

SANTA FE COUNTY

RESOLUTION NO. 2009 - 39

A RESOLUTION ACCEPTING A PORTION OF NANCY'S TRAIL 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 575 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, Nancy's Trail is located within Santa Fe County; and

Whereas, a portion of Nancy's Trail is already maintained by Santa Fe County; and

Whereas, the residents of Nancy's Trail have asked the County to accept and provide maintenance on the remaining portion of Nancy's Trail; and

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

Whereas, the residents of Nancy's Trail 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 this portion of Nancy's Trail does not meet County standards; and

Whereas, the residents of Nancy's Trail have acquired a legislative appropriation in the amount of \$100,000 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 the remaining portion of Nancy's Trail.

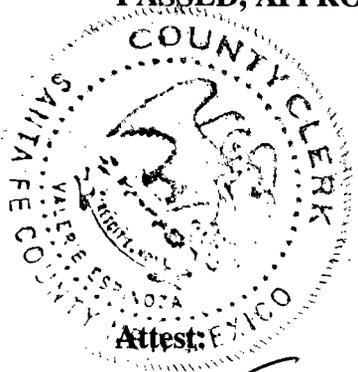
NOW, THEREFORE, BE IT RESOLVED that the BCC accepts for County maintenance the remaining portion of Nancy's Trail, a dirt road, beginning at the end of the existing pavement and ending at the intersection with Sunset Road, a distance of 0.50 miles, subject to the following conditions:

- The County shall not begin maintenance of Nancy's Trail 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 10 DAY OF February, 2009.

BOARD OF COUNTY COMMISSIONERS

[Signature]
 Michael D. Anaya, Chairman



[Signature]
 Valerie Espinoza, County Clerk

Approved as to form:

[Signature]
 Stephen Ross, County Attorney

COUNTY OF SANTA FE)
 STATE OF NEW MEXICO) ss

BCC RESOLUTIONS
 PAGES: 2

I Hereby Certify That This Instrument Was Filed for Record On The 24TH Day Of February, 2009 at 09:50:23 AM And Was Duly Recorded as Instrument # 1553387 Of The Records Of Santa Fe County

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