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**SANTA FE COUNTY**

**BOARD OF COUNTY COMMISSIONERS**

**REGULAR MEETING**

**August 9, 2011**

Virginia Vigil, Chair – District 2  
Liz Stefanics, Vice Chair – District 5  
Robert Anaya – District 3  
Kathy Holian – District 4  
Danny Mayfield – District 1

SFC CLERK RECORDED 09/15/2011

**SANTA FE COUNTY**

**REGULAR MEETING**

**BOARD OF COUNTY COMMISSIONERS**

**August 9, 2011**

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:05 p.m. by Chair Virginia Vigil, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

The Pledge of Allegiance, led by Kristine Mihelcic and State Pledge led by Jennifer Jaramillo, followed the roll call by County Clerk Valerie Espinoza which indicated the presence of a quorum as follows:

**Members Present:**

Commissioner Virginia Vigil, Chair  
Commissioner Liz Stefanics, Vice Chair  
Commissioner Kathy Holian  
Commissioner Robert Anaya  
Commissioner Danny Mayfield

**Members Excused:**

[None]

**V. INVOCATION**

An invocation was given by Margie Romero.

**VI. APPROVAL OF THE AGENDA**

- A. Amendments**
- B. Tabled or Withdrawn Items**

KATHERINE MILLER (County Manager): Madam Chair, we have a couple of amendments to the agenda. Under Consent Calendar, item XI. A. 1 is withdrawn. Under Staff and Elected Official Items, Community Services, item XII. A. 4 has been added. Under the same area, XII. B. 1, under Corrections, that item is now withdrawn as well. And under Public Hearings, item XII. B. 3 is tabled.

Additionally, Madam Chair, I'd like to request – there have been some requests from the public relative to under Matters from the County Manager, the discussion on redistricting, that we try to, since we have that on all the agendas to try to have that at about the same time. So I would just recommend that we try to do that some time between 4:00 and 5:00 each meeting.

CHAIR VIGIL: Okay. And if we go beyond it, Katherine if you would remind

me, I did make a note of that. I think it's good to have that consistently.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR VIGIL: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, as far as the amendment to the agenda, it is item 4 under XII. A, Manager Miller, I thought we talked about not having amendments done to the agenda. Who put this on and why is it being brought to us?

MS. MILLER: Madam Chair, Commissioner Mayfield, I actually asked that that be put on because it was brought to my attention yesterday that that project is underway, under construction, and it was one of the items that was not already on contract, so the budget was already established, the project has already been approved in fiscal year 11, but when we were carrying forward budget because this has is not already encumbered it got missed, yet they need to move forward and didn't want to hold up the construction of the project for a month waiting to re-implement the budget. So this budget was already approved in 11; it just got forgotten to be carried over.

COMMISSIONER MAYFIELD: Thank you, Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Ms. Miller, item 3 that was tabled, can you give me some background on that tabling? That's the case that I believe was approved by CDRC. Could you give me some background as to why we're tabling it or recommending table? That's the –

MS. MILLER: Madam Chair, Commissioner Anaya, I believe it did not make it through CDRC was the issue. My understanding is that it didn't get back on the CDRC agenda this last time and had it been it wouldn't have been noticed for this meeting, but because it didn't go through the CDRC at the last minute, they either didn't get to it or there wasn't a quorum, it forces a tabling this time.

COMMISSIONER ANAYA: So it hasn't gone through CDRC and that's why we're tabling it?

MS. MILLER: Madam Chair, Commissioner Anaya, that's what my understanding from the staff was.

COMMISSIONER ANAYA: Thank you, Madam Chair.

CHAIR VIGIL: Okay, what's the pleasure of the Commission?

COMMISSIONER HOLIAN: Madam Chair.

CHAIR VIGIL: Yes.

COMMISSIONER HOLIAN: I move for approval of the agenda as amended.

CHAIR VIGIL: Okay. I have a motion.

COMMISSIONER STEFANICS: Second.

CHAIR VIGIL: And a second.

**The motion passed by unanimous [5-0] voice vote.**

**VII. APPROVAL OF CONSENT CALENDAR**

**A. Consent Calendar Withdrawals**

CHAIR VIGIL: Are there any withdrawals?

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR VIGIL: Commissioner Mayfield.

COMMISSIONER MAYFIELD: I would like to talk, under the Consent Calendar, budget adjustments, item 3, 4 and 5. I'm looking at my old agenda and I don't believe they changed on the new agenda. 3, 4, and 5 please.

CHAIR VIGIL: Any other changes? If not, what's the pleasure?

COMMISSIONER HOLIAN: Madam Chair, I move approval of the Consent Calendar minus the pulled items.

COMMISSIONER STEFANICS: Second.

**The motion passed by unanimous [5-0] voice vote.**

**XI. CONSENT CALENDAR**

**A. Miscellaneous**

1. Request Approval of the Collective Bargaining Agreement Between Santa Fe County and the New Mexico Coalition of Public Safety Officers (Region Emergency Communication Center/Human Resources) **WITHDRAWN**
2. **Resolution No. 2011-103, Accepting the Santa Fe County Housing Authority Roads for County Maintenance. (Community Services Department/Housing)**

**A. Budget Adjustments**

1. **Resolution 2011-104, Requesting an Increase to the Fire Operations Fund (244) to Budget Grants Awarded Through the New Mexico Association of Counties for the Wildland Urban Interface Risk Reduction, Education, Prevention & Outreach Program in the Amount of \$19,985 and for the Hazardous Fuels Reduction Project for the Community of San Pedro in the Amount of \$47,848 for a Total of \$67,833. (Community Services Department/Fire Division)**
2. **Resolution 2011-105, Requesting an Increase to the Fire Operations Fund (244) to Budget NM State Forestry Revenue Received for Reimbursement of Personnel and Apparatus for the Rabbit Fire, Rio Chimayo Fire, Sevilleta Fire, and the Palm Fire / \$15,526.50. (Community Services Department/Fire Division)**
3. Resolution 2011-\_\_\_, Requesting an Increase to the Fire Tax ¼% Fund (222) to Budget Cash Carryover for the Public Safety

- Communications Project / \$967,522 (Community Services Department/Fire Division) **ISOLATED FOR DISCUSSION**
4. Resolution No.-\_\_\_, a Resolution Requesting an Increase to the Regional Planning Authority Enterprise Fund (501) to Budget Available Cash to Contract for a Study to Determine the Feasibility of Establishing and Operating a Joint City and County Electric Utility/\$25,000 (Growth Management/RPA) **ISOLATED FOR DISCUSSION**
  5. Resolution 2011-\_\_\_, a Resolution Requesting an Increase to the General Fund (101) to Budget Cash Carryover From Memorandum of Agreements Between Santa Fe County and the City of Santa Fe and Santa Fe Public Schools as Well as an Amendment to the MOA with Santa Fe Public Schools for the Agua Fria Road Improvement Project Phase III / \$18,231 (Public Works Department) **ISOLATED FOR DISCUSSION**

**VII. APPROVAL OF MINUTES**

**A. July 12, 2011 Board of County Commissioners Meeting**

CHAIR VIGIL: Are there any changes by any members of the Board?

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Yes.

COMMISSIONER STEFANICS: I would move approval of the July 12, 2011 Board of County Commissioners meeting minutes.

COMMISSIONER HOLIAN: Second.

**The motion passed by unanimous [5-0] voice vote.**

**IX. MATTERS OF PUBLIC CONCERN –NON-ACTION ITEMS**

CHAIR VIGIL: We are now under Matters of Public Concern. These are non-action items. Is there anyone in the public that would like to address the Commission on any item that is not a part of the agenda? Please step forward. If not, we'll move on.

**X. MATTERS FROM THE COMMISSION**

**A. Resolution No. 2011-106, a Resolution Supporting the Rodeo de Santa Fe Contributions to Santa Fe County (Commissioner Stefanics)**

COMMISSIONER STEFANICS: Thank you, Madam Chair. First of all I'd like to move Resolution No. 2011-106.

COMMISSIONER ANAYA: Second.

COMMISSIONER STEFANICS: And I'd ask that our representatives from

the Santa Fe Rodeo come up to the front pew/bench – I know we're not in church, but – and I'd like to go through this. First of all:

Whereas, Rodeo de Santa Fe, the "Rodeo", began in 1949 when Gene Petchesky and Austin "Slim" Green had a dream and the determination to organize a rodeo in Santa Fe;

Whereas, this dream exceeded their expectations and became what is today, one of the top 100 rodeos in the nation sanctioned by the Professional Rodeo Cowboys' Association;

Whereas, over 600 PRCA Cowboys & Women's Professional Rodeo Associations from all over the United States compete in the annual event;

Whereas, the Rodeo is a fun-filled family event for residents of Santa Fe and northern New Mexico as well as tourists visiting our community;

Whereas, the Rodeo boards horses during fire, disaster, and heavy storms;

Whereas, the Rodeo has served as an evacuation center for regional and statewide needs during state of emergencies for livestock;

Whereas, the Rodeo grounds provide affordable stabling and layover for equestrian and agricultural livestock, interstate and intrastate transport teams;

Whereas, the Rodeo has a national reputation for excellence;

Whereas, the Rodeo and the Santa Fe County Fair Board share a common mission to preserve and promote rural and agricultural traditions and culture of New Mexico;

Whereas, the Rodeo has been a strong supporter of the Santa Fe County Fair through networking and the sharing of facilities and resources; and

Whereas, the Rodeo and its annual events have built an impeccable reputation as a charitable and responsible member of the Santa Fe community and region.

Now, therefore, the Board of County Commissioners hereby resolves that the County of Santa Fe recognizes the benefits of the Rodeo de Santa Fe to the County and the County Fairgrounds property. Passed, approved, and adopted this 9<sup>th</sup> day.

Madam Chair, I brought forward this resolution so that we could recognize the contributions of the Santa Fe Rodeo and let the public know that we are grateful that we are here in their community. Thank you.

CHAIR VIGIL: Thank you, Commissioner Stefanics. Would you like to address the Commission? Just state your name for the record.

DAVID COPHER: I'm David Copher, president of Rodeo Properties and I would just love to thank you for supporting us now and in the past and in the future. We appreciate everything that you do at the County there.

COMMISSIONER HOLIAN: Madam Chair.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: I would just like to specifically thank you, not only for putting on the rodeo, which is a really exciting event, but also for providing a place for people to take their horses when they need to evacuate them, especially in case of fire, and of course that's been a huge issue this year and I've been telling everybody about that service. I know my husband and I, at the Cerro Grande fire, went to the Rodeo Grounds to help out with taking care of the horses during that period and there must have been 100 horses or more there that had been taken in, and I just don't even know where they would have gone if you hadn't. So I just want to say thank you again.

MR. COPHER: Oh, you're so welcome. We're so glad that we can do that for

our community.

CHAIR VIGIL: David, thank you. You have been a good neighbor. Pilar Farkner is here. Did you want to address the Commission at all? Pilar, thank you for being here. And with that, we'll go ahead and take a vote. Did you want to – Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Mr. Copher, Pilar, all the group and the association, I appreciate effort of the Rodeo de Santa Fe and the work that you do. I especially want to send out a thank you for your assistance in working with us during the fair last week. Mr. Butler and others worked very close with the fair and helped it be successful and the three entities – the Rodeo Association, the Horseman's Association and the County Fair all working in concert with one another is what makes things successful. So I very much appreciate those efforts if you could pass that along to all of the members.

I also want to say that in recent years the County worked closely as we always do with New Mexico State University through the Extension Service which is another huge part of the fair that helps organize and do all the work. We've tried to improve those facilities over there and maybe when the economy changes and improves we can maybe get a bond issue passed to help that County Extension Building, rebuild it. That building's been there since 1952 I think it was. But I very much thank you. Please extend that to all the members and I look forward to a continued partnership with the association. So thank you, Madam Chair.

MR. COPHER: Thank you. I'll pass that along.

CHAIR VIGIL: Thank you, David, and thank you again for being such a good neighbor. I actually participated in the rodeo by being a spectator this year and what a delight and pleasure that was. It had been a long time so I had forgotten what an integral part that is of our community and how important it is to support it. So thank you for the opportunity.

**The motion passed by unanimous [5-0] voice vote.**

CHAIR VIGIL: Thank you for being here.

COMMISSIONER STEFANICS: And Madam Chair, once the resolution is signed we will frame it and pass it on to the Rodeo. Thank you so much.

**X. OTHER MATTERS FROM THE COMMISSION**

CHAIR VIGIL: Under Matters from the Commission, are there any matters from you, Commissioner Anaya?

COMMISSIONER ANAYA: Madam Chair, no.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. First of all, I would like to thank everybody in the County. After my horseback riding accident there was such an outpouring of support. I received flowers, I received food, help – thank you, Shelley, for the watering, by the way, and best of all I received a whole bunch of good wished from everybody for my speedy recovery, and I think it's working, because I'm feeling much, much better.'

I would like to though especially thank a couple of people. First of all, Julia Valdez

was really invaluable in the hours after my accident in coordinating all of this and also I really must thank Tina, my constituent services liaison. She's been terrific. Not only in helping me but in helping all the people in District 4. She's really been sort of more or less the County Commissioner the last three weeks when these emails come in with requests for work for roadwork and things like that. So it's been – I just am so appreciative of everybody's good wishes towards me and I have to say that in a situation like this that it is really, really great to be part of a strong and caring community. I can't tell you thank you enough.

Also, I want to thank specifically Robert Martinez again for the work that the road department did on Avenida Ponderosa. There was a lot of positive feedback about that and I want to go out there and see the improvements myself. Robert, I feel that you probably have one of the hardest jobs in the County because keeping people happy about their roads with really limited resources has got to be quite a trick, and I just want to tell you how much I appreciate all that you do.

So one other thing is I wanted to also give another update on the Animal Control Ordinance. We had a meeting last week and I was hopeful that we were going to finish up the edits to the ordinance and have it ready but after two hours and after a lot of good comments and a lot of hard work we were still only about 2/3 of the way through it. So we are going to have another meeting next week and hopefully we will get the ordinance to the point where it will be ready to present to the Commissioners relatively soon.

And I also wanted to respond to Commissioner Stefanics. I think last time I brought up the Animal Control Ordinance that you brought up the idea about the veterinarians being able to issue licenses. Is that correct? Well, I asked about that issue and Mary Martin from the animal shelter said that the problem really has to do with the veterinarians would then have to handle money. And so they would probably have to do separate accounting if they took in the money for the license and then sent it to the animal shelter. But there was an idea about how it could be handled, and that is that veterinarians could have the paperwork there. They could have – they could give people the proof that they had had the rabies vaccination and they could give them an addressed envelope and people could just write the check for the animal control license, put the whole thing in the envelope and mail it. So that would be an easy way for it to happen at the veterinarians without them having to actually take in money and then send it off to the animal shelter.

COMMISSIONER STEFANICS: Madam Chair, Commissioner Stefanics, that is exactly what happened in the past. The veterinarians did not collect the money. They had the application and provided proof of rabies and left it to the individuals. So they did not handle money. And for some reason, for some reason that very convenient process stopped and I'm not sure why.

COMMISSIONER HOLIAN: Well, it sounds like it's going to start up again, so hopefully everybody will be happy. But in any event I think that something will be coming forward fairly soon. I just want to say that this Animal Control Ordinance has a lot of really forward-thinking things in it. They have gotten information about other Animal Control Ordinances across the country and what it is they do that's particularly good and what we should model here. And the other good thing about it is that where possible, the County ordinance will be consistent with the City ordinance, like when you're looking at waiting



periods and things like that. I think that's a positive thing too because that means that residents don't have to keep in mind, well, okay, I live in the county or I live in the city and these are the rules that apply to me. So making it consistent I think is something that's going to be another positive achievement. That's all I had. Thank you, Madam Chair.

CHAIR VIGIL: Thank you. Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you, Madam Chair and just a quick comment and a thank you to staff and our Fair Board Commission. Our Santa Fe County Fair was a great success. I saw a few staff members and a Commissioner out there also. But the folks were very appreciative of the fair. Whoever did the work and I know it was the staff who did the work at our fairgrounds, there were a lot of kudos sent out by participants, vendors and just the general public were very appreciative of what happened at the fairgrounds, and again, thank you all. It's a great event and it does a great thing for the community.

Second, it's just a general question and maybe it's for Mr. Martinez. And I'll get with you on it, or Teresa. Is there a way that you all can tell me how much dollars we're receiving, say, federal dollars for any road improvements, and if we are, the County are receiving any federal dollars for road improvements throughout the county. One road in particular – I believe I was told we're receiving federal money and they're going through a revamp on it, is the County road that goes into the Santa Cruz dam.

MR. MARTINEZ: Madam Chair, Commissioner Mayfield, the County Road 98 project, Juan Medina Road, is the project that we are currently under construction with that has about a million dollars of federal funding.

COMMISSIONER MAYFIELD: And Mr. Martinez, I'm sorry. It's not the Juan Medina Road. It's the road that actually goes into the lake, up around the top of Cundiyo that comes back down into Santa Cruz Lake.

MR. MARTINEZ: Madam Chair, Commissioner Mayfield, we have not received any funding to improve that road. I believe – I'm not sure what entity contacted us to see about the right-of-way with but I believe they have plans to install a new caretaker shack and widen the road a little bit. But we have not received any federal funding for that road.

COMMISSIONER MAYFIELD: And Mr. Martinez, would that be also on the other side then, as far as the overlook? I think it's a dirt road. I don't know if it's the County road, but in talking with Erle when they were doing the mapping for redistricting, I think they indicated that both sides of those roads are County roads.

MR. MARTINEZ: Madam Chair, Commissioner Mayfield, I believe you're referring to 92-A is what I believe it is, but I don't believe that they were going to be making any improvements to that road.

COMMISSIONER MAYFIELD: And then Mr. Martinez, just a general question for all of Santa Fe County. Do we receive any federal money for maintenance of any County road or just when we ask for money?

MR. MARTINEZ: Madam Chair, Commissioner Mayfield, the only funding we get for maintenance of roads is from the NMDOT, and that is through the motor vehicle tax and license fees.

COMMISSIONER MAYFIELD: Thank you, Mr. Martinez. Madam Chair, that's all I have. Thank you.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. Commissioners, I have given you – there was a two-day board meeting for the New Mexico Association of Counties, so I provided a new class schedule from the New Mexico Edge, the County College, for your perusal. [Exhibit 1] I also gave you a summary from the Forest Service for all the fires in the state of New Mexico over the summer. [Exhibit 2] The one thing that our forester did share with us, and this was our regional forester over the entire state is that we have not had enough moisture yet to abate fire, and that he is expecting fires this fall. So I would suggest that we not drop down our guard for how moist it is or is not out there, since our regional forester is indicating that there's still a problem and there could be potential fires.

The other thing that I will do is after the board meetings I will forward to you for your information the materials from that board meeting electronically. If you're not interested, file it away and if you want to look at it, great.

A thank you to some staff. First of all the ICIP hearings that have been going on. I know that it's not easy. I was with the staff last night and my liaison was with staff last week but when people want to know why money is not being spent in there community and it is hard for people to understand there is not federal or state money coming down for our small roads projects like there used to, and that the legislature used to have a heavy hand in providing us some resources for that. So I thank the staff very much for taking the hard questions from the communities.

I'd also like to say thank you to the Land Use staff and the contractor for the focus groups that are going on for the code. And I know that we have some progress being made and the people in the focus groups appreciate that. And of course many thanks to our fire and our public safety folks for just staying on top of everything that's going on. I was away when I got a tweet about a fire near the BDD and it was probably a holiday or a Sunday but I called Dave Sperling and he jumped right on it had found out what was going on for me, and I really appreciate that.

I know that all of our staff work very, very hard. We're in a new budget year. I'm sorry that we don't have a lot of extra money and extra things happening for you this next year but I hope that our employee committee plans some funs things for all the staff and the Commissioners and the other officials to participate in throughout the year. Thank you very much.

CHAIR VIGIL: Thank you. I just want to announce before we go on to the next item that this Friday, all elected officials, both in the City and the County and I think the congressional delegation, some legislators, have been invited to tour the Buckman Direct Diversion to get a taste of what the early warning system is like. Currently I think that they have shut down the delivery of that water system so this would be a really good time to look really at the bottom of what this early warning system looks like. That tour is from 9:00 to 12:00 and anyone who's interested in doing it – I think you've received an email by now. You can just respond to that email and we can make arrangements to drive over there and drive back, or if you'd like to go on your own, that's also acceptable.

So with that, I'll move on to the next item on the agenda.

**XI. B. 3. Resolution 2011-107, Requesting an Increase to the Fire Tax ¼% Fund (222) to Budget Cash Carryover for the Public Safety Communications Project / \$967,522 (Community Services Department/Fire Division)**

COMMISSIONER MAYFIELD: Thank you, Madam Chair and thank you David. Just a general overview so I can hear it and the public can hear it please, of what we're doing with a million dollars of their tax money.

DAVE SPERLING (Acting Fire Chief): Madam Chair, Commissioner Mayfield, this money was originally put forward by Chief Holden towards the communications project last year. We have completed a number of steps in phase one of the project including a new site on top of Tesuque Peak is our prime repeater site. New repeaters, new antennas up there, new site in Edgewood, which includes a communications building, new repeaters, new antenna. A Nambe site which includes a new antenna, new repeaters, and some security features up there as well as a generator for backup power.

And then we're working on a Goldmine site to better improve communications in the eastern region of the county, and that site is not yet completed. It includes a new antenna, new repeaters and a new communications building, as well as backup power. Because the project is not completed, and we also have work to do perhaps in the Madrid and Golden area to better improve communications in that region and we also have work to do regarding an inventory of all of our mobile and portable radios in preparation to moving to narrow-banding by the end of 2012.

We're requesting that this money be rebudgeted to make sure that we have the ability to complete this project as was originally scheduled with Chief Holden.

COMMISSIONER MAYFIELD: Thank you, Madam Chair and thank you Chief. Madam Chair, move for approval of Resolution 2011-107.

COMMISSIONER HOLIAN: Second.

**The motion passed by unanimous [5-0] voice vote.**

**XI. B. 4. Resolution No.-108, a Resolution Requesting an Increase to the Regional Planning Authority Enterprise Fund (501) to Budget Available Cash to Contract for a Study to Determine the Feasibility of Establishing and Operating a Joint City and County Electric Utility/\$25,000 (Growth Management/RPA)**

COMMISSIONER MAYFIELD: Thank you, Madam Chair, and I don't know which staff member can speak to me about this. But Madam Chair – and it's Mr. Sill, so you guys are asking for another \$5,000 draw-down, and I read it, and let me see. I did read it. Who's that other \$5,000 coming from? The McCune Foundation?

DUNCAN SILL: Madam Chair, Commissioner Mayfield, that's correct. That \$5,000 was actually approved in the last Commission meeting. I think it was in the June

meeting that you guys approved that item. This is simply a modification to reflect it on the current MOA. So it's not additional funds that we're trying to budget to the best of my knowledge. That is the McCune contribution.

COMMISSIONER MAYFIELD: And the initial \$20,000 that the Commission has already approved, that's coming out – or at least I read that this is set up as an enterprise fund. So where are these dollars coming from?

TERESA MARTINEZ (Finance Director): Madam Chair, Commissioner Mayfield, it is set up as an enterprise fund and the costs are shared equally between the City and the County. So we serve as fiscal agent and as the expenditures are incurred we bill the City for their portion. So it is budgeted. It was budgeted last fiscal year and we ran out of time; we didn't get the purchase order in place, so this is just re-establishing the budget in the new year so that we can do the encumbrance and the MOA and move forward.

COMMISSIONER MAYFIELD: Thank you, Madam Chair and Teresa. How is the money coming into the RPA then if it's set up as an enterprise fund? Billings that we're billing the City? Is it billings that we're billing individuals?

MS. MARTINEZ: Madam Chair, Commissioner Mayfield, we set up our portion, our share, and we bill the City for their share. So we establish a budget representative of the combined funding between the two entities, and then we bill the City.

COMMISSIONER MAYFIELD: Thank you, Madam Chair, Teresa. Where is our share coming from?

MS. MARTINEZ: Our share comes from the general fund, basically.

COMMISSIONER MAYFIELD: How is that – maybe I'm not understanding. How is that set up as an enterprise fund if we're paying for it out of the general fund?

MS. MARTINEZ: Madam Chair, Commissioner Mayfield, it was established as an enterprise fund from the get-go but it has been sustained by the general fund for this fiscal year. So it's an operating transfer from the general fund to the RPA.

COMMISSIONER MAYFIELD: When did this Commission approve the transfer from general fund money?

MS. MARTINEZ: In the original budget.

COMMISSIONER MAYFIELD: Of 2000–

MS. MARTINEZ: 2012.

COMMISSIONER MAYFIELD: Madam Chair, Commissioners, it's a problem that I have that we've discussed about subsidies and talked about enterprise funds and how enterprise funds are set up and from what I'm being told here we're directly using general fund money to subsidize this. Is there a thought or a process of how we're going to have this set up as a true enterprise fund? That's a question for whoever can answer it please.

MS. MILLER: Madam Chair, Commissioner Mayfield, I can tell you that way back when when they RPA was established, why it was set up initially as an enterprise fund I'm not sure because there was never a specified revenue for it. And the RPA kind of came over an evolution from the EZA, which we don't have any more and that City and County – and we used to have fees that went in that were collected by EZA based on permits and reviews and things but this has been kind of an issue of how do we fund RPA, and it used to be that there was a budget established, both local governments agreed on that budget and then transferred money in and then there was a director hired and all that, but over time, now it

just shifts back and forth from County staff and City staff, which actually does not really work very well because we don't have anybody dedicated to staff it. So it's probably, I would even venture to say incorrectly called an enterprise fund because there's never been a designated revenue other than contributions from both local governments and it's more of just a JPA that creates the authority, and then money from both entities.

But I would propose that it's difficult to whichever entity that's having to staff it because it's just additional staff time without any designated staff for it that are funded from either entity other than the one kind of doing it. And then you have these extra costs. I don't know what the total budget for this is.

MS. MARTINEZ: About \$40,000.

MS. MILLER: So the City and County each agree to put \$10,000 into the study and then \$5,000 was a contribution from McCune, so that's where this \$25,000 comes from, but it's not much of a budget for the RPA itself.

COMMISSIONER MAYFIELD: Madam Chair and Katherine Miller, thank you for that explanation and I appreciate that, because there is a lot of staff time that goes on both sides, but I'm going to speak to as far as what I understand from the County side, and there's dollars that are attributed to that. One of my thoughts – I know we spoke about this prior in an RPA meeting – as far as the study for this project. I think it's a great study that maybe we should be entertaining or at least thinking of, but is this study – and you're asking for the money right now, but is this study going to encompass where the generation of power will be coming from?

Commissioner Holian: Madam Chair, may I answer that? Actually, the RPA recommended – actually they voted the funds to do this study and there was a detailed description, the statement of work, which I could email you.

COMMISSIONER MAYFIELD: I may have that also, Commissioner Holian. Thank you.

COMMISSIONER HOLIAN: Because you were there at that meeting when it was discussed.

COMMISSIONER MAYFIELD: Right. And I believe I voted against it at that meeting also. But again, my thoughts are when we're talking about enterprise funds and if we are going to establish a revenue source for these enterprise funds then that's what we should be doing. If we're going to be subsidizing something out of the general fund I think we as elected – as least my responsibility is to let our taxpayer know that we are using their general fund dollars for this purpose and we shouldn't mislead them by a statement saying that it is set up as an enterprise fund. That's my thoughts on this.

COMMISSIONER ANAYA: Madam Chair, on that point.

CHAIR VIGIL: Are you done, Commissioner Mayfield?

COMMISSIONER MAYFIELD: Thank you Madam Chair. That's all I have.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Commissioner Mayfield, relative to your points I think I would like to comment that I think your comments are good. I also would say that based on the last discussion we had at the last meeting associated with solid waste that there was some determinations made by the County that that's an enterprise fund and the reality is it's not. So I think it warrants more discussion by staff and the Commission

over time as to how we allocate enterprise funds and whether or not they're truly an enterprise fund or not.

I think speaking directly to the resolution, it's my opinion based on the discussions that I've participated with in the RPA that the RPA maybe has run its course. It does not include feedback from the Town of Edgewood or the City of Española which are two points that I've brought up and I know you've echoed relative to the City of Espanola. We don't have the joint powers agreements in place we used to have. We don't have a senior service shared responsibility like we used to have. So I think that RPA all together warrants a broader discussion. I think part of it we may discuss at our retreat, but it's my opinion that RPA may have run its course and that we need to disengage the RPA and where we have joint issues with the City that we will work through, whether it be the City of Santa Fe, Town of Edgewood, or City of Espanola, that we could independently do those issues directly with the entire governing bodies instead of having a subset or only four Councilors in the case of the RPA and where we have almost all the Commissioners. In fact all of them serve. There's four Commissioners and one alternate.

So I appreciate your comments relative to the study. I guess my question, Ms. Martinez or Ms. Miller to you is the study itself would be funded through County resources, correct?

MS. MILLER: Madam Chair, Commissioner Anaya, right now what my understanding is is that we actually have \$10,000 from the County, \$10,000 from the City, \$5,000 from the McCune Foundation and another \$10,000 in contributions from a non-profit organization.

COMMISSIONER ANAYA: Thank you, Madam Chair.

COMMISSIONER HOLIAN: Madam Chair.

CHAIR VIGIL: Yes.

COMMISSIONER HOLIAN: I move for approval.

CHAIR VIGIL: I have a motion. Is there a second?

COMMISSIONER STEFANICS: Second.

**The motion passed by majority 3-2 voice vote with Commissioners Anaya and Mayfield voting against.**

COMMISSIONER MAYFIELD: I'd like to explain my vote.

CHAIR VIGIL: In just a few minutes, Commissioner Mayfield. Three, and Commissioner Anaya, are you for or against?

COMMISSIONER ANAYA: I'm against, and I want to speak of my vote.

CHAIR VIGIL: And unless you have something to add to what you said before. Commissioner Mayfield.

COMMISSIONER MAYFIELD: Again, I don't know if it's anything to add, but just to explain, I don't think this is truly set up as an enterprise fund. I believe that this Commission has spoken on other matters relative to enterprise funds and how they should be established. I also would like to know, and hopefully I can get this information is how much Santa Fe County cost time is going into – excuse me, time allocated that would include costs that are going into looking at this study. Thank you.

CHAIR VIGIL: Commissioner Anaya.  
COMMISSIONER ANAYA: Nothing else, Madam Chair.

**XI. B. 5. Resolution 2011-109, a Resolution Requesting an Increase to the General Fund (101) to Budget Cash Carryover From Memorandum of Agreements Between Santa Fe County and the City of Santa Fe and Santa Fe Public Schools as Well as an Amendment to the MOA with Santa Fe Public Schools for the Agua Fria Road Improvement Project Phase III / \$18,231 (Public Works Department)**

ROBERT MARTINEZ (Public Works Department): Madam Chair, Commissioners, I stand for questions.

COMMISSIONER MAYFIELD: Thank you. Madam Chair, I asked that this be pulled. Madam Chair, Mr. Martinez, the way I read this, so it's the Santa Fe Public Schools that went over budget and is asking for additional work and they're moving \$18,000 to the County?

MR. MARTINEZ: Madam Chair, Commissioner Mayfield, \$12,286 of this was not rolled over from FY 11. So part of this request is to roll over that \$12,000 into this FY and also the schools is requesting additional work on the Agua Fria project totally \$5,943. So this resolution is to roll over the \$12,000 and increase by \$5,900 for this additional work that the schools is requesting.

COMMISSIONER MAYFIELD: And Madam Chair, Mr. Martinez, I'm all for supporting our schools – is the public schools, is that coming out of their budget or is that coming out of the County budget for that additional work?

MR. MARTINEZ: Madam Chair, Commissioner Mayfield, we attached in her the original MOA between the County and the schools for \$30,000, plus an amendment for the additional work that the schools is requesting. So the schools is providing the cost for these improvements.

COMMISSIONER MAYFIELD: Thank you, Madam Chair. Thank you, Mr. Martinez.

CHAIR VIGIL: What's the pleasure of the Commission?

COMMISSIONER HOLIAN: I move for approval.

COMMISSIONER STEFANICS: I'll second.

**The motion passed by unanimous [5-0] voice vote.**



**XII. STAFF AND ELECTED OFFICIALS' ITEMS**

**A. Community Services**

- 1. Request Approval of an Easement Agreement Between Santa Fe County and the Public Service Company of New Mexico (PNM) to Provide for Electrical Service to the New First Judicial Courthouse Facility (Community Services)**

PAUL OLAFSON (Community Services): Thank you, Madam Chair. I'll try to be brief. This is to provide easements for electrical services to the new courthouse complex. This is an easement on Sandoval Street and again along Montezuma Avenue. And these easements are required for the installation of new electrical service for the courthouse and relocation of existing lines. I'll stand for any questions.

CHAIR VIGIL: Questions? What's the pleasure?

COMMISSIONER STEFANICS: Madam Chair, I move for approval.

CHAIR VIGIL: I have a motion for approval and I will second it.

**The motion passed by unanimous [5-0] voice vote.**

- XII. A. Approve a Vendor Agreement Between Santa Fe County and the North Central New Mexico Economic Development District Non-Metro Area Agency on Aging for Senior Meals at Six (6) County Senior Centers in the Amount of \$338,507 (Community Services/Health & Human Services)**

RON PACHECO (Senior Services): Madam Chair, this is a contract for a contribution that the state will be making to our I believe \$1.3 million budget for the senior program that will be serving congregant meals and home-delivered meals throughout the fiscal year.

COMMISSIONER MAYFIELD: Madam Chair, move for approval.

CHAIR VIGIL: I have a motion.

COMMISSIONER STEFANICS: I'll second, but I have a question.

CHAIR VIGIL: Please. I have a motion and second. Question, Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. Mr. Pacheco, is there any opportunity to do anything differently to increase the amount of this money from the North Central?

MR. PACHECO: Madam Chair, Commissioner Stefanics, yes, there will be an opportunity to increase that amount when we negotiate the next contract. If we can show that we're going to meet our units. And in fact I would suggest that if in fact when we meet our units that we know there's a need for additional service in the county, and our discussion with the Area Agency on Aging has always been we will meet our contract for the first year but the second year we'd like to ask probably for more because I can tell you now I'm already getting requests from communities in the county where we know there's additional need,



Madam Chair and Commission. So there will be an opportunity but I think their attitude was let's make sure you guys can deliver the first year and we'll have that discussion the second year.

COMMISSIONER STEFANICS: Thank you very much.

CHAIR VIGIL: I have a motion and a second.

**The motion passed by unanimous [3-0] voice vote.** Commissioners Anaya and Holian were not present for this action.

**XII. A. 3. Resolution #2011-110, Amending Resolutions 2010-240 and 2011-2 Which Created the Santa Fe County Health Policy & Planning Commission to Increase Number of Members from 7 to 11 (Community Services/Health & Human Services)**

LISA GARCIA (HHS Department): Madam Chair and Commissioners, I am here to lay this resolution in front of you to expand the membership of the current Health Policy and Planning Commission from 7 to 11. And what it will do is it will make up two members from each of the County Commission district and then one member will be at large.

COMMISSIONER STEFANICS: Madam Chair, I move for approval.

COMMISSIONER MAYFIELD: Second, Madam Chair.

CHAIR VIGIL: Okay. Are there any questions?

COMMISSIONER MAYFIELD: I have a question.

CHAIR VIGIL: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Right now the commission has seven members and you're asking in this memo that the two from the city, I believe, the metropolitan area remain and then the other individual who is from District 2 will stay at large? So there will be the other members that will be appointed from each district – I don't know what the total district representation is on the Health Planning Commission.

MS. GARCIA: It will be two from each district, so that will make up ten members, and then we'll have one at large. So currently we have three that are in District 2, so the other districts have a vacancy.

COMMISSIONER MAYFIELD: So we'll be posting for those?

MS. GARCIA: Yes.

COMMISSIONER MAYFIELD: Thank you, Madam Chair.

CHAIR VIGIL: Okay, I have a motion and second. We're on item 3, Resolution No. 2011-110. Do either of you have any questions on that? Health Policy and Planning? Then we'll take a vote.

**The motion passed by unanimous [5-0] voice vote.**

**XII. A. 4. Resolution 2011-111, a Resolution Requesting an Increase to the Fire Operations Fund (244) to Budget Cash Carryover for Completion of the Rancho Viejo Substation to Include Utilities Surveying and Trenching, Road Work and Water Lines/ \$175,000 (Community Services/Fire)[Exhibit 3: Staff Memo]**

CHIEF SPERLING: Thank you, Madam Chair, Commissioners. This request is to take care of work that needs to be done regarding utility surveying and installation of utilities, some roadwork, which will be done by our Public Utilities Department, and water line on the property, for a total of \$175,000. We just within the last month or so firmed up the costs associated with these parts of this project, hence the late notice on this resolution. And I stand for any questions that you may have.

