

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY
RESOLUTION NO. 2015 - 158**

**A RESOLUTION AUTHORIZING THE SALE OF
COUNTY-OWNED FARMLAND LOCATED NEAR
LEMITAR, SOCORRO COUNTY, NEW MEXICO**

WHEREAS, on or around September 11, 1991, Santa Fe County ("County") purchased 55.893 acres of land located near Lemitar, New Mexico, in Socorro County, as shown on Exhibit A to this Resolution (the "Property"); and

WHEREAS, the County purchased the Property because it included appurtenant pre-1907 surface water rights that could be transferred into the Buckman well field; and

WHEREAS, in 2003 the New Mexico Office of the State Engineer issued a permit to the County, authorizing the transfer of 11.07 acre-feet per year of consumptive use rights to the Buckman well field; and

WHEREAS, there are no longer any pre-1907 surface water rights appurtenant to the Property; and

WHEREAS, the Property consists of irrigable farmland and native dry pasture with access to surface water from the Middle Rio Grande Conservancy District; and

WHEREAS, the Property is located within the historic Rio Grande Floodplain, east of Interstate 25, north of the New Mexico Institute of Mining and Technology and south of the Sevilleta National Wildlife Refuge; and

WHEREAS, the Board of County Commissioners ("Board") has determined that there is no further need or use for the Property by the County and that it should be offered for sale; and

WHEREAS, the Board has determined that the County Manager should offer the Property for sale, first, to certain state educational institutions, second, to local governments in Socorro County, and third, to private persons; and

WHEREAS, any proposed sale of the Property to a state educational institution or local government should be approved by the Board; and

WHEREAS, if no state educational institution or local government is interested in purchasing the Property, the County Manager should be authorized to dispose of the Property through any means authorized by law; and

WHEREAS, the sale of the Property shall comply with NMSA 1978, Sections 13-6-1 through 13-6-2.1 (2013).

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

1. The County Manager is authorized and directed to offer the Property for sale at its appraised value to the New Mexico Institute of Mining and Technology, the University of New Mexico, and New Mexico State University. If none of these state educational institutions desires to purchase the Property, the County Manager is authorized and directed to offer the Property for sale at its appraised value to local governments in Socorro County. If no such local government is interested in purchasing the Property, the County Manager is authorized to market and dispose of the Property to a private party as set forth herein.

2. If a state educational institution or local government desires the purchase the Property, the price and general terms of the proposed sale shall be brought to the Board for consideration and approval. If more than one state educational institution or local government is interested in purchasing the Property, the County Manager shall summarize the terms of all offers and recommend a preferred buyer to the Board based on the proposed purpose of use and the offered price, which shall not be less than the appraised value.

3. If no state educational institution or Socorro County local government has offered to purchase the Property within three months after the effective date of this Resolution, the Board hereby delegates to the County Manager:

- a. The authority to market the Property for sale, to negotiate a purchase price, to execute the purchase agreement, deeds and any other required documents, and to do all other things necessary or appropriate to complete the lawful sale of the Property to a private party utilizing any real property disposition method authorized by law to do so.
- b. Without limiting the generality of the foregoing paragraph, the authority (i) to submit any proposed sale to a private party to the New Mexico State Board of Finance (SBOF) for approval as required by law and (ii) to negotiate and execute amendments to the sale agreement and conveyance documents required by the SBOF.

4. Anything in this Resolution or its attachments seemingly to the contrary notwithstanding, the authority delegated to the County Manager herein extends to the County's entire interest in the Property, including, but not limited to, appurtenant water rights (if any) and the actual acreage owned by the County.

5. Any sale of the Property is contingent upon the sale being approved by the SBOF, in accordance with Section 13-6-2.1 NMSA 1978.

PASSED, APPROVED, AND ADOPTED THIS 10 DAY OF November, 2015.

BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

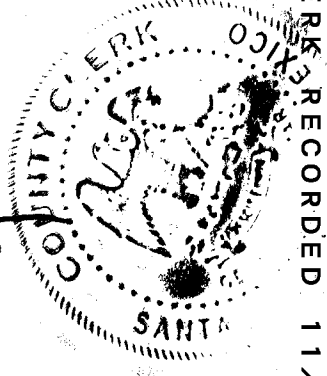
By: [Signature]
Robert A. Anaya, Chair

Date: 11/10/15

ATTEST:

[Signature]
Geraldine Salazar, Santa Fe County Clerk

Date: 11-10-2015



APPROVED AS TO FORM:

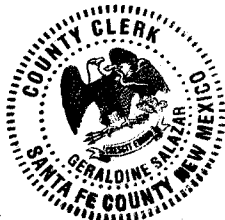
[Signature]
Gregory S. Shaffer, Santa Fe County Attorney

Date: 11/4/2015

SFC CLERK RECORDED 11/12/2015

COUNTY OF SANTA FE) BCC RESOLUTIONS
STATE OF NEW MEXICO) ss PAGES: 4

I Hereby Certify That This Instrument Was Filed for
Record On The 12TH Day Of November, 2015 at 09:29:33 AM
and Was Duly Recorded as Instrument # **1779444**
Of The Records Of Santa Fe County



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

