

**SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS**

RESOLUTION NO. 2026 - 017

**A RESOLUTION TO AUTHORIZE THE SANTA FE COUNTY MANAGER OR THE
COUNTY MANAGER'S DESIGNEE TO SIGN AND SUBMIT APPLICATIONS FOR
NEW MEXICO DEPARTMENT OF TRANSPORTATION PERMITS TO INSTALL
UTILITY FACILITIES WITHIN THE PUBLIC RIGHT OF WAY FOR WATER AND
WASTEWATER LINE EXTENSIONS FOR THE TURQUOISE TRAIL APARTMENTS
AND SIGN ANY OTHER DOCUMENTS NECESSARY OR PROPER TO OBTAIN
SUCH PERMITS**

WHEREAS, the Turquoise Trail Apartments is a development that will occupy approximately 17.62 acres located within Santa Fe County ("County") consisting of 312 affordable, multi-family rental homes ("Development"); and

WHEREAS, on July 9, 2024, the County and the developer of the Turquoise Trail Apartments, Exit 278, LLC, ("Exit 278, LLC") entered into a County Utility Line Extension and Delivery Agreement ("ULEDA"); and

WHEREAS, Section 1.1 of the ULEDA requires the developer to design, engineer, construct, install and test the water and wastewater extensions to the Development; and

WHEREAS, Section 2.1 of the ULEDA states that to the extent that the required line extensions are constructed beyond the platted area, the developer is required to acquire at its sole expense such offsite easements, licenses, and permits as may be required to complete the line extensions; and

WHEREAS, pursuant to Section 3 of the ULEDA, the developer is required to offer to dedicate/transfer the water and wastewater improvements to the County; and

WHEREAS, if the Board of County Commissioners ("Board") accepts the offer of dedication of the water and wastewater improvements, such infrastructure will become part of the County's utility system; and

WHEREAS, the Turquoise Trail Apartments cannot receive County water and wastewater accounts until the Board has accepted all offers of dedication required under the ULEDA; and

WHEREAS, connection to the County's existing utility infrastructure will require a portion of the required water and wastewater line extensions to run along or across New Mexico Highway 14 ("HW14") HW14 within the State of New Mexico's ("State") public right of way; and

WHEREAS, pursuant to NMSA 1978, Section 67-8-15 and 17.4.1.2 NMAC, the New Mexico Department of Transportation ("NMDOT") will issue permits to allow public utilities to locate their facilities within the State's public right of way; and

WHEREAS, NMDOT will only issue the permit to the owner of the public utility system that the water and wastewater lines will connect to; and

WHEREAS, NMDOT has determined that the County is responsible for applying for permits to locate water and wastewater lines that connect to the County's utility infrastructure in the State's right of way, including the water and wastewater lines required for the Turquoise Trail Apartments; and

WHEREAS, NMDOT has indicated that if the County applies for the permit for location of the utility facilities in the right of way for HW14, the developer of Turquoise Trail Apartments will be able to apply for separate NMDOT permits for the construction and installation of water and wastewater lines; and

WHEREAS, the Board has approved funding of the Turquoise Trail Apartments through the County's Developer Assistance Program ("DAP") through Ordinance No. 2025-02; and

WHEREAS, pursuant to the multifamily revenue bonds that the County issued on behalf of the development, the County owns the real property on which the Turquoise Trails Apartments will be constructed and leases it to Santa Fe Lease Housing Associates II, LLLP; and

WHEREAS, the County has an interest in the installation and construction of the water and wastewater lines for the Turquoise Trail Apartments; and

WHEREAS, the Board wishes to authorize the County Manager or the County Manager's Designee to sign and submit applications for NMDOT permits to install utility facilities within the public right of way for water and wastewater line extensions for the Turquoise Trail Apartments.

NOW, THEREFORE, BE IT RESOLVED that the Santa Fe County Board of County Commissioners hereby authorizes the County Manager or the County Manager's Designee to sign and submit applications for NMDOT permits to install utility facilities within the public right of way for water and wastewater line extensions for the Turquoise Trail Apartments and sign any and all other documents necessary or proper to obtain such permits.

PASSED, APPROVED, AND ADOPTED ON THIS 27th DAY OF JANUARY, 2026.

**SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS**

By: _____

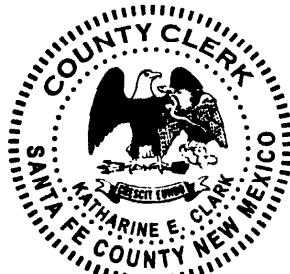
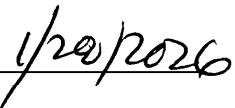
Justin S. Greene, Chair

ATTEST:



Katharine E. Clark
Santa Fe County Clerk

Date:



Approved as to form:



for _____
Walker Boyd
Santa Fe County Attorney

COUNTY OF SANTA FE) BCC RESOLUTIONS
STATE OF NEW MEXICO) PAGES: 3
) ss

I Hereby Certify That This Instrument Was Filed for
Record On The 29TH Day Of January, 2026 at 01:52:03 PM
And Was Duly Recorded as Instrument # 2076040
In The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Katharine E. Clark
Deputy  County Clerk, Santa Fe, NM