CHAIR VIGIL: Questions?

COMMISSIONER HOLIAN: I move for approval.

COMMISSIONER STEFANICS: I'll second.

CHAIR VIGIL: I have a motion and second.

**The motion passed by unanimous [5-0] voice vote.**

**XII. C. Public Works/Utilities Department**

**1. Request a Waiver From Section 1 of Ordinance No. 2010-8 to Purchase (3) Tandem Dump Trucks with Snow Removal Equipment for a Total of \$525,000 Utilizing the State of New Mexico Price Agreements 80-000-00-00002, 00-000-00-00004, and 00-000-00-00010 (Public Works)**

MR. MARTINEZ: Madam Chair and Commissioners, both items C. 1 and C. 2 are similar. As per the Ordinance 2010-8 it requires anything over \$100,000 needs a Commission waiver to piggy-back off the state price agreements. So that's what we're here today for, to request a waiver for three tandem dump trucks, to utilize the state price agreement. This will expedite the trucks being received by the County by at least six months. The same thing with item number 2. That is for a roll-off truck. Again, it would expedite the receipt of this truck by approximately six months by being able to piggy-back off the state price agreements.

COMMISSIONER STEFANICS: Madam Chair, I have a question.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. Not being in the business of purchasing heavy equipment, are we talking about two large dump trucks that are hooked together?

MR. MARTINEZ: Madam Chair, Commissioner Stefanics, no. What we are requesting here are three tandem dump trucks –

COMMISSIONER STEFANICS: But tandems? What is that?

MR. MARTINEZ: They have two rear axles.

COMMISSIONER STEFANICS: That's all. It's not like two trucks.

MR. MARTINEZ: A truck and a trailer, no. They are three separate dump trucks that have tandem rear axles, equipped with snow removal equipment.

CHAIR VIGIL: Commissioner Anaya, then Commissioner Holian.

COMMISSIONER ANAYA: I was going to move for approval, Madam Chair.

COMMISSIONER HOLIAN: Second.

CHAIR VIGIL: I have a motion and a second. Commissioner Holian.

COMMISSIONER HOLIAN: I just had a question. What exactly is a roll-off truck? What does it do?

MR. MARTINEZ: Madam Chair, Commissioner Holian, a roll-off truck is the truck you see that carry those 40-yard bins that are at the transfer station to the landfill.

COMMISSIONER HOLIAN: I see. Okay. Thank you, Robert.

CHAIR VIGIL: Any other questions? I have a motion and a second.

**The motion passed by unanimous [5-0] voice vote.**

**XII. C. 2. Request a Waiver From Section 1 of Ordinance No. 2010-8 to Purchase Solid Waste Roll Off Equipment for a Total of \$144,000 Utilizing the State of New Mexico GSD/PD 003-D2 Purchase Agreement (Public Works)**

COMMISSIONER ANAYA: Move for approval, Madam Chair.

COMMISSIONER HOLIAN: Second.

CHAIR VIGIL: I have a motion and a second. Robert, is there anything you'd like to add to this hearing on this?

MR. MARTINEZ: No, ma'am.

**The motion passed by unanimous [5-0] voice vote.**

CHAIR VIGIL: We're actually on redistricting so maybe we should hold that off until 4:00?

MS. MILLER: Madam Chair, I have some other things that aren't on here, like discussion on the retreat agenda and stuff like that, so we could talk about those and the reorganization and then see where we are. But maybe you want to wait until 4:00.

**XII. C. Matters From the County Manager**

MS. MILLER: I was just going to give you a proposed agenda for the retreat, but I noticed there was an error in here so I was fixing it real quick.

COMMISSIONER STEFANICS: Madam Chair, while she's doing that I'd like to bring up an issue from the Manager.

CHAIR VIGIL: Go ahead.

COMMISSIONER STEFANICS: Madam Chair, and this is just a personal statement. The Commissioners may or may not agree with me. In the last County Commission meeting we had a resolution that was not sponsored by a Commissioner, and it was sponsored by the Manager's office so it ended up at the very, very, very end of the day. And I believe that it probably frustrated members of the audience who were here for that. So I'm wondering if in the future we could pull items where we know there will be community response that are not public hearings and move them earlier in the agenda.

CHAIR VIGIL: I think that's certainly possible if you know that is something we need to address we can address it at the time we approve the agenda.

COMMISSIONER STEFANICS: Thank you very much.

CHAIR VIGIL: Okay.

MS. MILLER: Madam Chair, we've had discussions about having a Board retreat, and we've had several requests from the individual Commissioners and some discussions here at the meetings about agendas for the retreat and whether the retreat would be one or two days. Initially I think there was a proposal for it to be two days, but also we had requests that it be one day. So what we tried to do is give you an idea of what has been suggested by the Commissioners and what some potential discussion hours for that, and then put it all in one day, and my idea here was that if you're willing to do it we think we could get it done in one day, if not, we can pick certain ones to go to, say, a morning of a second day.

What we're proposing right now is that the retreat be on August 23<sup>rd</sup> at the Nancy Rodriguez Community Center. There's plenty of room for the public to participate but a little more relaxed atmosphere where we'd have a continental breakfast, juice, coffee, some rolls. Have lunch, sandwiches, we'd bring in sandwiches and have discussion during lunch. So these were the things that had come up as suggested items, things relative to Board protocol, procedures, Board communication amongst Board members as well as staff. That would be an hour. Affordable housing and more specifically the Inclusionary Zoning Ordinance, up to two hours. The code process, where we are right now in the code, and this would not be doing any major decision points but some discussion items. And then moving forward on the code where we think we need to go.

A working lunch where we would talk about – and this is where I noticed I had written it wrong. A working lunch that would be about an hour but probably only a half hour discussion on the 1/8 actually – the fire excise tax. The tax that over a year ago did not pass that's for all of our firefighters' equipment. And that tax, by the way, is not across the incorporated area; it's only outside the incorporated area. But we are now eligible to bring that back to the voters. Solid waste, we would talk about the issues relative to solid waste and moving forward with an overall plan for solid waste for the year, and have two hours for that.

Then City-County JPAs relative to annexation. The RPA as we just discussed a little while ago. The RECC and the funding we have for that, which is the quarter cent tax, and the other GRT, the capital outlay GRT, and transit. An hour, we can add more to that one if need be. And then Santa Fe Canyon Ranch, and where we would potentially end with a tour of the property if you haven't been there.

So that's a lot of stuff. That's how we would propose it if we would do it in one day. If we can't do it in one day I'm open for suggestions, or if I missed anything, open for

suggestions on making it a day and a half and what you would like to see if we made it a day and a half what kind of changes you'd like.

COMMISSIONER STEFANICS: Okay, Commissioners, questions, comments? Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I think it's very ambitious, to say the least but we can try a day. But I think we can spend two days on City-County JPAs for example. Or the code. So I think it's a starting point and if the Commission is supportive of it I'm willing to give it a try but I think it's a lot of very comprehensive items in a very condensed time frame.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Are we taking comments?

COMMISSIONER STEFANICS: Yes. We're doing discussion questions, but I have a comment. I understand there is a meeting that would be appropriate for you to attend of the New Mexico Association of Counties that week. Is that correct?

MS. MILLER: Madam Chair, Commissioner Stefanics, it's still debatable whether they're going to hold it but, yes. And if I did, I would need to leave on the Wednesday sometime. But we did reserve the community center for the two days just in case. So that's why I'm offering either one.

COMMISSIONER STEFANICS: Okay. Well, the reason I ask, Commissioners, is although our County Manager has a lot of experience here at our County I'd like to have her have the opportunity to work with some other county managers from around the state to learn and network. So I wouldn't want to block that. So it sounds like it would work out whether it's a day and a half or two days. Thank you, Madam Chair.

CHAIR VIGIL: Okay. Are there any other comments based on the agenda that we have before us? Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you, Madam Chair, and I agree it's a pretty packed agenda and I think it's a great agenda, honestly. A couple of things. I know we talk about a working lunch and I know, Manager Miller you know where I'm a stickler on that. Is lunch and breakfast provided for all participants that are coming? The Nancy Rodriguez Center, I don't know if there are any quick spots where they can go run and get something to eat and try to make the meeting if they want to attend.

MS. MILLER: Madam Chair, we were going to have – just bring in some sandwiches for Commissioners for – have you bring the food if you want to bring your own food.

COMMISSIONER MAYFIELD: Or staff, and also the participants.

MS. MILLER: We were just going to have sandwich stuff. Nothing fancy.

COMMISSIONER MAYFIELD: But just to give the public a chance to get something to eat because that's pretty – that's going to be a great discussion on the fire excise tax that they might want to participate.

And then my second thoughts, and I spoke with one or two of my colleagues on this. Are we planning on televising this? I know that we have our meetings here televised. We also have our meetings reported through radio stations, and I just wondered if our retreat, just to make sure that our listening audience that can't make an all day meeting, because it's

probably during a working day for a lot of those folks, that they have an opportunity to at least view it over the television or view it over the internet. Those are my thoughts on that.

CHAIR VIGIL: Any other thoughts? Okay. So we're limiting this to just August 3<sup>rd</sup>?

COMMISSIONER STEFANICS: No, Madam Chair, we've been discussing – some of the Commissioners have indicated that they thought that more time was needed. The County Manager shared that we could go over to the next day because she has both days reserved, but by the third day she needs to be in another city, so she would need to leave some time on the second day. So the sentiment so far has been more time.

CHAIR VIGIL: So is there a consensus here that two days might work and we should block that time?

COMMISSIONER STEFANICS: Well, Madam Chair, I will prefer the shorter the better because of another commitment I have but I will attend whatever length of time it is.

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I'm willing to try just the day. I just don't think the magnitude of the agenda items we would give each individual justice. Commissioner Stefanics, could you do a day and a half?

COMMISSIONER STEFANICS: Yes. Actually that would be much better for me because I could make a later afternoon work meeting, but I appreciate that.

COMMISSIONER ANAYA: Madam Chair, I would say let's try a day and a half and get through as much as we can and if we need to do another one we can always do that.

CHAIR VIGIL: A day and a half, Katherine.

MS. MILLER: Okay, then what I'll do is adjust the agenda because I did feel it was pretty aggressive for one day and I just wanted to give the option. And what we'll do is just move a couple of things to the morning of the second day and we'll plan on then having it a day and a half.

CHAIR VIGIL: That sounds good. Thank you very much, Katherine. And the next item?

MS. MILLER: Madam Chair, I wanted to introduce Mark Hogan. I had mentioned Commissioner Mayfield had asked where we were in the organization last meeting. I said we were in the process of implementing components of reorganization and one of those first components is the Public Works Department and we currently have, we were on the search for a Public Works Director. Public Works would encompass roads, utilities and also Facilities and Open Space. So as approved by the Commission in the budget we actually have moved the Facilities, which includes the project personnel, the Open Space personnel, the maintenance personnel and custodial personnel, and all the building services into one division under Public Works and that new division director is Mark Hogan.

Mark Hogan is a certified architect. He has a long history here in Santa Fe as an architect and a lot of projects for public and private entities and he's just started this week and so I wanted to introduce him to you. He will be over that position. Paul Olafson has been

getting him up to speed on all of the projects that we have right now and he hit the ground running. So I'd just like to introduce Mark Hogan.

CHAIR VIGIL: Mark, welcome.

MARK HOGAN (Public Works Director): Thank you very much.

MS. MILLER: Mark, give them a little of your background, what you've done also relative to open space.

MR. HOGAN: I have had an architectural and planning practice in Santa Fe for the last 20 years and in the course of that have been before this Commission a number of times on land use issues. I've also had a history with the City of Santa Fe doing park development. I did the municipal recreation complex, the 1260 acres west of town with the golf course and soccer field and baseball complex. Through that I got very involved in parks, recreation and open space issues in Santa Fe, chaired the Parks Advisory Committee for a number of years and this has been a strong interest area for me so when Katherine asked me about my interest in this position I was a little curious on how she came to me with that and as she spelled out the needs of the County in terms of buildings, building services, open space, planning and the like I actually started to see what a good fit that was and have really enjoyed the last week getting to know staff as well as some projects.

I've been working internally right now to get familiar with how everything operates. I've just been shadowing various – Paul and Joseph and some of the other staff in trying to get familiar with what's going on. Next week I plan on meeting with some of the other departments so we can better coordinate on working together – utilities, purchasing and the like.

So that's a brief overview and if you have any questions or, like I said, it's going to take a little while to get my feet on the ground but I'd be happy to address any needs in the future as well as any questions right now.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. Two things. First of all I'm assuming that you've divested yourself of any conflicts.

MR. HOGAN: Right. I have.

COMMISSIONER STEFANICS: Okay. Thank you. And Katherine, could we, as you go through the organization changes, be provided with an org chart with the names of people who are heading up different divisions? I understand it might help month to month but it would be nice to just have that on an ongoing basis. Thank you, Madam Chair and welcome to your position.

MR. HOGAN: Thank you.

CHAIR VIGIL: Welcome, Mark. Look forward to working with you. Katherine, is there anything else?

MS. MILLER: Madam Chair, I would like to say a couple things. First one was the County fair. It was great and I wanted to compliment staff that worked there. The County Fairgrounds looked terrific. I think the fair was really well attended. I went on Saturday. I tried to buy a goat for my mother but she didn't want one. Don't you bring me a goat. There was a lot of energy there. The newspapers did some articles on it and summed up that it was a really good event. I was disappointed that I missed Commissioner Anaya singing. I made it to the tent just as he was wrapping up and I didn't get to hear him sing. But

there is a lot of staff that participate in the fair, their kids, so I think it's really exciting and I wanted to say that also I appreciate that Commissioner Anaya did a lot to make everybody aware of the fair because it was really good to see all of the community there participating in it. So I just wanted to make sure the staff that work on the fairgrounds and all the improvements and getting everything done and also the Fair Board who helped put that fair on and the Extension Office. I thought they did a great job.

The last thing is that the ICIP is on the agenda as well. But we could hear that now because it was noticed that it could happen any time after 2:00. So we could do that now and then go to the redistricting and that would take us up to the end of my item.

### **XIII. PUBLIC HEARINGS**

#### **A. Community Services Department**

##### **1. First Public Hearing to Discuss Santa Fe County's Infrastructure and Capital Improvement Plan (ICIP) for Fiscal Year 2013-2017 (Two Public Hearings Required). (Community Services Department / Projects) [Exhibit 4: Draft List]**

MR. OLAFSON: Good afternoon, Madam Chair, Commissioners. This is the first hearing for the infrastructure capital improvement plan. There's two public hearings required for this. At the next public hearing at the end of August we'll be bringing forth a finalized plan as well as a resolution regarding that. What I just handed out to you right now is a preliminary, a very preliminary draft list. We are still completing the public hearings and public meetings for this process. We have one more tomorrow night and this list is basically a mirror of last year's request. Last year as you all know the legislature never got a capital appropriation bill through and so there was no appropriation. We've used this as a base list to start from this year and we're amending it by getting updates on different projects that may have had some status change or had some progress or been completed through other funding mechanisms.

We've been sharing this list with communities and we're also working with County staff and different departments to get their request together. We will have that finalized list for you by the second meeting and we will also be asking you at that meeting for a top five list. If you recall from last year and previous years the Department of Finance and Administration requests that the County select five projects from all of the list to arrange as the top five priorities. In the past the Commission has focused largely on countywide type projects like fire equipment for all County fire divisions or districts, the RECC Center, because those kinds of projects are serving the entire county population.

We've also had times where the Commission has also inserted kind of regional projects that serve more of their district area. But we'll be getting that draft list to you. We'll be getting that before the next meeting so you'll have time to adjust it and also come to staff with any questions.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Commissioner Stefanics.



COMMISSIONER STEFANICS: Thank you, Madam Chair. You haven't included everything from last night yet, have you?

MR. OLAFSON: Madam Chair, Commissioner Stefanics, no.

COMMISSIONER STEFANICS: So what I'm wondering about this, and maybe it could just be a cover sheet, but there are some things on this list that might qualify for state and federal funds from the MPO, even though it wouldn't be immediate. But I'm wondering if you could identify sources of funds for different types of projects. So for example, I saw in Eldorado a lot of bike paths. And maybe that's a category. Maybe roads would be another category. Maybe water systems might be another category. But I'm wondering if there could be some perspective given to that. I don't know if you want to put it on the individual pages but maybe there's just a cover sheet that could explain what are the sources of fund if none for any of these.

Madam Chair, as I was telling the community last night, at which several people showed up, the legislature did not have a pot of money for local government projects last year. They didn't even pass the bill for state projects. And maybe they will at the special session, but again, it's state projects. So we are dependent often on state funding and when it doesn't come through that helps the community understand. And if there are other sources, whether it's coming from a tax or whether it's going through another City-County group, I just would think that that might be another exercise. Not to create more work. But thank you very much, Madam Chair.

CHAIR VIGIL: Okay. Other questions? Commissioner Anaya.

COMMISSIONER ANAYA: Yes, Madam Chair, and I have had some conversations with staff and brought it up at previous Commission meetings, but I would like the inclusion on the District 3 list of the Youth Ag facility in southern Santa Fe County. As I told staff and I brought up in previous meetings we've been getting a lot of input from people that - it's much more than just a youth ag facility is desired, but more of a youth ag facility/community-type wellness center, which is what I've brought up in previous meetings.

The other thing I would like to see on the list as a planning place holder is an item that Commissioner Stefanics and I have brought up previously in Commission meetings and that would be to evaluate future planning for a potential senior center off of Highway 14 somewhere. So those two items I'd like to see on the list.

CHAIR VIGIL: Okay. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Paul, first of all, how do you arrive at the estimated cost? Estimated project cost?

MR. OLAFSON: Madam Chair, Commissioner Holian, typically, if it's a road project, I'll consult with Robert Martinez and the roads people. If it's water, I'll speak with utilities people. If it's a building project we'll use some of our more current bidding information to estimate square footage. And then you add in the other services that are required for a full project and planning design and if there's land acquisition and those kinds of things.

COMMISSIONER HOLIAN: I don't know how to estimate it but one thing that I would be interested in seeing on this list would be to do energy efficiency improvements to County buildings, but I have no idea how to estimate that. But just to put it out there as recognizing that that might be an important thing to do in the future.

MR. OLAFSON: Madam Chair, I will get with our energy specialists and I'm sure they can help us at least create some kind of ballpark idea of where we're aiming for that.

COMMISSIONER HOLIAN: Thank you Paul.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: I'll wait if other first time Commissioners have anything.

CHAIR VIGIL: Have you, Commissioner Mayfield?

COMMISSIONER MAYFIELD: Madam Chair, I just wanted to remind the folks that tomorrow night at 6:30 pm, which is the 10<sup>th</sup>, we will be having our ICIP meeting out on the Pojoaque satellite office. That's off of West Gutierrez Avenue, right adjacent or right next to the Pojoaque True Value hardware store, and just encourage all residents from the northern area and this area of Santa Fe to go out to that meeting and give us your thoughts and suggestions of what capital improvements you'd like to see. Thank you.

MR. OLAFSON: Madam Chair, Commissioner, I'd just like to clarify that meeting is tomorrow, August 10<sup>th</sup> at 6:00 pm.

COMMISSIONER MAYFIELD: Six pm. Sorry. I stand corrected. Thank you.

CHAIR VIGIL: I notice you do have the Santa Fe River Trail and restoration as a countywide project on the last page. That eight-mile trail. Do you know exactly where that is?

MR. OLAFSON: In progress?

CHAIR VIGIL: Where the eight-mile trail acquisition will be.

MR. OLAFSON: It's in that entire reach from Alire down to basically 599. The entire breadth of the project is that reach and there's multiple properties that need to be acquired, some large and many small.

CHAIR VIGIL: I guess the question, Paul, is the entire project to complete, now that they're finishing up at Frenchie's Park, is it only eight miles that is left, minus San Ysidro Park?

MR. OLAFSON: Madam Chair, no, and I will get that updated for the second list. Because that stretch from Frenchie's was included in this. We were calculating from Alire to 599 but now that the stretch for Frenchie's is there we'll back that out and we also have the stretch from San Ysidro but I believe that is included in the eight miles. I'll get that clarification for the next meeting.

CHAIR VIGIL: Thank you very much. In my district I noticed the meeting was held this past week. Did you include all of the requests that came forth at that meeting?

MR. OLAFSON: Madam Chair, we have not had a chance to update since that meeting. That was last Thursday night. I just haven't gotten to updating that list. But all of that will be done in next week or so, because the last meeting is tomorrow night. So we'll get it all updated and we'll get you guys –

CHAIR VIGIL: So we'll have the updated version for the next hearing. Thank you, Paul. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. Commissioner Anaya reminded me. I think we should put senior vans on this list. That tends to be a popular

item with the legislature. And I understand from Ron or Steve that we only have two for the entire county. And so if we were to get some vans it would take some planning for some more staff, but senior vans.

MR. OLAFSON: Madam Chair, Commissioner, we'll coordinate with senior services and see how much they need.

COMMISSIONER STEFANICS: Okay, but I would like to see it on the list for the entire county. Thanks.

MR. OLAFSON: Absolutely.

CHAIR VIGIL: Okay. Anything else to add?

COMMISSIONER ANAYA: I would support that, Madam Chair.

CHAIR VIGIL: Okay. If there are no further questions I look forward to the updated version. Paul, is there anything you wanted to add?

MR. OLAFSON: Madam Chair, this is a public hearing so I think we have to do the hearing process.

CHAIR VIGIL: Yes. I don't think we're going to take a motion yet, because we have to have a second hearing. But is there anything else you wanted to add?

MR. OLAFSON: No, just if there was anyone from the public.

CHAIR VIGIL: Yes. I'm familiar with the process.

MR. OLAFSON: No, I have nothing else to add.

CHAIR VIGIL: This is a public hearing. Tell me if I do it right, Paul. This is a public hearing. Is there anyone out there in the public that would like to address the Commission on this please step forward and state your name and address for the record.

JOHN NYE: Madam Chair, Commissioners, my name is John Nye. I live at 66 Paseo Encantado northeast of Santa Fe, which is a – and I'm also a board member in the community which is Vista Redonda. We are off of Highway 592 east of Tesuque. We comprise 82 lots and 65 homes. Our roads, and this is what I'm here about, is to make you aware of our roads out there. We have one ingress and egress into the community, four-plus miles of road. We do have a fire egress that goes down into Chupadero.

Our roads are extremely unsafe and hazardous. The development was built back in the seventies. As an example we have two sections of our roads, both over 300 meters where grades are greater than 17 percent. There are many times – it's dangerous all year, but many times in the winter there is no delivery of mail, Fedex, fire cannot get out there. The roads are just in very, very bad and hazardous condition. Mr. Martinez and her crew do the very best they can with the funds but he could be out there scraping that road every month and we would still have the accidents and safety problems and safety issues that we have.

We have put in – and it also relates to very high maintenance costs that are ongoing out there. The roads desperately need to be redone. We have a request in for 2013 capital budget already. I just want to make everyone aware of that and make sure that it stays in there, for \$550,000 of which our homeowners have pledged \$100 [sic] in assessments. So it would be \$450,000 to the County. So we were looking to put forth a goodwill effort to help the situation.

The road, to give you an example is posted at 30 miles per hour. Impossible. You're going to have an accident if you travel anywhere near that, even at 10 to 15 miles an hour in certain areas it's very, very dangerous. I want to make sure that we stay on the capital budget

for 2013. We're on it. I'll check with the gentleman who was just here in front of me that is the County position to make sure we stay there, but I did wish to make all of you aware of it and we will be also at the meeting with Commissioner Mayfield tomorrow evening.

CHAIR VIGIL: Okay. Thank you very much, Mr. Nye. Anything else?

MR. OLAFSON: Yes, Madam Chair. I just wanted to remind folks that we do have a request form that is available online. You can go onto our website and get it, or if they don't have web access, also they can call Gena Montoya at 992-9876 and she can either email or fax or snail mail forms to folks. And we'd like to get those forms in by August 15<sup>th</sup> if possible so we can prepare the packets for your next meeting.

CHAIR VIGIL: Very well. Thank you for that information. When is the next public hearing going to be scheduled?

MR. OLAFSON: Madam Chair, that will be August 30<sup>th</sup>.

COMMISSIONER HOLIAN: Madam Chair, I have a question.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Is the list that you gave us, that you handed out today posted on the website as well, Paul?

MR. OLAFSON: Madam Chair, Commissioner Holian, I'm not certain. If it's not it will be up there. We'll get it up.

COMMISSIONER HOLIAN: Okay. Thank you.

CHAIR VIGIL: Anything else? Thank you very much, Mr. Olafson.

MR. OLAFSON: Thank you.

CHAIR VIGIL: And we really can't go into any other items. Do you want to go into partial executive session and then come out at 4:00?

MS. MILLER: Madam Chair, I actually don't think we have anything for executive session today.

COMMISSIONER HOLIAN: We could have a break.

CHAIR VIGIL: Then with no other items except public hearings for land use this afternoon, why don't I entertain a motion for a temporary adjournment to reconvene at 4:00. Would anyone like to –

COMMISSIONER STEFANICS: Madam Chair, I'll move a temporary adjournment.

COMMISSIONER HOLIAN: Second.

CHAIR VIGIL: Okay. Temporary adjournment, reconvene at 4:00. Is there a second?

COMMISSIONER HOLIAN: Second.

COMMISSIONER ANAYA: Madam Chair, second and just a comment, if I could.

CHAIR VIGIL: Sure.

COMMISSIONER ANAYA: Could we in the interests of maybe not getting in a jam on this again, maybe just put the item at the beginning of the meeting, right after the approvals of the agenda and redistricting? That way we don't have anything to worry about if we have it at the top and we can just cover it instead of –

CHAIR VIGIL: I think one of the issues with it is they wanted it at the end of the day so that the public could easily, more readily, be a part of it. Ms. Miller.

MS. MILLER: Madam Chair, I could make a suggestion that might make it a little bit better. We could just adjourn now until 5:00 and do it from 5:00 to 6:00, and then you could go straight into your public hearing. It was to try to make it at a time where we could start at some time between 4:00 and 5:00 so people who did want to participate. So we didn't have to start at 4:00. We were just trying to say, well, if you were going to come and see it, or maybe come back at 4:30, then you have a solid break, and you could just –

CHAIR VIGIL: So there are no people who are expecting to be here at 4:00 today for this hearing.

MS. MILLER: Madam Chair, you might ask – I think Commissioner Holian had had a request from somebody. There were some people who had requested it at a specific time, and I think also I didn't have anyone who said I will be there at a time. They just said if you could kind of generally tell us when it would come up on the agenda. So that's why I was suggesting that probably more than likely that was a good time to say that we would do it around 4:00 to 5:00-ish, because typically, that's about when items from the Manager come up. So that was why I had suggested that. That's another option.

CHAIR VIGIL: Well, let me say at the onset of this meeting we did announce that redistricting would be heard at 4:00 today, so if there was anyone out there listening for that we should come back at 4:00 for that particular item, because that was announced. And I agree with you, we could, as Commissioner Anaya recommended and you do, place it on a land use when we're doing a land use or a 5:00 time, so long as the 4:00 time isn't what I understood to be a requested time. But for today I think we need to come back at 4:00. So I have a motion to temporarily adjourn and come back at 4:00.

**The motion passed by unanimous [5-0] voice vote.**

[The Commission recessed from 3:30 to 4:12.]

**XII. C. 1. Redistricting**

CHAIR VIGIL: Okay, I think we need a motion to go back into regular session.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Yes.

COMMISSIONER STEFANICS: I move that we come out of temporary adjournment back into regular session.

COMMISSIONER MAYFIELD: Second.

**The motion passed by unanimous [4-0] voice vote.** [Commissioner Anaya was not present for this action.]

CHAIR VIGIL: Okay, Ms. Miller, I'll turn it over to you. Is there anybody here for redistricting besides staff? Good to know. Okay. Ms. Miller, it's all yours.

MS. MILLER: Madam Chair, we had stated that we wanted to keep this on the agenda as an item to bring forward as maps or potential plans are proposed and after that we

would bring those forward to you for discussion. So at the last meeting Erle had requested some direction from you as to the type of parameters that you'd like to see and went back and drafted up some maps, so we've posted those on the website and we're here to have some discussion about those and how they came out, what ones he was able to make work within the statutory requirements that we have and those that wouldn't work. So go ahead, Erle.

CHAIR VIGIL: It's all yours.

ERLE WRIGHT (GIS Planner): Good afternoon, Commissioners. What I tried to do -- you have three options that were prepared today that are based on what the Commission had asked us to look at. And again, a lot of this was obviously balancing the population. There was an idea to accommodate growth and also from several of the Commissioners to balance the urban and rural population and then also a request for a least-change option. So what you have today, option A is essentially a stab at a least-change option, where I tended to move as few precincts as possible. Essentially most of the districts just had one precinct change each, but there were a couple others. And I can go into more detail, but let me briefly explain each option real quick.

Option 2 was an attempt to equalize or at least normalize the urban and rural populations. It didn't quite work so that's why I said normalize, it's trying to bring a discrepancy between the districts that are predominantly unincorporated to the ones that are predominantly rural to try to lessen that gap, essentially, is what option B does. Again, I can go into more detail on each one as we get along.

Option C is again a plan that attempted to utilize predominantly major roads, clear physical boundaries. I ended up having to go use rivers and railroads as well as the district boundaries where the precinct boundaries that actually compose the districts would be, that the district boundary would actually be along a major feature, a visible feature such as major road or the Santa Fe River for example. This one also, this option C also turned out, out of all the options presented to you, one that would actually accommodate some growth in that districts 2, 3 and 5, which contain a growth management sustainable development area-one designation area are actually a little bit under the ideal population, whereas districts 1 and 4, which are likely to remain a little bit stable are a little bit over population. So this scenario as presented would actually allow the districts to accommodate some growth over the next ten years until we're back doing this again after the 2020 census.

So with that I'll stand for questions or I can go into more detail on each plan. I didn't really want to get into the interactive but I can do that if you really want to see where these boundaries are. Probably the best thing is maybe to pull up this summary table which shows how things kind of worked out -- where the districts stand now and how these options kind of play out statistically.

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I've actually had a conversation with Erle and I appreciate the time he took. I talked to him yesterday as a matter of fact, I asked some clarifying questions on boundaries. And I just wanted to make some general comments based on my review of the precincts and also some brief conversations with others that might be affected. My general comment on option A is I appreciate the fact that it keeps things as close to what the existing boundaries are that it can, and I'm going to have a few

questions, but Erle, tell the public and the Commission what you told me associated with the population growth concerns, I guess it would be, and having us within the ideal populations in that first option. I liked the option but you expressed some – I don't know if concern is the right word, but you expressed some thoughts associated with what ideal percentage of people would be in those districts. Can you maybe talk a little bit about what you expressed to me yesterday, associated with that option A.

MR. WRIGHT: It would be my pleasure, Madam Chair and Commissioner Anaya. Essentially, that district – yes, it is a least-change option but actually, given some of the concerns that I heard from the Commission, is one, yes, it meets the criteria to be within the five percent, but it actually leaves District 1 as being underpopulated at about 4.4 percent, it's 4.39 on your table there, which is underpopulated by about 1200 people. Given that District 1 is in the high growth district, likely to be, that's not very good, and then also it actually rather than shrinking the gap of urban versus rural it actually increases the gap. So again there are – and this is sort of another caveat that we have to redistricting, it's – there is no perfect plan that we can come up with, so it's going to be a give and take in any plan that we look at, I think.

But again, this one does the least amount of change to each of the existing districts, and I can run through the precise change if the Commission would want me to or we can just go on with the discussion.

COMMISSIONER ANAYA: Madam Chair, go ahead. I think that would be helpful.

MR. WRIGHT: Okay. And I'll run through it district by district, starting with District 1. Essentially District 1 picked up Precinct 83 from District 2, which is – and again, you really won't see any change on your countywide map but you'll see it on the city-based map and that's essentially the top portion of the map is Precinct 83. This is essentially the Tano Road area. It should be bounded on the west side by I believe that's Fin de Sendero. So that was the only change there.

For District 2 –

COMMISSIONER STEFANICS: Okay, Madam Chair.

CHAIR VIGIL: Yes.

COMMISSIONER STEFANICS: I want to make sure I'm following this. So you're on this option A spread sheet going landscape, right?

MR. WRIGHT: Yes. Which should be titled Redistricting Option A.

COMMISSIONER STEFANICS: Okay. So you were saying 83 does what?

MR. WRIGHT: That went from District 2 into District 1, under option A. I can pull it up here. I can actually pull up on my – this mouse is still doing kind of weird things.

CHAIR VIGIL: You're saying Precinct 83, which I the Fin del Sendero/Tano Road area went to District 1. Is that what you were saying?

MR. WRIGHT: Yes.

CHAIR VIGIL: And I don't see it on the map. I don't see Precinct 80.

MR. WRIGHT: It's 83.

COMMISSIONER STEFANICS: That's why I wanted to make sure we're all on the same page here.



CHAIR VIGIL: Okay. I see. .

MR. WRIGHT: I'm not sure if it will help to have it on the screens in front of you or on the printouts in front of you. So there – you can see, essentially it's bounded on the north by the Tesuque Pueblo boundary, so it's everything – and again, it runs in a portion into that northeast, northwest quadrant of the City of Santa Fe.

CHAIR VIGIL: Okay. Is that the only change there?

MR. WRIGHT: That's the only change to District 1. So if I move onto District 2, obviously, that was one of the changes, but you'll also see in the center of the city, which would be precincts 44 and 45, where District 2 lost those precincts – if you see the kind of blue railroad tracks running through this, they are the old district boundaries. So that kind of helps you a little bit too so when you see a color moving across essentially the blue railroad track they you know there's been a change there.

CHAIR VIGIL: Okay. Commissioner Mayfield has a question.

COMMISSIONER MAYFIELD: Thank you. And Madam Chair, Erle, on that point, it's not so much this map, it's the other maps. It just seems they run into each other. Is there any way on future maps that you can maybe color-code different districts with a different railroad map color.

MR. WRIGHT: Well, the districts are coded by color.

COMMISSIONER MAYFIELD: Yes, but with those railroad tracks going –

MR. WRIGHT: With the tracks it's a little tricky because the only thing I can do is the lines. I can certainly look at some ways to make this visually clearer than it is, but it is a bit of a challenge because there's a lot of information to show. And that's one of the reasons why I didn't label roads on here because it will get so noisy it's hard to really see what's going on, if we get too much information on the map.

COMMISSIONER MAYFIELD: Thank you.

CHAIR VIGIL: So Precinct 44, and what's the other precinct in District 2 that went to District 4?

MR. WRIGHT: Precinct 45, which is directly adjacent.

CHAIR VIGIL: Okay. And in effect, what that did is it increased both District 2 and District 4's urban.

MR. WRIGHT: Actually, not so much. That actually – that's taking away. Precinct 83, the way I calculated the urban/rural it was a 50-50 split, but 44 and 45 would actually take away from the urban. The other difference is – to complete what happened in District 2 the most changes happened in District 2. But you'll see Precinct 87 there which is along Airport Road, right there, which is a large-population precinct. That's over – almost 5,000 population.

CHAIR VIGIL: What precinct is that again please?

MR. WRIGHT: That's Precinct 67.

CHAIR VIGIL: Okay.

MR. WRIGHT: And that precinct certainly made up for all the losses that were in 45 and 44 which between the two of them it's only about 1,600 population. So even though you lost a little urban in the first three precincts I mentioned you gain even more by taking on Precinct 67.

CHAIR VIGIL: Exactly. Exactly. So that would take District 2 from the 68



percent that it's currently now to a 72 percent urban.

MR. WRIGHT: Exactly. It widens the gap essentially between the urban and rural. Okay, moving on to District 3, there again, we're right in that same Precinct 67. That's the only change that happened to District 3.

CHAIR VIGIL: Commissioner Mayfield.

COMMISSIONER ANAYA: Madam Chair, Erle, going back to Commissioner Vigil's point, Precinct 44, why would that change it more? Why would that still keep it a rural area? What's the distinction that you all are making between urban and rural areas?

MR. WRIGHT: What I did in the urban and rural is – and again, this is a table that I gave to you last time. And actually I've got to admit there was a slight mistake on that table which I need to tell you about. But I missed a precinct that was split. But in a nutshell to answer your question, Commissioner Mayfield, the yellow highlighted precincts on this table were 100 percent within an incorporated area. And again, to define what I was seeing as urban is I also looked at the proposed annexation – or the annexation agreement we have with the City of Santa Fe, that Santa Fe County has with the City of Santa Fe, and if those areas, those future annexation areas were going to make a precinct 100 percent in within the next two years as per the agreement, I counted it as 100 percent.

