

Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

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Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Hank Hughes
Commissioner, District 5

Katherine Miller
County Manager

December 1, 2020

Dear Property Owner Within Pojoaque Pueblo:

Our records reflect that you own property within the exterior boundaries of the Pueblo of Pojoaque (Pueblo). I am writing you concerning the implementation of the Settlement Agreement between the Pueblo, Santa Fe County (County), and the U.S. Department of the Interior (DOI), a historic achievement that provides a path for all private property owners within the Pueblo to have documented, legally recognized access to their property.

The County and Pueblo are finalizing the survey and right-of-way (ROW) applications necessary to implement the Settlement Agreement. We are writing so that you have the opportunity to review the survey map before ROW applications are submitted to the DOI for approval and to provide you with information about what you can do if a Gap exists between a County-Maintained Road and your property.¹ Information is presented below in question and answer format.

What does the Settlement Agreement do? The Settlement Agreement will resolve the status of County-Maintained Roads within the Pueblo for up to 198 years, during which time these roads will remain public roads maintained by the County. The Settlement Agreement also provides a path for property owners with a Gap to obtain from the Pueblo legal access from a County-Maintained Road to their private property. In essence, the Pueblo will consent to the grant by the DOI of ROWs to the County for County-Maintained Roads. The ROWs will have an initial term of 99 years and a renewal term of 99 years. In addition, pursuant to the Settlement Agreement, the Pueblo has created a land assignment process for property owners who have a Gap between their property and the County-Maintained Road.

How wide will the ROWs for County-Maintained Roads be? Generally, the existing driving surface of the County-Maintained Roads plus 4' on either side or boundary of Private Land (or Assigned Pueblo Land), whichever is less.

Once the ROWs are approved by DOI, property owners whose property line is the edge of the ROW (or who lawfully access their property across private land from a ROW with no Gap between it and private land) will be able to access their property without further action on their part.

What if there is a Gap between the ROW for a County-Maintained Road and my property line? If you have not done so already and if you do not have lawful ingress and egress from a ROW across private land, you may work with the Pueblo to obtain a land assignment or ROW. Such individual land assignments and ROWs are private matters between individual property owners and the Pueblo.

Pursuant to Section 3(B)(4) of the Settlement Agreement, a Gap can be addressed either through a land assignment or a ROW. Land assignments are addressed in Subpart N-16 of the

¹ Section 1(E) of the Settlement Agreement defines Gap as “a gap of Pueblo Land located directly between Private Land and a Public Road that prevents lawful ingress and egress from the Private Land to the Public Road.”

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Pueblo's Law and Order Code, available at <https://pojoaque.org/wp-content/uploads/2020/01/2019-Law-Order-Code.pdf>.

Contact Anna Sanchez, the Pueblo's Director of Realty, at asanchez@pojoaque.org for further details about Gap land assignments/ROWs.

How can I view the survey map? The survey map is available as follows:

1. On the County's website. The first page of the ROW pdf contains a Sheet Index that shows which map sheets correspond to each road within the Pueblo. This should help you find the sheets of interest to you.
2. Beginning December 8, 2020, by appointment at the County's Pojoaque Satellite Office, located at 5 West Gutierrez, Suite 9, Pojoaque, NM. Appointments are available Tuesday, Wednesday, and Thursday from 10:00 a.m. to 2:00 p.m. Please call 505-455-2775 to schedule an appointment.
3. For those without Internet access or the ability to go to the County's Pojoaque Satellite Office, you may request a copy of the map sheet(s) relevant to your property by calling 505-986-2426. Copies of relevant sheets will be mailed to you free of charge.

How are driveways designated on the survey map? With an asterisk (*).

How can I tell if I will need a Gap land assignment or ROW? On the survey map, Gaps are indicated as follows: *G, where the asterisk indicates a driveway and the G indicates a Gap.

Will there be virtual office hours at which questions about the survey map may be asked?

Yes, virtual office hours will be held on the following dates and times: Monday (12/7) – 3:00 p.m. to 5:00 p.m.; Tuesday (12/8) – 2:00 p.m. to 6:30 p.m.; Wednesday (12/9) – 9:00 a.m. to 11:00 a.m.; Thursday (12/10) – 4:00 p.m. to 6:30 p.m.; and Friday (12/11) – 1:00 p.m. to 3:00 p.m.

Virtual office hours will be held via Webex. The public can join the virtual office hours by phone or the internet. To join by phone, call 1-408-418-9388, using meeting number (access code) 146 663 3600 and password gpE2NNz93Jf. To join by the internet, use the hyperlink on the County's website.

The goal of these virtual office hours is to answer specific questions about specific property. They will be most productive if people have reviewed the survey map before the virtual office hours. Appointments are not necessary for virtual office hours. Questions will be answered on a first-come, first-served basis.

Where can I find a copy of the Settlement Agreement, survey map, and Webex link for virtual office hours? At the County's website, https://www.santafecountynm.gov/public_works/road_settlement_agreements.

Who should I contact if I have questions about the survey map but cannot attend the virtual office hours? Gary L. J. Giron, Public Works Department Director, at 505-986-6279 or ggiron@santafecountynm.gov.

Thank you for your patience as the Settlement Agreement was implemented. We look forward to seeing its final implementation.

Sincerely,



Gary L.J. Giron
Public Works Department Director