

SANTA FE COUNTY

Resolution No. 2002-41

A RESOLUTION CREATING THE WEST MUTT NELSON SUBDIVISION IMPROVEMENT DISTRICT AND ACCEPTING FOR COUNTY MAINTENANCE

WHEREAS, NMSA Section 4-55A-1, (1978, as amended) et seq., ("District") permits the Board of County Commissioners to create an Improvement District, for the purposes set forth in said statute, and

WHEREAS, one of the purposes for which an Improvement District can be created is to improve roads, and

WHEREAS, the requisite number of landowners in the West Mutt Nelson Subdivision, Santa Fe County, have properly petitioned the Board of County Commissioners and have otherwise fulfilled the requirements of the above referenced statute, and therefore are eligible for the creation of an Improvement District for the purpose of improving certain roads in the West Mutt Nelson Subdivision, and

WHEREAS, the residents of the West Mutt Nelson Subdivision have asked the County to accept and provide maintenance on these roads upon completion of the improvements within the Improvement District; and

WHEREAS, the County has the authority and capability to accept roads for maintenance in accordance with Resolution No. 1998-119 "a resolution adopting a policy for acceptance of non-county roads for county maintenance".

NOW THEREFORE BE IT RESOLVED, that the Santa Fe County Board of County Commissioners hereby creates the West Mutt Nelson Subdivision Improvement District, which is created pursuant to NMSA Section 4-55A-11 (1978, as amended), et seq., ("District"). The boundary of the District includes and is limited to the following properties:

The District is bounded on the north by the current City of Santa Fe boundary, on the west by State Road 599 (exclusive of tract 1 and tract 3 in Township 16N, Range 8E, Section 14, acquired by the City of Santa Fe for the construction of SR 599), on the south by West Mutt Nelson Road and on the east by the section line between sections 13 and 14 (inclusive of lot 2A and lot 2B of the land division for Ruben Archuleta in Township 16N, Range 8E, Section 14 and lot 1 of tract 1 plat of survey for Richard Montoya in Township

16N, Range 8E, Section 24). The improvements sought are additional easement acquisition, utility relocations, widening of the road, drainage, sub-grade and base course improvements on West Mutt Nelson Road. The estimated cost of improvements will be \$228,000, providing the additional necessary easements are donated.

The construction will be performed by the County of Santa Fe, after an advertisement for bids is performed by the County, provided that the County can guarantee to construct the improvements for an amount less than the lowest bid submitted and dependant on project priorities at that time; otherwise the County is hereby authorized and directed to employ the lowest responsive bidder to construct the improvements.

The cost of the improvements is hereby assessed to each lot owner, through a portion of the total assessment, by dividing the total assessment by the total acreage within the Improvement District times the acreage of each individual lot within the Improvement District. The County's monetary contribution for the improvements set forth in this resolution shall be \$0.00 and the County will provide equipment and manpower to do the work if the County undertakes the improvement as noted above. The County Manager is hereby authorized to make the necessary assignment of personnel and equipment for the improvements.

AND BE IT FURTHER RESOLVED that the manner, method, timing of collecting the assessment from each lot owner will be done in accordance with reasonable governmental procedures, with the total payment to be allocated in equal payments over the course of ten (10) years. The schedule for beginning and completing the improvements is to be done in accordance with the above referenced state statute, under the direction of the County Manager.

AND BE IT FURTHER RESOLVED that the Santa Fe County Board of County Commissioners accepts the portion of West Mutt Nelson Road improved by the Improvement District for County maintenance after the improvements have been completed.

Approved, Adopted, and Passed this 30 day of April 2002.

BOARD OF COUNTY COMMISSIONERS


Paul Duran, Chairman

ATTEST:


Rebecca Bustamante, County Clerk

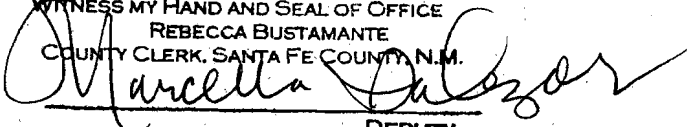
Approved as to Legal Form and Sufficiency:

by: 
Steve Kopelman, County Attorney

COUNTY OF SANTA FE
STATE OF NEW MEXICO

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED
FOR RECORD ON THE 29 DAY OF May 2002
AT 10:37 O'CLOCK
AND WAS DULY RECORDED IN BOOK 2136
PAGE 874 875 OF THE RECORDS OF
SANTA FE COUNTY

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


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