

SANTA FE COUNTY  
RESOLUTION NO. 2015 - 65

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**A RESOLUTION DELEGATING AUTHORITY TO THE COUNTY MANAGER  
TO SIGN RELEASES OF AFFORDABLE LIENS AND MORTGAGES AND  
DOWN PAYMENT ASSISTANCE LIENS AND MORTGAGES**

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**WHEREAS**, as a condition of eligibility under the Santa Fe County's Affordable Housing Program, and to help assure long-term affordability, Ordinance No. 2015-2 requires Eligible Buyers and Entry Market Buyers (collectively referred to as "Eligible Buyers") to grant the County a mortgage or lien (collectively referred to as "lien") "in the amount of the difference between the Maximum Target Housing Price and ninety-five percent of the unrestricted fair market value of the Affordable Unit at the time of the initial sale ...."; and

**WHEREAS**, under the County's Down Payment Assistance Program, as implemented in Ordinance Nos. 2009-14, 2010-3 and 2011-6, an Eligible Buyer must grant the County a lien to secure any down payment assistance loan provided by the County, which may be up to \$20,000.00; and

**WHEREAS**, after an Eligible Buyer has satisfied all terms and conditions set out in the County lien or liens encumbering the Buyer's residence, the Buyer is entitled to a release of lien, which must be signed by the Board of County Commissioners ("BCC") or a person to whom the BCC has delegated signing authority; and


**WHEREAS**, Eligible Buyers most often become entitled to releases of lien during the closing of a purchase and sales transaction, which are commonly scheduled and rescheduled with little advance notice; and

**WHEREAS**, to assure that the County can timely provide releases of lien to Eligible Buyers who have satisfied all conditions of their lien and any other applicable contractual and legal requirements that they may have to the County, the BCC desires to delegate to the County Manager the authority to sign releases of lien.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners, that the County Manager is hereby delegated authority to sign on behalf of the County all releases of liens and mortgages granted to the County under the County's Affordability Housing and Down Payment Assistance Programs, provided that the County Attorney shall first review the releases and approve them as to form.

SFC CLERK RECORDING 04/30/2015


**PASSED, APPROVED, AND ADOPTED THIS 28th DAY OF APRIL, 2015.  
BOARD OF COUNTY COMMISSIONERS**

  
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Robert A. Anaya, Chair

ATTEST:

  
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Geraldine Salazar, Santa Fe County Clerk *4-28-2015*

APPROVED AS TO FORM:

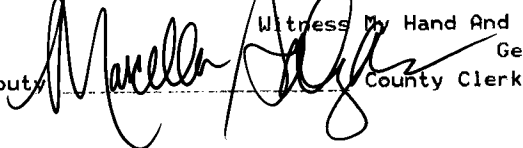
  
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*GS* Gregory S. Shaffer, Santa Fe County Attorney



SFC CLERK RECORDING 04/30/2015

COUNTY OF SANTA FE ) BCC RESOLUTIONS  
STATE OF NEW MEXICO ) ss PAGES: 2

I Hereby Certify That This Instrument Was Filed for  
Record On The 30TH Day Of April, 2015 at 03:45:56 PM  
And Was Duly Recorded as Instrument # 1763223  
Of The Records Of Santa Fe County

Deputy  )  
Witness My Hand And Seal Of Office  
Geraldine Salazar  
County Clerk, Santa Fe, NM