COMMISSIONER MAYFIELD: So Madam Chair, Erle, why would Precinct 44 – and I thought this is what I heard you say – that that is a rural area. To me that's more.

CHAIR VIGIL: No, urban.

MR. WRIGHT: That's an urban.

COMMISSIONER MAYFIELD: That's an urban area.

MR. WRIGHT: That's actually downtown, practically where we're sitting, Precinct 44.

COMMISSIONER MAYFIELD: Thank you, Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, on the previous comment that you made, did we say we were going to have an absolute district only in the annexed area? Clarify what you said about the agreement. What did you say about the agreement?

MR. WRIGHT: Madam Chair, Commissioner Anaya, the method that I used to calculate essentially total urban population is actually a little bit – it includes areas that the City would eventually annex.

COMMISSIONER ANAYA: I got you. That are part of the presumptive area.

MR. WRIGHT: Exactly. Presumptive. I'm sorry. I should have used the proper term because it's the presumptive annexation areas to the City of Santa Fe. So I can continue pointing out the changes –

COMMISSIONER STEFANICS: Madam Chair, I missed – okay, I got 83, 67, 44, 45, and what did you talk about right after 67?

MR. WRIGHT: 67 was the – I had moved on to District 3.

COMMISSIONER STEFANICS: Okay, but what was in District 3?

MR. WRIGHT: District 3 lost 67 and that was the only change.

COMMISSIONER STEFANICS: That's the only change. Okay.

MR. WRIGHT: Yes. So again we're looking – option A is this least change

option.

COMMISSIONER STEFANICS: Okay.

MR. WRIGHT: So we walked through District 2 which actually had 4 precincts change, but the rest of the districts had minimal change.

COMMISSIONER STEFANICS: Okay, so maybe that's what I'm missing. So District 2 had 44, 45, 67 and what else?

MR. WRIGHT: It had 44, 45, and 83 were moved and replaced by that was 67.

COMMISSIONER STEFANICS: Okay. Gottcha.

MR. WRIGHT: So again, that's why this area sort of across the blue railroad tracks turn to the reddish color here.

CHAIR VIGIL: Precinct 67 is south of Airport Road?

MR. WRIGHT: It is north of Airport Road.

CHAIR VIGIL: North of Airport Road. Okay. So Airport Road is below it.

MR. WRIGHT: Right. This angle right here is – that's Airport Road, this is Cerrillos coming in. This is Rodeo going to the east.

CHAIR VIGIL: Okay.

COMMISSIONER ANAYA: Madam Chair, Lopez Lane on the west and Agua Fria on the north of 67.

MR. WRIGHT: Lopez Lane is actually on the east. Appears to be.

CHAIR VIGIL: That's still urban area.

MR. WRIGHT: Yes, and this is a prime example of a precinct that right now is split between being unincorporated and incorporated.

CHAIR VIGIL: Actually it's the only precinct in District 2 that has that split because the rest are all in incorporated, right?

MR. WRIGHT: No, actually, you see the green lines on these maps is the current city boundary, so it's actually split all along there, really. Precinct 67, Precinct 31, Precinct 11, Precinct 83. It goes on. And also Precinct 64. But that's not in your district in this option.

CHAIR VIGIL: No, but then south of that is the Agua Fria traditional historic village, right?

MR. WRIGHT: That actually sits in – it straddles Precinct 66 and Precinct 11. It's right here on the map. And for instance, because of that, precincts 11 and 66 I treated as if they were split and calculated them at 50 percent of their population, half in and half out. And again, this is an estimation. It's not precise science on these urban/rural numbers.

CHAIR VIGIL: Right.

MR. WRIGHT: To continue, we covered the changes to District 3. Changes to District 4, and essentially we've touched on two of them precincts 44 and 45 were added to District 4, as was Precinct 29, which was this little sort of panhandle here was taken out of District 5 and moved into District 4. And again the result of these, the additions to District 4 were essentially all 100 percent urban precincts so again it raised that total for District 4 in terms of urban context. And then of course that leaves us with the change to District 5 which is the precinct I just mentioned. District 5 lost Precinct 29.

So this is our least change option and probably the simplest changes to go through.

Any questions on this option?

CHAIR VIGIL: No, you can go on, unless anyone has any, we can look at option B. Okay, let's look at option B then.

MR. WRIGHT: Okay. This option actually was an attempt, again, to try and equalize the urban and rural populations and in order to try and do this, once I make a change to one district it sort of has a ripple effect on the other districts. So I can run through – well, first I have to explain what we were trying to achieve here, what actually the population would be under the way I estimated it, and again, off the table that you saw last week the number totals were actually correct and we were about 86,000 persons would be classified as urban or in incorporated areas under the estimated method that I used. That would leave us with about 17,240 persons per district ideally, if we were to keep them as balanced population, and of that about – again, because we have the Town of Edgewood and the City of Espanola that means that just under 14,000 persons within the City of Santa Fe in each district, under those 100 percent/50 percent breakup. So that's what we were shooting for.

Unfortunately what I found in doing this, and you'll see, even the resulting numbers, we still didn't quite get there. That 86,000 number put us at rough, I believe about 59 percent of the county would be rural, and again, county, city annexation areas, so that's what we were trying to hit. We got relatively close but again, District 4 remains at 70 urban. District 1 and 2 which had the lowest urban population actually moved up above 50 percent, but one of the problems I have is with District 1. I really can't get much higher than about 53, 54 percent on that district and largely, because once you look at the rest, the actually unincorporated areas of that district its population, its core is about 16,500 in that range that's actually unincorporated. And in order to get it to 60 percent essentially what we'd have to do is start breaking up that – we'd have to move into that district which would begin to affect the tribal precincts, just the way, the nature of those districts. Pretty much all of District 1 encompasses pretty much the bulk of our Native American population.

And I didn't want to do that without direction from the Commission and actually I probably wouldn't recommend it in the long run either.

CHAIR VIGIL: Why?

MR. WRIGHT: Because that is a population of voting rights interest, that if we actually dilute that population it could conceivably be challenged. So that's the reason. I could certainly prepare the options that would look at that –

CHAIR VIGIL: I guess I need to understand. What do you mean by dilute the population?

MR. WRIGHT: Well, right now, again as you'll see on the master table, District 1, and I refer to this table here –

CHAIR VIGIL: And I'm not asking because I have a preference. I'm asking to gain a better understanding of that.

MR. WRIGHT: Well, District 1 by far has the highest Native American population of any district.

CHAIR VIGIL: Right. So if you moved them onto another district, that would be diluting it? Is that the conclusion you're drawing?

MR. WRIGHT: We would be what's referred to as cracking that protected class of voter. In other words we'd be splitting them apart and lowering their ability to

actually affect – to have an input as a single voice in elections.

CHAIR VIGIL: Okay.

MR. WRIGHT: Does that make sense?

CHAIR VIGIL: Okay.

MR. WRIGHT: And then in addition to that problem with District 1 there's a problem of sorts in District 4 that actually doesn't – it only has a population of about 5,300 people which are unincorporated. So in order for District 4 to become much less urban than it is we would have to have significant changes to some of the other districts. And again, it has nowhere to push, really, but again, either into District 1 or southwards into districts 3 and 5. So that's – because again, it doesn't really – and even in this option where I've tried to equalize it it's still pushing into District 2, but it continues to pick up population, essentially urban population.

COMMISSIONER STEFANICS: Madam Chair, Erle, is Precinct 63, is that Lamy? Or what is that?

MR. WRIGHT: Yes, that is – well, it runs – it's bounded on the southeast essentially by the railroad, so yes, it is partially Lamy there. It's bounded on the west side by 285, by the Eldorado Highway.

COMMISSIONER STEFANICS: And how far up does it go?

MR. WRIGHT: It goes – the north boundary is I-25.

COMMISSIONER STEFANICS: Okay. So the whole east side of 285 from the highway down to the railroad tracks is only one precinct?

MR. WRIGHT: Yes.

COMMISSIONER STEFANICS: Okay. Thank you.

MR. WRIGHT: And this would be better if I wasn't working with a stapled copy. I'm going to go grab some over here. Okay, well, given that background, again you can kind of see where the numbers ended up. This option actually came out pretty decent in terms of the population deviation. District 1 is about three percent over, about 900 persons over. And our lowest one is about 620 over for District 4 at about two percent. And actually I did look. There's a possibility of actually bringing it in within about a 1 ½ percent variation, but it would have been adding another urban precinct to District 4 so I didn't present that option to you but it's certainly on the back burner if that's something you want to look at. But I can walk through the changes.

In order to get more rural population you can see that – and when we go to the countywide map, that District 5 actually lost Precinct 63, which is the one we were just speaking of that's bounded by the railroad tracks, Highway 285 and I-25. And that went into District 4. There were some other changes in the city and again, what I did is start with the base where the city population was actually split evenly, but what I found when I did that is we had a variation of almost 30 percent in population once I added in the existing districts.

So I think really to make – to really make this, and you can see some other changes out there. Precinct 14, obviously, went into District 3 from District 5. That would be the west side of Highway 14, and that's the precinct we ended up splitting at the request of the Secretary of State. But in order to do this urban-rural balance I think – and I'd be willing to prepare the plans but there would be some pretty radical changes or more – not necessarily radical but more significant changes to your existing districts. And I didn't want to really

bring you a plan that did that without consulting with you a little further.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Madam Chair, okay, Erle, go back not to the map but to this spreadsheet.

MR. WRIGHT: Okay.

COMMISSIONER STEFANICS: If we were to look at what might be challenged in terms of the numbers here, could you explain to us the red flags? Not looking at the maps and numbers and where these things are, but if you were to look at the numbers, what would create some of the red flags for somebody to challenge a plan?

MR. WRIGHT: Well, the first and most important one would be the deviation, to where we've disenfranchised the one person/one vote.

COMMISSIONER STEFANICS: You're talking about the deviation for the entire district.

MR. WRIGHT: Right.

COMMISSIONER STEFANICS: So the closer we can be to one or zero, the better.

MR. WRIGHT: Yes.

COMMISSIONER STEFANICS: Okay, what's another red flag, besides the deviation?

MR. WRIGHT: The other red flag, and that's why this table has essentially ethnicity, which is your Hispanic/non-Hispanic, and then also race. They're really two different things. The way the questions – there were two separate questions asked in the census and the first was: are you Hispanic/non-Hispanic and then the second question irregardless of that question is what is your race? In New Mexico's case, I believe we're the first state in the nation to not have an ethnic minority. This population, the Hispanic population in New Mexico actually exceeded 50 percent of the population and really and truly in Santa Fe County we have a pretty decent balance, although you can see there is a tendency but they're within the 60/40 range.

COMMISSIONER STEFANICS: Okay, but let me just ask you then, if the race and ethnicity became an issue in a potential court challenge, and there might be no court challenge, but would numbers like 68 and 28 be too great a range? Or 66 and 30? I mean, what is the goal? You're not going to meet every goal. So I understand about the deviations, but – and maybe Steve could comment on that too.

MR. WRIGHT: I could take a stab at it.

COMMISSIONER STEFANICS: Steve, don't go away. The question I asked was, the range between numbers, what's too great and what's too small? For example, a 68/28, a 66/30. Are those things that would be challenged?

MR. ROSS: Madam Chair, Commissioner Stefanics, I suppose it's potentially – any challenge is possible but as long as we are reasonable I think we can fend off any challenges.

COMMISSIONER STEFANICS: Okay. So that's why I was asking what are the red flags, because if we had two red flags or if we had five red flags but we met two or three of the standards and just didn't meet one – that's what I'm trying to get at. So besides

the deviation, the race and ethnicity, what else would be red flags, what else would be red flags?

MR. WRIGHT: Certainly continuity, which is not an issue. All of our districts as presented and as existing are contiguous. So for instance I couldn't take for example Española and Edgewood and put them in a single district and call it one with nothing connecting in between.

COMMISSIONER STEFANICS: Okay. So we have deviation, race and ethnicity is the second, continuity is the third. What else?

MR. WRIGHT: Compactness. And this is where the gerrymander term came from that – it was a governor I think in Massachusetts. His name was Jerry and they said it looked like a salamander and that's how they came up with gerrymander. But it's something that looks – that essentially would wrap around and not be as compact as possible. Part of our problem is our districts look a little strange because basically our precincts are a little strange.

COMMISSIONER STEFANICS: Any other red flags from your point of view?

MR. WRIGHT: No. Those are the serious ones.

COMMISSIONER STEFANICS: Thank you. So, Steve, Madam Chair, can you identify any other red flags besides these four?

MR. ROSS: Madam Chair, Commissioner Stefanics, actually the statute requires compactness and contiguity, so we need to make sure we pay attention to those. Those are the low-hanging fruit in terms of a challenge. And then we have to of course always be sensitive to the racial component to make sure we're not disenfranchising people, but those are for me, the lawyer, those are the red flags. So I think Erle's got all those things on the list and I think now you have those factors identified on your list as well. Red flags.

COMMISSIONER STEFANICS: So Madam Chair and Steve, if three out of the four items were met, there would be a certain level of protection?

MR. ROSS: Yes.

COMMISSIONER STEFANICS: Thank you very much.

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, going back to my original statements from the previous meetings about maintaining as best we can the essential core of the districts that we have and also taking into consideration the two items just mentioned, compactness and being contiguous, my comment on option B, which from what I understand, if I understand it correctly from you, Mr. Wright, better than option A accommodates the population aspects associated with the redistricting plan. Of the two as it relates to the population of each district, option B probably gets us closer than option A. Is that an accurate statement?

MR. WRIGHT: Madam Chair, Commissioner Anaya, yes. Our range of deviation is much higher. Total range is about seven percent, from -4 to, well, it's almost 8. -4 to a + 3 ½, whereas option B has a range of about 5 percent, the highest being the 3.1 percent and then a -2.1. So it's better, less deviation.

COMMISSIONER ANAYA: Madam Chair, based on that point, I have one concern that rises to the top associated with option B and that is if there can be some

alternatives to removing Precinct 12, because Precinct 12 would split in essence La Cienega, and I think that that would be a concern that I would have. Part of La Cienega would be in 62 and part would be in 12.

CHAIR VIGIL: And along those lines, if we're asking for map drawing with those boundaries, Precinct 12 currently is in District 2, correct?

COMMISSIONER ANAYA: No, Precinct 12 is in District 3.

MR. WRIGHT: Madam Chair, it was currently in District 3.

CHAIR VIGIL: Okay. So Precinct 64 is all Airport Road and so the next precinct is 80, and then that is adjacent to Precinct 12?

MR. WRIGHT: Yes. That's the precinct to the northeast.

CHAIR VIGIL: Okay. The current District 2 does have part of Upper La Cieneguilla in it, so where is that reflected in the map? Or that's not in the changed map. It would be maybe what went into Precinct –

MR. WRIGHT: Well, it's just off – it's actually that little, if I can pull up another map. You're speaking of that little notch that's right in there, which is essentially by the City's water treatment plant.

CHAIR VIGIL: And I'm happy to look at Commissioner Anaya's suggestion. My only concern with that would be how would it impact the rural/urban distribution and you might have to look at taking away another district. I don't know. So we can look at it.

COMMISSIONER ANAYA: Madam Chair, on that point. And I think we're engaged in a healthy process of discussion and I appreciate the work that staff's done so far. Thanks, Erle. I think my comment on rural and urban – and I want to make this point that the assumption for District 3 when you look at the map might be that as it currently exists I would have the most rural, but the reality is geographically it looks very, very rural, but the population I think puts me in the middle of pack associated with urban. In fact I think it's – what is it, Erle? Some 60-some percent urban population right now.

MR. WRIGHT: 64 percent.

COMMISSIONER ANAYA: 64? And I think that as we go through the process, I think, Madam Chair, that you're correct, that there's going to be some key points on rural and urban but I don't think that if compactness and contiguous and those other items are taken into consideration that we're probably going to get to equalization in rural and urban and I don't necessarily think that that's a bad thing. I look forward to the future maps and I think you've taken a – tried to do that and balance that out. I think Commissioner Holian has brought up some points in her district in the past as well as Commissioner Vigil.

But I don't think we'll absolutely get to where there's going to be an equalization in all five districts and I don't necessarily think that that's bad. I think that having communities that are contiguous to one another and that have common interests I think to me is going to be an important criteria as we go through the process. But those are my thoughts. I would ask for some consideration on 12 so that we don't split La Cieneguilla and La Cienega up, but that seems to fit more in line with the population numbers that we're targeting. So, thank you, Madam Chair.

COMMISSIONER HOLIAN: Madam Chair.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: I would just like to make the comment that I



realize that in District 4 it's going to be almost impossible to bring the percentage of urban down considerably or to an equalized value, but I really strongly don't want to see it get any worse. And certainly option 1 definitely makes it even worse than it is now. That's my comment.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: In reading the memo that Erle wrote I was looking at maintenance of communities of interest. And there is an argument to be made for and against Precinct 63 moving, if that's the right number. Anyway, the east side of 285. Oftentimes there are meetings where Eldorado is all they talk about and they probably would appreciate being their own separate community of interest. On the other hand they also might tend to bond with the larger group of people and think they can get things done. But I've oftentimes been at meetings where they have said East Ranch and Lamy is not Eldorado. And so this might give them a distinct personality.

COMMISSIONER HOLIAN: Madam Chair, on that point. I'd also like to point out that moving Precinct 63 into District 4 does sort of bring the Ojo de la Vaca area together much better than it is now, where it's kind of represented by three different Commissioners. So that whole County Road 51, it brings that community of interest, which is a rural community, together. So that's just one point I wanted to make. Thank you.

CHAIR VIGIL: Thank you. Okay. Erle, continue, if there's anything you want to further explain.

MR. WRIGHT: Well, just kind of wrap up option B if we're done with it. But that's really – there would have to be some more changes in order – and I think that's a good observation that Commissioner Holian had, is that, and it works again with Commissioner Anaya, is that one way or another we're going to be splitting up something somewhere; it's inevitable. There is no perfect plan. But I can certainly come back with other options. Really, I think the only way to address balancing the population in District 4 is to really look at that Eldorado area and maybe move a bigger piece. Because you'll see in the next option I actually moved 63 and 17, but that's about as far as I can go.

If we move on to option C you'll see that. So it's kind of – not to scare anybody, which is just a segue there. But you'll see in option C on the countywide map, and I guess I should get that pulled up on the screen for you too, but in addition to Precinct 63 I picked up Precinct 17 and actually that's, as Commissioner Holian had observed, the Cañoncito area was in three different districts. And in a way – but now, we're trading a split in Cañoncito for essentially splitting the community of Stanley, and that's a drawback to this plan. And again, this plan – and I guess I could go philosophically back to what this plan was, but again, all of the options that I brought to you today really, I had everything in the back of my head when I was doing these and what you said about let's preserve the core constituencies, and so I didn't bring anything that really changed the face of the map.

And the major roads that I worked with, again, we're mainly on the city inset. So again, this one gets a little better. It doesn't have quite – well, it has a very similar population difference and it's interesting. I had to double-check my numbers for District 1 for urban and rural, and even though I changed – there's four different precincts involved, it came out at exactly the same numbers. And that's what I kind of alluded to earlier is I'll have a real tough



problem getting that urban and rural balance for District 1 as well without doing some other pretty severe changes.

This one we stay within about a 6 percent deviation total, from a -3 to a +3, so our deviation numbers are certainly good for maintaining the one person/one vote concept. And again, I could walk through if you'd like, the specific changes on this. But I'll go by the direction of the Commission.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, there's red spots all over my map here in 17 because that's blood from my heart. Precinct 17 is small in numbers by population, both precincts 17 and 19, but very much directly correlate with one another in a lot of their issues. So splitting one of the smallest communities in the whole county of Stanley I think would be a setback to our interests to be contiguous and compact and I would ask each of the Commissioners to take that into consideration.

COMMISSIONER HOLIAN: Madam Chair.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: I really do understand what Commissioner Anaya is saying and I am in agreement with what he said.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: So the question to me on that Precinct 17 is if it was added back in and subtracted back out, what deviation would change? Like if it would jump quite a bit or just decimals?

MR. WRIGHT: Let's see.

COMMISSIONER STEFANICS: 400 is much less than 1,000.

COMMISSIONER HOLIAN: Madam Chair, I think it actually would make the whole situation better because in option C District 4 is ahead by 2.45 percent but there is not really expected to be much growth in District 4, so it seems like you would want it to be a little on the low side, population-wise, rather than high. So just doing that one thing could actually make the situation a bit better.

MR. WRIGHT: Madam Chair, Commissioner Holian, it would keep us within deviation. Our target number is about 1,440, so, yes. It would put us about - no, we'd be subtracting it. District 4 would actually come closer into deviation while District 3 would actually jump up a little and actually narrow that gap a little bit.

COMMISSIONER STEFANICS: So that would look all right. As far as deviation.

CHAIR VIGIL: The other alternative would be to put Precinct 72 back into District 3, but then you'd have to make amends through possibly Precinct 12 or Precinct - no, you don't want to go to 72, right?

COMMISSIONER STEFANICS: 72 is staying.

CHAIR VIGIL: Right. That's what I'm saying. Because if you put Precinct 17, how would that impact? You would have to look at Precinct 12, right?

MR. WRIGHT: It would only add about 400 back in there, and with District 3 being -938 it would move it to about -542, if my math is right on the fly here.

CHAIR VIGIL: Erle, do you have sufficient information based on the

comments the Commissioners have made to come forth with some other line adjustments on this? Or would you like further clarification?

MR. WRIGHT: I can certainly, I can look at other changes on option B but it's really going to be tricky moving 12 out of there.

CHAIR VIGIL: Right.

MR. WRIGHT: It was the nature of a split in doing that. 14 had to move. I could take a look and see what I can do, but I can certainly on option C look at moving 17 back into District 3, and that would work, it looks like just looking at the tables, it should work pretty easily.

CHAIR VIGIL: And I don't know how Commissioner Mayfield feels on District 1 but Precinct 83 does have a lot in common with Precinct 82 and Precinct 11. I don't know if it's possible to look at another formation of that or if you, Commissioner Mayfield, thought of some alternatives to that. Option A is it? Or is it option B?

COMMISSIONER MAYFIELD: Option A is the only option where I'm –

CHAIR VIGIL: That's right.

COMMISSIONER STEFANICS: So, Madam Chair.

CHAIR VIGIL: Yes.

COMMISSIONER STEFANICS: Could we just do a straw poll about if there's something here we want to just throw out and not consider any further?

CHAIR VIGIL: Yes, we can do that, Commissioner Stefanics, but there might need to be some new boundaries drawn based on this. So with regard to a poll being taken based on the options that we have I suppose the way the question should be framed is which option would be a preference at least at this point in time. We still have a lot to consider for each Commissioner. And in addition to that preference is there anything specific that each Commissioner would like to see brought back? So, Commissioner Stefanics, do you want to start you poll?

COMMISSIONER STEFANICS: I could live with C.

CHAIR VIGIL: C?

COMMISSIONER STEFANICS: Yes.

CHAIR VIGIL: Is there anything you'd like brought back?

COMMISSIONER STEFANICS: I'm happy to listen to other adjustments.

CHAIR VIGIL: Okay. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, would the Commissioners – other than Commissioner Holian expressed favor for putting 17 back in 3. I would concur with that if that would – if that could be part of your thought process on 17 only.

CHAIR VIGIL: Okay. So you expressed a preference earlier for option B but you'd like that option brought back with bringing 17 back in.

COMMISSIONER ANAYA: Actually, option C. The one Commissioner Stefanics brought up, bringing 17 back into District 3. And I guess I would say the next step is to say that option B with consideration of 12, as a second option. Then I think based on what I'm hearing and based on getting to the right populations that if there was one from my perspective that we could take off it would be option A, just because it doesn't hit the population point.

CHAIR VIGIL: Okay.

COMMISSIONER ANAYA: So C, B and then A would be the last for me.

CHAIR VIGIL: So you're aligning a preference of C, B, and A.

COMMISSIONER ANAYA: And just with the caveat on B that if staff could look at 12 again, because like I said that would affect adversely in my opinion La Cienega.

CHAIR VIGIL: Okay. Commissioner Holian, what is your preference?

COMMISSIONER HOLIAN: Thank you, Madam Chair. Well, my favorite one is option B but I can also live with option C and I am fine with taking Precinct – or putting back in Precinct 17.

CHAIR VIGIL: Okay. Commissioner Mayfield.

COMMISSIONER MAYFIELD: My preference is option A, just because it's the least change. However, looking at option C I think that's the consensus. Erle, if you could look at maybe Precinct 24 and 23 and Precinct 26 and 27. Precinct 26 and 27, Erle –

CHAIR VIGIL: What option are you looking at?

COMMISSIONER MAYFIELD: Excuse me, Madam Chair. I'm on option C. That's right down there by the railroad park.

MR. WRIGHT: So Commissioner Mayfield, those precincts again?

COMMISSIONER MAYFIELD: 26 and 27.

MR. WRIGHT: And you wanted those –

COMMISSIONER MAYFIELD: Let me just go back. Where's Precinct 24? Is that running all the way back over behind the deaf school?

MR. WRIGHT: Yes. That's bounded by Alameda. Or no. That's Agua Fria.

COMMISSIONER MAYFIELD: Agua Fria on the down side?

MR. WRIGHT: On the south side, and then actually Alameda on the north side for 24 and 25.

COMMISSIONER MAYFIELD: And what's the boundary for 33?

MR. WRIGHT: 33, I believe that's Baca. I'd have to pull up the map and see.

COMMISSIONER HOLIAN: On that point. Commissioner Mayfield, I have a question. I see that 26 and 27 have been in option C moved into District 4. One possibility would be for District 4 to take in Precinct 9 instead under that. I don't know how you feel about that but Precinct 9 is sort of very similar to the precincts that are south of Precinct 9, so perhaps it would be a better fit.

COMMISSIONER MAYFIELD: And Madam Chair, Commissioner Holian, I hear what you're saying but also I think they have a huge amount in common with Precinct 10, the Tesuque area, the Hyde Park area. That's that one corner that's coming back up in here. And I do think that they have a lot of commonality with Precinct 10 and also Precinct 30. That whole Hyde Park area. Erle, what is the line between – right now our district line? Canyon Road, right? That's where we're splitting this line?

MR. WRIGHT: It's essentially the river. The river is the precinct boundary.

COMMISSIONER MAYFIELD: So it's not Canyon Road. I thought I was on –

MR. WRIGHT: I'm pretty sure. I'd have to zoom in and look at it but I'm pretty sure that precinct boundary is the river. And again, that's why this option C was kind of based on major roads. That's why I picked some of these that I did, but we can certainly juggle the precincts with in the city, but what I tried to do is in this case District 4, Precinct

26 and 27 is actually bounded on the east by Guadalupe. That's what that was. And so that's why I moved them. But we could juggle those around a little bit. If that's what I hear you –

COMMISSIONER MAYFIELD: I think Commissioner Holian and my thoughts, I don't know if you could make a couple maps that would show the two changes.

MR. WRIGHT: Yes. If you'll note on option B, those precincts – actually both 30 and 9, moved from District 1 into District 4 – in terms of adjusting these numbers, those are – that's the easiest area to work with because they're small numbers. I'm not dealing with – like I am on the southwest side of the city, with thousands of people. I've got a couple of precincts there I could move around without totally throwing the district out of whack again. That's one of the challenges in working with those precincts on the southwest side of the city. But I'll certainly – I guess I need to understand a little better. Do you want – with 24 and 25, you didn't necessarily want to take those on?

COMMISSIONER MAYFIELD: I'm not saying I didn't want to take them on. I'm looking at 26 and 27, basically St. Francis is splitting that road, but if you're proposing an option C to bring in Precincts 20, 21, and 25, and hearing Commissioner Vigil's concerns and respecting and understanding her thoughts of 83, Precinct 83, to me it just makes a little sense that 26 and 27 remain within District 1 as far as commonalities between precincts 20, 25 and 21, and 24 and 33, that are further down Cerrillos Road binding with Agua Fria Road, if I'm understanding how this map is.

CHAIR VIGIL: Do you understand that, Erle?

MR. WRIGHT: Yes, I think so. I think so.

CHAIR VIGIL: So you'd like to see that option just visually? Okay.

MR. WRIGHT: So that's keeping 26 and 27 and pulling back a little from District 2, right?

COMMISSIONER HOLIAN: Madam Chair. Yes, so I guess the question is, how would that change the population deviations? Would it put it into a danger territory?

MR. WRIGHT: Well, that's what I'd have to look at. That's about 2,000 for 24 and 25, well and 33 has got to be included. So again, if they have to remain contiguous that's one of the critical, critical criteria that we need to meet. But again, I can juggle those numbers. If we're – again, this option was conceptually trying to base it on major roads. It didn't necessarily work. The full major roads one. I can show you some of the failed options. I didn't have them ready for your packet so you didn't see them, but I can bring those to you next time to kind of see why these didn't really work.

CHAIR VIGIL: Okay.

MR. WRIGHT: But I'll take a stab at it and bring you maybe a couple of variants of that to see what we could do.

CHAIR VIGIL: Okay.

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, just so I could understand where Commissioner Mayfield's bringing up points. 26 and 27 are in District 1 now?

COMMISSIONER MAYFIELD: Yes, sir.

COMMISSIONER ANAYA: And you're interested in trying to keep 26 and 27 in District 1.

COMMISSIONER MAYFIELD: Yes.

CHAIR VIGIL: Okay. So that you'll draw up another option that would bring that, and you'll have to deviate from other precincts. Or make up for it, is what I'm saying.

MR. WRIGHT: Yes. If the numbers get out of whack it will have a ripple effect.

CHAIR VIGIL: But will you be able to see that once you –

MR. WRIGHT: Absolutely.

CHAIR VIGIL: Okay.

COMMISSIONER STEFANICS: So, Madam Chair.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: I'm interested in what your choices are.

CHAIR VIGIL: Well, I actually think that option B creates the larger benefit and resolution for anyone, for everyone, but I really do need to see the other options that have been proposed today before I can actually – at this point in time. And I hate to sound conclusionary because this is such a process, so I'm not. That would just be at this point in time, I think the most ideal, non-deviant. And I actually really appreciate you staying within that deviation of a plus or minus five percent. That's a huge factor here and I think when we do look at red flags, in fact what would be looked at what was the previous census number and what is the current census number and how we had to work with those. That would be the reasonable approach.

So my question to you is two-fold. First and foremost, when you are dividing these boundaries, are you looking at the census count or are you looking at voter registration and voter numbers?

MR. WRIGHT: Madam Chair, the requirement is to look at the actual census count.

CHAIR VIGIL: That's what I thought. I just wanted that clarified because some people confuse those two. The other question I have with regard to District 2 which is critical to that district and that is under no option have you divided the traditional historic village?

MR. WRIGHT: Madam Chair, I have avoided that in all of these options. At this point I have not.

CHAIR VIGIL: Okay. And I would imagine that those Commissioners who have traditional historic villages in their districts are going to keep those intact too. It sounds like you've done that for other districts is what I'm saying.

MR. WRIGHT: Yes. Tesuque is together. There is the question on La Cienega. And option B actually as it is now, because of Precinct 12 will split that traditional and historic, but again we'll try and do –

CHAIR VIGIL: Upper La Cienega, Lower La Cienega, the traditional historic boundaries. La Cieneguita and all of those I guess what we would need to know is what are the boundaries of the traditional historic village. Because there's so many descriptions. La Cienega itself includes Upper, Lower and La Cieneguita. So how many of those are within those boundaries, I don't know.

MR. WRIGHT: I could certainly look at it in and pull it up. As it is now most of it sits in District 3, but that's a huge – in terms of the planning area, for La Cienega, is a

big area. And actually, I know, I know it spans into Precinct 80 which is currently in your district.

CHAIR VIGIL: Okay.

MR. WRIGHT: So technically, it's split now but not as much as it would if we were using the river, which that's the boundary between precincts 12 and 62 now.

CHAIR VIGIL: Okay. What I would like to see is a map that would take precincts 64 and 67 out of District 2 and see how that would impact. It might be a huge deviant and not even worth – you can do this preliminarily and just tell us that's not going to work. I'm fine with that. But I'd like to see it.

COMMISSIONER ANAYA: Madam Chair, on that point.

CHAIR VIGIL: Yes.

COMMISSIONER ANAYA: Madam Chair, 64 and 67 are in District 3 now.

CHAIR VIGIL: Right. I know they are.

COMMISSIONER ANAYA: So you're saying take them out of District 2 in option C?

CHAIR VIGIL: Yes. That's what I'm saying. Like for example option A has them split, 64 and 67. 64 is in your district on option A and then 67 is in mine, which may need to happen if you want to hold on to Precinct 12. So do you understand my direction? I'd like to see a map that puts precincts 64 and 67 in Commissioner Anaya's district and how that would impact the northern area.

MR. WRIGHT: Okay. Not necessarily based on any of these options, but just keeping them within District 3?

CHAIR VIGIL: Yes. Yes.

MR. WRIGHT: Madam Chair, that will be a bit of a challenge because that little cluster of precincts right there, six of them between 80, 64, 67, 66, and then 86 and 75 south of Airport Road, those six precincts alone, if they were together, would constitute one district and have enough population, and actually meet the deviation criteria.

CHAIR VIGIL: Right. And that's where the growth has been.

MR. WRIGHT: Right.

CHAIR VIGIL: And that's where the growth will continue to go.

MR. WRIGHT: I'll certainly develop an option that looks at that.

CHAIR VIGIL: And it may be something that gets eliminated right away, but it would be worth looking at because that is a growth area. Okay. Do you have enough of a challenge for yourself, Erle?

MR. WRIGHT: At least I have about three weeks this time so I have a little more time to work on them this time, so that's good.

CHAIR VIGIL: Okay. This has been a good discussion. So we can continue these discussions. Is there anyone in the public that is here to speak on redistricting? Please step forward, and knowing that there's not what I do want to announce is it looks like from this point forward when we do discuss redistricting it will be noticed for a 5:00 time? Or Katherine, how do you want to move on that?

MS. MILLER: Madam Chair, they're not really public hearings so until they're public hearings you don't have to notice them for a specific time. This issue is just that because we have them on the administrative part of our agenda to try to hear them. You

could do them at the same time so that people weren't trying to guess when it was. The request somewhat was could it be towards the end of the day. Now, I don't know if those people are watching on TV or listening or what but a few people in the public were just interested in the process and wanted to know if we could have a more specific time then some time between 1:00 and 6:00.

CHAIR VIGIL: Okay. So it would be fair to say that when we discuss redistricting it should be at the end of the workday.

MS. MILLER: Yes. I think we could just say some time after 4:00 and before 6:00.

CHAIR VIGIL: Until we have to notice the public hearings specifically. Thank you very much. Yes.

COMMISSIONER ANAYA: On that point, Madam Chair, I actually like your idea about having, for the land use meetings, having the redistricting noticed when we come back into session at 5:00, and then for the administrative meetings having that as the last item on the administrative agenda. That way we're towards the end of the administrative agenda but we give people a chance that are working, for the land use meeting to come at 5:00, if the Commission's okay with that. Actually, I think that helps the public a little bit. Does that work, Madam Chair?

CHAIR VIGIL: That's actually – thanks for clarifying that, because we have spoken to that. We're going to take a little bit of a break just to grab a bite to eat. We won't be very long. I would say 15 minutes at the most. We'll try to make it 10. And so we'll start the land use hearing I would say about 5:40. So those of you who are here for your hearings just give us a break to grab a bit to eat. Okay? And we'll be right back. Thanks.

[The Commission recessed from 5:25 to 6:02.]

### **XIII. PUBLIC HEARINGS**

#### **B. Growth Management**

1. **CDRC CASE # V 11-5150 Jose Chris Tercero Variance. Jose Chris Tercero, Applicant, Requests a Variance of Ordinance # 2007-2, (Village of Agua Fria Zoning District), Section 10.6 to Allow Three Dwelling Units on 0.962 Acres. The Property is Located at 2227 Paseo de Tercero, within Section 5, Township 16 North, Range 9 East, (Commission District 2). Wayne Dalton, Case Manager**

WAYNE DALTON (Building & Development Services Supervisor): On June 16, 2011 the CDRC met and acted on this case. The decision of the CDRC was to recommend approval of the applicant's request for a variance by a unanimous 5-0 voice vote.

