

SANTA FE COUNTY

RESOLUTION NO. 2006 - 18

A RESOLUTION ACCEPTING A PORTION OF CERRO DEL ALAMO FOR COUNTY MAINTENANCE

Whereas, Santa Fe County encompasses a geographical area of approximately 2,000 square miles; and

Whereas, Santa Fe County is primarily rural with small areas of concentrated development; and

Whereas, a comprehensive road system is a necessary and vital link between communities; and

Whereas, there are an estimated 1,500 total miles of roads within Santa Fe County; and

Whereas, of the total miles, approximately 582 miles are recognized as County Roads and maintained by the County of Santa Fe (the "County"); and

Whereas, the County's goal is to provide the best services possible to Santa Fe County residents, within the available resources; and

Whereas, Cerro del Alamo is located within Santa Fe County; and

Whereas, the residents of the C.R. Mayfield Subdivision have asked the County to accept and provide maintenance on a portion of Cerro del Alamo; and

Whereas, the County has the authority and capability to accept this road for maintenance; and

Whereas, the residents of the C.R. Mayfield Subdivision have met all the requirements in the Road Acceptance Policy, Resolution 1998-119; and

Whereas, the County conducted an inspection of this road and determined that Cerro del Alamo does not meet County standards; and

SFC CLERK RECORDED 02/07/2006

Whereas, the residents of the C.R. Mayfield Subdivision have acquired legislative appropriations in the amount of \$130,000 for drainage and paving improvements to improve the road to County standards; and


Whereas, the Board of County Commissioners of the County of Santa Fe ("BCC") finds it to be in the best interest of the residents of Santa Fe County to accept a portion of Cerro del Alamo.

NOW, THEREFORE, BE IT RESOLVED that the BCC accepts for County maintenance the portion of Cerro del Alamo, a dirt road, beginning at the intersection with Los Pinos Road (CR 54) and ending at the intersection with Sunset Road, a distance of 0.60 miles, subject to the following conditions:

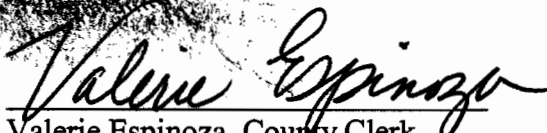
- The County shall not begin maintenance of Cerro del Alamo until after the drainage and paving improvements have been completed.
- Santa Fe County does not accept any maintenance responsibility for residential driveways or drainage structures on driveways. It is advisable that residents repair damaged culverts and reinstall culverts to the proper flow line elevation. In the event that improper installation or lack of maintenance of drainage structures causes damage to the County maintained road, the County reserves the right to collect damages for repair against the responsible party.

PASSED, APPROVED, and ADOPTED THIS 31st DAY OF January, 2006.


BOARD OF COUNTY COMMISSIONERS


Harry B. Montoya, Chairman




Valerie Espinoza, County Clerk

Approved as to form:


Stephen C. Ross, County Attorney

COUNTY OF SANTA FE) BCC RESOLUTIONS
STATE OF NEW MEXICO) ss PAGES: 8
I Hereby Certify That This Instrument Was Filed for
Record On The 7TH Day Of February, A.D., 2006 at 09 50
And Was Duly Recorded as Instrument # 1419242
Of The Records Of Santa Fe County


Witness My Hand And Seal Of Office
Valerie Espinoza
Deputy County Clerk, Santa Fe, NM



SFC CLERK RECORDED 02/07/2006

EXHIBIT A

Santa Fe County Commissioners

March 21, 2001

Marcos P. Trujillo, Dist. 1
Paul Duran, Dist. 2
Javier Gonzales, Dist. 3
Paul Campos, Dist. 4
Jack Sullivan, Dist. 5

Gilbert M. Vigil
12 Caminito Vigil
Santa Fe, N.M. 87505
(505) 827-3554

Santa Fe County Courthouse
102 Grant Ave.
Santa Fe, New Mexico 87501

*Re: C. R. Mayfield Subdivision
Road Project*

Dear Sirs:

I would like to briefly point out some key events that will familiarize you with the issue at hand.

In 1995 the residents of the C. R. Mayfield subdivision, located in Upper La Cienega, signed the dedication plat, which was prepared by the consulting engineering firm of Avid Engineering, for road acceptance by Santa Fe County. Keep in mind that all criteria set out by Santa Fe County Public Works and Avid Engineering Co. were adhered to and carried out.

Monies were obtained from the 41st Legislature of the State of New Mexico, due to the efforts of then State Senator, Elizabeth Stefanics.

Today efforts are still being made by State Representative, Rhonda King, to obtain funds, which I believe now stand at 40,000 dollars according to figures from Santa Fe County Public Works Department.

A portion of the project has been completed and somehow was accepted by Santa Fe County without a formal filed dedication plat and/or Commission acceptance. That portion of the project accepted is known as Sunset Road, **thus leaving a portion of Sunset Road, a portion of Sunrise Road and all of Cerro del Alamo Road, yet to be accepted by Santa Fe County.**

Please note that not only the property owners along Sunset Road signed the dedication plat, **but all the property owners of C.R. Mayfield subdivision signed the dedication plat.** This was the key requirement that had to be carried out in order for Santa Fe County's acceptance.

