

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY
RESOLUTION NO. 2017-5**

**A RESOLUTION DELEGATING AUTHORITY TO THE
COUNTY MANAGER TO NEGOTIATE AND EXECUTE ALL
DOCUMENTS NECESSARY FOR THE ACQUISITION OF
THE BENNIE J. CHAVEZ COMMUNITY CENTER**

WHEREAS, Santa Fe County ("County") and the Española Public School District ("District") initially entered into a lease agreement in 1979 under which the County leased the District property located at 354 Juan Median Road, Chimayo, New Mexico ("Property"), as further described on Exhibit A to this Resolution; and

WHEREAS, the County has held the Property under lease continuously since 1979 and has at its sole expense made substantial improvements to the Property and to the existing building on the Property; and

WHEREAS, the County established and continues to operate the Bennie J. Chavez Community Center, also known as the Chimayo Senior Center, on the Property; and

WHEREAS, the current lease of the Property provides:

Upon termination of this Lease and should the [District] and [the County] not renew this Lease upon the same terms and conditions, the [County] shall receive from [the District] compensation for the fair market value of any and all improvements, including the community center facility and any associated recreational facilities thereto, which were made or constructed by the [County] at any time prior to and during the term of this Lease as part of [the County's] operation and maintenance of the Benny J. Chavez Community Center[;] and

WHEREAS, the current lease of the Property will expire on April 29, 2017; and

WHEREAS, the County would like to purchase and the District would like to sell the Property for \$150,000.00 ("Negotiated Purchase Price"); and

WHEREAS, the Negotiated Purchase Price is substantially less than the appraised fair market value of the Property (as improved by the County) and fairly takes into consideration the value of the County's improvements.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners as follows:

- A. The County Manager is authorized to negotiate the acquisition of the Property depicted in Exhibit A.
- B. The purchase price for the Property, including all improvements thereto, shall be no more than \$150,000.00.
- C. The County Manager is further authorized to negotiate, prepare, execute, and perform on behalf of the County a purchase and sale agreement and such other agreements and documents as may be required to consummate the County's purchase of the Property.
- D. The County Manager shall obtain a policy of title insurance on behalf of the County and is further authorized to pay such additional incidental expenses and costs, including escrow fees, as may be required or appropriate under the purchase and sale agreement between the County and the District.
- E. The County Manager may delegate all or part of the authority granted under this Resolution to the Deputy County Manager or other appropriate staff.

PASSED, APPROVED, AND ADOPTED THIS 10th DAY OF JANUARY, 2017.

**BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

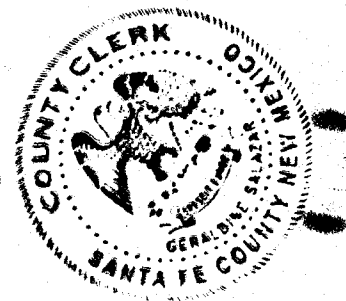
By: H. P. R.

Chair

ATTEST:

Geraldine Salazar
Geraldine Salazar
County Clerk

Date: 1-13-2017



APPROVED AS TO FORM:

Gregory S. Shaffer
Gregory S. Shaffer
County Attorney

Date: 12/21/2016

APPROVED:

Don Moya

Don D. Moya
County Interim Financial Director

Date: 12-28-16

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

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I Hereby Certify That This Instrument Was Filed for
Record On The 17TH Day Of January, 2017 at 08:52:34 AM
And Was Duly Recorded as Instrument # **1814971**
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar

Deputy

Laura Howard

County Clerk, Santa Fe, NM



Exhibit A

