

SANTA FE COUNTY NEW MEXICO

RESOLUTION NO. 2002-105

A RESOLUTION RELATING TO THE PROPOSED ADDITIONAL TAXABLE AREA WITHIN THE SANTA FE COUNTY, NEW MEXICO COUNTY IMPROVEMENT DISTRICT (RANCHO VIEJO IMPROVEMENT DISTRICT - WINDMILL RIDGE - UNITS I & II/COLLEGE HEIGHTS), DIRECTING C.R. WALBRIDGE & ASSOCIATES, P.E., ENGINEERS, TO PREPARE, SUBMIT AND FILE WITH THE COUNTY CLERK CERTAIN PRELIMINARY PLANS, ESTIMATES OF COSTS, AND PLATS WITH ADDENDUM, ALL IN CONNECTION THEREWITH.

WHEREAS, pursuant to the County Improvement District Act (N.M.S.A. 1978, §§ 4-55A-1 through 4-55A-43, hereinafter the "Act" or "County Improvement District Act"), upon the petition by owners of sixty-six and two thirds percent or more of the total assessed valuation of the property to be included in a proposed improvement district, the Santa Fe County Board of County Commissioners ("**Board**") is empowered to create an improvement district and construct the certain improvements described in the petition; and

WHEREAS, Section 4-55A-2(C) of the Act defines "**construct**" or "**construction**" as meaning "to plan, design, engineer, construct, reconstruct, install, extend, better, alter, build, rebuild, improve, purchase or otherwise acquire any project authorized in the County Improvement District Act"; and

WHEREAS, the Santa Fe County, New Mexico, County Improvement District (the "**District**") was created by resolution of the Santa Fe County Board of County Commissioners on March 31, 1998, containing 2,500 acres within the Santa Fe County, New Mexico; and

WHEREAS, from time to time landowners within the District pursuant to Section 4-55 A-12.1 NMSA 1978 as amended, may identify one or more tracts of land within the District upon which an improvement district property tax can be imposed to pay for the cost of the improvements described in the written request of said landowners (hereinafter referred to as a

“**Taxable Area**”), the purpose of which tax is to acquire improvements described in the written request; and

WHEREAS, on November 1, 2001, the Board received a request in writing from Rancho Viejo de Santa Fe, Inc., a New Mexico corporation (“**Rancho Viejo**”) to identify Taxable Area within the District; and

WHEREAS, the Board hereby determines it is in the best interest of the County to finance the “construction” of certain improvements within the District through the imposition of an improvement district property tax upon the proposed Taxable Area identified in written request from Rancho Viejo (which property is within the District and is known as “Windmill Ridge -Units I and II/College Heights”), and through the issuance of improvement district general obligation bonds allowed under the Act; and

WHEREAS, more specifically the Board determines that it is the best interest of the County that certain roads, and parts thereof including, but not limited to, grading, subgrade preparation and paving (the “**Road Improvements**” as identified in Appendix A attached hereto and incorporated herein), be constructed, installed, improved and otherwise acquired, and that certain other water utilities improvements be constructed, installed, improved and otherwise acquired all within the County (the “**Water Improvement Projects**” as identified in Appendix A attached hereto and incorporated herein); and

WHEREAS, none of the real property within the proposed Taxable Area has been subject to an Improvement District Property Tax and is not already within a Taxable Area; and

WHEREAS, the Road Improvements, the Water Improvement Projects shall be collectively referred to as the “Improvements.”

WHEREAS, the “construction” of the Improvements by the County is permitted by the Act to be constructed and acquired within the District as more particularly described in Appendix A, attached hereto; and

WHEREAS, for the purpose of designation and identification, the Improvements have been designated and indicated as Santa Fe County, New Mexico County Improvement District

(Rancho Viejo Improvement District - Windmill Ridge - Unites I & II/College Heights Taxable Area).

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY, NEW MEXICO, THE GOVERNING BODY OF THE COUNTY:

SECTION 1. That C.R. Walbridge & Associates, P.E., Engineers (the "Engineers"), professional engineers duly licensed under the laws of the State of New Mexico, are hereby directed to prepare, submit and file with the County Clerk the following:

A. Preliminary plans and an estimate of cost, and accurate "as-built" plans and specifications and certified schedules of the actual costs for the contemplated Improvements as follows:

(1) a plat showing the area to be included in the improvement district and upon which an improvement district property tax is to be imposed; and

(2) an addendum to the plat showing the estimated amount of property tax imposed upon each tract or parcel in the improvement district which may be based upon an appraisal or determination of the value of the improvements as a whole; and

