

# SANTA FE COUNTY

*Resolution No. 2000-53*

1759550

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## A RESOLUTION DEDICATING A RIGHT OF WAY TO THE PUBLIC SERVICE COMPANY OF NEW MEXICO FOR AN OVERHEAD ELECTRIC POWER LINE

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**WHEREAS**, Santa Fe County has constructed an overhead electric power line within the Agua Fria Community Park to provide service to the La Familia Medical Center Southside Clinic; and

**WHEREAS**, Santa Fe County obtained the land known as the Agua Fria Community Park from the Bureau of Land Management through the Recreation and Public Purposes Act (Patent Number 30-71-0042) and is required to provide dedicated right of ways for utility service in accordance with the act; and

**WHEREAS**, the land required is described as a certain parcel of land a right of way in width; said right of way being further described as being a right of way within lot 14, Section 31, Township 17 North, range 9 East, New Mexico Prime Meridian, Santa Fe County, New Mexico, being ten feet (10') in width, five (5.0) feet on each side of the following described centerline: Beginning at the most westerly point of the herein-described right of way from which point Santa Fe Control Monument No. 71, bears north 28°32'57" west, 786.89 feet; Thence from said point of beginning said right of way bears north 84°41'12" east, 465.00 feet to the point of termination.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners that the Chairman of the Board is authorized to grant a dedicated right of way to the Public Service Company of New Mexico for the installation of the overhead electric line.

1759551

APPROVED, ADOPTED AND PASSED this 25<sup>th</sup> day of April, 2000.

BOARD OF COUNTY COMMISSIONERS

*[Signature]*  
Joe S. Griñe, Jr., Chairperson



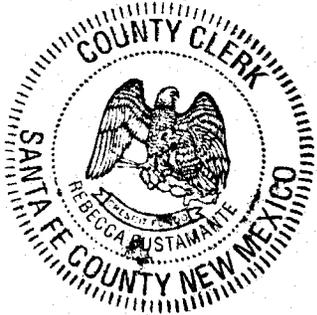
ATTEST:

*[Signature]*

Rebecca Bustamante, County Clerk

APPROVED as to legal form and sufficiency:

*[Signature]*  
County Attorney



1114.222, SS  
COUNTY OF SANTA FE  
STATE OF NEW MEXICO  
I hereby certify that this instrument was filed  
for record on the 25 day of Apr A.D.  
20 00, at 9:42 o'clock a.m.  
and was duly recorded in book 1759  
page 550-551 of the records of

Witness my Hand and Seal of Office  
Rebecca Bustamante  
County Clerk, Santa Fe County, N.M.

*[Signature]*

1759818

RIGHT-OF-WAY

THIS INDENTURE made this 25<sup>th</sup> day of April, 2000 by and between Santa Fe County

(Grantor) and PUBLIC SERVICE COMPANY OF NEW MEXICO, a New Mexico corporation and U S WEST COMMUNICATIONS, INC., a Colorado Corporation authorized to do business in New Mexico (Grantees), their successors and assigns.

WITNESSETH:

Grantor, for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other valuable consideration, the receipt of which is acknowledged, does hereby give, bargain, sell, grant and convey unto Grantees, their successors and assigns, a r/w to build, rebuild, construct, reconstruct, locate, relocate, change, remove, modify, renew, operate, and maintain overhead and/or underground facilities for the transmission and distribution of electric power and energy and facilities for communication purposes, on either of, any or all such purposes, including lines, poles, guy wires, conduits, and other equipment, fixtures and structures necessary to maintain such facilities on, over, beneath and across the r/w hereinafter described, together with free access to, from, and over said r/w with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein and with the right to utilize the r/w to extend services to customers of Grantees, and to trim and remove any trees, shrubs or bushes which interfere with the purpose set forth herein. The r/w granted herein is within lands situate in Santa Fe County, New Mexico, and is more particularly described as follows, to wit:

**PNM Job No. 99-113**

**A right-of-way within Lot 14, Section 31, T17N, R9E, N.M.P.M., Santa Fe County, New Mexico, being ten (10.0) feet in width, five (5.0) feet on each side of the following described centerline:**

**Beginning at the most westerly point of the herein described right-of-way, from which point Santa Fe Control Monument No. 71 bears N28°32' 57"W, 786.89 feet; Thence from said point of beginning said right-of-way bears N84°41'12"E, 465.00 feet to the point of termination.**

**All as shown on drawing by James J. Medrano entitled "Plat of Survey Showing Sanitary Sewer and PNM Overhead Electric Rights-of-Way Within Lot 14 in Section 31, T17N, R9E, N.M.P.M." and recorded in Plat Book 434, Page 8, Records of Santa Fe County, New Mexico.**

Grantor hereby covenants that Grantor is the true and lawful owner of the land described herein.

Grantor shall have the right to use the above described r/w for purposes not inconsistent with the rights hereby granted, provided that Grantor shall not erect nor construct any building, pool, or other structure thereon, nor drill nor operate any well thereon, nor conduct any activity which violates clearance provisions of the National Electric Safety Code.

The provisions hereof shall inure to the benefit of and bind the heirs, mortgages, lessees, tenants, successors and assigns of the parties hereto, Grantees shall have the unrestricted right to sell, transfer, assign, pledge, mortgage, lease, grant licenses or other use or occupancy rights with respect to, or otherwise dispose of, in whole or in part, any interest in the r/w and such assigns shall have the further right to convey, in whole or in part, the rights granted to them by Grantees, in whole or in part, any interest in the r/w and such assigns shall have the further right to convey, in whole or in part, the rights granted to them by Grantees.

WITNESS my hand and seal this 25<sup>th</sup> day of April, 19 2000

[Signature] Chair (SEAL) \_\_\_\_\_ (SEAL)  
[Signature] County Clerk (SEAL) \_\_\_\_\_ (SEAL)

**ACKNOWLEDGEMENT FOR NATURAL PERSONS**

STATE OF NEW MEXICO COUNTY OF Santa Fe  
This instrument was acknowledged before me on April 25, 2000

By JOE S. GRIÑE, JR

My commission expires: (Seal)

**ACKNOWLEDGEMENT FOR CORPORATION**

STATE OF NEW MEXICO COUNTY OF \_\_\_\_\_  
This instrument was acknowledged before me on \_\_\_\_\_, 19 \_\_\_\_\_

by \_\_\_\_\_ (Title of Officer)

of \_\_\_\_\_ (State of Incorporation) Corporation Acknowledgement)

\_\_\_\_\_ corporation, on behalf of said corporation.

My Commission expires: (Seal) \_\_\_\_\_  
Notary Public

FOR RECORDER'S USE ONLY  
COUNTY OF SANTA FE STATE OF NEW MEXICO  
I hereby certify that this instrument was filed for record on the 26 day of Apr A.D. 2000 at 7:00 o'clock Pm and was duly recorded in book 1759 page 818 of the records of Santa Fe County.  
Witness my Hand and Seal of Office  
Rebecca Bustamante  
County Clerk, Santa Fe County, N.M.  
[Signature]  
Dep. \_\_\_\_\_



PNM REFERENCE NUMBER [ ]