There is currently a residence which was constructed in 1972, and a storage shed on the property. The property is served by the Agua Fria Community Water Association and sanitary sewer service is provided by the City of Santa Fe. The property is located within the Agua Fria Traditional Community Zoning District. Ordinance # 2007-2 states the minimum lot size in this area is 0.75 acres per dwelling unit. Lot size can be reduced to 0.33 acres with community water and sewer.



The Applicant has provided a letter from the Agua Fria Community Water Association stating they will provide water for two additional homes. The Applicant has also provided a letter from the City of Santa Fe stating that sanitary sewer service is available to serve the property and the two additional homes, therefore, the minimum lot size can be reduced to 0.33 acres per dwelling unit. The Applicant's property contains 0.962 acres and it is approximately .028 acres, which would be 12,000 square feet short of meeting the code criterion for placement of three dwelling units.

The Applicant states that he has four children and would like to provide places for them to reside so they can live close to him and his wife who are getting up in age and are dealing with numerous medical issues.

Recommendation: Staff has reviewed this submittal and has found the following facts to support this Application: Ordinance 2007-2 states the density in this area is 0.75 acres per dwelling unit; lot size can be further reduced to 0.33 acres with community water and sewer. This property is served with both community water and sewer. Staff feels this could be considered a minimal easing of Ordinance 2007-2 due to the property being within 12,000 square feet of the required size which would achieve the purpose of Ordinance 2007-2; therefore, staff recommends approval of the Applicant's request subject to the following conditions. Madam Chair, may I enter those into the record?

[The conditions are as follows:]

1. The Applicant must obtain development permits from the Building and Development Services Department for the proposed homes.
2. Compliance with minimum standards for Terrain Management as per the Land Development Code and compliance with Ordinance 2003-6 Water Harvesting.
3. The placement of additional dwelling units on the property is prohibited.

CHAIR VIGIL: Are there any questions of Mr. Dalton from members of the Board? Seeing none, is the applicant here? Mr. Tercero, if you would step forward and state your name and address for the record.

JOSE CHRIS TERCERO: My name is Jose Chris Tercero. I live on 2227 Paseo de Tercero.

CHAIR VIGIL: Mr. Tercero, are you in agreement with the staff's recommendations and conditions of approval?

[Duly sworn, Mr. Tercero testified as follows:]

MR. TERCERO: Yes, I am.

CHAIR VIGIL: Okay. Is there anything you'd like to add? None? Okay. This is a public hearing. Is there anyone here from the public that would like to address the Commission with regard to this? Seeing none, this public hearing is closed, and I'll turn it over to the Commission. Are there any questions or direction on this?

COMMISSIONER MAYFIELD: Madam Chair, I'll move for approval of Case #V 11-5150.

CHAIR VIGIL: I have a motion.

COMMISSIONER STEFANICS: I'll second.

CHAIR VIGIL: I have a motion and a second. Any further discussion?



**The motion passed by unanimous [5-0] voice vote.**

- XIII. B. 2. CDRC Case # V 11-5070.Joya de Hondo Variance. Gray-Hall LLC. (Damion Terrell), Applicant, Jenkins/Gavin, Agent Request a Variance of Article XV, Section 6.E (Community College District Road Standards) of the County Land Development Code to Allow an Off-Site Living Priority Lane with a Right-of-Way Ranging in Size From 20 Feet to 30 Feet for a Section of Roadway Approximately 1,110 Feet in Length and to Allow a Driving Surface of 16 Feet in Width for a Portion of Roadway Approximately 640 Feet in Length, for the Purpose of Creating a Four-Lot Summary Review Subdivision on 43.8 acres. The Property is Located Off of Old Galisteo Way, within Section 15, Township 16 North, Range 9 East (Commission District 4). Vicki Lucero, Case Manager**

VICKI LUCERO (Development Review Team Leader): On April 21, 2011 the CDRC met and acted on this case. The decision of the CDRC was to recommend approval of this request.

The subject property is an existing 43.8-acre tract located off of Old Galisteo Way which lies within the Community College District. The lot is currently vacant.

On April, 14, 2009, the Applicant submitted an application to Santa Fe County to create a four-lot Summary Review Subdivision on the 43.8 acres. As part of this submittal the Applicant was proposing to construct a 20-foot wide driving surface on Old Galisteo Way from Los Tapias Lane to the entrance of his property. County staff reviewed the application and determined that it met the requirements of the County Land Development Code. The Land Use Administrator was prepared to approve the plat when several of the neighbors filed an appeal of his decision claiming that as a result of a court order filed in 1970, and the court order is in Exhibit E of your packet, the road surface could not be increased beyond the existing 16-foot wide driving surface on Old Galisteo Way from Los Tapia Lane south for approximately 640 feet.

Upon review of the court documents, County staff determined that the easement precludes widening of the road as required by Code.

Article XV, Section 6.E.7.a.iv of the County Land Development Code provides that a Living Priority Lane shall consist of a 34-foot right-of-way with two 10-foot driving lanes. The Applicant states that because of the court order they are unable to make improvements that meet County standards to that 640-foot portion of road where only a 20-foot easement exists. Therefore, a variance is requested for the width of right-of-way and width of road surface of 16 feet. In addition, the right-of-way outside of the 640-foot portion is a maximum of 30 feet however on this portion of the roadway the Applicant will be able to construct the required improvements for a 20-foot driving surface so a variance is only needed to allow a right-of-way width of 30 feet for a length of approximately 470 feet.

Article II, Section 3.1 of the County Code states, "Where in the case of proposed

development, it can be shown that strict compliance with the requirements of the Code would result in extraordinary hardship to the applicant because of unusual topography or other non-self-inflicted conditions or that these conditions would result in inhibiting in achievement of the purposes of the Code, an applicant may file a written request for a variance.”

The Applicant states that the 16-foot wide road surface within the 20-foot access easement is non-self-inflicted. Additional access was previously available through the Santiago Subdivision to the north, however, in 1985 the Board of County Commissioners vacated these easements which eliminated the additional means of access to the subject parcel.

This request was submitted to the County Transportation Planner for review. The County Transportation Planner states that the proposed project lies in the vicinity, east of the conceptual alignment of the proposed Southeast Connector. Planning Staff analyzed the potential for connectivity between Old Galisteo Way and the Southeast Connector, which should be constructed, and actually more recently I've heard that it's going to be constructed within three to five years. Planning staff supports the proposed four-lot summary review subdivision and requested variance and believes that any further division of the remaining acreage should require that traffic be diverted onto the proposed Southeast Connector.

Recommendation: Staff believes that the creation of four proposed lots will not significantly increase the traffic on Old Galisteo Way. As part of the proposed subdivision, the Applicant will construct an approved fire turn-around within the subject property. At the current time there are no Fire Marshal-approved turnarounds on Old Galisteo Way. The construction of the turnaround provided by this development would benefit the entire neighborhood.

It is staff's position that the variance requested is unavoidable due to the ruling in the court order that would prohibit the Applicant from doing the required road improvements on the access road. This could constitute an extraordinary hardship to the Applicant as stated in Article II, Section 3.1 of the Code. Therefore, staff recommendation and the decision of the CDRC is to recommend approval of the variance requested subject to the following condition:

1. Any further subdivision of land will require a secondary point of access. This shall be noted on the plat.

MS. LUCERO: Madam Chair, I also just wanted to enter for the record that I handed out a letter from the president of the Old Galisteo Way Road Association requesting tabling of this case and a response of the applicant to that letter. *[Exhibit 5]* The applicant is not in agreement with the request for tabling.

CHAIR VIGIL: And I do believe that these requests and the response were received by email also.

MS. LUCERO: Yes, that's correct, Madam Chair.

CHAIR VIGIL: Thank you very much. Questions for staff? Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Vicki, I noticed that with the CDRC meeting there was one person who was not noticed, Mr. Mullin, and I just wondered if he was noticed for this meeting.

MS. LUCERO: Madam Chair, Commissioner Holian, he was, and I do have the certified receipts to show that he was sent the letter.

COMMISSIONER HOLIAN: Great. And I'm wondering, has staff ever done – or has anybody ever done a traffic count study for this road.

MS. LUCERO: Madam Chair, Commissioner Holian, for a four-lot land division traffic counts or a traffic study isn't required. However, the applicants did have their engineer go out there and perform some traffic counts and they may be able to address that a little bit further during their presentation.

COMMISSIONER HOLIAN: Okay. And then is this road actually a private road? I also saw in the packet materials that at one time it appeared to be maintained as a County road. Am I wrong about that?

MS. LUCERO: Madam Chair, Commissioner Holian, I believe that's correct. There was a change of alignment at the time but it was once a County-maintained road but at this point it is not.

COMMISSIONER HOLIAN: It is a private road.

MS. LUCERO: That's correct.

COMMISSIONER HOLIAN: And in that sense it's owned by the people who live along the road then?

MS. LUCERO: Yes, that's correct.

COMMISSIONER HOLIAN: And they are responsible for its maintenance.

MS. LUCERO: For maintaining it, yes.

COMMISSIONER HOLIAN: Okay. Thank you, Vicki.

CHAIR VIGIL: Any other questions? Commissioner Mayfield.

COMMISSIONER MAYFIELD: Commissioner Holian, I apologize. So the road that – I guess that travels south and north, that was at one time a County road?

MS. LUCERO: Madam Chair, Commissioner Mayfield, it was at one time a County road but I believe – and the applicant has all the history on it, but I believe there was a different alignment to that road at the time and then once they realigned it it's no longer a County road.

COMMISSIONER MAYFIELD: Okay. And the applicant has provided that history?

MS. LUCERO: Yes.

COMMISSIONER MAYFIELD: Okay. Thank you.

CHAIR VIGIL: Any other questions for staff?

COMMISSIONER ANAYA: Madam Chair, I may have some questions but I'd like to hear from –

CHAIR VIGIL: Okay, is the applicant here or their agent? Please come forward, state your name for the record and be sworn in.

[Duly sworn, Jennifer Jenkins testified as follows:]

JENNIFER JENKINS: Good evening, Commissioners, I'm Jennifer Jenkins with Jenkins Gavin Design and Development. This is Colleen Gavin, also of Jenkins Gavin and our client, Mr. Damion Terrell.

Good evening again, Jennifer Jenkins. Good evening, Chair Vigil, Commissioners. We are here this evening on behalf of Mr. Damion Terrell in request for a roadway variance

that Vicki described to you quite aptly. I'm going to briefly touch on a few more details with respect to the project, a little bit of its history and also I will allow Mr. Terrell's attorney to address the public road issue. I think there's some confusion about that. We do concede it is not County-maintained. It is not a County-maintained road. However, the documentation that we have demonstrates that it is a public road. As we all know there are plenty of roads in Santa Fe County that are identified as public but they are not on the County's maintenance list. So that's really the differentiation there. But we will allow Mr. Cassett to speak to that a little more clearly.

So if I may I would like to approach. Can you guys see this okay? I know there's kind of a lot going on here. I'd be happy to –

CHAIR VIGIL: I wonder if you could push it to the side a little bit so that members of the audience can also see what you're –

MS. JENKINS: How's that? Is that okay?

CHAIR VIGIL: That looks good.

MS. JENKINS: Okay. So I just want to, so everybody can kind of get where we are here. This is the subject property. It's just under 44 acres, and it's property that Mr. Terrell's grandfather purchased back in 1933, and he has inherited the property. And what we have, this is the roadway in question, which is Old Galisteo Way. Okay? Which is the primary point of access – it's the only point of access actually, into the subject property. And the portion of the roadway that is the subject of the variance primarily is this upper kind of 600 feet. As Vicki stated there was an adjudication back in 1970 for the roadway and the County Attorney felt that because of the road description that described this as a 16-foot wide road in that adjudication of 1970 that we need to honor that description and maintain that dimension.

So this is the subdivision request. We're zoomed in now on Mr. Terrell's property. We are proposing three 2 ½-acre lots and the remainder of the property is going to remain essentially as is. The property is traversed by the Arroyo Hondo, so of course the intent is in the future that this all get preserved as open space, which is part of the Community College District open space and trail plan for this area.

As Vicki also mentioned, historically, this property, there were other points of access and other points of roadway connectivity for the Old Galisteo Way neighborhood and I would like to address that real quickly. Colleen's just going to pass out reduced versions of what I'm showing you here. [Exhibit 6] In 1981, the Santiago Subdivision was platted. Mr. Terrell's property is right down here. You can see here, it says Wendell Hall estate. Wendell Hall is Mr. Terrell's grandfather. And you can see the main point of access comes up here from Rabbit Road down into the subdivision, which is 21 lots, and there were also access easements platted here, moving to the south, as well as access easements here connecting over to Old Galisteo Way, which was a really good plan. I think we all know that neighborhood connectivity for dispersing vehicular trips as well as emergency access issues that those are important connections to be made, especially serving a subdivision of 21 lots which is not insignificant.

And then, kind of mysteriously, in 1985, at the time, the Board of County Commissioners at the time approved a vacation of those easements. So then we end up with a land-locked 21-lot subdivision with one way in and one way out and basically an elimination

of that internal roadway connectivity that would have provided access for not only Mr. Terrell's property but the other properties that not all of the traffic necessarily has to utilize Old Galisteo Way. There would have been other opportunities to connect to the roadway network via this, the roads within the Santiago Subdivision.

And so that is – this is partly what has created the situation where we find ourselves today.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR VIGIL: I have a question, Jennifer. Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, Jennifer, on this map you just showed us, either the first or the second one, where is this property?

MS. JENKINS: Just to the south. So this is probably the best one. So this is the Santiago Subdivision.

COMMISSIONER MAYFIELD: So that's where the easements were in.

MS. JENKINS: Yes. So the easement ran here and then you can actually see it in this green area here. It actually still shows up in the County's GIS as a platted easement for a road even though now it's just a utility easement. And so this access here was directly to Old Galisteo Way and then there was the easement that came down here that connected to Mr. Terrell's property.

COMMISSIONER MAYFIELD: And can you show me that on one of the maps?

MS. JENKINS: It's a little bit off the map so Mr. Terrell's property sits right down here.

COMMISSIONER MAYFIELD: But I'm not seeing the easement that runs through that whole track.

MS. JENKINS: There was an easement here then also there was a second easement that ran through an adjoining tract that actually still exists. But it doesn't connect to anything because it can't get to this road.

COMMISSIONER MAYFIELD: So there's a second easement that runs through one of those plots?

MS. JENKINS: Yes.

COMMISSIONER MAYFIELD: Down into that property?

MS. JENKINS: There's a piece, there's an easement that runs along this property line. is that correct, Damion? Am I pointing at the right one? He's going to help me make sure I'm – oh, this one. Okay. So you can see this easement right here is a 50-foot wide ingress and egress easement which is offsite, and this is where it connected to the former Calle Lydia easement here that was vacated. So now this is the proverbial easement to nowhere. The Santiago Subdivision is right here.

COMMISSIONER MAYFIELD: And who owns that property?

MS. JENKINS: Who owns that property? I don't know. There's just two different landowners here. This is the former Father Bartolotti. Does his estate still own that?

COMMISSIONER MAYFIELD: So that piece of property is also land-locked.

MS. JENKINS: Well, there's access easement here that comes off Old Galisteo Way across the top that accesses these.

COMMISSIONER MAYFIELD: Thank you.

MS. JENKINS: Thank you, Damion. That's helpful.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. I guess I have a question for our staff. Can easements like that be reinstated?

MS. COBAU: Madam Chair, Commissioner Holian, this piece of property has been under application with the County for about four years. They originally came in as a 15-lot subdivision when we had the EZC, under the Extraterritorial Zoning Ordinance. And at that time when they came in for a larger subdivision we had the applicant's agent do substantial research and approach those property owners about reinstating or allowing access up that way. We had them look at access through the Oshara Subdivision. They've looked and relooked at access options and really, there are none. And I'm not sure how or why that easement was vacated. It didn't make any sense that it was. So we researched it enough and as a result of not being able to find secondary access the applicant subsequently dropped their application for a subdivision and was just going for the smaller land division that you see today.

COMMISSIONER HOLIAN: Thank you, Shelley.

CHAIR VIGIL: And Shelley, while we have you on the microphone, I have a few questions and then I'll let you go, Jennifer. But stay there please, because mine are quick. Where is this in terms of the Sustainable Land Development Growth Plan? Is this SDA-1? SDA-2? Do we know?

JACK KOLKMEYER (Land Use Administrator): Madam Chair, it's part of the Community College District, so it's in SDA-1.

CHAIR VIGIL: Okay. Thank you very much. Proceed.

MS. JENKINS: Okay. And with respect we're going to segue in and let's talk about the Community College, because this property is within the Community College and let's look at this one here. As stated – this might be a little difficult to see but this is the Arroyo Hondo, this is the Santa Fe Community College, Richards Avenue. I know you guys have probably seen this map many times. And the subject property is right here where my finger is, just adjacent to the Arroyo Hondo. And on the land use zoning map for the Community College District as well as on the circulation map for the Community College District a roadway connection connecting Old Galisteo Way to the future southeast connector is shown on both of these maps, going through Mr. Terrell's property.

So the roadway improvements onsite that we're proposing is kind of a first step in realizing that neighborhood connectivity that the Community College District Ordinance contemplates. And as was just stated we had a condition of approval that we have the three 2.5-acre lots that we're proposing currently and the remaining acreage, when and if that becomes further subdivided, we're required to provide alternate means of access at that time. That alternative means of access, more than likely is going to be the southeast connector. And as we all know the schedule for that has quite accelerated in the last few months and I think it's a very positive thing for Santa Fe County as a whole but definitely for this district in terms of additional connectivity beyond Richards Avenue and the traffic implications for that.

COMMISSIONER HOLIAN: Madam Chair.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: So when the southeast connector is put into

place the people who will be accessing the lots on Mr. Terrell's property will not be using Old Galisteo Way anymore, correct?

MS. JENKINS: The way the condition is couched right now is that the three lots we're proposing today, Old Galisteo Way would be their point of access. Any future lots that would be created we would have to provide secondary access.

COMMISSIONER HOLIAN: But the three lots could not use that connector road?

MS. JENKINS: I would hope so. The point is connectivity throughout these neighborhoods. And so we haven't really talked about it at that level of detail. All we know is that Old Galisteo Way is the only point of access right now. We're going to be limited to those three lots. In terms of how – and I think when, say five years from now if Mr. Terrell decides he wants to proceed and do something more with the additional acreage there at that time we would work with staff and address traffic circulation and see what makes the most sense. Do we need to kind of separate it and treat them as two distinct neighborhoods, the lots we're creating today and maybe the future lots that might get created in the future. That may be the solution. But we would work with staff and the transportation planner of the County to devise that.

Because we don't want to kind of turn our back on connectivity but we also want to recognize the concerns we're talking about today.

COMMISSIONER HOLIAN: Thank you.

COMMISSIONER ANAYA: Madam Chair, on that point.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: If we could, let's talk about that a little bit. On those first three lots if they were approved, just to cut to the chase, would you be willing to segregate access only for those three lots, if there was future development, where they couldn't access through the connector and that their only route would be to continue on Old Galisteo Way and that the balance of lots would all have to absolutely go the other way?

MS. JENKINS: Sure. Yes. And that is something we talked about with staff, and we would obviously – if that was the County's pleasure, so to speak and that's really the way they wanted to see that happen we'd absolutely be willing to do that. And we talked about that as a very likely scenario, that it could shake out that way, and we'd be very willing to do that.

COMMISSIONER ANAYA: So that there would always be only three houses that could potentially use that if we structured a condition that way.

MS. JENKINS: Yes. And for example, with the southeast connector coming down in this vicinity here, potentially a road would come in from this way to serve this and have a cul-de-sac and then these lots would be required to – all the traffic would be required to move to the west.

COMMISSIONER ANAYA: Madam Chair, a land use question for Jack or Shelley, without the proposed subdivision, the four lots, how many houses could he build on it now on just the space that he has without even constituting subdivided lots? Could he build houses on it now?

MS. COBAU: Madam Chair, Commissioner Anaya, based on the density allowed in the code he could build four houses on that property.



COMMISSIONER ANAYA: Right now he could do that.

MS. COBAU: That's correct.

COMMISSIONER ANAYA: He doesn't need a plat or anything. With just the main plat he could build four houses.

MS. COBAU: That's correct. And he wouldn't have to go through any rezoning action. He could come in and do it administratively.

COMMISSIONER ANAYA: So regardless of what we would do today, if we would deny it he could still build four houses on that tract of land.

MS. COBAU: Madam Chair, Commissioner Anaya, that's correct.

COMMISSIONER ANAYA: Okay. I'd like to hear from the –

CHAIR VIGIL: Let me take a question from Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. So many houses could be built on each of the 2.5-acre lots?

MS. JENKINS: One.

COMMISSIONER HOLIAN: So there couldn't be a house and a guesthouse?

MS. JENKINS: No.

CHAIR VIGIL: We can continue.

MS. JENKINS: So I guess really the point before was that the southeast connector, as you know the location study has been approved in the MPO's transportation improvement plan. That's the first step and that's very exciting so we basically have a funded location study. The RFP is going to be issued by the County this fall for that. So the southeast connector is becoming a reality, which is fantastic. And so that will enable that alternative means of access in the future and to again realize some of the vision of the Community College District transportation plan for that type of connectivity into this neighborhood.

As part of our subdivision application, as Vicki said, we originally proposed we were going to ensure there's a 20-foot drivable surface the whole length of Old Galisteo Way up to the entrance to our project. The County – we went through the process that Vicki described and the County Attorney advised us we need to leave the 16 feet, that first 600 feet, we need to leave that alone. You can't improve that even though we were very willing to do that at our expense and make that roadway improvement. So we were advised seek a variance so we can honor the court order and seek a variance to basically honor the court order. The remaining stretch of Old Galisteo Way up to our entrance we are investing in roadway improvements ensuring not only a 20-foot drivable surface – it exists in some spots; it varies, but there's adequate, plenty of easement there to accommodate it. And resurfacing – the road is going to be much improved, and also the new residents of the Joya de Hondo lots are going to be required to contribute financially to the Old Galisteo Way Users Association.

We think that's really important. If you're using the road you've got to contribute financially to that effort. We have covenants and homeowners association documents that have been prepared that have that in there as part of the budget. Not only are these residents maintaining the onsite, what we call Joya de Hondo Lane, but they also have to contribute as part of their monthly dues towards maintaining Old Galisteo Way. So we're here to a) improve the road, and b) to contribute financially to its long-term maintenance.

And with respect to the question about traffic, we're going to pass out – [Exhibit 7]

CHAIR VIGIL: Do you have a question?



COMMISSIONER ANAYA: I do on the last point. Talk to me a little bit about what you mean by committed to the maintenance of it. The entire stretch of the Old Galisteo Way? Tell me what you mean about you'd be willing to contribute to the maintenance.

MS. JENKINS: The Old Galisteo Way Users Association, they are – not every single lot-owner is a member. It's my understanding not every single lot-owner has – it's an elective thing that has been that the neighbors got together and recognized there needed to be a way that they could cooperate with one another to ensure that the road was maintained. And so as creating potentially three new homes, utilizing that road we would want to have membership in that association and to contribute in concert with the other residents to whatever maintenance expenses arise for Old Galisteo Way.

COMMISSIONER ANAYA: So what – Madam Chair, if I could – what's going on now relative to maintenance? How is that handled right now?

MS. JENKINS: I think, it's my understanding and there might be neighbors here who could speak to that with more expertise than I can, but I understand it's basically done on an as-needed basis. After the winter and when there's any washboarding or anything that the neighbors get together and contribute money, and I think there's even some neighbors out there who have some equipment themselves and they go out there and blade the road and so I think it's done on an as-needed basis and really, it's dependent upon neighbor cooperation and participation.

COMMISSIONER ANAYA: So just so I completely understand where you're at, when you say contribute you just mean you're willing to be part of a group but –

MS. JENKINS: We had set it up where it was our hope that we could contribute a set amount on a monthly basis so it's consistent, that each of these lots would contribute blank amount of dollars on a monthly basis towards the maintenance fund, just so it's a regular thing and so there's always – and I don't know if that's the way they're doing it now or if it's – like I said, it's a little more ad hoc, on an as-needed basis.

COMMISSIONER ANAYA: So it sounds like you're just going to be part of it and then –

MS. JENKINS: We want to be part of it. We want to contribute financially and it's about being part of the community.

COMMISSIONER ANAYA: Thank you, Madam Chair.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR VIGIL: Commissioner Mayfield.

COMMISSIONER MAYFIELD: I took a drive out on that road earlier today. That road runs about a mile? A little less than a mile?

MS. JENKINS: Yes, a little less.

COMMISSIONER MAYFIELD: And you all indicated that was a County road at some time. Are you going to get to that?

MS. JENKINS: We are. I'm about to wrap up and then I'm going to let – Mr. Terrell has a few words and we could maybe let Mr. Cassett come up first because I know we want to clarify that for everyone.

You have in front in you some trip generation data that is prepared by the – it's based up the figures provided by the Institute for Traffic Engineers, which is the national standard

for traffic generation data. And the highlighted sections are the most important. When we talk about traffic impact the key things are the peak hours – in the morning when people are going to work and in the afternoon and early evening when they're coming home.

So the three dwellings that are proposed here, in the am peak hour there's two vehicle trips that are generated and in the pm peak hour there are three vehicle trips that are generated. And we acknowledge that the neighbors have some concerns about increasing traffic on Old Galisteo Way and we respect that, but I think it's hard to characterize two trips in the morning and three trips in the afternoon as a significant traffic impact. So we just wanted to provide this information for you. And with that, I appreciate your attention and we will – I'm going to turn it over to Mr. Ken Cassett who is Damion's legal counsel and he's going to walk us through this public road question as well. Thank you so much.

CHAIR VIGIL: Thank you, Ms. Jenkins. Mr. Cassett, please step forward.

KEN CASSETT: The document that I'm going to talk about I believe is part of your packet. It's the decision of the court. This is a 1970 case. This is a very helpful document because it runs through the whole history of this road. So just hitting some of the highlights – we don't need to go through it word by word, but on page 3, paragraph 12, the finding of the court was actually that this road as early as 1912 was a public road. The phrase is kind of interesting. It said at least as early as the year 1912 a public road had come into use and existed over and across public lands. They might have been talking something along the lines of a Section 9-32 road, although this is before the Quintana case so I'm not sure if the judge had that in mind or even had awareness of that federal statute, but the road existed and it was acknowledged as a public road.

In paragraph 13 you can see that starting in about 1946 the County begins to maintain the road. That occurs for about 13 years. In 1959 Mr. Larry Tapia convinced the County to stop maintaining the road. Then it continued again. It says up until 1967 the County maintained the road. And then of course there was a switch in the first part of the road. It had run diagonally and then some time in the 1960s it was straightened out and became a north-south road. So the judge comes to a conclusion, and this is on page 7, right at the top, plaintiffs are entitled to declaratory relief, recognizing and judging a public road over and across the lands of the principal defendant.

CHAIR VIGIL: May I take a question?

MR. CASSETT: You bet.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Just to make sure I follow you. Page 4, 15: On or about August 1915 at the insistence of defendant Larry Tapia for the sole benefit, for the benefit of himself and the defendants, the County road grader discontinued maintenance of the diagonal road. So in 1959 the section that we're talking about right now stopped being a County road?

MR. CASSETT: No. What happened in 1959 is that the road was redirected. It was put in another place. Up until 1959 it cut across diagonally, but in 1959 it was straightened out into the alignment that now exists.

COMMISSIONER ANAYA: So in 1959 – and I'm talking about the part that we're going to be dealing with today – it ceased to be County in that section? Because the County, from what I'm hearing, the County continued to maintain the new alignment and still

does. Is that right?

MR. CASSETT: No.

COMMISSIONER ANAYA: The County doesn't?

MR. CASSETT: Let's be clear – first of all let's be clear on the terms. When you say a County road you might mean that it's a County-maintained road.

COMMISSIONER ANAYA: No, I'm just thinking County maintenance. That's all I'm thinking right now.

MR. CASSETT: What we're saying is that this is a public road, which means regardless of whether the County is maintaining it, it's a public road that is open to the general use of the public.

COMMISSIONER ANAYA: I'm not questioning public road; I'm just trying to find out when did it stop being a County road. That's all I want to know right now.

MR. CASSETT: This decision tells us that it was maintained by the County – once it was realigned and straightened out it was maintained by the County until March of 1967.

COMMISSIONER ANAYA: Okay.

MR. CASSETT: Okay. At that point, at least according – I don't know what happened between 1970 and 2011 but the court is finding that for a period of three years the road had not been maintained by the County, but it still was recognized as a public road.

COMMISSIONER ANAYA: Just, Madam Chair, if I could, did you find any documentation or anybody else that showed that the County vacated maintenance of the road?

MR. CASSETT: I don't know if that was done formally. I don't know.

COMMISSIONER ANAYA: Thank you, Madam Chair.

CHAIR VIGIL: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Let's go back to the diagonal road that the County once maintained. Where is – and I may have the name wrong so I apologize. Is it Camino Los Tapias or Los Tapias Lane? Where is Los Tapias Lane? Okay, so where is the diagonal road that the County once maintained? How long did that road run when the County maintained it? Did it just run that little strip or did it run the whole mile?

[inaudible comments away from the microphone]

COMMISSIONER MAYFIELD: Let's just talk about the diagonal portion. What was the road width at that time when the County maintained it? Was it 16 feet? Was it 20-some feet?

MR. CASSETT: The decision also tells us that and basically, what it says, I can cite you to chapter and verse. But there was a 16-foot wide driving surface, and then it [inaudible]

COMMISSIONER MAYFIELD: Open land?

MR. CASSETT: I think it's private land.

COMMISSIONER MAYFIELD: Thank you, Madam Chair.

CHAIR VIGIL: Okay. Please continue.

MR. CASSETT: Well, that's it. So that is the basis for our understanding right now that this is a public road, and so the straightened out portion has been a public road for 52 years.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. I'm not sure who should answer this but I'm wondering about when the requirement for having a 20-foot wide requirement went into place, and was it actually in place in 1970 when this decision was made?

MR. CASSETT: I doubt that.

MS. COBAU: Madam Chair, Commissioner Holian, the 1981 Code certainly required the current standards. It hasn't changed.

COMMISSIONER HOLIAN: So in 1970 you don't really know whether the 20-foot standard was there yet.

MS. COBAU: No.

COMMISSIONER HOLIAN: Okay. Thank you.

MR. CASSETT: What the court did hold in 1970 is that this is a public road and it's adjudicated to be wide enough for the reasonable passage for two vehicles going in opposite directions along any part of said easement public roadway. But then it was also specified 16 feet driving surface and two feet on either side. Twenty-foot easement.

CHAIR VIGIL: Okay. I have a question from Commissioner Stefanics.

COMMISSIONER STEFANICS: Madam Chair, it's for our staff or Legal. Do we have a history that we could cite of other roads that we have maintained and then released?

MS. COBAU: Madam Chair, Commissioner Stefanics, not that I'm aware of unless a road is abandoned. But one thing that I wanted to point out in response to Commissioner Holian's question also is the new Sustainable Land Development Code is steering toward a narrower road section than 20 feet.

COMMISSIONER STEFANICS: Okay, but my question really has to do with the release. So Steve, if until – what would be the legal process to release a road back to private maintenance versus us always maintaining it?

MR. ROSS: Madam Chair, Commissioner Stefanics, there's a brief process. It involves sending people called viewers out to the road and they bring back recommendations to the Board of County Commissioners who then enters a formal order abandoning the road. I don't know if that was done in this case.

COMMISSIONER STEFANICS: Okay, so that was my next question, Madam Chair, is do we have anything in writing that released the County or abandoned this road?

MR. ROSS: I don't believe so.

COMMISSIONER STEFANICS: Thank you very much, Madam Chair.

CHAIR VIGIL: Okay.

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, in a previous life I spent seven years on the Santa Fe County Road Advisory Committee as well as chairing that committee and there is a process and the County does in fact, did on occasion, well, accept roads, number one, but also have recommendations to remove roads. So that's – I appreciate your line of questioning. On page 6, Madam Chair –

CHAIR VIGIL: Could I ask you a question? Was this Road Advisory Group in existence in 1970?

COMMISSIONER ANAYA: No. The Road Advisory Group was not but the County Commission has always had the authority to put roads and remove roads off of the inventory and it's always been a long-standing, contentious issue. So relative to the comments and what I was trying to gain an understanding, on page 6 it talks about the acts of principal defendants and references Mike Tapia, and that it also goes to say, after said acts led to and were the proximate cause of the County's inability and unwillingness to maintain the road. So it goes further and gives us a little historic perspective that it was essentially blocked and the County at that point couldn't get in or decided they weren't going to push it, I guess. But I still have questions as to whether or not it was formally removed or not, which I think is an issue to look at.

CHAIR VIGIL: Okay. Thank you very much. The next person is Mr. Terrell. Mr. Terrell, you've been sworn in, correct?

[Previously sworn, Damion Terrell testified as follows:]

MR. TERRELL: I have.

CHAIR VIGIL: Please just state your full name for the record.

MR. TERRELL: My name is Jeremy Damion Terrell. And I am the grandson of Wendell Hall. Commissioners of the Board, Madam Commissioner, and the neighbors of Old Galisteo Way. I would like to tell you a little about my history of my land, my personal history, and what my intentions are.

In 1933 my grandfather purchased a homestead south of the city that was originally 160 acres. My grandfather passed away in 1974 leaving his estate entrusted to his family. During my childhood I worked this homestead and tended livestock there. It was during this time that family would fall apart and I would be placed in a foster care. I was moved to Los Alamos where I attended middle and high school. I held a part-time job after school. I graduated from high school in 93 and remained a ward of the court until age 18. After graduating high school I applied to the University of New Mexico. During college I gained a position as staff as the systems analyst for UNM's main IT Department in 99. This enabled me to finish school, and in 2002 I graduated with a bachelors of engineering and computer science and a minor in archeology.

Throughout my education and employment I maintained a strong work ethic and established myself as a valued member of UNM's IT staff. I have thought long and hard about the kind of legacy I would like to leave. I have known my entire life that I have the responsibility and stewardship of this land, that this land was part of the Hall family legacy. When I took the reigns of my grandfather's estate, all that was left of the original homestead was this 43 acres. It originally included what was the Santiago Subdivision and the lands on either side of Old Galisteo Way connecting to the Tapias.

With that I became asset-rich but was still money poor. Caring for the land was a tough burden while trying to put myself through college. I knew at some point I would have to sell and so I thought about what my next goal would be. How could I best utilize this asset? I did not want to squander this legacy for a short-term gain. I wanted to accomplish something and learn from it. I wanted to reinvest the knowledge gained and to further business venture, and most importantly to be able to reinvest in New Mexico.

I have been approached by organizations, realtors and developers with their intentions toward this land. I felt that the potential for selling to them would be disastrous for they most

certainly would not have the emotional attachment that I have. I would not want to see it exploited with maximum density or cookie-cutter model homes. I delayed my project for over six months to work with Mr. Hitt on an application to COLTPAC. We were unable to come to an agreement and furthermore, the County could not afford it, not when the ability to work with me as a landowner was available. Furthermore, I felt it detrimental to the neighborhood to develop Mr. Hitt's plan as community gardens which would require a dedicated parking lot on Old Galisteo Way for market vehicles, workers, visitors and hikers. This would generate far more non-residential traffic than a handful of new neighbors to this community.

Therefore I have worked to establish covenants, and Ms. Jenkins has mentioned, and I hope to eventually, with the final approval of my eventual plan to actually dedicate 42 percent of the property to help preserve the Arroyo Hondo corridor.

It is my goal to create the infrastructure to sell to individual families who desire to build their own homes and become members who will cultivate and enrich this community. It is my desire to one day build there as well. The hardship through which I am apply for variance has come under question including the assumption of financial hardship, but as explained in the staff memo, the hardship is based on the loss of access to my property over time. My grandfather was one of the original landowners in this area and at that time he had clear and public access. Over time that access has been moved and whittled down and false statements made. In this plan I will significantly be contributing to the improvement of Old Galisteo Way and I will require future homeowners to continue contribution to its maintenance.

I thank the Land Use staff for their summary approval of my subdivision and their support of my request for a variance. Distinguished Commissioners, Madam Chair, it is my desire to work with you and the community and I hope you will support my request for variance.

CHAIR VIGIL: Thank you very much, Mr. Terrell. And are you in agreement with the recommendations that staff has made?

MR. TERRELL: Yes, I am.

CHAIR VIGIL: Thank you very much. Ms. Jenkins, did you want to wrap up?

MS. JENKINS: That pretty much concludes our presentation. We're happy to stand for additional questions, and we respectfully reserve the right for a rebuttal tied to the close of the public hearing.

CHAIR VIGIL: Most definitely.

