

SANTA FE COUNTY
RESOLUTION NO. 2003- 154

2694347

A RESOLUTION APPROPRIATING FUNDS FROM THE COUNTY CAPITAL
OUTLAY GROSS RECEIPTS TAX FOR SIGNALIZATION OF A RAILROAD
CROSSING AT AVENIDA ELDORADO

WHEREAS, the railroad crossing of the Santa Fe Southern Railroad at Avenida Eldorado in Santa Fe County is uncontrolled and lacks an automated signal to warn drivers of approaching trains;

WHEREAS, residents have reported to the Board of County Commissioners that numerous near misses have occurred at the crossing described above, and it is evident that safety will be promoted if the intersection is signalized;

WHEREAS, the New Mexico Department of Transportation has proposed to partially fund the purchase and installation of crossing signals through its Cooperative Severance Tax Project, Number ST-7549(278), and thereby has dedicated \$80,000 towards the project;

WHEREAS, under the terms of the proposed cooperative severance tax agreement, Santa Fe County is to bear all costs of the project that exceed \$80,000;

WHEREAS, the balance of the construction costs of the project are projected to be approximately \$80,000, for a total construction budget of approximately \$160,000;

WHEREAS, Santa Fe County does not possess a right-of-way or easement from the Santa Fe Southern Railroad for its crossing at Avenida Eldorado and such an agreement is required by the federal Department of Transportation before the intersection may be improved, and the Santa Fe Southern Railroad is inclined to grant such a right-of-way or easement to ensure that the crossing is made safe;

WHEREAS, funds in excess of the amount dedicated to the project by the State of New Mexico are available from the proceeds of the County Capital Outlay Gross Receipts Tax and from the Capital Road Projects Fund (as necessary), and use of the proceeds from the County Capital Outlay Gross receipts Tax and funds from the Capital Road Projects Fund (as necessary) may be properly appropriated to the proposed project; and

WHEREAS, in the interest of improving public safety, the Board of County Commissioners desires to dedicate funds from its County Capital Outlay Gross Receipts Tax and

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the Capital Road Projects Fund (as necessary) to ensure that appropriate railroad crossing signals are installed at Avenida Eldorado.

NOW, THEREFORE, BE IT THEREFORE RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY, AS FOLLOWS:

1. The Board of County Commissioners of Santa Fe County agrees to appropriate funds from its Capital Outlay Gross Receipts Tax and the Capital Road Projects Fund (as necessary) to the balance of construction cost of signalization of the crossing of the Santa Fe Southern Railroad at Avenida Eldorado.

2. Appropriation of any funds as described in the previous paragraph is contingent upon grant of an easement or right-of-way to Santa Fe County by the Santa Fe Southern Railroad.

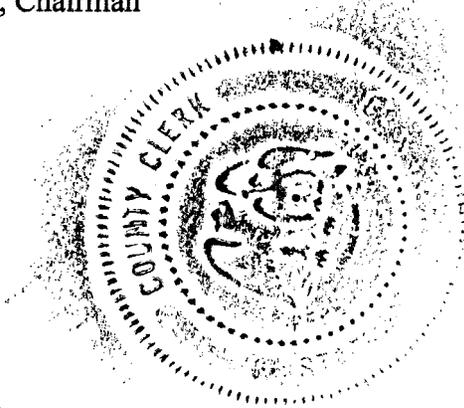
PASSED, APPROVED AND ADOPTED this 28 day of October 2003.

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

By: *Jack Sullivan*
Jack Sullivan, Chairman

Attest:

Rebecca Bustamante
Rebecca Bustamante, County Clerk



Approved as to Form:

Stephen C. Ross 10-22-03
Stephen C. Ross, County Attorney

12.98.280

COUNTY OF SANTA FE
STATE OF NEW MEXICO } ss
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED
FOR RECORD ON THE 29 DAY OF Oct A.D.
20 03 AT 2:10 O'CLOCK a.m.
AND WAS DULY RECORDED IN BOOK 2694
PAGE 347-348 OF THE RECORDS OF
SANTA FE COUNTY



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

CONFIDENTIAL