SFC CLERK RECORDED 02/07/2006

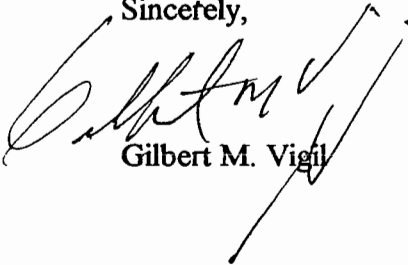
EXHIBIT A

Supporting documentation, such as the original dedication plat, construction plans, design plans, etc; which has been requested from both the Santa Fe County Public Works Department and Parsons Brinckerhoff, Inc., formerly Avid Engineering Co., has yet to be provided. Documentation seems to have been misplaced, disappeared or no longer exists in either of their records. **(Please refer to enclosed documentation that I personally retained and am providing to you).**

Whatever terms, conditions and criteria that were fulfilled by the property owners in order for the acceptance of Sunset Road, are the same as those that were fulfilled by all property owners for the entire project. Therefore, I respectfully request, along with the property owners who reside on the remaining portions of Sunset Road, Sunrise Road and all of Cerro del Alamo Road, that these roads be accepted by Santa Fe County according to the terms and conditions set out by Santa Fe County Public Works Department and complied with by the property owners in 1995.

Your consideration regarding this matter is greatly appreciated. If I can be of any assistance, please do not hesitate to contact me.

Sincerely,



Gilbert M. Vigil

Enclosures

cc: Rhonda King, State Representative
Samuel Montoya, County Manager
James Lujan, Public Works Director

SFC CLERK RECORDED 02/07/2006

EXHIBIT B

1562367

SANTA FE COUNTY

RESOLUTION NO. 1998 - 119

**A RESOLUTION ADOPTING A POLICY FOR
ACCEPTANCE OF NON-COUNTY ROADS FOR COUNTY
MAINTENANCE**

Whereas, Santa Fe County encompasses a geographical area of approximately 2,000 square miles; and

Whereas, the County is primarily rural with small areas of concentrated development; and

Whereas, a comprehensive road system is a necessary and vital link between communities; and

Whereas, there are an estimated 1,500 total miles of roads within the County; and,

Whereas, of the total miles, approximately 600 miles are recognized as County Roads and maintained by the County; and

Whereas, the County's goal is to provide the best services possible to its residents with the available resources; and

Whereas, the citizens of Santa Fe County continuously request the County to provide maintenance on non-County Roads; and

Whereas, the Board of County Commissioners desires to have a policy that will consider the requests for County maintenance on a equitable and consistent basis;

NOW, THEREFORE, BE IT RESOLVED that the Santa Fe County Board of County Commissioners adopts the following policy for consideration of acceptance of non-County roads for County maintenance.

SFC CLERK RECORDED 02/07/2006

EXHIBIT B

1562368

The Board of County Commissioners will consider acceptance of roads for County maintenance based on the following:

1. The Public Works Department will prepare an evaluation of the request which will include the status of rights-of-way or easements, the condition of the road, the road surface and the estimated maintenance costs. If the road is substandard, an estimate will be prepared with the cost to upgrade to County Code standards. Additionally, an evaluation will be prepared to determine if the acceptance would pose any unusual or unnecessary legal liability.
2. The County will consider the proximity of the request to the area County road network and roads already maintained by the County.
3. The requesting person or party will submit a petition of adjoining property owners on the road with at a minimum showing fifty percent (50%) of property owners in favor of County maintenance.
4. The County will consider the number of users and residents served by the request.
5. The County will consider the County's ability to maintain the road.
6. The person or party making the request shall provide as a minimum, a survey and dedication of rights-of-way or easements for the road to the County. It is desirable to obtain rights-of-way or easements consistent with the County Code.
7. When possible or necessary, the County will consider establishing an assessment district to upgrade the road to County standards.
8. In circumstances where maintenance is requested on a "one time basis", the Commissioners may direct staff to provide grading or snow removal services at an hourly rate charged to the requesting party. The hourly rate shall be based on the operational cost of equipment and staffing. The requesting party shall enter into an agreement with the County for the service with the fee paid to the County prior to any work commencing. The service shall be scheduled within the County's schedule and shall not exceed more than once per year on a given road.
9. The Board may waive or make exceptions to any and all of the criteria listed above.

SFC CLERK RECORDED 02/07/2006

EXHIBIT B

1562369

PASSED, ADOPTED AND APPROVED THIS 27th DAY OF October 1998

BOARD OF COUNTY COMMISSIONERS

[Signature]
Marcos P. Trujillo, Chairman
Joe S. Grine, Jr., Vice-Chair

ATTEST

[Signature]
Rebecca Bustamante, County Clerk



APPROVED AS TO LEGAL FORM:

[Signature]
Denice Brown, County Attorney



COUNTY OF SANTA FE
STATE OF NEW MEXICO 1048 JSS 093
I hereby certify that this instrument was filed
for record on the 6 day of Nov A.D.
19 98 at 9:53 o'clock am
and was duly recorded in book 1562
page 367 - 369 of the records of
Santa Fe County.

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

[Signature]
Deputy

SFC CLERK RECORDED 02/07/2006