(3) prepare preliminary plans for one or more types of construction showing:

(a) for each type of road, curb, gutter, sidewalk and street, a typical section of the contemplated improvement, the type of material to be used and the approximate thickness and width of the material;

(b) for each type of waterline or water system, the type of material and approximate diameter or diameters of any trunk lines, mains, laterals or house connections;
or

(c) for each other type of project or other major component of the foregoing types of projects, a general description. The engineer shall include in the total cost estimate for the improvement district all expenses, including but not limited to advertising, appraising, tax reimbursement, capital improvement, expansion, construction period interest,

reserve fund, financing, legal, engineering and printing expenses, which the engineer deems necessary to pay the complete cost of the improvement.

SECTION 2. The Improvements are intended to be constructed and acquired for, and the Taxable Area proposed to be comprised of, the streets, areas, lots, and parts thereof as more particularly described in Appendix B, prepared at the direction and supervision of the Engineers and their consulting surveyors, attached hereto and made part of this Resolution.

SECTION 3. The contemplated construction is proposed to consist of the acquisition and construction of the Road Improvements, and the construction and acquisition of the Water Improvement Projects.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Santa Fe County, New Mexico the governing body of the County:

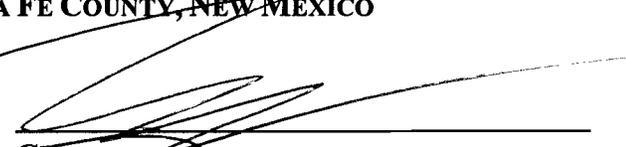
CONTINUATION No. 5

RESOLUTION No. 105

1 NOW, THEREFORE, be it resolved by the Board of County Commissioners of Santa Fe
2 County, New Mexico the governing body of the County:

3 That this Resolution having been duly heard is hereby adopted this 27th day of August, 2002.

4 BOARD OF COUNTY COMMISSIONERS
5 SANTA FE COUNTY, NEW MEXICO

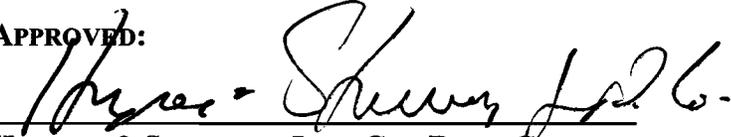
6 By 
7 CHAIRMAN

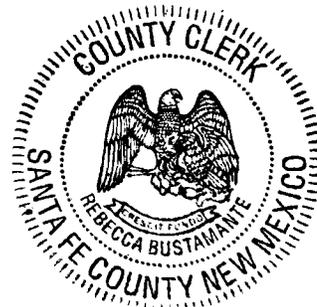
8 ATTEST:

9 
10 COUNTY CLERK



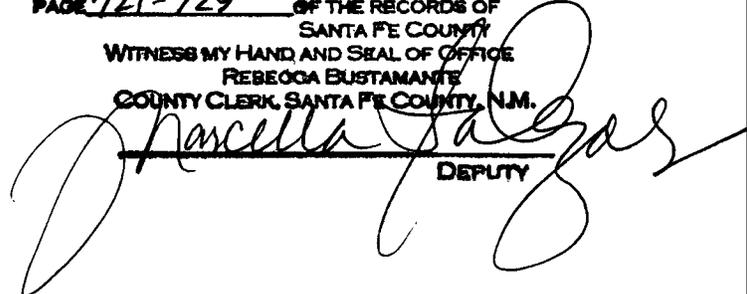
[SEAL]

12 APPROVED:
13 
14 HUGHES & STRUMOR, LTD. CO., BOND COUNSEL



1221.332
COUNTY OF SANTA FE } ss
STATE OF NEW MEXICO
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED
FOR RECORD ON THE 29 DAY OF Aug A.D.
20 02 AT 9:52 O'CLOCK a.m
AND WAS DULY RECORDED IN BOOK 2197
PAGE 721-729 OF THE RECORDS OF

SANTA FE COUNTY
WITNESS MY HAND AND SEAL OF OFFICE
REBECCA BUSTAMANTE
COUNTY CLERK, SANTA FE COUNTY, N.M.