MS. JENKINS: Thank you for your attention.

CHAIR VIGIL: Thank you. This is a public hearing. Is there anybody here to address the Commission on this item? Please raise your hands. Those of you who are going to testify, why don't we all stand and we'll get sworn in at once and when you come to the podium you can state your name. Please raise your right hands.

CHAIR VIGIL: Please step forward whoever would like to speak first.

[Duly sworn, Sam Hitt testified as follows:]

SAM HITT: My name is Sam Hitt. I live at 48 Old Galisteo Way. Myself and my family have lived at that address for 24 years and I am currently the president of the Old Galisteo Way Road Association. I think to start, perhaps, I sent out an email to staff about a week ago asking if this hearing could be tabled to allow the community to gather hard,



empirical data on traffic use. [Exhibit 5] Not modeled data as was presented earlier but the actual use that we experience every day.

No one has argued, no one will argue that this road is adequate for current traffic. It is a mess, and I've watched it over the years become worse and worse and worse. We cannot afford to maintain the road. We cannot afford to improve the road. As was stated, it is a voluntary road association and not everyone pays dues. I am extremely skeptical that if this development goes through that these additional homeowners will in fact pay dues when over half their neighbors don't. Who is going to enforce the dues payment? And even if everyone did pay dues it still would not be adequate to do snow removal, to deal with flooding, which is a serious problem and it's gotten worse over the years, and just the standard maintenance that any road requires.

We have some very dedicated people that have a tractor and have some equipment and they will speak later and you can hear from them their story on how difficult it is to maintain this road.

I guess all I want to say really is we have an unsustainable situation in terms of traffic. The road does not meet County standards, and now we will have additional traffic. Now Greyhall, LLC and his consultant argue that this is not a significant increase in traffic. Well, over the past 24 years each additional increase in traffic has not been significant but cumulatively, added all together it has been extremely significant. So I don't know where the request is for tabling this. I've talked to a number of road engineers. We have consulted a methodology on how to gather data for exiting and entering Old Galisteo Way at Los Tapia Lane and we can do it. And we would be happy to work with staff to insure that the methodology is accurate and that the data is also credible.

I think it would be very helpful to have credible data to address this complex issue. As you see it goes back many, many decades. But just getting to the issue of the 1970 court judgment. Now, that judgment was cited by staff when they responded to our appeal of the summary review subdivision back in December 16, 2010. And they said, and I will submit the letter to the record so you can see. [Exhibit 8] I'm sorry I don't have enough copies but you can pass it around. That adequate easement does not exist to permit Old Galisteo Way to be improved to County road standards. And that's because of confusion in their mind as to what the easement was. Was it 16 feet? Or was it 20 feet? It's difficult to tell from reading the judgment. That key fact was ignored by the Gray-Hall, LLC. So whether it's a public road or not this is a serious legal matter, I understand. But the courts have found that there is confusion about what the right-of-way is on the road. So County staff, given this confusion, County staff said given what staff knows of this situation – well, first of all they denied the summary review subdivision and they said given what staff knows about the situation you can expect staff to recommend against approval of a variance. Against approval of a variance.

I guess all I want to say really is we have an unsustainable situation in terms of traffic. The road does not meet County standards, and now we will have additional traffic. Now Grey-Hall, LLC and his consultant argue that this is not a significant increase in traffic. Well, over the past 24 years each additional increase in traffic has not been significant but cumulatively, added all together it has been extremely significant. So I don't know where the request is for tabling this. I've talked to a number of road engineers. We have consulted a methodology on how to gather data for exiting and entering Old Galisteo Way at Los Tapia

Lane and we can do it. And we would be happy to work with staff to insure that the methodology is accurate and that the data is also credible.

Now, what happened between December 16, 2010 and today, where now they are supporting this variance request? I don't know the answer to that question. Mr. Terrell was correct in that we worked in a cooperative manner for a number of months to try to get this land protected as open space and I think we made a lot of progress. However, I want to clear out just one issue here. We were proposing community gardens and agricultural use of this wonderful topsoil that exists on part of the property but we were not proposing access from Old Galisteo Way. We're proposing access from the west from the southeast connector and that would have to occur before any sort of development that we contemplated would take place.

So I would like to submit for the record the proposal that we made to the COLTPAC. *[Exhibit 9]* It's called save the Arroyo Hondo corridor. So you can see the detailed explanation of the incredible resources that exist in this area. Just very briefly they are incredible habitat linkages, water recharge areas, and of course the Arroyo Hondo Trail that has long been proposed that would run through the property that connects the foothills all the way to La Cienega. And there are a number of large, ancient ruins on the property as well that date from the 12<sup>th</sup> and 13<sup>th</sup> centuries. And what's of particular interest to me is the deep and fertile soils that exist in the Arroyo Hondo. I'm a gardener. I see at the farmers' market and I have researched the soils. In fact that's one of the reasons that we moved to this area. Less than .2 percent of the county contains soils this fertile. It's over 20 feet of sandy loam.

We had proposed, as I say, a number of schemes and working with the Community College to promote sustainable agriculture, food security, and training of young people in gardening techniques for part of the land. And just to emphasize the agricultural potential a little bit more the –

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Mr. Hitt, I understand what you're talking about relative to the agriculture but before us is a land use case, not based on COLTPAC and what the County could potentially do or whether or not the ground is fertile or not fertile or applying for agricultural use. The case is a land use case associated with this individual's desire to develop it. So help me understand. The County doesn't go around picking – this gentleman is bringing a case that's a land use case, so that's what we're reviewing tonight. So you need to help me connect the dots. Your traffic points I can understand but you're talking about something that I think is irrelevant, to be frank and honest.

MR. HITT: Okay.

COMMISSIONER ANAYA: So help me understand your perspective.

MR. HITT: I just wanted to give you a sense of what's at stake here. It's not just any piece of land; it's some of the rarest land in the county in terms of agriculture. So it looks like I failed to bring the critical map showing the land that would be developed is in fact the most fertile land on the property of the 42 acres.

There's a matter of notice. It's kind of a legal matter but it's important. During the CDRC hearing not adequate notice was given to all the neighbors within 100 feet of the



property. We submitted a plat from the property of Keith Melton and Carol Robinson. Their property is directly across the street from the entrance of this proposed subdivision. They were not notified. They did not receive a certified letter as the code requires. This in itself should be grounds for them to start over and do proper notice. However, that was not done. As I'm sure you'll hear from staff they relied on the County Assessor's map of the property. Well, the County Assessor's map is not accurate. And they said, well, we don't have to research all property boundaries when we serve notice. Well, I gave the County the plat of Keith and Carol's land many, many months ago. So it was in their possession. They didn't have to do any research at all.

CHAIR VIGIL: I have another question, Mr. Hitt. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Well, I guess I was going to ask, Mr. Hitt, when you were first talking about the road issues, if the County were to accept that road on a conditional basis for road maintenance and the County were to maintain that road in better condition, even at the 16-foot width, would that alleviate your concerns, although I'm guessing not, considering that you're talking about the land itself.

MR. HITT: Well, that's something we've discussed a great deal in the road association among neighbors and friends that live along the road. That is a very interesting idea that we could theoretically discuss and perhaps agree with. I'm pretty sure there would not be 100 percent agreement but we make get consensus on something like that.

COMMISSIONER HOLIAN: And another question I wanted to ask is you apparently think this land is very valuable and would be wonderful agricultural land. Have you ever – have you approached any private individuals about getting a consortium together to purchase it for that purpose?

MR. HITT: Well, it's a very good question, and yes, we have, but nothing has come of that to date. I think quite frankly – well, I'll just drop it there. But yes, that has been explored.

COMMISSIONER HOLIAN: And so you would be mostly – if it were going to go towards that purpose, you would be mostly counting on the County to purchase it. Is that correct?

MR. HITT: That was the original idea by seeking open space protection, yes.

COMMISSIONER HOLIAN: And I wonder since our staff is here whether – I know that COLTPAC considered this property and I wondered if we could have a summary of what their conclusion is. Do we have that information or do we need someone from Open Space?

MS. LUCERO: Madam Chair, Commissioner Holian, in visiting with the Open Space staff it was my understanding that they were originally interested in the property. However, the funds didn't come together in the end, so it was a funding issue.

COMMISSIONER HOLIAN: Okay. Thank you, Vicki.

MR. HITT: So if I could just wrap up real quick, it's the issue of economic hardship. This has to be substantiated. There's nothing in the record that substantiates economic hardship.

CHAIR VIGIL: Just to clarify for you, it's not economic hardship they're claiming. It's terrain management and road management that they're claiming. It's not economic.

MR. HITT: But that's the reason that they're seeking a variance under the code.

CHAIR VIGIL: Right. It's terrain management is the variance that they're seeking; not economic hardship.

MR. HITT: But the reason they're seeking an exception from the County road standards is because they cannot develop their property because of economic hardship.

CHAIR VIGIL: I didn't hear that if the applicant would like to respond to that I'd be happy to have them to because I don't believe that was part of the testimony.

MR. HITT: Okay, well, I think that is in the code and if that's the case, that's fine. Let's have proof. Let's have a banker, let's have tax statements, let's have something that would prove that there is a dire situation here that means us neighbors have to suffer further traffic so this land can be developed. Also there is language in the code I believe that talks about – well, I don't have the code in front of me right – but if the action – if the problem in development does not originate with the landowner, therefore it's not self-imposed, then they are released to seek a variance.

So the problem with the road, as Mr. Cassett made clear, goes back to the turn of the last century. To be ignorant of these problems of access and rights-of-way is just not credible. This is not – if Grayhall, LLC was serious about developing land they should have looked seriously at the problems of access. In fact the County did an appraisal of the land as part of the COLTPAC process. The County paid for an appraisal. And the appraisal came out relatively low, \$660,000 for about 44 acres. And the reason for that was because of the problems of access. So if the appraiser can see it why can't the bank that makes the loan that's fueling the consultants and the lawyers and the engineers and things like that? This is not looking reality in the face.

CHAIR VIGIL: Thank you very much, Mr. Hitt. Next, whoever would like to testify. I would just ask – I think there's about five or six people, not to repeat the same testimony, if you would just shed more light on your concern for this case from your perspective we'd appreciate that.

[Previously sworn, Greg Tapia testified as follows:]

GREG TAPIA: Good evening, Commissioners. My name is Greg Tapia. I live at the southwest corner of Los Tapias Lane and Old Galisteo Way. My family's been there continuously since the 1930s and I would like to – I have a letter here regarding the maintenance issue we discussed earlier about Old Galisteo Way. [Exhibit 10] I'm sorry I don't have copies because [inaudible] been done in agreement with the Old Galisteo Way Road Association and my family, which owns both sides. We pay taxes on both sides of that property and the easement itself. So I'll let you guys have a look at that letter.

The reason I and my family are in opposition to this development is because we think that the access, Old Galisteo Way, is inadequate for what's there now, not to mention adding more, and I have some pictures I'd like to show you as well.

COMMISSIONER STEFANICS: Madam Chair, our attorney should see this letter as well.

COMMISSIONER MAYFIELD: Madam Chair, let's get a few copies.

CHAIR VIGIL: So while we're getting copies of the letter made, which Tapia is your father?

MR. G. TAPIA: Michael.

CHAIR VIGIL: Is he the tennis player?

MR. G. TAPIA: That was my dad, yes. Okay, and looking at those pictures I passed out – it says the purpose of the County code here, and I know you guys are aware of this but for those that aren't – to provide for the safety, preserve health, promote prosperity and improve the morals, order, comfort, convenience of the county and it's inhabitants. Safety is one of the key issues. If you look at those pictures right there, that's two vehicles trying to pass each other, a truck and a trailer. Imagine a fire engine, trash trucks, propane trucks, everything uses that road. Imagine if you throw a little chaos in there like a fire or something. If something like that were to happen, a traffic jam like that, in the first 640 feet somebody's going to have to back up all the way and that could take as much as ten minutes, especially with a trailer. If there's somebody that needs medical attention and didn't receive it in that ten minutes I think that would be a pretty important issue to the County. My question is would the County be held liable for that if they approve more traffic that may or may not have caused that traffic jam.

Also, staff and the Fire Marshal has acknowledged that there are no fire turnarounds on Old Galisteo Way, so that's another issue as well. Like I said, the first 640 feet is at a very steep grade and somebody's going to have back up all the way.

Another reason I'm opposed and my family as well is the degradation to private property. As I mentioned before, my family owns both sides and the actual easement. It's an easement. And we pay taxes on it like I said. Over the years it's just gotten worse and worse with trash we have to pick up, erosion, the roadbed has sunken in about three feet. That caused our fences, all our fence posts and everything to wash up. I have more photos of that also.

It has just become a major headache for us and it's a hardship for us. I know in the United States people have their rights and to do what they want with their private property within the law but – and everybody's for prosperity but I don't see why we have to sacrifice our property and our way of life to make somebody else prosperous. Our neighborhood is the one that's going to pay the cost. Everybody in the neighborhood that lives there, the traffic, all those issues could pertain to anybody, especially the safety issue. Thank you.

CHAIR VIGIL: Hold on, in case there's questions. Are there any questions?

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Good to see you Greg.

MR. G. TAPIA: How are you?

COMMISSIONER ANAYA: Good. It's been a long time. Just a couple questions and then you can respond. You guys, your family, have been there many, many years. Your late father who I knew and respected, you guys did a lot yourselves to take care of your neighborhood and to construct homes. Your dad was a worker. I had a lot of respect for him and the whole family. But you guys built quite a few houses there that were within the code so there's a lot – would you agree that there's a lot of traffic that's historically been on that road, based on things that you yourselves even did that I wouldn't take anything away from. I saw what your dad did in the particular and others. Would you agree that part of that work also impacted that road that you guys actually provided easement to?

MR. G. TAPIA: With all due respect I do disagree because all of the homes that we have built in that area, with the exception of one that we sold, all have their own access through our own private property to Rabbit Road. So none of our tenants, if they do use it, they're not supposed to be using, maybe one or two, but they all have access through our property directly to Rabbit Road so they have no need for traffic on Old Galisteo Way.

COMMISSIONER ANAYA: There's quite a few other houses along that stretch as I think your pictures show. I'm reading – and I read it five times, and I want your perspective. I respect you, I respect your whole family and everybody that's here on both sides. I just want to say that for the record. This was a difficult issue. I imagine when I'm reading this document that was ordered by district court. And I have a little bit, Madam Chair and staff, I have a little bit different perspective on the easement issue of 16 feet and let me just clarify that. I don't think that the 16 feet was put into place as something that would restrict development at all. When I read this case it basically is setting forth that the Halls were claiming that they have a legitimate access to the property, and that 1970 was way pre-code issue. And I have some other questions for legal associated with pre-code issues, that I would even question to a certain extent how much it's even a variance given the fact that it was a pre-code determination, but that the case that I read essentially says to the Halls, you have access. You have a legitimate, bona fide access.

Do you agree with that or do you disagree with that? Because that's what Judge Montoya basically provided a ruling on, that this parcel has legitimate legal access. And you want to help me and comment on just that piece alone.

MR. G. TAPIA: I do agree that they have an access but the County code is what's holding them up. It's the County code that's holding them back from what they want to do already. And that's not something that we put there that said you've got only a 16-foot access. You can't do it with the 16-foot access. That's the County's position. That's the way I see it and enlighten me if I'm wrong but maybe I don't understand it entirely.

COMMISSIONER ANAYA: Greg, I'm learning myself. I'm new on the Commission and I'm learning myself. But I do think there are some things that happened pre-code that constitute legal access and use that I think people have legal right to use. So I'm hearing what your comments are and I respect your comments. Your comments are a little different than Mr. Hitt's comments. You didn't bring up the COLTPAC issue. You're more speaking to the traffic.

MR. G. TAPIA: And safety.

COMMISSIONER ANAYA: Let me ask a question, and Commissioner Holian asked this question of Mr. Hitt, I believe. Given what Commissioner Holian said, what's your position on when the County stopped using it. Were you supportive of that? That's the first question. And then the second question is, given its proximity to the Community College District – and I'm not saying we would do this – but would you be open to the potential that this could be maintained potentially by the County on some kind of limited basis? Would you help me with those two questions?

MR. G. TAPIA: You're going to have to repeat the first one just because I'm trying to keep up, but the last one, I would have to speak with my family and see what's going to be best for our interest. As you know the County has power to condemn property and like I said, we've been there since the 1930s continuously and that would be a shame if

that were to ever happen. We want to do everything within our rights to keep it the way it is but I would have to get together with my whole family. We would have to make a decision together on that.

COMMISSIONER ANAYA: My first question was it seems like it's clear in the documents from the court that there was opposition to maintenance of the road by the County but I'm not completely sure. But were you – do you believe your dad or your family was opposed to County maintenance?

MR. G. TAPIA: We were opposed to County maintenance for the reasons – more safety issues. The bottleneck, 16 feet. There was a time I think when the County wanted to pave it and people already go through there 30, 40 miles an hour and that road 35 feet from my bedroom window. And it's in pretty bad shape. If it was in great shape, a blacktop road or a road with no bumps that people had to watch out for or something like that, you could have a potential – and it's on a very steep grade as I mentioned. Some of those pictures will show you can't see what's coming over the hill or you can't see what's coming from the bottom, and people would be going faster. That was one of the main reasons we were opposed to County maintenance.

And the second reason we were opposed to County maintenance is because it is an easement but it also is our property and we wanted to be on the upkeep and be more or less in control of what's going on as far as maintenance and we've been working with the Old Galisteo Way Association on an agreement basis and we've been doing okay lately and I think we hold up our end pretty well and I think they hold up their end pretty well. Like I said, as far as the issue of County maintenance I think we'd have to have a family meeting and see what our position would be on that.

COMMISSIONER ANAYA: Madam Chair, and thanks a lot. I appreciate that. And as others come forward it would be helpful for me to know on those two points whether you're opposed to County maintenance and then the second one would be whether you would consider County maintenance for others that are coming forward. Thank you, Madam Chair.

CHAIR VIGIL: Thank you. Are you done, Mr. Tapia? Okay. Next.

MR. G. TAPIA: [inaudible] my photographs?

CHAIR VIGIL: I have a question on your photographs. Whose truck and horse hauler are they?

MR. G. TAPIA: That's mine.

CHAIR VIGIL: That's yours. And the other vehicle that is on the other side of the street?

MR. G. TAPIA: That was just somebody going through. And it just happened that I had a camera with me and I asked if it would be okay if I took a few pictures just to demonstrate what people that use that road have to deal with.

CHAIR VIGIL: So you use that road on a regular basis for hauling horse traffic?

MR. G. TAPIA: The only reason I came through there is because one of our accesses was blocked with a broken down vehicle so just to get to where I was going on time I came out that way. I usually don't. Very rarely. Maybe once or twice a month will I ever use that Old Galisteo Way.

CHAIR VIGIL: Thank you, Mr. Tapia. Next. Please step forward and state

your name. A Santa Fe County employee.

[Previously sworn, Carl Tapia testified as follows:]

CARL TAPIA: Hi. My name is Carl Tapia and I'd like to address the County Commission. I own five acres that Mr. Terrell wants to have access there. He wants his so-called four-home subdivision. If I remember correctly we had a meeting about a year ago at Capshaw Mid-School and he proposed 22 homes. So I'm here to say that I don't believe that it's going to sit at four homes. Four homes today, eight tomorrow, 22 by the time it's over with. And I'd like to kind of correct – the way I understand, I think I heard Mr. Terrell's attorney say that his mother used to pass and his grandfather right through the middle of our property. Yes, he did. And my grandfather's the one – the way I understand, he's the one that told my father, why don't you give them access, and it was just access to use on the corner of our property so he wouldn't pass through there. And if I remember correctly we had quite a hard time making his mother use that road.

I remember because I'm the one that was there. I remember his mother picking up a cedar post and hitting my father over the head. I'm not trying to sling mud here, and put a pretty big gash on his head because she was determined to pass wherever she wanted. I also remember her shoving a stake through my uncle's jacket, Mike Tapia. It turns out he was wearing a heavy jacket, because she wanted to pass through where he was. And I feel, this is what I feel, I don't have a problem with a man trying to better himself, but why at our expense?

I'm here because that road is just an easement. He's trying to better himself at our expense. He's saying now I'll build four homes, if I can get four, next year I'll get eight. And I like the color of green myself. It's a pretty nice color. When I want to get some green I'll go out and do it on not nobody else's expense. If he wants to build 20 homes, that's fine. But let him provide an access for them. Can you imagine, four homes, that's probably two vehicles to each home. That means we have to settle for all the dust. He likes the color green? We'll be looking at brown when we look at the mirror, all the dust that we have on our teeth. And that's what it comes out. And if it comes out to four, they have families, they get two more cars, so more cars.

I don't think that road's adequate to provide that much – for that many traffic. And I know I've read a letter here that I believe property his attorneys had asked the County Commissioners, well, why don't you just condemn that road. Well, yes. Condemn it. I'm asking Mr. Terrell here to take responsibility for what he's asking here today. If he wants to build 20 homes, let him provide access. It's not just condemn somebody's property. It's – I'm here to protect my property. I believe in justice for all, as it says. For everybody. Thank you.

COMMISSIONER STEFANICS: Thank you. Commissioner Anaya, do you have a comment?

COMMISSIONER ANAYA: Yes, Carl, a couple questions. Mr. Tapia, it's good to see you. Carl, you and I have worked together, known each other for a long time. And I understand – that's okay. I know. I understand. All the Commissioners understand and staff and the people in the community. Any time you're dealing with land issues it's a difficult issue. So I fully understand.

A couple of questions I'd asked previously. Relative to County maintenance from your perspective, did you prefer not to have County maintenance or would you like to have



County maintenance? Just as a question?

MR. C. TAPIA: If it was County maintenance the road sits as it is. I'm not sure if it's 30 feet, something like that. Well, County maintenance means that if it's County maintenance that means that we're actually turning over the road to the County, right? Am I wrong or not?

COMMISSIONER ANAYA: Yes. That was something that the County would do on whatever basis, limited or not. And I'm not saying we're going to make that decision here tonight, I'm just saying would you even embrace that?

MR. C. TAPIA: I'm an old country boy. I enjoy the road the way it is. I've been driving down bumpy country roads all my life, you know what I mean? So to me I'd rather have it the way it is. Actually, personally –

CHAIR VIGIL: Okay. Mr. Tapia, I think you answered the question. You'd rather leave it the way it is, correct?

COMMISSIONER ANAYA: Yes, and if I could, just a follow-up comment from my perspective. Based on the information I've heard so far, and I want to hear from everybody. I believe that this gentleman has a right to build four houses whether we approve this or not. Okay? Whether we approve this variance, based on what I heard from Legal and staff is that they could build up to four houses right now, without subdividing it. That being said I also believe that associated with additional lots that there would need to be a secondary access and we probably should think about, if we went that route to allow the four lots that we would stop any other houses. So you provided an example and I want to speak right to it, just from my perspective. I'm not speaking for my fellow Commissioners.

From my perspective, as a Commission we could set up a condition where we would say for those houses, the four houses, you could only access Old Galisteo Way and than any additional that would come in, we could do a condition that would set that in place to where it would have to be somewhere else. So I just want you to know that, that we could do that. But that right now, the gentleman sitting behind you has the ability within code to build four houses.

CHAIR VIGIL: Okay. Thank you. Next speaker, please.

[Previously sworn, Jim Victor testified as follows:]

JIM VICTOR: My name is Jim Victor. I'm at 64 Old Galisteo Way. My property almost corners the subject property on Old Galisteo Way. Grayhall is making a nice offer to the neighborhood to be able to be a welcome neighbor to our community. However, like the Tapias have mentioned, safety for the people using the road, including the children that right their bicycles, etc. is really being ignored here. As shown by the pictures [Exhibit 11] – now these pictures were taken on a Sunday afternoon, about 3:00 in the afternoon, not a busy time of day. Granted, the picture of the Tacoma truck is mine. I was turning on to the road. The first vehicle in the line is Mr. Hitt's car, the pickup truck. You can see how wide the road is right there at the entrance. It is very restrictive. The other cars behind Mr. Hitt's pickup truck just happened to be coming by at the same time. So none of this is really staged in its entirety.

This is a very blind corner at the entrance to the road, exiting Old Galisteo Road onto Los Tapias Lane requires a person to pull out onto Los Tapias Lane to see the oncoming traffic. Because of the way the road is situated you need to pull far enough out into the traffic,

if there is any, in order to be able to see each way. If there are – more than once I've encountered fast vehicles including school buses going down Los Tapias Lane that you cannot see unless you're practically in their way. Most often a car entering onto Old Galisteo Way from Los Tapias Lane must wait until that vehicle exits the road and clears an area to be able to go ahead and be able to pull onto the road.

CHAIR VIGIL: Jim, is this the same intersection of the pictures that were taken by Mr. Tapia with the horse trailer and the truck? Because we saw those.

MR. VICTOR: I didn't see the Mr. Tapia's pictures.

CHAIR VIGIL: You didn't see them. Okay. Are there more than one turn on that road? So if there's only one this would be the same one, right?

MR. VICTOR: Yes.

CHAIR VIGIL: Okay. Thank you.

MR. VICTOR: My concern really here is safety. We have quite a number of cars going up and down the road. I don't know where the study came from Grayhall has. Mr. Hitt has asked that the meeting here be tabled until a good study can actually be made as far as how much traffic is coming and going. My opinion is that that doesn't matter at all, other than the fact that until this entrance way can be improved on and access and exited safely then this project needs to be halted for the interests of the safety of everybody involved.

On the question of County maintenance, I personally work with Greg Tapia, as far as maintaining the road. I own a small tractor that has a box blade on the back. We do our best to keep the road manageable, which has got a lot to be desired. It is an old tractor. It's not really designed to be able to do a great deal of work. I'm in favor of County maintenance. I think that if the hill that has to be taken after the entrance there was improved and it was raised that more of the road that is there would be usable. As it is, cars will travel down the middle of the road because it's a ditch, practically. And people will take the path of least resistance. That's about all I have to say.

CHAIR VIGIL: Thank you very much, Jim. Next. Is there anyone else that will be addressing the Commission tonight? One more. Did we swear you in? When you come forth you can be sworn in. Please state your name for the record.

[Duly sworn, Tony Tapia testified as follows:]

TONY TAPIA: I am Tony Tapia. I own Tapia Estates with my children. I just want to state that I agree that Mr. Terrell should be able to improve his property, but like what my nephew said, he says, where does it stop? It's three houses now and now it's four houses. Is it going to be eight houses next year? I'm concerned about the aquifer. The wells are going dry and we have a big problem with that. I think that if you guys approve this subdivision that started out at 20 and now it's four, now it's three, that he should be made to have an access out the west side and not to encourage any more traffic on that road. It's very dangerous. I do appreciate your time and thank you.

CHAIR VIGIL: Thank you, Ms. Tapia. Please step forward.

[Duly sworn, Valerie Lucero testified as follows:]

VALERIE LUCERO: Hello, Commissioners. My name is Valerie Lucero and I have lived on the Tapia Estates for five years already. And to answer Commissioner Anaya's – first of all, Commissioner Anaya, I really appreciate the fact that you have given us other options to look at, and thank you for considering our hardship. I am in opposition of the



County maintenance because right now there hasn't been a problem and already people that do use Old Galisteo Way end up using the Tapia's private driveway as well. And like Mr. Anaya had addressed, they do have residents, if you will because they do have tenants that use our private driveway and this has caused more traffic.

I do have a question in regards – and maybe you can help me better understand this, the 20 feet. If this variance is approved it is my understanding that it would be required for 20 more feet of our road to be – well, for the road to expand. So this would also require that 20 feet to come from our land and from our personal property that we currently utilize. So that's my opposition to the matter.

CHAIR VIGIL: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, just to clarify, if this variance is approved they would use the existing 20 foot, so they wouldn't expand into the property.

MS. LUCERO: The private property? Okay.

COMMISSIONER ANAYA: Right? Yes.

MS. LUCERO: And if this variance is approved, will Mr. Terrell be allowed to build more houses in addition to the four?

CHAIR VIGIL: No. Shelley, do you want to further explain that as to why that couldn't occur?

MS. COBAU: Madam Chair, I think that's identified in the conditions, that no further division of the property can be recorded until there's another access.

CHAIR VIGIL: And with another access, what are the limitations for that area?

MS. COBAU: Madam Chair, members of the Commission, it would be based on proving water at that point and the current code would allow them to go down to 2.5-acre lots, which I believe was – it's a 48 or 50-acre piece of property. A lot of it's in the flood plain.

CHAIR VIGIL: Okay.

MS. COBAU: While I have the floor can I point something out, Madam Chair.

CHAIR VIGIL: Please.

MS. COBAU: We have a map that's prepared by our GIS Department and I'll bring it closer so you can see. It shows – you can see a little more clearly than you can on the aerial that's provided by the applicant's agent. And Mr. Terrell's property is in fact the last large parcel that hasn't been divided down into small properties in this area and there are at least 35 other addressed homes that are using Old Galisteo Way. The Fire Department has been out there and looked when the submittal was originally made before the EZC and they said they didn't have any issues with fire access. That was my case when I was a case planner. It's been that long in the County, this gentleman's property.

The access up to the Tapia Lane where this T's in could be much improved, but there's a fence in the way that's owned by the Tapias. In fact it's in the easement that serves this area. The easement is rounded and the fence is square. So the easement would allow for a return-type roadway which would be curvilinear up to Tapia Lane, but there's a fence that obstructs it. Land Use staff had originally in fact approved a summary subdivision and we subsequently rescinded it because it was our interpretation of the court order in Land Use that we could allow them to develop and improve a 20-foot road section. In fact they came

forward with a design for an inverted crown, to eliminate the roadside ditches and direct into the center of the road in an inverted crown and stay within the 20 feet.

We subsequently rescinded that after we conferred with Legal staff and it was our fault that we didn't really read the court order correctly, that they could only have a 16-foot driving surface. I just want to stress this applicant has been before County staff so long we practically have this memorized without even looking at the case file. And I want to just approach and walk this past each of you so you can see clearly how his property is the last one on Old Galisteo Way that isn't divided.

CHAIR VIGIL: Okay. You can proceed that way, Shelley. Thank you, Shelley. Valerie, we didn't mean to cut you short. What would you like to add to this?

[Audio difficulties: Ms. Lucero stated she would like to raise her own family in the area some day, that this was her home.]

CHAIR VIGIL: Thank you, Valerie. I appreciate that.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR VIGIL: Yes.

SCOMMISSIONER STEFANICS: Shelly, could I have that map to look at?

CCOMMISSIONER ANAYA: Madam Chair, I have a question for Ms.

Lucero.

CHAIR VIGIL: Valerie, I think there's a question for you.

COMMISSIONER MAYFIELD: Madam Chair, Ms. Lucero, if I heard you correct you said you moved out there – you didn't say you moved out there. But you've been there for five years. How do you access your home? Off of Old Galisteo Way? Or off Los Tapias Lane?

MS. LUCERO: I use the private driveway off of Los Tapias Lane.

COMMISSIONER MAYFIELD: So coming off of Los Tapias Lane.

MS. LUCERO: I come off of Rabbit Road onto the private driveway. So I don't access Old Galisteo Way.

COMMISSIONER MAYFIELD: Okay. Thank you very much. I'm going to have some questions of staff after a bit.

CHAIR VIGIL: Okay. Commissioner Holian.

COMMISSIONER HOLIAN: I actually have a question for staff. Shelley, are there any plans to bring County water out to that area?

MS. COBAU: Madam Chair, Commissioner Holian, not that I'm aware of. I don't even know if it's inside the boundary of the utilities water service area. It's intended to be served by a private well.

COMMISSIONER STEFANICS: Madam Chair, on that point.

CHAIR VIGIL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Madam Chair, because Pego has been working with the community of Eldorado and Cañoncito to hook up to the lines, the lines would go up that area. Now, he would have to show us on the map exactly where, but there has to be something going through that area to get to the Eldorado to connect to get to Cañoncito. So I think that's a very valid question and possible condition. Thank you.

CHAIR VIGIL: I think we're done with, Valerie. Thank you. Commissioner Mayfield, do you have questions for staff?

COMMISSIONER MAYFIELD: Madam Chair, I was going to ask that all applicants state what – excuse me, the applicant, all parties that are opposed to this, and then I will ask questions.

CHAIR VIGIL: What is your question?

COMMISSIONER MAYFIELD: Well, I don't have a question yet. I just want everybody to finish their presentation.

CHAIR VIGIL: I think that was the last person.

COMMISSIONER MAYFIELD: Did she want to rebut.

CHAIR VIGIL: She's the applicant so she's going to rebut.

COMMISSIONER MAYFIELD: Thank you.

MS. JENKINS: One item, just for a point of clarification, we'd like to pass out. *[Exhibit 12]* There were some questions raised with respect to some testimony earlier about the width of the easement, and so we are passing out the easement document to you, which shows that it is a 20-foot easement in that top 640 feet from Los Tapias Lane, the northernmost 640 feet of Old Galisteo Way.

And also what you can see there at the top in the highlighted portion, as Shelley mentioned, it shows that the easement itself incorporates a turning radius at the intersection of Los Tapias Lane and Old Galisteo Way. But as you can see from the survey – the survey is old but I can tell you, having been out there that the fences that are shown that encroach into the corners there are still there. And so some of the irony here is that in our original proposal for the summary subdivision and working with the Land Use staff, that we knew we had a 20-foot easement so we proposed making improvements in that 20-foot easement ensuring a 20-foot drivable surface the whole length of Old Galisteo Way up to the entrance to the subdivision, which mitigates the safety issues that have been addressed here.

We also proposing moving and relocating the fencing at our expense to ensure proper turning radii at Los Tapias Lane. We volunteered at our expense to do all that work and yet, it came to light that the County Attorney office's interpretation of the court order, which differs from Mr. Terrell's legal counsel's interpretation of the court order, that we were precluded from doing those improvements. Fine. So that's why we're here. We were precluded from spending our money to make the road better. So we will spend our money to make it better where we can make it better, which is the remaining stretch. Once we get to the 640 we will invest to ensure a better road that is less expensive to maintain, and has a 20-foot drivable surface the whole distance so we don't have issues of cars being able to pass one another, and these three new homes will be required per the covenants that run with that land to contribute financially to that effort. It's only right. It's only right to do that.

And with respect to, again, the improvements we're proposing will improve and mitigate the safety issue. We would still be willing to work with the Tapia family to institute improvements on that stretch but that option is not available to us, so that's fine. So we're here asking for your consideration so Mr. Terrell can move forward with three new lots on this property. And we really appreciate your time and attention and we'd be happy to stand for additional questions.

CHAIR VIGIL: Okay. Any questions of the applicant? Okay, I have Commissioner Mayfield and Commissioner Anaya.

COMMISSIONER MAYFIELD: Thank you, and just from what I believe I

read, Madam Chair. Wasn't there an issue though that you could not obtain the 20 feet? Wasn't the court order indicating that there was an arroyo or a water right-of-way through one side of the property where you could not pull 20 feet out of it?

MS. JENKINS: No. the 20-foot easement is there, but the court order describes the roadway as having a 16-foot drivable surface with two feet of drainage on either side. That roadway description of the condition of the road in 1970 has been interpreted as a limitation. I don't personally agree with the interpretation. I think I share Commissioner Anaya's interpretation of that but that was descriptive in nature as a minimum that must be maintained through the Tapia property, not as a maximum until the end of time.

COMMISSIONER MAYFIELD: Thank you. Madam Chair, could I ask the attorney's interpretation of that court order?

MR. ROSS: Madam Chair, Commissioner Mayfield, if you take a look at paragraph number 2 under the conclusions of law and paragraph number 7, it's pretty clear that there's a 16-foot driving surface as declared by the court with two feet on either side for drainage structures and back-slope.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Ross, could that be interpreted though that that drainage on both sides could be put in under pipe or no?

MR. ROSS: Under pipe?

COMMISSIONER MAYFIELD: Yes. Just so that they could have the full 20 feet.

MR. ROSS: Well, what is clear is that there's a 16-foot driving surface. What you can do in the additional four feet, two feet on either side, is very ambiguous in the court's order. In fact it could be read as contradictory, two of those paragraphs, like paragraph 2 and paragraph 7 could be read as contradictory. Or 7 could be read as consistent with 8. So since this is a 1970 court order we can't go ask the judge what he intended. But what is clear is that there's a 16-foot driving surface that is permitted. If we were to, say, make an interpretation that you could have a 20-foot driving surface and permit the applicant to do that I'm virtually certain there'd be litigation which is what we were trying to avoid. We talked about this a lot, I think before your time. The Commission and myself had talked about this issue repeatedly. And the conflict in the order would certainly result in litigation that we would be drawn into and the Commission's view at that time was it was the applicant's responsibility to initiate that and the applicant of course felt it was our responsibility to deal with that. And you all disagreed with that interpretation. So that's kind of where we arrived at the idea that let's go get a variance for what we know can be accomplished, which is for sure there's a 16-foot easement across this property and that people can use it and that it's probably adequate.

