16           **WHEREAS**, the City is a local public body, as defined by NMSA 1978, Section 13-6-4 and a  
17 governmental entity; and

18           **WHEREAS**, the State has determined that it would be in its best interest of the State to  
19 transfer Tracts A, B, D and 3, Tract O-1 and Lots 1A, 2, 3, 4 and 5A (“State-owned properties”) to  
20 the City of Santa Fe in exchange for the transfer of 4491 Cerrillos Road (“City-owned property”) to  
21 the State; and

22           **WHEREAS**, a qualified and MAI-certified real estate appraiser, licensed by the State of New  
23 Mexico, has made an appraisal of the State-owned properties and the City-owned property described  
24 herein and has determined that the State-owned properties and the City-owned property are of  
25 approximately equal value; and

1           **WHEREAS**, the City-owned 4491 Cerrillos Road real property is described as follows:

2                         A portion of those lands as shown and delineated on a plat entitled  
3           “SURVEY OF OLD MUNICIPAL AIRPORT FOR THE CITY OF SANTA FE  
4           NEW MEXICO IN SECTION 7, T.16N., R.9E., N.M.P.M., SANTA FE COUNTY,  
5           NEW MEXICO”, prepared by Jack G. Horne PE & LS No. 889, dated July 28, 1967,  
6           as Exhibit A being and intended to be the parcel labeled “NEW MEXICO STATE  
7           POLICE” on above referenced plat of survey, less and excepting therefrom any  
8           portion of the premises lying within the bounds of Jaguar Drive or US Highway 85  
9           a.k.a. Cerrillos Road, containing 36.09 acres more or less; and

10           **WHEREAS**, the City shall retain appropriate rights of way and easements, and the transfer  
11 shall be subject to reservations, restrictions or easements of record; and

12           **WHEREAS**, the State-owned properties are described as follows:

13                         TRACT A, B and D, as shown and delineated on a plat entitled  
14           “BOUNDARY EASEMENT SURVEY PLAT OF TRACTS A, B, C & D  
15           PREPARED FOR THE COLLEGE OF SANTA FE WITHIN COLLEGE OF  
16           SANTA FE PROPERTY PROJECTED SECTION 34, T17N, R9E, NMPM, CITY  
17           AND COUNTY OF SANTA FE, NEW MEXICO”, filed for record on July 15, 2010  
18           as Document No. 1605161 in Plat Book 719, page 047, as Exhibit B records of Santa  
19           Fe County, New Mexico, containing 3.608 acres, 3.73 acres, 4.42 acres respectively  
20           more or less; and

21                         TRACT 3 as shown and delineated on a plat entitled “LOT LINE  
22           ADJUSTMENT PLAT PREPARED FOR COLLEGE OF SANTA FE & N.M.  
23           STATE PROPERTY CONTROL TRACT 3 AND 3A-1 CITY OF SANTA FE,  
24           SANTA FE COUNTY, NEW MEXICO”, filed for record on September 4, 1996 as

1 Document No. 957,883 in Plat Book 343, page 046, as Exhibit C records of Santa Fe  
2 County, New Mexico, containing 0.888 acres more or less; and

3 TRACT O-1 as shown and delineated on a plat entitled "REPLAT  
4 PREPARED FOR CITY OF SANTA FE LOT LINE ADJUSTMENT PLAT OF  
5 EXISTING TRACT O & P, RECORDED PLAT BOOK 707, PAGE 50-50A  
6 WITHIN THE COLLEGE OF SANTA FE PROPERTY PROJECTED SECTION 34,  
7 T17N, R9E, NMPM, CITY AND COUNTY OF SANTA FE, NEW MEXICO", filed  
8 for record on October 12, 2010 as Document No. 1613544 in Plat Book 722, page  
9 049, as Exhibit D records of Santa Fe County, New Mexico, containing 7.908 acres  
10 more or less; and

11 LOT 1A and LOT 5A as shown and delineated on plat entitled "LOT LINE  
12 ADJUSTMENT PLAT PREPARED FOR SANTA FE BUSINESS PARK, LLC  
13 ADJUSTING THE LINE BETWEEN LOTS 1 AND 5, JOSEPH E. VALDES  
14 INDUSTRIAL PARK SECTION 7, T16N, R9E, N.M.P.M., CITY & COUNTY OF  
15 SANTA FE, NM...", filed or record on May 3, 2002 as Document No. 1204685 in  
16 Plat Book 501, page 016, as Exhibit E records of Santa Fe County, New Mexico,  
17 containing 2.90 acres and 2.44 acres respectively more or less; and

18 LOT 2, LOT 3 and LOT 4 as shown and delineated on plat entitled  
19 "SUBDIVISION PLAT JOSEPH E. VALDES INDUSTRIAL PARK SECTION 7,  
20 T16N, R9E, CITY & COUNTY OF SANTA FE, N.M. ...", filed or record on July  
21 16, 1999 as Document No. 1082596 in Plat Book 419, page 026, as Exhibit F records  
22 of Santa Fe County, New Mexico, containing 1.31 acres, 1.57 acres, and 1.57 acres  
23 respectively more or less; and

24 **WHEREAS**, the State shall retain appropriate rights of way and easements, and the transfer  
25 shall be subject to reservations, restrictions or easements of record.

1           **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**  
2 **CITY OF SANTA FE**, that the Governing Body hereby approves the exchange and transfer of 4491  
3 Cerrillos Road to the State in exchange for the transfer of Tracts A, B, D and 3, Tract O-1 and Lots  
4 1A, 2, 3, 4 and 5A to the City of Santa Fe, pending the ratification and approval of the exchange and  
5 transfer by the New Mexico State Legislature; and

6           **BE IT FURTHER RESOLVED** that the City Clerk shall transmit copies of this resolution  
7 to the Secretary of the General Services Department and the City of Santa Fe legislative delegation.

8           PASSED, APPROVED, and ADOPTED, \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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12 ALAN M. WEBBER, MAYOR

13 ATTEST:

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15 \_\_\_\_\_  
16 YOLANDA Y. VIGIL, CITY CLERK

17 APPROVED AS TO FORM:

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19 \_\_\_\_\_  
20 ERIN K. McSHERRY, CITY ATTORNEY

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25 *M/Legislation/Resolutions 2018/State Land Exchange*