DEPUTY

APPENDIX A

2

PROJECT DESCRIPTION

3

DESCRIPTION OF PUBLIC INFRASTRUCTURE

4

WINDMILL RIDGE AT RANCHO VIEJO

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COLLEGE HEIGHTS AT RANCHO VIEJO

6

ROAD IMPROVEMENTS

7

RICHARDS AVENUE SOUTH

8

9 This section of Richards Road begins at the end of County Road 64L (entrance to Santa Fe
10 Community College) extends into and through Windmill Ridge to it's future connection to A-Van-
11 Nu-Po a total distance of 13,000'. 2,800' is widening existing roadway from the entrance at SFCC
12 to the intersection with Avenida del Sur. 5,000' is newly constructed road from the intersection at
13 Avenida del Sur south through Windmill Ridge. 5,200 additional feet connects the current terminus
14 in Windmill Ridge to A-Van-Nu-Po.

15

WIDENED SECTION FROM SFCC TO AVENIDA DEL SUR

16	Road Length:	2,800 ft
17	Road Width:	36 ft
18	Road right-of-way:	120 ft
19	Construction material:	5" Asphalt concrete or 2" overlay
20	Estimated cost:	\$300,000.00
21	Completion date:	May 2001

22

SECTION THROUGH WINDMILL RIDGE

23	Road length:	5,000 ft
24	Road Width:	36 ft to 24 ft
25	Road right-of-way:	50 -- 120 ft
26	Construction material:	4" - Asphalt concrete on 6" gravel base
27	Current contract amount:	\$600,000
28	Completion date:	May 2001

RICHARDS AVENUE CONNECTION TO A-VAN-NU-PO

The connection of Richards Avenue from its terminus in Windmill Ridge Unit 1 and its intersection with A-Van-Nu-Po is 5,200 long. This connection section will provide the final portion of Richards road in Santa Fe County.

Road length:	5,200
Road width:	24 ft
Road right of way:	66 ft
Construction material:	4" - Asphalt concrete on 6" gravel base
Estimated cost:	\$550,000.00
Completion date:	November 2002 (est.)

Total for all of Richards Avenue South \$1.45 million

COLLEGE DRIVE

This is the first section of College Drive, which is the main access to the College Heights subdivision. The first portion of the road is built and in use. The remainder of the road is designed but not constructed.

Road length:	1,600 ft
Road width:	24 ft
Road right of way:	68 ft
Construction material:	4" Asphalt concrete on 6" gravel base
Construction cost:	\$81,500
Completion date:	April 1999

WATER IMPROVEMENT PROJECTSWindmill Ridge Unit 1

This includes the extension of the Santa Fe County water line into the site as well as the distribution system within the subdivision.

Water line length:	16,271'
Number of service connections:	224
Number of water meters:	224
Current contract amount:	\$505,000
Completion date:	May 2001

1 WINDMILL RIDGE UNIT 2

2 This will serve approximately 136 units and include an extension of 5,200' to A-Van-Nu-Po to
3 create a looped system.

4	Water line length:	13,000'
5	Number of service connections:	136
6	Number of meters:	136
7	Estimated cost:	\$500,000
8	Completion date:	September 2002

9 COLLEGE HEIGHTS PHASE 1

10 This is for the extension of water into and around College Heights Phase 1.

11	Water line length:	1,720 ft
12	Number service connections:	20
13	Number of meters:	20
14	Contract cost:	\$60,000
15	Completion date:	February 2000

17 TOTAL IMPROVEMENTS

19	Roads:	\$ 1,531,500.00
21	Water:	\$ 1,065,000.00
23	TOTAL:	\$ 2,596,500.00

28	ESTIMATED DEBT SERVICE RESERVE FUND:	\$300,000
29	ESTIMATED COSTS OF ISSUANCE AND CONTINGENCIES:	\$250,000
30	ESTIMATED TOTAL BOND AMOUNT:	\$3,146,500

LEGAL DESCRIPTION

LEGAL DESCRIPTION - TAXABLE PROPERTY
Rancho Viejo Assessment District No. 2

All those parts of Santa Fe County, NM. as listed below:

1) All of College Heights Subdivision, Phase 1, within Section 21, T16N, R9E, NMPM, the Plat of which is recorded in the Office of the County Clerk in Book 421, Pages 005-007.

2) Windmill Ridge, Unit 1, lying within Sections 19,20,21, 28, 29 and 30, T16N, R9E, NMPM, the Plat of which is recorded in the Office of the County Clerk in Book, 460, Pages 29-36.

3) All of Lot 1, shown on Lot Line Adjustment Plat, recorded in the office of the County Clerk in Book 389, Pages 010-011; except that part lying east of the easterly boundary of and the southerly production thereof, said Windmill Ridge Subdivision, Unit 1; and except that part lying west of Tract B, shown on Plat of said Windmill Ridge, Unit 1.