COMMISSIONER MAYFIELD: Thank you. Madam Chair and whoever can answer this question. And I did briefly speak to Jack on the side so I'm just going to ask the question again. Jack, there are times when staff takes a position that they really don't support just because the way the law is written in black and white and the variance comes to the Commissioners for that request. You all are supporting this variance and you were telling me why you were supporting it. Do you mind just putting that out there again?

MR. KOLKMEYER: Madam Chair, Commissioner Mayfield, sure. The variances that we don't generally support that come before you are frequently for economic hardships, health issues, those kinds of things. When the applicant, when we tell them we

can't support that reason for them coming forward with a land division or whatever it is we do tell them they can bring it to you for a variance. But it's really clear in the code that the variances that can be supported are ones that are caused in some way by the land, that is with terrain issues generally. And the way that we have interpreted this because of what Mr. Ross just explained it was the court order that says it has to be 16 feet. In that case so that means then that's not up to our road standards so we would support them going forward with a variance because that's what the court case said.

So in this case, it's of course very convoluted and goes back a long time but that's the position that we took in this particular case, because if you again look at what the map that Shelley pointed out, we've done a lot of research on this road ourselves. So it becomes an issue and a way, not only saying that yes, we can support the variance for that issue, but one of fairness in that regard because when I first started in this in 2005 with Mike Tapia, the issue was he didn't want anybody grading the road at the top of the hill at all, whether it was the road association or anyone else. They didn't want any further development down the hill, if you know how the road goes there to the bottom of the hill. There were only a couple of houses that Mr. Tapia had agreed really should be able to use that road. If you look at the map you now see there's 32 homes since that time. So the last one in does the door shut and everybody else has been accessing it on 16 feet as well.

So after our deliberations on this case at this point we felt that the court order created the hardship and so therefore we would support Mr. Terrell's variance application.

COMMISSIONER MAYFIELD: Thank you. And Madam Chair and Jack or Shelley, on that point and the map that you all pulled out, everything that was post-1981, that's when the County went to the 20-foot wide, correct?

MR. KOLKMEYER: We don't know for sure but it's safe to assume that that being the first land use code that's when the road standards were created.

COMMISSIONER MAYFIELD: Do you all know how many of these home sites or these properties were developed after, post-81?

MR. KOLKMEYER: The applicant says they have that information.

MS. JENKINS: We do have that information and we actually have copies of those plats, so we'd be happy to pass them out if that's helpful. *[Exhibit 13]* It's in the neighborhood of, since 1981, probably close to 20. About 20 individual lots have been created and based on our research, none of those land divisions were required to seek a variance from Santa Fe County.

COMMISSIONER MAYFIELD: Thank you, Madam Chair. So Jack, that's what I was going to ask you. Did any of those individuals come for a variance from the County?

MS. COBAU: Madam Chair, Commissioner Mayfield, I'll take that question. I think probably the majority of them were created through the family transfer process, under the Extraterritorial Zoning Ordinance and family transfers are not required to address offsite road improvements.

COMMISSIONER MAYFIELD: Thank you. And again, Shelley, that's 2.5 acres in this area?

MS. COBAU: Two and a half acres, but with a small-lot family transfer they could actually get a half minimum lot size so they could have gone down to 1.25 acres.

COMMISSIONER MAYFIELD: Thank you. And Madam Chair and staff, do you know what the typical lot size is out there in that area? Where there is an actual physical residence on it?

MS. COBAU: Madam Chair, Commissioner Mayfield, in looking at this map and eyeballing it it looks like they range anywhere from two to five acres, primarily, with none more than about five acres, other than Mr. Terrell's parcel.

COMMISSIONER MAYFIELD: Thank you. And I think this is my last question. As far as the easement that was granted when the easement came to be, was there a thought – was it to go back to the big acreage back there? Was it to go to small lots? What was the history of the easement that was granted?

MS. JENKINS: It really wasn't specified. The easement was for access to Damion's grandfather's property, and there were a couple other property owners there as well. At the time there weren't that many property owners in the vicinity and over time, as properties have been subdivided the property owners have increased, so there were larger tracts at the time, when the access was created. But the access was created back in – as they said, at the turn of the century, and then it wasn't adjudicated and sort of formalized until the 1970 court order.

COMMISSIONER MAYFIELD: Thank you. And I guess I want to follow up on that. So when the easement was granted, was it to Mr. Hill, initially?

MS. JENKINS: Mr. Wendell Hall.

COMMISSIONER MAYFIELD: Oh, I apologize. Was that just for that one – that one – what was it initially? 240 acres at one time?

MS. JENKINS: Initially it was 160 acres.

COMMISSIONER MAYFIELD: And now it's kind of whittled down to 42 acres.

MS. JENKINS: Yes, now it's down. He's at almost 44 acres.

COMMISSIONER MAYFIELD: So at some time was that property split up and sold off from the 140?

MS. JENKINS: Yes. Over time. As Damion shared with you, the Santiago Subdivision, which has direct access off of Rabbit Road was originally part of his grandfather's homestead.

COMMISSIONER MAYFIELD: Thank you. But that now has a different access and there's no access coming all the way down.

MS. JENKINS: There's not anymore. There was supposed to be but there isn't anymore.

COMMISSIONER MAYFIELD: That's where the County at one time vacated

MS. JENKINS: Vacated those easements, yes, sir.

COMMISSIONER MAYFIELD: And maybe staff has this answer. The Santiago Subdivision, can they still get an easement through that subdivision?

MS. JENKINS: We requested it from those property owners.

MS. COBAU: It was vacated through the action of the EZC at the time. I believe we have the vacated plat was sent out and it was in 1980. So it was formally vacated. And when the applicant first came to the County with the proposal we asked that they see if

that could be reinstated and they have worked with the landowners and been told no.

COMMISSIONER MAYFIELD: Thank you, Madam Chair. I may have a few more questions but for now, thank you.

CHAIR VIGIL: His brain is going.

MS. JENKINS: And Madam Chair, just as a point of clarification, I think as Shelley mentioned it's very likely that there have been some small-lot family transfers along Old Galisteo Way because you will see a smattering of maybe one-acre lots. Among the Tapia Estates you will see that, and that's probably how those lots were created. But we did some research over the last 15 years on these plats and none of these plats are identified as family transfers. So I think there's probably a combination of standard, summary subdivisions, and lot splits that occurred in addition to I'm sure a handful of family transfers as well.

COMMISSIONER MAYFIELD: Madam Chair, thank you. I'll take that. Thank you.

COMMISSIONER ANAYA: Madam Chair, a couple of comments relative to all the comments made. I can understand fully the frustration of the homeowners and some of the residents. He mentioned, Mr. Carl Tapia mentioned a meeting at Capshaw Junior High several years ago that reflected not four houses but more than I guess 20, or how many was it?

MS. JENKINS: As Shelley mentioned, Madam Chair, Commissioner Anaya, originally, when we were in the Extraterritorial Zone we had a proposal for a 14-lot – in accordance with that zoning.

COMMISSIONER ANAYA: Fourteen lots.

MS. JENKINS: But we don't have enough land to allow for that many lots. The density calculation doesn't work out. But they're right. It was definitely more than the current four that we're showing today.

COMMISSIONER ANAYA: And I appreciate that clarification. So 14, even so, there's a big difference between four lots and 14 and the amount of traffic that would be increased as a result of that. I could also see their point associated with the easement issue. It wasn't through – as far as they knew, there was another subdivision as you pointed out in your documents in which there was a secondary access that was going to access the property, and I think I appreciate all the comments of the Commissioners and questions but I think one of the comments that Commissioner Mayfield just made even clarified even more in my mind that part of that subdivision, the Santiago Subdivision, the entire Santiago Subdivision, was your grandfather's? Was it your grandfather, Mr. Hall?

MR. TERRELL: Yes, it was.

COMMISSIONER ANAYA: And I appreciate that clarification that Commissioner Mayfield brought up that I didn't catch it earlier, but I think that that also for me makes it even more clear in my mind that if there were easements that were needed to be put in place and maintained that you yourselves, your family – I'm not saying you – but your family are the ones that actually did the development or sold the parcel for the development.

MR. TERRELL: Do you want me to address that please?

COMMISSIONER ANAYA: Sure.

MR. TERRELL: That issue actually came under the fact that that was after my



grandfather died and the property was left in trust with the First National Bank as trustee. Now, I do not know the specifics of exactly what happened, of what the trustee determined that should be done with the property in order to create capital to maintain it in perpetuity until I was able to fully inherit it. All I know is what I have left. That I did not see any benefit from the Santiago Subdivision.

COMMISSIONER ANAYA: Well, Madam Chair, Damion – and I understand what you're saying, but associated with that parcel that was part of your grandfather's tract of land and presumably Santiago Subdivision happened some time after 1970.

MS. JENKINS: It was originally in 81.

COMMISSIONER ANAYA: 81. Okay. So it happened during a time frame when the code wasn't in place yet? Is that right? The code came in 84? Or right in 81. So right at that time was when they did it. So I think there was opportunity there to establish additional rights of way and for whatever reason, through no power of yours, I hear what you're saying, that was vacated or taken away. I actually think that because it's in the Community College District I would like to know more about that process that occurred for vacating it and how that was vacated and look into the legal aspects associated with that. And because of its proximity into the Community College District I think it may merit the County to do so and to potentially look at easements and access that tie into the entire Community College District.

Those things being said there is no question in my mind. I am an advocate of property rights. There's no question in my mind that the Halls in 1970, through the judgment that was issued on February 7<sup>th</sup>, that Mr. Montoya, the judge at the time, Judge Montoya, heard the preceding arguments and verified that there was access for use of that property. To presume, from my perspective that they can't do anything with it I think is a false assumption and I wouldn't sit up here as a Commissioner and advocate that they couldn't do anything with it.

That being said, I think anything beyond the four houses, that we need to be very explicit and even add conditions to make it very clear and explicit that any additional units would have an alternate access. And I would even go as far as saying that if there was a 20-lot subdivision at some point or whatever the proposal would be, long after I'm not sitting as a Commissioner, that potentially that Galisteo Road access would even maybe fall into emergency access, out of that subdivision, instead of a primary access, even for those four, which is a thought to maybe engage staff in some discussions. But for four houses, I think that they have a right. I think they could build those four houses now based on the determination I heard from staff. Beyond the four I can understand the concern that was raised here today and the concern that they raised at Capshaw Junior High School. So that's my perspective.

CHAIR VIGIL: I have a few questions and they might directly go for you. I heard the testimony and Commissioner Anaya alluded to this in terms of additional conditions. But your client is willing to dedicate easement to the Arroyo Hondo Corridor. What percentage is he willing to dedicate?

MS. JENKINS: It really works out – as part of the Community College District, as the remaining about 36 acres, that fourth lot which is the remainder that at the time when we come in, when that alternative access becomes available and the opportunity presents itself to potentially create some additional lots on that remainder parcel, we will call

it, that as part of that we will be dedicating upwards of 42 percent of this land as County-dedicated open space and trail corridor.

CHAIR VIGIL: Would you consider that a condition of approval? \*

MS. JENKINS: That it be implemented at the time, yes. For a three-lot, four-lot subdivision today, but we definitely – it's always something we discussed with staff and we know that that is something that's part of the long-term plan.

CHAIR VIGIL: One of the things I'm trying to do is ease residents' concern about there being 20 residents there, and the testimony I heard that would alleviate that concern if in fact that amount of property was dedicated to the Arroyo Hondo Corridor.

MS. JENKINS: And I would ask, maybe we could craft the language so as not to quote me on percentages, because I don't have those figures right in front of me, but it's basically – we could craft it to be everything, basically the Arroyo Hondo floodplain, the 100-year floodplain, and everything south of that, which is about 40 percent of the property. But since I don't have the exact figures in front of me maybe we could describe it graphically.

CHAIR VIGIL: Could we say approximately 40 percent?

MS. JENKINS: We could say approximately 40 percent, sure.

CHAIR VIGIL: Okay. The other – I think on this subject Commissioner Mayfield has a request.

COMMISSIONER MAYFIELD: Could you put the big aerial up there so everyone can see the exact lot? Thank you, Madam Chair.

CHAIR VIGIL: Do you want to identify the areas that would be dedicated?

MS. JENKINS: So the shaded area here is actually the FEMA floodplain for the Arroyo Hondo and then there's some land to the south so that that is outside of the floodplain, but we would propose that the open space dedication be everything from the floodplain boundary south.

CHAIR VIGIL: Okay. And how much of that area is arroyo?

MS. JENKINS: Here, the Arroyo Hondo, there's some areas where it's narrower there's areas where it flattens out. And I don't know –

CHAIR VIGIL: What is the widest?

MS. JENKINS: The widest. Let me see. What's my scale?

CHAIR VIGIL: Just approximately.

MS. JENKINS: The widest point, I would say – I think it's probably about 40 to 50 feet. And then there's a few areas where the terrain tightens up and channelizes and then it flattens out. So it sort of meanders. It's really quite beautiful.

CHAIR VIGIL: Okay. You also testified that the homeowners of this area are going to be contributing. Is this going to be through a neighborhood association? Are you going to create a PID?

MS. JENKINS: We have already drafted the documentation for a – to maintain Joya de Hondo Lane, the onsite road, for the homeowners to contribute to the maintenance of that. There's also a shared well, so there's maintenance of that. So there's things that are already in place so documentation has to be created for the maintenance of those items, and on that list of maintenance items includes contributing to Old Galisteo Way maintenance.

CHAIR VIGIL: Okay. Is this going to be an association fee that's in perpetuity

so that maintenance would be a part of it.

MS. JENKINS: Absolutely.

CHAIR VIGIL: Okay. And when you say it's going to improve on the road, would it improve on the road to County standards or as close to? What are you proposing?

MS. JENKINS: Once you reach the southern end of the Tapias land across which the 16-foot drivable surface limitation is, at that point we begin with ensuring a 20-foot drivable surface with new, fresh road surfacing, all the way down to Joya de Hondo Lane. And so there's areas where 20 feet already exists and there's areas where it's more than 20 and then it kind of meanders in those areas where it's only 18 or 19 feet. So our engineering plans for that show that within the boundaries of the legal easements that exist there we will be making those necessary improvements to ensure a minimum of a 20-foot drivable surface.

CHAIR VIGIL: And would you be willing to make that and agree to a condition of approval for that?

MS. JENKINS: Sure. It's already part of the summary subdivision, so we would be happy to agree to that.

CHAIR VIGIL: And everything else you've addressed is part of your covenants?

MS. JENKINS: Yes, as part of the covenants. And those will get recorded commensurate with recording the subdivision plat.

CHAIR VIGIL: Okay. I have no further questions.

COMMISSIONER HOLIAN: Madam Chair.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. Jennifer, on that open space there, is there connectivity to other places, or would it just exist in isolation?

MS. JENKINS: This is – this boundary here, the west boundary of the property, is the eastern most boundary of the Oshara master plan. So as part of the Oshara master plan there is an open space corridor that runs along the Arroyo Hondo as well as future trail improvements. And so all this land of course – I think this is Phase 3 of Oshara, and of course right now there's not a lot of activity but there is absolutely intended that all the connectivity is really moving in this direction. Through the COLTPAC process, when Mr. Terrell kind of put everything on hold to kind of see that through and see if there would be an opportunity for an open space preservation program here with Santa Fe County, one of the concerns the County had was the connectivity.

This way is limited because of individual parcels, that the arroyo runs through individual parcels going this way. So it would be great – they said in the future they definitely like the idea of reaching out to these property owners to apply a trail easement so the connectivity could be done this way, but right now the connectivity is moving to the west.

COMMISSIONER HOLIAN: And I guess I have a question for Mr. Terrell since you've been familiar with this property for a long time. Do you know whether this is a wildlife corridor? Do you know if wildlife tends to use this property to move through here, to migrate?

MR. TERRELL: No, I would not say that there is any particular wildlife that does migrate if you're thinking things like big game or anything along that line. It is host to

various smaller wildlife such as rabbits, snakes, quail, lizards, things like that.

COMMISSIONER HOLIAN: Okay. Thank you.

CHAIR VIGIL: Okay. Commissioner Anaya.

COMMISSIONER HOLIAN: Madam Chair.

CHAIR VIGIL: Commissioner Holian.

COMMISSIONER HOLIAN: Actually, I would like to have Mr. Hitt comment. I think he may be commenting on my wildlife question.

CHAIR VIGIL: And Jennifer, that will allow you an opportunity to respond to him.

MR. HITT: Yes, just very quickly, we did have a wildlife biologist that did write a statement about the Arroyo Hondo Corridor and said it was very important for wildlife movement, especially connecting from the foothills to the Rio Grande.

COMMISSIONER HOLIAN: So is that the main Arroyo Hondo, when you think of the Arroyo Hondo open space and so on, and it going out to La Cienega and so on? Is that part of that connectivity there?

MR. HITT: Correct. Correct.

COMMISSIONER HOLIAN: Okay, then I know it is actually wildlife. And that brings up another question that I want to ask Jennifer then. Would you be willing to have a condition to consult with – there are people who are experts on wildlife movement, and would you be willing to have a condition to consult with them as to how to place houses so that you don't disrupt that?

MS. JENKINS: May I approach? I think to some degree we've address that. The County requires a 75-foot setback from the edge of the floodplain. Now the floodplain extends kind of beyond the limits of the arroyo itself, so we have a 75-foot setback here, and then the buildable areas themselves are set back even further. So there is no development – and this is actually Joya de Hondo Lane here, which is of course outside of the floodplain. So there's separation so the private driveway that serves these three homes is already a physical separation, and those homes are even set further back.

COMMISSIONER HOLIAN: So that driveway already exists.

MS. JENKINS: No, not yet.

COMMISSIONER HOLIAN: All right. Thank you.

MS. JENKINS: So I think just based on the plan of the plat itself that is already being addressed.

CHAIR VIGIL: Okay, I'm going to start losing Commissioners here, so I'll allow one more question. Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you. And you said – what's the lane now that goes to the three properties?

MS. JENKINS: Oh, we call it Joya de Hondo Lane. It's very original.

COMMISSIONER MAYFIELD: And then on Tract 4 I'm seeing that there's 38 acres?

MS. JENKINS: Yes. Thirty-six acres.

COMMISSIONER MAYFIELD: So you're not proposing to develop that.

MS. JENKINS: No, we're not. We're not right now. And as, Madam Chair,

Commissioner Mayfield, as Madam Chair and I discussed we're in agreement to a condition that the time that this 36 acres is developed with alternative access to the west, we will make sure that open space dedication is in place.

COMMISSIONER MAYFIELD: As far as the three tracts that you're proposing to develop, are you going to gate that at the very end? Because if there's potential for future development as you all testified, nobody will ever have –

MS. JENKINS: That was a suggestion that Commissioner Anaya made, that at the time that we have access in this direction that we may want to consider requiring these three homes to utilize that access as well, and that is something that has not been – and so we're open to that, that in the interim that these three lots would use Old Galisteo Way but once additional access goes, the whole neighborhood moves out this way.

COMMISSIONER MAYFIELD: And last question. Is there any potential, and I know that this was an agricultural area in the past, to do any type of grazing out on those 36 acres, where you'll have additional traffic out there? Do you have any other use right now for those 36 acres?

MR. TERRELL: Nothing other than my own personal use.

COMMISSIONER MAYFIELD: Thank you. And Madam Chair, my last question for staff. Indicating these other developments that have come off of Old Galisteo Way, why would folks not – and just as I'm trying to understand stuff as a new Commissioner – why would folks never have had to come to us for a variance if they were going to build a home off of it if it was just a 16-foot wide road?

MS. COBAU: Madam Chair, Commissioner Mayfield, I think that's a good question. In looking at the plats that were passed out my Jennifer Jenkins, most of these cases went before the EZC and were signed off by the EZC chair. I think we're more sensitive to road issues now than we were even five years ago. So I think we're more careful perhaps for tomorrow.

COMMISSIONER MAYFIELD: If one of these individuals or a new individual wanted to come and ask for a building permit, they're going to have to go through the same process, right? They're going to have to come and say we don't have a 20-foot road. How are we going to get 20 feet into your property that you maybe want to do a family lot split on?

MS. COBAU: Madam Chair, Commissioner Mayfield, family transfer land divisions are different, but if somebody wants to come on the south side of Arroyo Hondo and put in an addition on their house, because they don't have all-weather access we wouldn't be releasing a building permit until they come to you for a variance.

COMMISSIONER MAYFIELD: Thank you, Madam Chair.

CHAIR VIGIL: Okay, I will allow two statements from you, Mr. Hitt. Go ahead. Because we need to close this public hearing. You will have to speak to the microphone.

MR. HITT: Thank you. Just one statement. That FEMA map is outdated. There is a new FEMA map that was done this year and I think it would behoove staff to look at that. In fact I got the FEMA map from County staff. The new FEMA 100-year floodplain covers that access road. It comes right up to the edge of the property of those three lots. So –

CHAIR VIGIL: Thank you, Mr. Hitt. I'm going to close the public hearing.

Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, a comment before my motion. My comment for the motion is that we at the County Commission are constantly looking at easement and access issues associated with the size of the road, and that there are many properties throughout Santa Fe County, there's many in northern New Mexico as one huge example that never would ever get close to having 20 feet or even 16 feet. That there are many traditional roads throughout the entire county that are 12, 13 feet and constantly the Commission is hearing cases associated with people wanting to be able to even do a family transfer or some other split that we consider all the time. So I just want to clarify that the objective of our Fire Department and others in the County to make sure that we have safety and wide roads and fully maintained roads all the time is an objective many times but not a reality, just because of existing conditions that are prevalent throughout the entire county.

That being said I would move for approval of the three 2.5-acre lots with the remaining larger lot, with the conditions set forth that there's going to be a dedication of the arroyo area to open space. And also to clarify the condition that's in the book, that if a secondary – if additional development comes forward that Old Galisteo Way will only be utilized by those first lots, that they would not utilize Old Galisteo Way, the other lots at all. And I just want to clarify that because the condition says until the secondary route is obtained, which implies that you could utilize the primary and the secondary route. So I want to clarify that and be explicit that the only units would be, in my motion, are those initial lots approved today and not be on that. I would also like consideration associated with what I brought up earlier about utilizing that as an emergency ingress and egress only at a future date for the entire area, if presumably there is another access found. So, that's my motion.

MS. JENKINS: And if I may, pardon me, Madam Chair, Commissioner Anaya, just to clarify the open space condition. That upon the development of Lot 4, which is the remaining 36-acre parcel, that at that time the open space as described, which is the Arroyo Hondo floodplain and lands south, would be dedicated to Santa Fe County as open space.

CHAIR VIGIL: Okay. And I think that's what Commissioner Anaya said.

MS. JENKINS: Thank you for that opportunity. Thank you.

COMMISSIONER STEFANICS: I will second.

CHAIR VIGIL: Okay. I have a motion and a second. Is there any further discussion?

**The motion passed by majority 4-1 voice vote with Commissioner Holian casting the nay vote.**

**XIV. ADJOURNMENT**

Having completed the agenda and with no further business to come before this body, Chairwoman Vigil declared this meeting adjourned at 8:30 p.m.



ATTEST TO:

*Valerie Espinoza*  
VALERIE ESPINOZA  
SANTA FE COUNTY CLERK

Approved by:

*Virginia Vigil*  
Board of County Commissioners  
Virginia Vigil, Chairwoman

Respectfully submitted:

*Karen Farrell*  
Karen Farrell, Wordswork  
227 E. Palace Avenue  
Santa Fe, NM 87501

SFC CLERK RECORDED 09/15/2011



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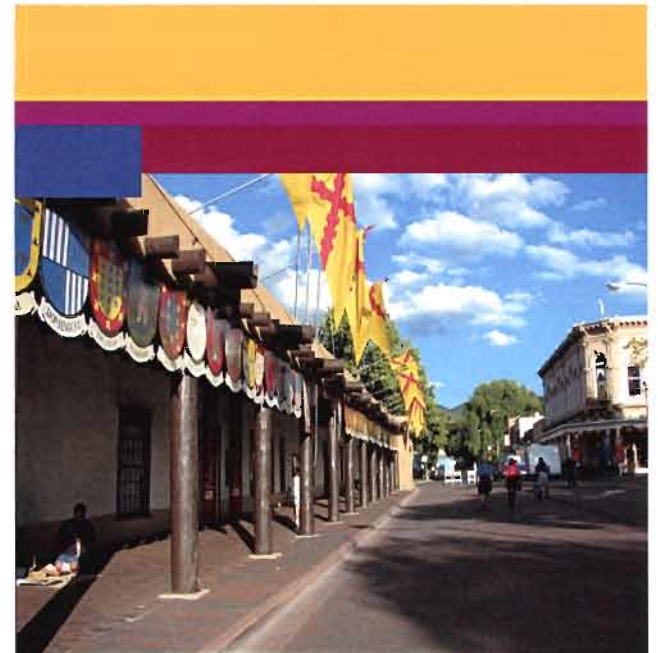
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Honing Your NM EDGE	Session Number	Session Times	CPO Classes	CPS Classes	CPM Classes	Affiliate Classes: Jail Specialist	Affiliate Classes: County Clerks	Affiliate Classes: GIS
Monday Sept. 12	1	1-4 pm	CPM 139 Creating an Ethical Culture (GIS, JP, PE, TR)	CPM 241 Budgeting I (CL, TR)	CPM 211 Knowing the Law I (CO) & CPM 225 Being a Leader	JP 104 Crisis Intervention Team Training I (JP)		
	2	5:30 – 8:30 pm	CPM 125 Developing Pro. Workplace (CES)	CPM 242 Budgeting II (CL, TR)	CPM 223 Reinventing Govt (COe) And CPM 231 Workers Comp & ADA (JP)			
Tuesday Sept. 13	3	8:30 – 11:30 am	CPM 142 Ethics & Public Funds (CES, CO, JP, PE, TR)	CPM 221 Leading Others (CESe, JPe)	CPM 213 Policy Development (AS, CO, HC)	JP 105 Institutional Safety (JP)	CL 113 Electronic Filing (CL)	
	4	1-4 pm	CPM 144 Risk Management (CL, CO, GIS, JP, TR)	CPM 137 Discipline & Termination (JP)	CPM 146 Creating Public Wealth (HC, TR)			
	5	5:30 – 8:30 pm	CPM 131 General HR Law (CL, GIS, HC, JP, TR)	CPM 132 Eliminating Discrimination (CES, CL, TR, JPe)	CPM 152 Conflict Resolution (CES, GIS, HC, COe)	JP 106 Special Populations I (JP)		
Wednesday Sept. 14	6	8:30 – 11:30 am	CPM 111 Knowing Your Government (CES, CL, CO, HC, TR, JPe)	CPM 222 Project Management (CO, TR, CESe)	CPM 158 Managing Your Public Image (CES, ASe, COe)			
	7	1-4 pm	CPM 156 Improving Writing (CES, GIS, COe, HCe, JPe)	CPM 123 Managing Organizational Change (GIS, HC, COe, JPe)	CPM 136 Retention (JPe) And CPM 262 Using Technology		CL 105 Third Parties, Political Parties & Special Elections (CL)	
	8	5:30 – 8:30 pm	CPM 121 Ethics & Professionalism (CES, CL, CO, JP, PE)	CPM 261 Current Issues in IT (CESe, COe)	CPM 273 Original Research for Decision Making	JP 107 Special Populations II (JP)		GIS 162 Integrating & Manipulating Data Sets (GIS)
Thursday Sept. 15	9	8:30 – 11:30 am	CPM 122 Congratulations! You're a Leader (CES, CL, HC, JPe)	CPM 153 Public Meetings/Hearings (CO, PEe) And CPM 236 Successful Supervision (JP)	CPM 272 Research Tools for Decision Making			GIS 166 GPS in the Field (GIS)

	10	1-4 pm	CPM 154 Effective Meetings by Design (CES, GIS)	CPM 124 Grant Writing I (CES e, HC e)	CPM 274 Evaluating Public Programs			
	11	5:30 – 8:30 pm	CPM 112 Answering the Call to Public Service (CO, PE, CES e, JP e)	CPM 224 Grant Writing II (CES e, HC e)	CPM 155 Improving Presentations (CES, HC, JPe)			GIS 262 Organizing GIS Data (GIS)
Friday Sept. 16	12	8:30 – 11:30 am	CPM 151 Foundations for Communications (CES, GIS, HC, JP, COe),		CPM 233 Employee Relations  And CPM 212 Federalism	JP 108 Inmate Classification System (JP)		



August 5<sup>th</sup>, 2011

## Forest Service 2011 Fire Season Summary, Significant Fires, and Emergency Response Efforts

**Weather and Climate Conditions:** One of the strongest La Niña events in the past 60 years set the stage for the extreme fire conditions the Southwest has experienced this spring and summer. In the Southwest, the La Niña event brought little or no precipitation in the final months of 2010, followed by windy, hot, and record setting dry conditions in the spring and summer of 2011. In fact, New Mexico experienced the driest January to May period in the past 117 years since official record-keeping began.

**Fire Preparedness:** The Southwestern Region and interagency partners brought in fire resources a month earlier than normal in response to the extreme conditions. Thanks to little or no fire activity and abundant snowpack, northern forests in the region were able to share their resources with southern-tier forests. The region has also drawn on resources from the Northern Region of the Forest Service, thanks to a 5-year cooperative agreement for sharing firefighting resources.

### Large Fires to Date on National Forest System Lands:

- **White Fire:** Started April 9<sup>th</sup>; 10,384 acres. Lincoln National Forest near Ruidoso Downs, NM.
- **Last Chance Fire:** Started April 24<sup>th</sup>; 53,342 acres. Lincoln National Forest near Queen, NM.
- **Miller Fire:** Started April 28<sup>th</sup>; 88,835 acres. Gila National Forest, started in the Gila Wilderness.
- **Mayhill Fire:** Started May 9<sup>th</sup>; 31,861 acres. Lincoln National Forest, near Mayhill, NM.
- **Wallow Fire:** Started May 29<sup>th</sup>; 538,049 acres – Apache-Sitgreaves National Forests, eastern Arizona and parts of western New Mexico near Alpine, Nutrioso, and Springerville.
- **Pacheco Fire:** Started June 18<sup>th</sup>; 10,250 acres – 90% Contained. Santa Fe National Forest, 2 miles north of Santa Fe Ski Basin.
- **Las Conchas Fire:** Started June 26<sup>th</sup>; 156,593 Acres – 100% Contained. Santa Fe National Forest, 12 miles southwest of Los Alamos.
- **Lookout Complex:** Started July 20<sup>th</sup>; 22,687 Acres – 99% Contained. Lincoln National Forest, about 35 miles southwest of Carlsbad, NM.

### New Mexico 2011 Year-to-Date Fires & Acres by Ownership (as of August 3<sup>rd</sup>):

Agency	# of Wildfires	Acres
Bureau of Indian Affairs	242	3,794
BLM	142	100,375
US Fish & Wildlife Service	4	101
National Park Service	5	29,079
NM State Forestry (State & Private Lands)	646	552,870
US Forest Service	382	291,159
Other	0	118
<b>TOTAL</b>	<b>1,421</b>	<b>977,496</b>

SFC CLERK RECORDED 09/15/2011

**Burned Area Emergency Response (BAER):** Heavy rains pose a threat to communities and critical infrastructure downstream from burned areas. BAER teams have been working quickly to stabilize burnt slopes, remove hazard trees, and repair roads and culverts to mitigate flooding impacts. Over \$45 million has been approved for Southwestern Region BAER treatments. In addition, a request was submitted on August 4<sup>th</sup> for BAER work on the New Mexico side of the Wallow Fire.

**Summary of Forest Service BAER Work in New Mexico as of 8/4/2011**

Forest	Name	Approved Funding	Status as of 8/4/2011
Carson	Osha (6/22/2011)	\$304,125	Completed
Gila	Miller (6/14/2011)	\$33,000	Completed
	Pine Lawn (7/22/2011)	\$9,000	Request approved 7/22
Lincoln	White (5/5/2011)	\$1,967,000	Completed
	Last Chance (5/18/2011)	\$127,000	Completed
	Mayhill (6/3/2011)	\$396,000	Completed
	Queen (6/14/2011)	\$5,000	Completed
Santa Fe	Virgin Canyon	\$29,000	Completed
	Rio (6/3/2011)	\$6,900	Completed
	Pacheco (7/15/2011)	\$1,649,300	Contracts awarded 7/29. Placement of material will begin 8/5. Trail work completed
	Las Conchas (7/13/2011)	\$488,850	Underway
	Las Conchas Int. #2 (7/19/2011)	\$1,597,600	Contracts being prepared
	Las Conchas Int. #3 (7/22/2011)	\$190,000	Culvert to remain in place. Trash racks & channel stabilization work will be done.
	Las Conchas Int. #4 (7/22/2011)	\$279,250	Funding approved 8/4.

**Hazardous Fuels Treatments & Assistance to States:** The Southwestern Region has focused on reducing fire risk around communities in collaboration with local, state, and federal partners.

**Forest Service Southwestern Region Hazardous Fuels Accomplishments on NFS Lands**

	2006	2007	2008	2009	2010
<b>Acres of Non-WUI fuels treatments</b>	92,626	173,771	146,381	303,904	133,023
<b>Acres of WUI fuels treatments</b>	84,973	94,165	100,627	139,963	127,172
<b>TOTAL</b>	<b>179,605</b>	<b>269,943</b>	<b>249,016</b>	<b>445,876</b>	<b>262,205</b>

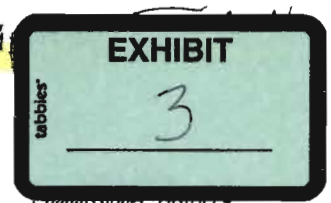
**Collaborative Forest Restoration Program** – The purpose of the CFRP program is to promote healthy watersheds and reduce the threat of large, high intensity wildfires in the forests in New Mexico. Over 10 years, **23,744 acres** have been treated through the CFRP program. Over 450 diverse stakeholders are involved in implementing the projects. CFRP projects have created over 590 permanent, seasonal and part time forest related jobs in New Mexico.

**State Fire Assistance Program:** The Forest Service State Fire Assistance Program provides financial and technical support directly to the states, to enhance firefighting capacity, support community-based hazard mitigation, and expand outreach and education to homeowners and communities concerning fire prevention.

Harry B. Montoya  
Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Michael D. Anaya  
Commission



Liz Stefanics  
Commissioner, District 5

Roman Abeyta  
County Manager

## Santa Fe County Fire Department Memorandum

**Date:** August 8, 2011  
**To:** Santa Fe County Board of Commissioners  
**Via:** Katherine Miller, County Manager  
**From:** David Sperling, Interim Fire Chief *DS*  
**Re:** August 8, 2011 BCC Caption Overview

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The Fire Department is requesting BCC approval for an increase to the Fire Operations Fund 244 to budget \$175,000 in cash carryover for utilities surveying and installation work, road work to include deceleration lanes on Rancho Viejo Boulevard, and water line installation to complete the Rancho Viejo Fire Station construction project. During the original budget preparation we did not have firm costs established for these parts of the overall fire station project.

SEC CLERK RECORDED 09/15/2011



# SANTA FE COUNTY

## RESOLUTION 2011 - \_\_\_\_\_

**A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM**

Whereas, the Board of County Commissioners meeting in regular session on August 9, 2011, did request the following budget adjustment:

Department / Division: Fire Department / Administration Fund Name: Fire Operations Fund (244)

Budget Adjustment Type: Budget Increase Fiscal Year: 2012 (July 1, 2011 - June 30, 2012)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
244	0000	385	0200	Budgeted Cash	\$175,000	
<b>TOTAL (if SUBTOTAL, check here )</b>					<b>\$175,000</b>	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
244	8004	421	8010	Capital / Buildings & Structures	\$175,000	
<b>TOTAL (if SUBTOTAL, check here )</b>					<b>\$175,000</b>	

Requesting Department Approval: *[Signature]* Title: *Interim Fire Chief* Date: *8-8-11*

Finance Department Approval: *[Signature]* Date: *[Signature]* Entered by: \_\_\_\_\_ Date: \_\_\_\_\_

County Manager Approval: \_\_\_\_\_ Date: \_\_\_\_\_ Updated by: \_\_\_\_\_ Date: \_\_\_\_\_

SANTA FE COUNTY

RESOLUTION 2011 - \_\_\_\_\_

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: Name: Steve Moya Dept/Div: Fire / Administration Phone No.: 992-3083

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 1) Please summarize the request and its purpose. Utilities surveying and installation work, road work to include deceleration lanes on Rancho Viejo Boulevard, and water line installation.

a) Employee Actions

Line Item	Action (Add/Delete Position, Reclass, Overtime)	Position Type (permanent, term)	Position Title

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount
8010	Utilities surveying and installation work, road work to include deceleration lanes on Rancho Viejo Boulevard, and water line installation.	\$175,000

- 2) Is the budget action for RECURRING expense \_\_\_\_\_ or for NON-RECURRING (one-time only) expense X



# SANTA FE COUNTY

## RESOLUTION 2011 - \_\_\_\_\_

*ATTACH ADDITIONAL SHEETS IF NECESSARY.*

**DEPARTMENT CONTACT:**

Name: Steve Moya Dept/Div: Fire / Administration Phone No.: 992-3083

**DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):**

- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
  - a) If this is a state special appropriation, YES \_\_\_\_\_ NO X  
If YES, cite statute and attach a copy.
  
  - b) Does this include state or federal funds? YES \_\_\_\_\_ NO X  
If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget.
  
  - c) Is this request is a result of Commission action? YES \_\_\_\_\_ NO X  
If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).
  
  - d) Please identify other funding sources used to match this request. None

**SANTA FE COUNTY**

**RESOLUTION 2011 - \_\_\_\_\_**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

**Approved, Adopted, and Passed This 9th Day of August, 2011.**

**Santa Fe Board of County Commissioners**

\_\_\_\_\_  
Virginia Vigil, Chairperson

**ATTEST:**

\_\_\_\_\_  
Valerie Espinoza, County Clerk

Santa Fe County FY 2013 - 2017 Infrastructure and Capital Improvements Plan (ICIP)

Preliminary Draft - First Public Hearing - 9 August 2011

List of Potential Projects

District 1

*Project Description*

*Estimated  
Project Cost*      *Commission  
District*

Acequia de Baranco Blanco -Jacona- Improve Diversion	\$50,000	1
Agricultural Revitalization Institute Community Farm Center Proposal	\$1,000,000	1
Chupadero Substation/Tesuque Volunteer Fire Dept - install fire hydrant	\$50,000	1
Chupadero Water System - Install additional 20,000 gal. storage tank, refurbish existing tank	\$59,566	1
County Road 101 B - resurface	\$150,000	1
County Road 115 low-water crossing	\$300,000	1
County Road 78 improvements-resurface	\$200,000	1
County Road 84 - speed bumps	\$20,000	1
County Road 98 - Construction	\$1,550,000	1
CR 84- Tesuque Creek Crossing- Drainage Improvements	\$25,000	1
CR 89 - improvements (parking)	\$50,000	1
CR 89E - Bridge to Jose Rincon-flood control/berming bridge to North 300-500ft	\$25,000	1
CR 113 - improvements (river crossing)	\$250,000	1
Cuatro Villas Transmission Line for Sombrillo Elementary School	\$500,000	1
Cuatro Villas/Greater Chimayo - water system interconnection	\$250,000	1
Greater Chimayo Water System Improvements Water Storage Tank	\$250,000	1
NM 592 - Safety improvements - Separation of traffic lanes	\$50,000	1
North County Area - community wellness center	\$1,500,000	1
Pojoaque Valley Regional Wastewater System - interconnection to non-tribal areas	\$1,500,000	1
Sombrillo/Arroyo Seco - wastewater collection line/lift station	\$10,500,000	1
Tesuque MDWA - water system improvements	\$1,587,810	1
<b>All Projects - District 1</b>	<b>\$19,867,376</b>	

**District 2**

<i>Project Description</i>	<i>Estimated Project Cost</i>	<i>Commission District</i>
ADD area - feasibility study - sewer system	\$100,000	2
Agua Fria - connect community to municipal sewer	\$1,000,000	2
Agua Fria - connect community water system to Buckman direct diversion	\$1,000,000	2
Agua Fria - Drainage Plan to include catchment ponds versus storm drains	\$25,000	2
Agua Fria - Green recycling facility in Village	\$250,000	2
Agua Fria - River Improvements-Bank Stabilization- Sewer Line Protection	\$250,000	2
Agua Fria - Roundabout-Prairie Dog Loop and CR64	\$250,000	2
Agua Fria Children's Zone	\$2,500,000	2
Agua Fria Community Garden and Flood Control Project	\$100,000	2
Agua Fria Park	\$1,000,000	2
Agua Fria Road - shelters at bus stops	\$150,000	2
Agua Fria Road - extension and roundabout at Henry Lynch Rd	\$200,000	2
Agua Fria Senior Center	\$1,500,000	2
Agua Fria Utility Corridor study/engineering plan	\$300,000	2
Agua Fria Water Systems Upgrades and water rights	\$1,500,000	2
Camino La Tierra - Chip Seal/Slurry Seal	\$125,000	2
Camino La Tierra - mailbox turnout/extend lane taper	\$50,000	2
CR 104 - Chip Seal	\$60,000	2
CR 62 - Chip Seal	\$210,000	2
Food Depot - new warehouse/facilities	\$3,652,197	2
La Junta del Alamo - paving	\$50,000	2
Las Campanas area - water transmission line	\$4,000,000	2
Lopez Lane sewer feasibility study	\$50,000	2
Lopez Lane/Rufina - R-O-W acquisition	\$100,000	2
Pinon Hills - chip seal	\$325,000	2
Puesta del Sol - chip seal	\$200,000	2
Siler Road - noise barrier with tree planting	\$65,000	2
South Meadows Road - water and sewer lines extensions to CR # 62	\$625,000	2
<b>All Projects - District 2</b>	<b>\$19,637,197</b>	

District 3

**Project Description**

	<b>Estimated Project Cost</b>	<b>Commission District</b>
Calle Victoriano - base course (5.0 mi.)	\$276,276	3
Camino Capilla Vieja - clear and fence staging area	\$25,000	3
Camino La Capilla Vieja - drainage improvements (1mile)	\$250,000	3
Camino San Jose - road improvements	\$500,000	3
County Road 12 B - improvements-chip seal	\$600,000	3
County Road 42 - Galisteo from rr to village -- traffic calming	\$30,000	3
County Road 50/50F - reclaim/pave	\$450,000	3
County Road 50A - Asphalt paving	\$149,803	3
County Road 50F - Asphalt Overlay	\$127,137	3
County Road 52 - Las Estrellas -- reclaim/pave	\$400,000	3
County Road 55 A - improvements-repair & drainage	\$2,800,000	3
CR 16A Jaymar Road - chip seal (4.45 mi.)	\$326,010	3
CR 20B - Base Course	\$560,000	3
CR 26 Simmons Road - Base Course	\$550,000	3
CR 2B - Asphalt Paving	\$109,000	3
Edgewood WWTP/Collection system	\$100,000	3
Entrada Cienega - guard rail, bank stabilization, repairing, and drainage	\$250,000	3
Galisteo - regional trail network development	\$2,000,000	3
La Cienega - supplemental well upgrades	\$100,000	3
La Cienega - W. Frontage and Las Estrellas - repair intersection	\$50,000	3
La Cienega - wastewater feasibility study	\$75,000	3
La Cienega Community Center - land acquisition	\$100,000	3
Los Pinos Road - Drainage Improvements	\$250,000	3
Madrid - wastewater system (study)	\$50,000	3
Madrid MDWA - additional water rights (study)	\$50,000	3
Mutt Nelson Road - Chip Seal	\$100,000	3
North La Cienega - Water Improvements/Water line Improvements I-25 and CR # 54	\$1,731,000	3
Paseo C'de Baca - extend water line	\$500,000	3
Stanley Fire Station - equipment & improvements	\$250,000	3
Upper La Cienega -extension of wastewater collection system (Valle Vista to 599 commercial district)	\$1,500,000	3
Upper La Cienega - PER /feasibility study	\$75,000	3
Upper La Cienega - water-line extension and loop system	\$1,500,000	3
Water Line Improvements - I-25 and CR # 54	\$800,000	3
<b>All Projects - District 3</b>	<b>\$16,634,226</b>	



**District 4**

<i>Project Description</i>	<i>Estimated Project Cost</i>	<i>Commission District</i>
Arroyo Hondo Trail	\$1,000,000	4
Arroyo Hondo Trail - bridge	\$1,000,000	4
Avenida Ponderosa - chip seal	\$150,000	4
Camino Pacifico - chip seal	\$100,000	4
Camino Sudeste - chip seal	\$75,000	4
Camino Tetz coco - chip seal	\$75,000	4
Camp Stoney Road - Asphalt Paving	\$500,000	4
Canoncito Water System Project	\$5,510,000	4
Cerros Cantando Sub - road improvements	\$340,000	4
County Road 51 - road improvements (1st mile, chip seal; 2nd/3rd miles, gravel)	\$600,000	4
County Road 60 - road improvements-repair	\$200,000	4
County Road 63 - grading and base course	\$100,000	4
CR 63C - Chip Seal	\$15,000	4
Glorieta - sewer system interconnection - Baptist Center, Village and Estates	\$100,000	4
Glorieta Area - tank upgrade	\$200,000	4
Glorieta Area - Regional Water System Planning (includes Glorieta Village, Glorieta Estates, Glorieta East and surrounding area)	\$100,000	4
Glorieta Estates - acquire/improve fire station road and road to church (0.5 mi.)	\$1,000,000	4
Glorieta Estates - Road improvements (Ponderosa, Pine Have Drive, Raven Tree Road and Pop Challee)	\$500,000	4
Glorieta Estates - Road widening/R-O-W acquisition (Fire Station Rd. to Church)	\$500,000	4
Glorieta Estates - water system improvements	\$96,000	4
Glorieta Village - MDWCA - planning funds for wastewater solution	\$75,000	4
La Barbaria - Road improvements-Grading and Road widening	\$360,000	4
Old Santa Fe Trail - road improvements / ROW acquisition	\$350,000	4
Paseo del Pinon - Chip Seal	\$108,000	4
Puye Road - chip seal (0.69 mi.)	\$69,000	4
Toltec Road - chip seal (0.3 mi.)	\$30,000	4
Vista Redonda County Roads - base course repair	\$500,000	4
<b>All Projects - District 4</b>	<b>\$13,653,000</b>	

**District 5**

**Project Description**

**Estimated  
Project Cost**      **Commission  
District**

Avenida Azul - bike path (approx. 1.7mi)	\$550,000	5
Avenida Buena Ventura - paving and drainage (0.23 mi)	\$67,619	5
Avenida de Amistad - asphalt (0.5 mi.)	\$144,059	5
Avenida De Amistad - paved bike path	\$45,000	5
Avenida Eldorado - bike path extension (aprox. 0.8 mi.)	\$80,000	5
Balsa Road - chip seal	\$120,000	5
Bike access from Hwy 14 to Railrunner	\$500,000	5
Cedar, Willow, Oak, N. Pinon, Juniper - base course and culverts	\$500,000	5
Cochiti East Road and Cochiti West Road - improvements (1 mi.)	\$125,000	5
County Road 33 - improvements-resurface	\$350,000	5
Eldorado Area Teen center - plan, design, construct, and equip	\$1,500,000	5
Eldorado Water and Sanitation District - maintenance and well building	\$1,000,000	5
Eldorado Water and Sanitation District - water storage tank upgrades	\$300,000	5
Encantado Road - chip seal (2.11 mi.)	\$219,010	5
Fonda Road - chip seal (0.4 mi.)	\$40,000	5
Frasco Road - chip seal	\$43,000	5
Herrada Road - asphalt surface (1.91 mi.)	\$561,531	5
Hidalgo Court - road improvements	\$100,000	5
I-25 and Rabbit Road area - wastewater service extension study	\$75,000	5
I-25 and Rabbit Road area - wastewater service extension	\$250,000	5
I-25 and Rabbit Road area - water and wastewater service extension study	\$75,000	5
I-25 and Rabbit Road area - water service extension	\$200,000	5
Ken & Patty Adams Senior Center - expansion	\$520,000	5
North Fork Road - paving (0.25 mi.)	\$75,000	5
Richards Avenue - Bike Lanes & Lighting Improvements	\$500,000	5
Richards Avenue - Expansion to Four Lanes	\$2,000,000	5
Richards Avenue - Remove Signal & Install Roundabout	\$500,000	5
San Marcos - study to evaluate roads-upgrade/maintain	\$100,000	5
Sandia Road - easement (0.05 mi.)	\$50,000	5
Southeast Connector - phase I (East Chili line to Rabbit Road)	\$2,500,000	5
Spruce - chip seal	\$100,000	5
SR 14 - Public Safety Complex to NM 599 - road improvements	\$1,500,000	5
Sunset Trail East and Sunset Trail West - base course and easements	\$200,000	5
Torcido Loop - drainage and road improvements	\$250,000	5
Verano Loop - reclaim and chip seal (2.0 mi.)	\$180,418	5
<b>All Projects - District 5</b>	<b>\$15,320,637</b>	

1101/09/15/2011 SPC CLERK RECORDED

**Countywide/County Facility Projects**

<b>Project Description</b>	<b>Estimated Project Cost</b>	<b>Commission District</b>
Santa Fe County - Additional Vehicles for Solid Waste	\$800,000	all
Santa Fe County - Animal control vehicles (\$40,000/each x 2)	\$80,000	all
Santa Fe County - Corrections - Adult - enhance and repair security and fencing	\$500,000	all
Santa Fe County - Corrections - Adult - mental health unit -- renovate fencing, railings	\$250,000	all
Santa Fe County - Corrections - Adult - relocate/renovate it server room and add equipment for all facility controls	\$1,000,000	all
Santa Fe County - Corrections - Adult - remodel office & public space for bails bonds & electronic monitoring	\$500,000	all
Santa Fe County - Corrections - Adult - renovation of cells at adult medical facility, replace sliders	\$1,000,000	all
Santa Fe County - Corrections - Adult - repair & upgrade perimeter lighting	\$1,250,000	all
Santa Fe County - Corrections - Adult - replace boilers in facility(4)	\$300,000	all
Santa Fe County - Corrections - Adult - replace control panel doors & camera	\$700,000	all
Santa Fe County - Corrections - Youth - perimeter lighting	\$750,000	all
Santa Fe County - Corrections - Youth - repair and upgrade plumbing at youth facility	\$1,000,000	all
Santa Fe County - Corrections - Youth - repair control panel	\$600,000	all
Santa Fe County - Corrections - Youth - replace single-sink commodes related to plumbing	\$800,000	all
Santa Fe County - Corrections - Youth - safety improvements to recreation yard -- landscaping/paving	\$1,000,000	all
Santa Fe County - Corrections - Youth - slider repair	\$200,000	all
Santa Fe County - Corrections - Youth - upgrade and repair perimeter fencing at youth facility	\$500,000	all
Santa Fe County - Corrections - Youth - upgrade youth kitchen facility phase I	\$100,000	all
Santa Fe County - Countywide Facilities Improvements for Energy and Water efficiency	\$6,090,000	all
Santa Fe County - EOC - county mobile command unit (on-site incident management) county wide	\$500,000	all
Santa Fe County - Fire - countywide self contained breathing apparatus/personal protection equip/defib replacement	\$3,000,000	all
Santa Fe County - Fire - equipment (engines, ambulances, pumpers, water haulers, grass vehicles, rescue) county wide	\$5,000,000	all
Santa Fe County - Jacona Transfer Station - road construction	\$675,000	all
Santa Fe County - Media district improvement on Hwy 14 including water and sewer	\$2,630,000	all
Santa Fe County - Office space and storage -- operations and clerk/elections (20,000 sq. ft. )	\$3,000,000	all
Santa Fe County - Public Housing Sites Improvements	\$1,500,000	all
Santa Fe County - Public Works - acquire 2 acres of land in Eldorado area for office/staff fencing, road paving, and storage	\$1,000,000	all
Santa Fe County - Public Works - City/County S-1 transmission line (County portion)	\$360,000	all

Continued from previous page: Countywide/County Facility Projects

<i>Project Description</i>	<i>Estimated Project Cost</i>	<i>Commission District</i>
Santa Fe County - Public Works - equipment (water trucks, graders, loaders, backhoes, dump trucks)	\$3,500,000	all
Santa Fe County - Public Works - Equipment Yard for Community College Area	\$500,000	all
Santa Fe County - Public Works - solid waste upgrade transfer station - Jacona	\$750,000	all
Santa Fe County - Public Works - heavy vehicles (\$200,000 x 4)	\$800,000	all
Santa Fe County - RECC - addition to existing space (6,000sq/ft) and equipment	\$2,750,000	all
Santa Fe County - Renovate county buildings and old court house	\$15,000,000	all
Santa Fe County - Santa Fe Rail Trail	\$1,700,000	all
Santa Fe County - Santa Fe Regional Broadband Infrastructure - greater metro area	\$8,795,000	all
Santa Fe County - Santa Fe River - 8 mile trail (acquisition, trail construction, restoration)	\$21,000,000	all
Santa Fe County - SCADA system for Booster stations, Storage tanks/wells	\$180,000	all
Santa Fe County - Sheriff - equipment	\$100,000	all
Santa Fe County - Sheriff - new vehicles (20/year x \$40,000 x 5 years)	\$4,000,000	all
Santa Fe County - South Meadows open space (22 acres)	\$440,000	all
Santa Fe County - Supplemental Wells x 3 sites	\$4,500,000	all
Santa Fe County - Thornton Ranch open space	\$700,000	all
Santa Fe County - transmission line for CCD area tank	\$400,000	all
Santa Fe County - Updated orthophotography - Countywide	\$385,000	all
Santa Fe County - Utility Rate Study	\$75,000	all
Santa Fe County - Valle Vista Water System upgrades	\$1,500,000	all
<b>All Projects - Countywide and County facilities</b>	<b>\$102,160,000</b>	

**Total: All Requests - FY 2012**

**\$187,272,436**

**Vicki Lucero**

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**From:** Sam Hitt [sam@wildwatershed.org]  
**Sent:** Wednesday, August 03, 2011 10:56 AM  
**To:** Vicki Lucero; Jack Kolkmeier  
**Cc:** Kathy Holian  
**Subject:** Request to Table Joya de Hondo Variance

**Hello Vicki,**

**The Old Galisteo Way Road Association requests that the Joya de Hondo variance CDRC Case # V 11-5070 be tabled until such time as a traffic study is complete.**

**This case is currently scheduled to be heard at the August 9 BCC meeting.**

**Members of the Old Galisteo Way Road Association are currently collecting data on vehicles entering and exiting Old Galisteo way during peak traffic hours. This data is being will collected in compliance with Institute of Transportation Engineers standards.**

**Currently no traffic data exists for Old Galisteo Way.**

**Thank you for your consideration.**

**Best,**

**Sam**

-----  
**Sam Hitt, President  
Old Galisteo Way Road Association  
48 Old Galisteo Way  
Santa Fe, NM 87508  
505-438-1057  
[sam@wildwatershed.org](mailto:sam@wildwatershed.org)**

SFC CLERK RECORDED 09/15/2011

**Vicki Lucero**

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**From:** evil242@gmail.com on behalf of Damion Terrell [GrayHall.llc@gmail.com]  
**Sent:** Tuesday, August 09, 2011 10:43 AM  
**To:** Virginia Vigil; Liz Stefanics; Daniel Mayfield; Robert A. Anaya; Kathy S. Holian  
**Cc:** Vicki Lucero; Jennifer Jenkins; colleen@jenkinsgavin.com; Ken Cassutt; Gary Friedman  
**Subject:** Objection to request to table CDRC Case # V 11-5070

Distinguished members of the Board of County Commissioners,

My case, CDRC Case #V 11-5070, Joya De Hondo request for Variance, is second (2nd) on the agenda for public hearing under the topic of Growth Management. My agent, Jennifer Jenkins, has in her possession a letter reporting on the Trip Generation Data collected by Morey Walker of Walker Engineering which will be presented for your review at tonight's hearing.

My Case received approval from the CDRC on April 21st, 2011. In the months following the CDRC approval, no request was made by Mr. Hitt or the Old Galisteo Way Users Association for tabling my case at the previous BCC public hearings. Conversely, I did acquiesce and request my Case be tabled to relieve its burden during a time when you had a much heavier decision to be made. Mr. Hitt has had more then enough time in these past four months to have collected additional traffic data in comparison to Mr. Walker's Data Analysis.

I formally request that my case be publicly heard before the Board of County Commissioners at tonight's, the August 9th, 2011, meeting

Sincerely,

Jeremy Damion Terrell  
owner Gray-Hall, LLC.

----- Forwarded message -----

**From:** Sam Hitt <sam@wildwatershed.org>  
**Date:** Tue, Aug 9, 2011 at 7:23 AM  
**Subject:** Request to table CDRC Case # V 11-5070  
**To:** [vvigil@santafecounty.org](mailto:vvigil@santafecounty.org), [lstefanics@santafecounty.org](mailto:lstefanics@santafecounty.org), [dmayfield@santafecounty.org](mailto:dmayfield@santafecounty.org), [ranaya@santafecounty.org](mailto:ranaya@santafecounty.org), [kholian@santafecounty.org](mailto:kholian@santafecounty.org)  
**Cc:** Damion Terrell <grayhall.llc@gmail.com>

**Dear Commissioners,**

**Joya de Hondo variance CDRC Case # V 11-5070 is the last item at tonight's BCC meeting.**

**The Old Galisteo Way Road Association requests it be tabled.**

**Members of the Old Galisteo Way Road Association are currently collecting data on vehicles entering and exiting Old Galisteo Way during peak traffic hours. This data is being collected in compliance with Institute of Transportation Engineers standards.**

Approximately 3 to 4 weeks are needed to collect and analyze this critical data.

We would be happy to work with staff to ensure that the data is accurate and the study well designed.

Currently no traffic data exists for Old Galisteo Way.

Thank you for your consideration.

Best;

Sam

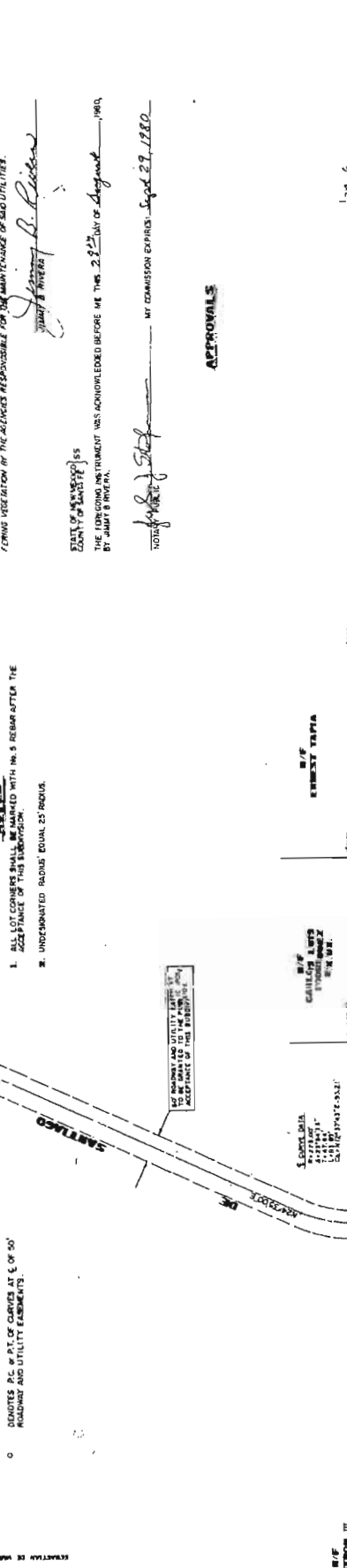
-----  
Sam Hitt, President  
Old Galisteo Way Road Association  
48 Old Galisteo Way  
Santa Fe, NM 87508  
505-438-1057  
[sam@wildwatershed.org](mailto:sam@wildwatershed.org)



SECRETARY RECORDED 09/15/2011

LEGEND  
 • DENOTES POINT FOUND AND USED AS NOTED.  
 ○ DENOTES No. 5 REBAR SET WITH THIS SURVEY.  
 ○ DENOTES No. 5 PAT. OF CORNER AT E OF 50' ROADWAY AND UTILITY EASMENTS.

NOTES  
 1. ALL LOT CORNERS SHALL BE CHECKED WITH IN. 5 REBAR AFTER THE 225 DAY PERIOD OF THIS SUBDIVISION.  
 2. UNDERMINATED RADIOUS EQUAL 25' RADIOUS.



REPLICATION  
 KNOW ALL MEN BY THESE PRESENTS THAT I HAVE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE TERMS OF THE UNDERSIGNED OWNERS AND LIES WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY AND COUNTY OF SANTA FE, NEW MEXICO, THAT I HAVE CAUSED TO BE MADE AND CAUSED TO BE RECORDED IN THE PUBLIC RECORDS OF SAID COUNTY THAT THE STREET AND COMMON EASEMENTS ARE HEREBY GRANTED TO THE PUBLIC AND THAT THE UTILITY AND DRAINAGE EASEMENTS SHOWN HEREON ARE GRANTED FOR THE BEST AND MOST BENEFICIAL USE OF SAID LOTS AND ARE NOT TO BE INTERFERED WITH BY ANY OTHER PERSON OR PERSONS. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL OF SAID COUNTY AT SANTA FE, NEW MEXICO, THIS 29th DAY OF SEPTEMBER, 1980.

APPROVALS  
 APPROVED BY THE JOINT CITY/COUNTY PLANNING COMMISSION AT ITS MEETING ON Jan. 6 1981.  
 APPROVED AND ACCEPTED ON THIS 1st DAY OF June 1981, BY THE BOARD OF COMMISSIONERS, SANTA FE COUNTY, NEW MEXICO.  
 APPROVED AND ACCEPTED ON THIS 1st DAY OF June 1981, BY THE BOARD OF COMMISSIONERS, SANTA FE COUNTY, NEW MEXICO.

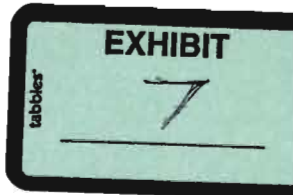
UTILITY APPROVALS  
 UTILITY APPROVALS  
 UTILITY APPROVALS

SURVEYOR'S CERTIFICATE  
 I HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT THIS PLAN IS AN ACCURATE DELINEATION OF A SURVEY MADE BY ME IN MARCH ONE NINETEEN, EIGHTY, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

PLAY OF SURVEY OF THE  
**SANTIAGO SUBDIVISION**  
 WITHIN THE NW 1/4 SECTION 15, T. 16 N. R. 9 E. ANCHUTUM  
 SANTA FE COUNTY, NEW MEXICO

472-662





Summary of Trip Generation Calculation  
 For 3 Dwelling Units of Single Family Detached Housing  
 August 04, 2011

Average Standard Adjustment Driveway  
 Rate Deviation Factor Volume

Avg. Weekday 2-Way Volume	9.57	3.69	1.00	29
7-9 AM Peak Hour Enter	0.19	0.00	1.00	1
7-9 AM Peak Hour Exit	0.56	0.00	1.00	2
7-9 AM Peak Hour Total	0.75	0.90	1.00	2
4-6 PM Peak Hour Enter	0.64	0.00	1.00	2
4-6 PM Peak Hour Exit	0.37	0.00	1.00	1
4-6 PM Peak Hour Total	1.01	1.05	1.00	3
Saturday 2-Way Volume	10.08	3.68	1.00	30
Saturday Peak Hour Enter	0.49	0.00	1.00	1
Saturday Peak Hour Exit	0.44	0.00	1.00	1
Saturday Peak Hour Total	0.93	0.99	1.00	3

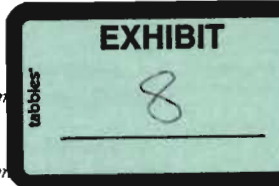
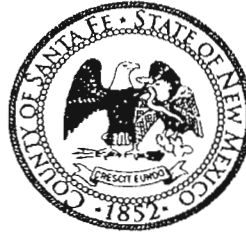
Note: A zero indicates no data available.  
 Source: Institute of Transportation Engineers  
 Trip Generation, 8th Edition, 2008.  
 TRIP GENERATION BY MICROTRANS

SFC CLERK RECORDED 09/15/2011

Harry B. Montoya  
Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Michael D. Anaya  
Commissioner, District 3



Comm

Comm

Katherine Miller  
County Manager

December 16, 2010

Damion Terrell  
c/o Jenkins/Gavin Design & Development Inc.  
130 Grant Ave., Ste 101  
Santa Fe, NM 87501

Re: Case # 09-3060 Joya de Hondo (4-Lot Summary Review Subdivision)

Dear Mr. Terrell:

On April 14, 2009, you submitted an application for a Summary Review Subdivision to divide 43.807 acres into four lots. On December 10, 2009, the Land Use Administrator granted approval of the proposed Subdivision and notified the neighboring property owners of the decision. On December 17, 2009, two separate appeals were filed appealing the Land Use Administrator's decision.

The appeal submitted by the Tapia family was based on the grounds that inadequate easement exists for Old Galisteo Way to permit improvements required by the Land Development Code and County road standards. This appears to be a correct assertion. After further review of the documentation submitted by the Tapias and documents from the litigation regarding the road, it is apparent that **adequate easement does not exist to permit Old Galisteo Way to be improved to County standards**, which is a requirement for Subdivision approval.

You have proposed several solutions to the easement issue. You suggested that the County should approve the application with inadequate easement. You have also suggested that the County take responsibility for this road and condemn additional easement. You have suggested that the County should interpret the Court order as permitting the use of a twenty foot easement, and litigate against the Tapias to defend that position should that become necessary.

The County is unwilling at this time to revisit the Court order to clarify the amount of easement in the vicinity. The Court order is contradictory on the issue of whether a sixteen foot or twenty foot easement was created; the County is unwilling to take the burden at this time of reopening the litigation and gaining clarification, and the County is unwilling to interpret the order in such a way as will certainly lead to litigation with the Tapias. You have also requested, alternatively, that the County consider condemning additional easement necessary to construct the road to County standards, but the County is also unwilling to take such a drastic step at this time --- a comprehensive plan will eventually be developed to address transportation problems in the vicinity and propose



Damion Terrell  
Page 2  
December 16, 2010

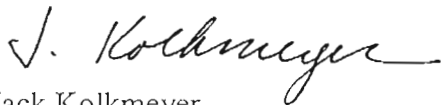
solutions. Condemnation may eventually be considered, as necessary, but the County generally engages in condemnation only as a last resort and when all other options have been thoroughly explored.

Without adequate road infrastructure, County staff will not support creation of any new lots in the area. Therefore, Santa Fe County revokes its prior approval of a Summary Review Subdivision for Joya de Hondo; now that staff is in possession of all the facts concerning the easement, it is apparent that the application should not have been approved in the first instance, and approval was made in error. This decision renders the present appeals moot.

You may consider requesting a variance of the county road standards. In order to apply for a variance, you must fill out a Development Permit Application, pay an application fee of \$300.00, and provide a letter of request stating the reason for the requested variance. The variance request would be subject to two public hearings; one before the CDRC and one before the Board of County Commissioners. You must take care of the public notice for each of the public hearings which will consist of placing an ad in a newspaper of general circulation, sending certified letters to all property owners within 100 feet of the subject property boundary, and posting notice on public notice board(s). County staff will prepare the legal advertisement, the letters, and the public notice boards and notify your office of the deadlines for the public noticing. In supporting a variance, you will be required to plead and prove that unnecessary hardship results from the application of the Code criteria in question. **Given what staff knows about the situation, you can expect staff to recommend against approval.**

If you have any questions regarding this matter, please do not hesitate to contact me at 986-6225.

Sincerely,



Jack Kolkmeier  
Land Use Administrator

cc. Appellants in Case No. 09-3060  
Stephen C. Ross, County Attorney  
Shelly Cobau, Building and Development Services Manager  
**Vicki Lucero, Development Review Team Leader**  
David Sperling, County Fire Marshal



# SAVE THE ARROYO HONDO CORRIDOR

Neighbors, naturalists, sustainable farming advocates and hiking, equestrian, archeological and conservation groups are working to see that **51 acres** of the Arroyo Hondo Corridor be protected as **County Open Space**.

This would preserve one of the **last remaining areas** of the rural landscape on the eastern edge of the Community College District and help achieve the goal of protecting 8500 acres of open space on Santa Fe's urban fringe.

## RESOURCES TO PROTECT

The forces of growth are bearing down upon the Santa Fe Community College District with **8000 new dwellings** being planned in the next twenty years. In response the local community and land conservation groups have come together to preserve one of the last remaining large plots of the traditional rural landscape on the eastern edge of the District.

The Arroyo Hondo Corridor has significant natural, cultural, historic, traditional and recreational resources deserving protection. The broad width of the **Arroyo Hondo links habitats** used by migrating wildlife and provides important refuge for a large number of plant and animal species. The Arroyo Hondo drainage is a **strategic water recharge area** for downstream communities, sustaining and cleansing subsurface water tables and maintaining downstream surface flows. The long planned **Arroyo Hondo Trail** is a major east-west connector that runs through the property, linking isolated pockets of protected land as well as providing unparalleled opportunity for low-impact recreation.

Native American, Hispano and Anglo cultures have left a 11,000 year record of settlement and use in the Arroyo Hondo. There are **large Ancient Puebloan residential sites** dating from the 12th and 13th centuries as well as important smaller sites, isolated structures, agricultural features and petroglyphs. In addition, there are Hispanic homesteads, wagon routes and an early 20<sup>th</sup> century railroad bed nearby. An **interpretive trail** is proposed linking these sites and reconnecting citizens to their heritage.

The **deep, fertile soils** of the Arroyo Hondo have been farmed for over a thousand years. Only 0.2 percent of Santa Fe County has similar soil. Instead of losing this resource to sprawling development, we propose **leasing small plots to skilled young farmers** that cannot afford land in Santa Fe County to raise vegetables, fruits, herbs, cut flowers and other high value crops for the Farmer's Market, local restaurants, school lunch programs and retail outlets. There is also the potential to collect and store rainwater from and for use in greenhouses, hoop houses, sheds and other plant protection structures where a succession of **high value, quick growing crops** could be grown out of season.

In addition, **community gardens** could be established in some of the area's best agricultural soils for use by local residents and a **program in sustainable urban agriculture** developed in conjunction with the Santa Fe Community College's Sustainable Technology Center to provide training in small scale agricultural production. The proposed open space is endorsed by the Santa Fe Farmer's Market, New Mexico Land Conservancy, Santa Fe Conservation Trust and over one hundred citizens of Santa Fe.

SFC CLERK RECORDED 09/15/2011



**ARROYO HONDO CORRIDOR  
OPEN SPACE  
PRE-APPLICATION  
TO THE WILDLIFE, MOUNTAINS, TRAILS  
AND HISTORIC PLACES PROGRAM  
SANTA FE COUNTY  
NEW MEXICO**

February 17, 2010

Respectfully submitted  
on behalf of Santa Fe County Residents  
by Old Galisteo Way Road Association,  
Neighbors, Community Groups,  
Professionals, Not-for-Profit  
Organizations and others

To: Santa Fe County  
Open Space and Trails Division  
Attention: Colleen Baker  
102 Grant Avenue  
P.O. Box 276  
Santa Fe, New Mexico 87504-0276

**EXECUTIVE SUMMARY**

Neighbors, naturalists, sustainable farming advocates and hiking, equestrian, archeological and conservation groups respectfully request that **51 acres of the Arroyo Hondo Corridor** be protected as County Open Space. This would preserve one of the last remaining areas of the rural landscape on the eastern edge of the Community College District and help achieve the goal of protecting 8500 acres of open space in the rapidly growing urban fringe.

The Arroyo Hondo Corridor has significant natural, cultural, historic, traditional and recreational resources deserving protection. The broad width of the Arroyo Hondo **links habitats** used by migrating wildlife and provides important refuge for a large number of plant and animal species. The Arroyo Hondo drainage is a **strategic water recharge area** for downstream communities, sustaining and cleansing subsurface water tables and maintaining downstream surface flows. The long planned **Arroyo Hondo Trail** is a major east-west connector that runs through the property, linking isolated pockets of protected land as well as providing unparalleled opportunity for low-impact recreation.

Native American, Hispano and Anglo cultures have left a 11,000 year record of settlement and use in the Arroyo Hondo. There are **large Ancient Puebloan residential**

sites dating from the 12th and 13th centuries as well as important smaller sites, isolated structures, agricultural features and petroglyphs. In addition, there are Hispanic homesteads, wagon routes and an early 20<sup>th</sup> century railroad bed nearby. An interpretive trail is proposed linking these sites and reconnecting citizens to their heritage.

The **deep, fertile soils** of the Arroyo Hondo have been farmed for over a thousand years. Only 0.2 percent of Santa Fe County has similar soil. Instead of losing this resource to sprawling development, we propose leasing small plots to young farmers to grow high value crops, creating skilled jobs close to markets to meet a growing demand for local produce. In addition, **community gardens** could be established and a **program in urban agriculture** developed in conjunction with the Community College's Sustainable Technology Center.

## INTRODUCTION

The discussion below follows the format outlined in the **Santa Fe County Wildlife, Mountains, Trails and Historic Places Program Pre-Application Packet** ("pre-application packet"). At key points the pre-application packet refers to the County Open Land and Trails Planning and Advisory Committee ("COLTPAC") **Criteria for Evaluating Projects** to provide a more detailed discussion. Any repetition of themes in the discussion below is based on the overlapping requirements of these two documents. A complete listing of neighbors, community groups, professionals, not-for-profit organizations and Santa Fe County residents ("applicants") is at the end.

## PROPERTY DETAILS:

- Fair Market Value: The two properties have not been appraised by a County certified appraiser. However, a market analysis performed by Mike Baker of Sotheby's International for owner Gray Hall LLC. in 2008 estimated the 43.8 acre parcel to have a potential value of \$2,500,000 based on the current 2.5 acre/lot zoning (Appendix A). No fair market value estimates have been made for the 7.5 acre parcel.
- Funding Request: We are considering all available options based on full and fair market value.
- Acreage: The two parcels are 43.811 acres and 7.586 acres for a total acreage of approximately 51.3.
- Legal Description: The legal description for the 43.8 acre parcel is Tract 4-A, Township 16 North, Range 9 East, Section 15. The adjacent 7.5 acre parcel is Tract 4-B, Township 16 North, Range 9 East, Section 15.
- Property Taxes: Property taxes are paid in full for both parcels.

- Existing Structures: There are two mobile storage units on the 43.8 acre parcel that the owner has agreed to remove. There is a unfinished single residential structure on the 7.5 acre parcel.
- Listing Information: The 43.8 acre parcel is currently not on the market but has been approved for administrative lot split. That decision is currently under appeal. The 7.5 acre parcel is also not on the market.

**NEGOTIATION STATUS:**

Jeremy Damion Terrell is the owner of the 43.8 acre parcel. Mr. Terrell is willing to negotiate to sell a portion of his property to the County to preserve for open space. He is also discussing options with Santa Fe Conservation Trust to preserve the remainder (Appendix A).

Brother Brian Dybowski (Sebastian A. Dybowski) is the personal representative of deceased Father Serafino Bortolotti who until his death in March of last year owned the 7.5 acre parcel. Brother Brian is willing to negotiate an agreement to sell Father Bortolotti's estate property to Santa Fe County (Appendix B).

In a related matter, Manuel Peña et. al and Sam Hitt et al. filed timely appeals on December 16, 2009 of the County's administrative approval of a summary subdivision on the 43.8 acre parcel (Joya de Hondo subdivision). These appeals were assigned case numbers 09-3060 and 09-5530 respectively. Both were filed under the Santa Fe County Land and Development Code Section 2.3.1. A hearing before the County Development and Review Committee on both appeals is currently tabled pending the outcome of this open space application.

**SITE MAP:**

Please see attached Site Map Arroyo Hondo Corridor (Appendix C). This map shows both the 43.8 parcel (Tract 4-A) and the 7.5 acre parcel (Tract 4-B) with all roads, easements, improvements, drainages, boundaries and rights of way.

**AREA MAP:**

Please see attached Area Map Arroyo Hondo Corridor (Appendix D). This map shows residential development and access roads in the project's vicinity, the FEMA designated floodplain, existing and proposed trails, nearby open space and properties currently protected by conservation easements.

**WATER RIGHTS:**

There is an existing well on the 43.8 acre parcel but a permit for that well has not been obtained. Recent hydrological tests from that well showed water was in good supply (Appendix A).

**MINERAL RIGHTS:**

All mineral rights are in the possession of the current owners (Appendix A). They have not been severed from the property.

**LAND USES:**

The land is currently open and undeveloped with the exception of the unfinished dwelling on the 7.5 acre parcel. Both parcels were used to pasture horses in recent decades (Appendix A). There is an informal hiking trail in the arroyo portion of the 43.8 acre parcel.

**ENVIRONMENTAL HAZARDS:**

Both parcels have been intermittently used for pasturing domesticated animals during historic times. However, no grazing has occurred on either parcel since the late 1980s (Appendix A) allowing the grasses and other vegetation to recover. There is no evidence of industrial or mineral activity on either parcel and therefore a low possibility of the presence of hazardous materials. No hazardous materials surveys or formal environmental assessments have been done for either parcel.

**ENCUMBRANCES:**

The Los Alamos National Bank has a lien on the 43.8 acre parcel for a construction loan Mr. Terrell took out to develop the property and pay legal fees (Appendix A).

**CONTRACTS:**

There are no other contracts, including verbal and unrecorded contracts, affecting either parcel (Appendix A).

**ADVERSE POSSESSION:**

No one has made an adverse possession claim for any portion of either property (Appendix A).

**ACCESS:**

There is legal access from Old Galisteo Way. However, the neighbors desire that traffic not increase and the road not be widened. In particular, the Tapia family support this open space proposal only under these conditions (Appendix K, Appendix L and Appendix O).

## EASEMENTS:

There is an easement through the 43.8 acre parcel to access the 7.5 acre parcel and an approximately 12 acre parcel to the north (Appendix A). See Site Map for all other documented easements (Appendix C).

## LEASES:

There are no recorded, unrecorded or oral leases that affect either parcel.

## PROPOSED USES:

Applicants propose trails, small-scale sustainable agriculture development and interpretive education as primary uses. These uses are compatible with public access and would be implemented to protect and conserve soil, water, wildlife habitat and other resources. The proposed uses are described in detail below:

- Trails: The 43.8 acre parcel includes a portion of the County's long planned **Arroyo Hondo Trail**, a major east-west connector that will eventually run from the arroyo headwaters to La Cienaga. This trail is designed for low-impact pedestrian, bicycle and equestrian use, providing access to open space, connecting upstream and downstream neighbors with the Community College and helping to reduce vehicle dependence in the Community College District. The Arroyo Hondo trail also offers unparalleled recreational opportunities including birdwatching, wildlife viewing and cross-country skiing in winter.
- Small-Scale Sustainable Agriculture: Applicants propose a program that would:
  - 1) **Lease small plots** (less than one acre) on deep, fertile soil outside the floodplain to skilled young farmers that cannot afford land in Santa Fe County to raise vegetables, fruits, herbs, cut flowers and other high value crops for the Farmer's Market, local restaurants, school lunch programs and retail outlets. It is possible with efficient management, intelligent marketing and hard work to gross \$80,000/acre using unheated hoop houses and other structures to harvest a succession of high value, quick growing crops out of season. There is a productive well on the 43.8 acre parcel suitable for use in highly efficient irrigation systems. There is also the potential to collect and store rainwater from and for use in greenhouses, hoop houses, sheds and other plant protection structures;
  - 2) Develop an **urban agriculture program** in conjunction with the Sustainable Technology Center at the nearby Santa Fe Community College to provide training in small scale agricultural production; and
  - 3) Establish **community gardens** in some of the area's best agricultural soils for use by County residents. The proposed open space is endorsed by the Santa Fe Farmer's Market.
- Interpretive Education: Applicants propose a program of educational displays and interpretation focusing on the Arroyo Hondo's rich cultural history from the

Paleoindian era through settlement by Ancient Puebloans and traditional Hispano homesteads to railroad development early in the last century. The extraordinary record of human use of this arid environment has great educational and interpretive value as the County charts a course toward a more sustainable future.

## VALUES:

Both parcels have significant natural, cultural, historic, traditional and recreational resources deserving of protection. These values are described below. The following discussion is based on the *List of Significant Resources and Definitions* in the COLTPAC's **Criteria for Evaluating Projects**. Also, see attached photos and maps.

- Natural Resources: The broad width of the Arroyo Hondo makes its ephemeral riparian habitat particularly important in providing essential habitat links between upland and lowland areas used by migrating wildlife. In addition, Arroyo Hondo and adjacent lands are rich in biological diversity, providing important habitat for a large number of plant and animal species.
  - *Community Types*: The Arroyo Hondo is an intact, wide ephemeral riparian community that links the Sangre de Cristo mountains to lower elevation pinyon/juniper woodlands (Appendix E).
  - *Ecological Features*: The broad Arroyo Hondo is one of the few remaining functional migratory corridors in the Santa Fe area. Other major drainages, such as the Santa Fe River, are severely degraded by urbanization. The mix of wooded hillside with open, level areas also provides habitat for a diversity of species, including the short-horned lizard and ghost larkspur, both of which are declining in population and negatively affected by development (Appendix E).
  - *Underrepresented Ecosystem*: Intact habitat linkages have not been a focus of open space protection in the past and therefore are underrepresented.
  - *Geological Features*: The Arroyo Hondo drainage is a strategic water recharge area for the downstream community of La Cienega. The master plan for the Community College District calls for protecting all arroyos and existing drainages (Appendix F:10)
  - *Rare or Endangered Species*: Surveys have not been done to determine if State or Federally listed species occur in this area.
  - *Riparian Areas*: The Arroyo Hondo is a unique riparian community because of its broad width (Appendix F:20). Its ephemeral flows during summer monsoons and spring runoff recharge and cleanse subsurface water tables and sustain vegetation and wildlife habitat.
  - *Watersheds, Waterways and Under-Represented Ecosystems*: The Arroyo Hondo drainage contributes flows to the watershed supplying to La Cienega, the Santa Fe River and eventually the Rio



Grande. As a major waterway to these important watersheds, the Arroyo Hondo and its riparian habitat is an ecosystem under-represented in the County's open space system.

- Cultural and Historic Resources: The property and nearby areas contain numerous cultural resources, including large pre-Columbian residential sites dating from the 12th and 13th centuries as well as important smaller sites, isolated structures, agricultural features and petroglyphs. There are also historic Hispano homesteads and a railroad bed nearby (Appendix G and Appendix H).
  - *Sacred Places*: There are petroglyphs and potential human burials on both parcels. These sacred places, together with smaller habitation sites, work locations, agricultural features are indispensable to a full understanding of the long record of prehistoric life in the Arroyo Hondo (Appendix H)
  - *Cultural and Historic Lifeways*: The Arroyo Hondo has been farmed for over a thousand years, first by the Ancient Puebloans, then Hispano colonists. There is also a centuries old tradition of grazing cows, horses, donkeys, mules and goats in the arroyo and adjacent woodlands. The New Mexico Central Railroad was active between 1902 and the 1940s, crossing the Arroyo Hondo just west of the parcels. Old Galisteo Way that runs adjacent to the parcels is one of several alignments of the historic Old Galisteo/Agua Fria Road that linked Santa Fe and the village of Galisteo (Appendix G).
  - *Archeological and Historic Sites*: Twenty-six archeological and historic investigations have been undertaken within one mile of the parcels. In addition, a detailed archeological report was prepared for the proposed Joya de Hondo subdivision. These studies document an 11,000 year legacy of human occupation and land use in the Arroyo Hondo drainage and include descriptions of eleven cultural resource locations. One site on the property qualifies as a "significant" cultural resource under the County Code Section 3.2.13. It is also eligible for listing in the National Register of Historic Places and possible inclusion under the Galisteo Basin Archeological Sites Protection Act of 2004. This site is currently impacted by erosion and vandalism (Appendix G).
- Recreational and Trail Resources: These 51 acres are the largest remaining undeveloped open space in the eastern portion of the Community College District, providing the local community an unparalleled natural resource as well as a host recreational opportunities. The proposed Arroyo Hondo Trail also runs through the land.

- *Existing Historical Trails:* Aerial photos show Old Galisteo Way that borders the land on the east as one of the multiple alignments of the historic Galisteo/Agua Fria Road that once linked Santa Fe and the village of Galisteo. As typical of other historic trails, erosion and development have obscured the alignment as it enter and exits the Arroyo Hondo (Appendix G).
- *Recreation and Community Definition:* The arroyo is the center of our community life as residents often socialize in its open sandy bottom while walking their dogs, viewing sunsets or taking a stroll. In addition to the pleasures of hiking, horseback riding and mountain biking, the land also offers many recreational opportunities to the community including birdwatching, wildlife viewing, botanizing, rock collecting and cross-country skiing in winter.
- *County Trail System:* The planned Arroyo Hondo Trail is a major east-west connector that runs through the property. It is designed for low-impact pedestrian, bicycle and equestrian use, providing access to open space, connecting upstream and downstream neighbors with the Community College and helping to reduce vehicle dependence in the Community College District. The County has acquired trail easements on 240 acres downstream that would connect with this segment.

**AESTHETIC QUALITY:** The Arroyo Hondo Corridor offers unparalleled views of the Sangre de Cristo, Jemez and Sandia mountains. Tetilla Peak in the foreground of the Jemez mountains frames the view to the west, the Sandias to the south and Lake Peak and Mt. Baldy to the north and east. The arroyo itself is a broad ribbon of alluvium bordered by ancient stands of Chamisa (*Chrysothamnus nauseosus*), Apache Plume (*Fallugia paradoxa*), One-Seed Juniper (*Juniperus monosperma*) and a host of wildflowers and the decorative seed heads of warm season grasses. Visual interest is created by seasonal changes from winter snows, spring and fall wildflowers, to a raging river during the summer monsoons. Sunsets are spectacular any time of year. The attached photos capture some of the arroyo's intrinsic beauty.

**CULTURAL AND HISTORIC:** The Arroyo Hondo Corridor is a rich repository of cultural and historic resources. These resources have been comprehensively documented in twenty-six investigations within one mile of the proposed open space. A 2006 archeological and historic report prepared by Dr. Alysia L. Abbott specifically documented archeological sites in the proposed Joya de Hondo subdivision that includes both parcels (Appendix G). Photos and maps from this report are attached. The following discussion is based on the *List of Significant Resources and Definitions* in the COLTPAC's **Criteria for Evaluating Projects**.

- Historic Open Space Patterns: The Arroyo Hondo Corridor is a largely undeveloped buffer on Santa Fe's southern flank that historically has been used for grazing domesticated animals and for rain-fed agriculture (dry land pinto

beans in historic times). These activities occurred within the context of an 11,000 year legacy of human occupation and land use by pre-Columbian hunter-gatherer cultures and Ancient Puebloans (Appendix G).

- Multiple Cultural-Historic Resources: The property and areas nearby contain numerous cultural resources, including large Ancient Puebloan residential sites dating from the 12th and 13th centuries as well as important smaller sites, isolated structures, agricultural features and petroglyphs. In addition, there are five historic sites nearby documenting Hispanic settlement and agricultural use. The New Mexico Central Railroad alignment from the early 20<sup>th</sup> Century and the wagon route connecting Galisteo village and Santa Fe running adjacent to the parcels are records of early transportation history. A professional archaeological investigation was conducted on both parcels in 2006.
- Community Identity, History and Culture: The forces of growth are bearing down upon the Community College District with 8000 new dwellings being planned in the next twenty years (Appendix F:15). In response the local community and land conservation groups have come together to preserve one of the last remaining large plots of the traditional rural landscape on the eastern edge of the district. Without a central plaza, school or stores, this open space defines our community. It's where we socialize, recreate and take pleasure in the sound of birdsong in spring, rushing water after a summer rain, yellow chamisa and purple aster in fall and a land transformed by snow in winter.
- Preserves a Lifeway: The nearly level Ohke sandy loam soils in the Arroyo Hondo are more than 80 inches deep and comprise only 0.2 percent of the County's soils (Appendix I). Sustainable small-scale agriculture would continue an ancient tradition on these deep, productive soils. Skilled market gardeners using collected rainwater in efficient irrigation systems and low-cost climate control structures would continuously crop high value fresh fruits, vegetables, herbs, grains and flowers to meet growing local consumer demand for local produce and create jobs.
- Historic Development, Cultural Character and Educational Values: The multi-cultural heritage of Santa Fe County is evident in the Arroyo Hondo with a record of occupancy from the Paleoindian period (10,000 B.C. to 5500 B.C.) to the present (Appendix G). As noted above, Native American, Hispano and Anglo cultures have all left a record of settlement and use of the arroyo's fertile soils. There is great potential to tell stories of the interaction in this area between land, water and culture as part of a comprehensive educational and interpretive program in conjunction with Santa Fe Community College.
- Specific Archeological Sites: As noted above, there have been twenty-six archeological and historic investigations in the area. In addition, a professional archaeological investigation was conducted on both parcels in 2006 pursuant to County Code Section 3.4.3(a) and in accordance with the standards and criteria of

Section 3.4.3(c). These reports documented eleven cultural resource locations within one mile of proposed open space. One site, LA 10614, is partially on the 43.8 acre parcel. LA 10614, is a pre-Columbian habitation with subsurface features, including potential intact cultural deposits, structural mounds, pit-structures, thermal features, storage features and potentially human burials. LA 10614 qualifies as a “significant” cultural resource under the County Code Section 3.2.13. It is eligible for listing in the National Register of Historic Places and possible inclusion under the Galisteo Basin Archeological Sites Protection Act of 2004 (Appendix H). The owner is willing to protect the site under a conservation easement to preserve its educational and interpretive value.

**NATURAL AREAS:** The Arroyo Hondo is one of the County’s most important natural areas. The arroyo recharges the aquifer for wildlife and human uses, maintains ground water quality, serves as a unique intact wildlife corridor as well as providing undisturbed habitat for a diversity of species. See the attached maps and description below for details.

- Water Supply and Quality: During summer monsoons and spring runoff thousands of acre feet of water fill the Arroyo Hondo, recharging and cleansing subsurface water tables and depositing a layer of rich alluvium over a wide area that sustains vegetation and maintains long-term productivity.
- Disruption: The Arroyo Hondo is relatively undisturbed despite centuries of agricultural use, livestock grazing and, more recently housing development, roads and motorized recreation. Decades of rest from trampling and grazing by livestock have allowed the grasses to recover. Many pinyons died in recent years from drought and bark beetles but junipers are thriving on the hillsides from reduced competition. Dirt bikes, ATVs and an occasional pickup truck are annoying recent intrusions on the peace and serenity enjoyed by quiet recreationists. However, the damage they have afflicted on soils, vegetation and habitat is still relatively minor. To date there are few invasive plant species, a sign the soils are relatively undisturbed.
- Connection: The proposed open space is approximately half-way between two protected properties. Upstream is the 87 acre Arroyo Hondo Open Space parcel bordered by the Old Las Vegas Highway and County Road #58. This open space is near the headwaters of Arroyo Hondo. Downstream west of the Oshara Village property is the 240 acre Petchesky ranch now managed by the New Mexico Land Conservancy under a conservation easement. New Mexico Land Conservancy, Santa Fe Conservation Trust and Oshara Village strongly supports this open space proposal (Appendix J, Appendix M and Appendix N). As noted above, the Arroyo Hondo is a keystone habitat link used by migrating wildlife to travel between upland and lowland areas (Appendix E).
- Geologic Features: As noted above, the Arroyo Hondo drainage is a strategic water recharge area for important wetland habitat and human use in La Cienega and areas further downstream.

- Species Diversity: The mix of wooded hillsides with open, level areas of the arroyo provide a high degree of natural diversity. Local naturalists have observed well over a 100 birds species in the Arroyo Hondo drainage and nearby, including Scaled Quail, Black-throated Gray Warblers, Pinyon Jays and a great variety of raptors. These bird species are declining in population regionally, require large areas of minimally disturbed habitat for successful breeding and do not adapt well to urbanization. The Arroyo Hondo corridor also functions as keystone habitat for passage of mammals not usually found in this area like porcupine, mule deer and mountain lion as well as relatively common species such as raccoon, skunk, coyote and bobcat. The presence of porcupine demonstrates the importance of the Arroyo Hondo as an active link between patches of woodland. The presence of the Kangaroo Rat, a keystone rodent species that promotes biodiversity, is significant. There is also suitable habitat for rare and declining species such as the Short-horned Lizard and a plant, *Delphinium wootonii* (Ghost Larkspur).

**RECREATION AND TRAILS:** The Arroyo Hondo Corridor open space includes portions of the long planned Arroyo Hondo Trail. This trail serves the recreational needs of the community by linking existing open space and property protected by conservation easements, increasing the connectivity of trails in the Community College District and enhancing Santa Fe County's overall regional trail system. Details are provided below.

- Community Recreational Needs: This open space would be a significant step in building the long planned Arroyo Hondo Trail. The Arroyo Hondo Trail would connect to the Rail Trail and provide a major arterial pedestrian pathway through the rapidly growing Community College District (Appendix J).
- Access, Historic Trails and Natural Setting: The ancient arroyo trail is seamlessly integrated into the adjacent woodland environment, providing access upstream to existing County open space and downstream to the Arroyo Hondo trail being developed through Oshara Village and connecting across Richards Avenue to New Mexico Land Conservancy property where the County has trail easements.

**PROTECTED AREAS:** The proposed open space is downstream from the existing Arroyo Hondo Open Space and upstream from New Mexico Land Conservancy property protected by conservation easements described above.

**OPEN SPACE AND TRAILS PLAN:** The proposed open space is consistent with County Open Space and Trails Plan to construct the Arroyo Hondo Trail through the property. The proposal is also consistent with the Community College District Plan which envisions a future landscape of compact villages separated by large areas of open space. Finally, this open space proposal is consistent with the principle of sustainability – meeting the needs of the present without compromising the ability of future generations to meet their own needs – that guides Santa Fe County's long-term planning efforts (Appendix F:8).

## APPLICANTS

### CITIZENS

Ian and Lois Alsop  
38 Old Galisteo Way  
Santa Fe, NM 87508  
505-473-4299  
[ian.alsop@asianart.com](mailto:ian.alsop@asianart.com)

Robert and Valerie Arber  
82 Old Galisteo Way  
Santa Fe, NM 87508  
505-473-3702  
[arbermarfa@yahoo.com](mailto:arbermarfa@yahoo.com)

Z. Babankova  
692 Coyote Ridge Road  
Santa Fe, NM 87507

Bill Baillargeon  
5 M.J. Tapia Drive  
Santa Fe, NM 87508  
505-471-1168  
[jezosabi@gmail.com](mailto:jezosabi@gmail.com)

Marcela Barrionuevo  
P.O. Box 816  
Abiquiu, NM 87510  
[macasaus@gmail.com](mailto:macasaus@gmail.com)

Dee Blanco  
PO Box 5865  
Santa Fe, NM, 87502  
(505) 986-3434  
[dee@drdeebianco.com](mailto:dee@drdeebianco.com)

John Breen  
Old Galisteo Way  
Santa Fe, NM 87508  
[jeb0269@msn.com](mailto:jeb0269@msn.com)

Juliet Cababi  
102 Jornada Loop  
Santa Fe, NM 98508  
[julietc@att.net](mailto:julietc@att.net)

Charlotte Cooke  
10 Chusco Road  
Santa Fe, NM 87508

Christian Cooke  
18 Saks Lane  
Canada de los Alamos, NM 87505  
[harmonydesign.cooke@gmail.com](mailto:harmonydesign.cooke@gmail.com)

Gawwyn and Ed Cooper  
P.O. Box 99  
Embudo, NM 87531  
[gawwyncooper@gmail.com](mailto:gawwyncooper@gmail.com)

Zia Cross  
2730 Calle Anna Jean  
Santa Fe, NM 87505

Senator Dede Feldman (D)  
1821 Meadow View NW  
Albuquerque, NM 87104  
(505) 242-1997  
[dedefeld@comcast.com](mailto:dedefeld@comcast.com)

Alex Fischer  
3094 Agua Fria Street  
Santa Fe, NM 87507  
[paperfold@gmail.com](mailto:paperfold@gmail.com)

Bill Goebel  
RR 1 Box 41  
Maxwell, NM  
[bgoebel@bacavalley.com](mailto:bgoebel@bacavalley.com)

David Groeneveld  
1220 Cerro Gordo  
Santa Fe, NM 87501  
[david@hydrobio.org](mailto:david@hydrobio.org)

Bruce and Miranda Gray  
265 County Road 84

Santa Fe, 87506  
[mandzgray@earthlink.net](mailto:mandzgray@earthlink.net)

Wendy and Sam Hitt (contact)  
48 Old Galisteo Way  
Santa Fe, NM 87508  
505-438-1057  
[sam@wildwatershe.org](mailto:sam@wildwatershe.org)

Iska  
283 Los Pinos Road  
Santa Fe, NM 87501  
[iska@cybermesa.com](mailto:iska@cybermesa.com)

Carol J Johnson  
226 La Cueva Rd.  
Glorieta, NM, 87535  
(505) 757-2988  
[carol@cybermesa.com](mailto:carol@cybermesa.com)

Michael Kadisak  
6535 Tahawash  
Cochiti Lake, NM 87083  
(505) 465-0217  
[smnm93@hotmail.com](mailto:smnm93@hotmail.com)

Cynthia Knudson  
369 Montezuma  
Santa Fe, NM 87501

Maggie Lee  
524 Calle Corvo  
Santa Fe, NM 87501

Dr. Renny and Maria Levy  
103 Old Galisteo Way  
Santa Fe, NM 87508

Barbara and Javier Lopez  
25A Ortiz Road  
Santa Fe, NM 87505  
[barbaraul@aol.com](mailto:barbaraul@aol.com)

Deborah Madison  
2 Marcellina Lane  
Galisteo, NM 87540

505-466-0850  
[deborahmadison@earthlink.net](mailto:deborahmadison@earthlink.net)

Patrick McFarland  
115 Old Galisteo Way  
Santa Fe, NM 87508  
505-983-8551  
[oil@newmexico.com](mailto:oil@newmexico.com)

Keith Melton and Carol Robinson  
54 Old Galisteo Way  
Santa Fe, NM 87508  
505-471-4142  
[csrkem@earthlink.net](mailto:csrkem@earthlink.net)

Chuck Mitchell  
HC 65 Box 73  
Ojo Sarco, NM 87521  
[emitchell@kitcarson.net](mailto:emitchell@kitcarson.net)

Jim Mokres and Holly Beaumont  
Old Galisteo Way  
Santa Fe, NM 87508  
505-471-2962  
[jamokres@cybermesa.com](mailto:jamokres@cybermesa.com)

Tracy Neal  
526 Lolita Street  
Santa Fe, NM 87501  
505-989-1690  
[tracy@greenforward.com](mailto:tracy@greenforward.com)

Bill Neuwirth  
417 San Pasqual  
Santa Fe, NM 87508  
505-982-2586  
[neuwirth@mail.com](mailto:neuwirth@mail.com)

Fran Nichelson  
13 Lime Kiln Road  
Lamy, NM 87540

Diana Pacheco  
21 Old Galisteo Way  
Santa Fe, NM 87508  
505-471-5659



[d.k.pacheco@hotmail.com](mailto:d.k.pacheco@hotmail.com)

Amy Pilling  
605 Baca Street  
Santa Fe, NM 87505  
[apilling@earthlink.net](mailto:apilling@earthlink.net)

Michael Scialdone  
816 Kentucky St. SE  
Albuquerque NM, 87108  
(505) 480-2906  
[rioscial@gmail.com](mailto:rioscial@gmail.com)

Martha Simons  
123 Alamo Drive  
Santa Fe, NM 87501  
[martakjs@yahoo.com](mailto:martakjs@yahoo.com)

Betty and Norbert Sperlich  
72A Old Galisteo Way  
Santa Fe, NM 87508  
[b.sperlich@cybermesa.com](mailto:b.sperlich@cybermesa.com)

Kevin Stillman  
4080 Forest Road 268  
Jemez Springs N.M. 87025  
(505) 412-1936  
[kevinscm@starband.net](mailto:kevinscm@starband.net)

Carl Tapia, Sr. and Carl Tapia, Jr.  
26A Los Tapias Lane  
Santa Fe, NM 87508  
505-471-3109  
[Carl.Tapia@state.nm.us](mailto:Carl.Tapia@state.nm.us)

Gregorio X. Tapia  
Los Tapias Lane  
Santa Fe, NM 87508  
505-469-0747  
[shotgun717@aol.com](mailto:shotgun717@aol.com)

Damion Terrell (contact)  
806 Carlisle Blvd SE  
Albuquerque, NM 87106  
505-220-9649  
[grayhall.llc@gmail.com](mailto:grayhall.llc@gmail.com)

Suzanne Tiethje  
P.O. Box 541  
Tesuque, NM 87574  
[suzannetietje@yahoo.com](mailto:suzannetietje@yahoo.com)

Pia Tobin  
1155 B Camino Delora  
Santa Fe, NM 87501  
[tobeornottobin@gmail.com](mailto:tobeornottobin@gmail.com)

Jim and Holly Victor  
64 Old Galisteo Way  
Santa Fe, NM 87508  
505-471-5808  
[jimvictor1@yahoo.com](mailto:jimvictor1@yahoo.com)

Steve Vollstedt  
692 Coyote Ridge Road  
Santa Fe, NM 87507

Rep. Jeanette Wallace (R)  
1913 Spruce  
Los Alamos, NM 87544  
(505) 661-2575  
[Wallace@losalamos.com](mailto:Wallace@losalamos.com)

Kate Whealen  
1204 Galisteo Parkway  
Santa Fe, NM 87501  
[beto1234@earthlink.net](mailto:beto1234@earthlink.net)

Roger Williams  
Old Galisteo Way  
Santa Fe, NM 87508  
505-473-9852  
[rwilliams218@yahoo.com](mailto:rwilliams218@yahoo.com)

## ORGANIZATIONS

Great Old Broads for Wilderness  
P. O. Box 2924  
Durango, CO 81302  
970-385-9577  
[ronni@greatoldbroads.org](mailto:ronni@greatoldbroads.org)

National Wild Turkey Federation  
Santa Fe Chapter  
770 Augusta Road  
Edgefield, SC 29824

New Mexico Wilderness Alliance  
142 Truman NE, Suite B1  
Albuquerque, NM, 87108  
505-843-0274

Sangre de Cristo Beekeepers  
Kate Whelan, Coordinator  
1204 Galisteo Parkway  
Santa Fe, NM 87501  
505-983-4098  
[beto1234@earthlink.net](mailto:beto1234@earthlink.net)

Santa Fe Conservation Trust  
Charlie O'Leary  
Conservation Coordinator  
505-989-7019  
[Charlie@sfct.org](mailto:Charlie@sfct.org)

Santa Fe Farmer's Market  
Tim Voss, Executive Director  
1607 Paseo de Peralta  
Santa Fe, NM 87501  
505-983-4098

Sierra Club, Santa Fe Group  
802 Early Street  
Santa Fe, NM 87501  
505-983-2703

WildEarth Guardians  
Bryan Bird, Wild Places Coordinator  
312 Montezuma, Suite A  
Santa Fe, NM 87501  
(505) 988-9126 x 1157  
[bbird@wildearthguardians.org](mailto:bbird@wildearthguardians.org)

Wild Watershed  
Sam Hitt, Founder (contact person)  
P.O. Box 1943  
Santa Fe, N.M. 87504  
(505) 438-1057  
[sam@wildwatershed.org](mailto:sam@wildwatershed.org)

SFC CLERK RECORDED 09/15/2011

Harry B. Montoya  
Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Michael D. Anaya  
Commissioner, District 3



Roman Abeyta  
County Manager

September 4, 2007

Dr. Renny Levy, President  
Old Galisteo Way Road Association  
103 Old Galisteo Way  
Santa Fe, NM 87508

Michael Tapia  
34 Los Tapias Lane  
Santa Fe, NM 87508

Re: Development Permit to Maintain Old Galisteo Way

Dear Dr. Levy and Mr. Tapia:

As you are both well aware, we have had numerous meetings regarding the issuance and terms of a permit to maintain the public road known as Old Galisteo Way. We have since reviewed the Land Development Code and consulted with our legal staff regarding issuance of permits for maintenance of roads. Consequently, we have determined that the Code does not require the County to issue permits for maintenance of private driveways or public roads which are not County Roads. The Code merely requires that residents obtain development permits for the construction of roads, streets and driveways. Therefore, after careful consideration, no further permits will be issued or required for the ongoing maintenance of Old Galisteo Way.

Any disputes which exist or which may arise between the Road Association and any land owner whose property abuts Old Galisteo Way pertaining to maintenance of that road, should be addressed between the Association and the land owner in the First Judicial District Court or such other Court as may have jurisdiction over the dispute.

We hope that the community is able to amicably resolve existing questions regarding maintenance rights and responsibilities and we will keep you all apprised of any plans the County may develop pertaining to Old Galisteo Way and other roads in your neighborhood area that are part of the Community College District .

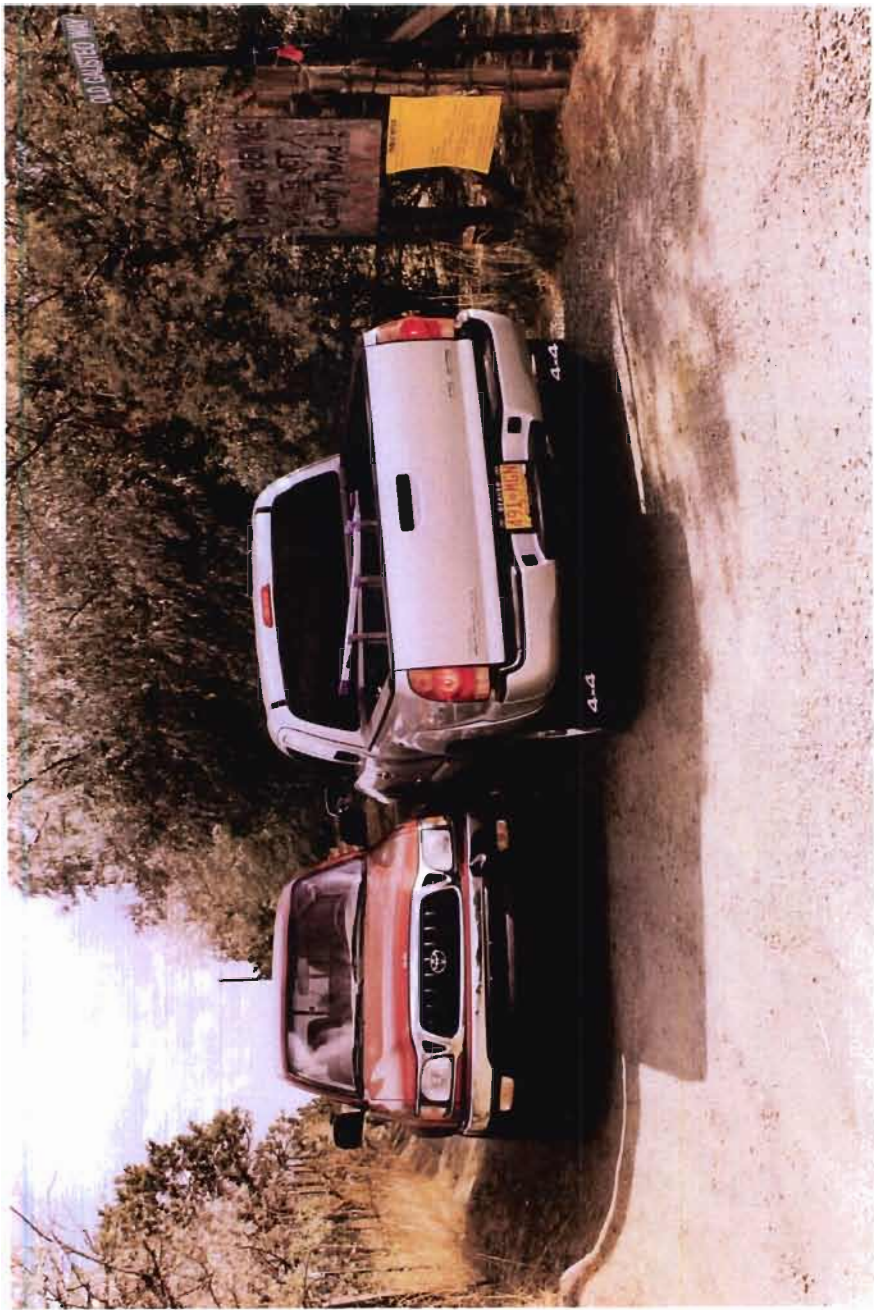
Sincerely,

James Lujan, Director/Growth Management Department

Xc: Roman Abeyta, County Manager  
Rachel Brown, Assistant County Attorney  
Jack Kolkmeier, Land Use Administrator/Growth Management Department

EXHIBIT  
tabbles

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REC'D CLERK RECORDED 03/15/2011

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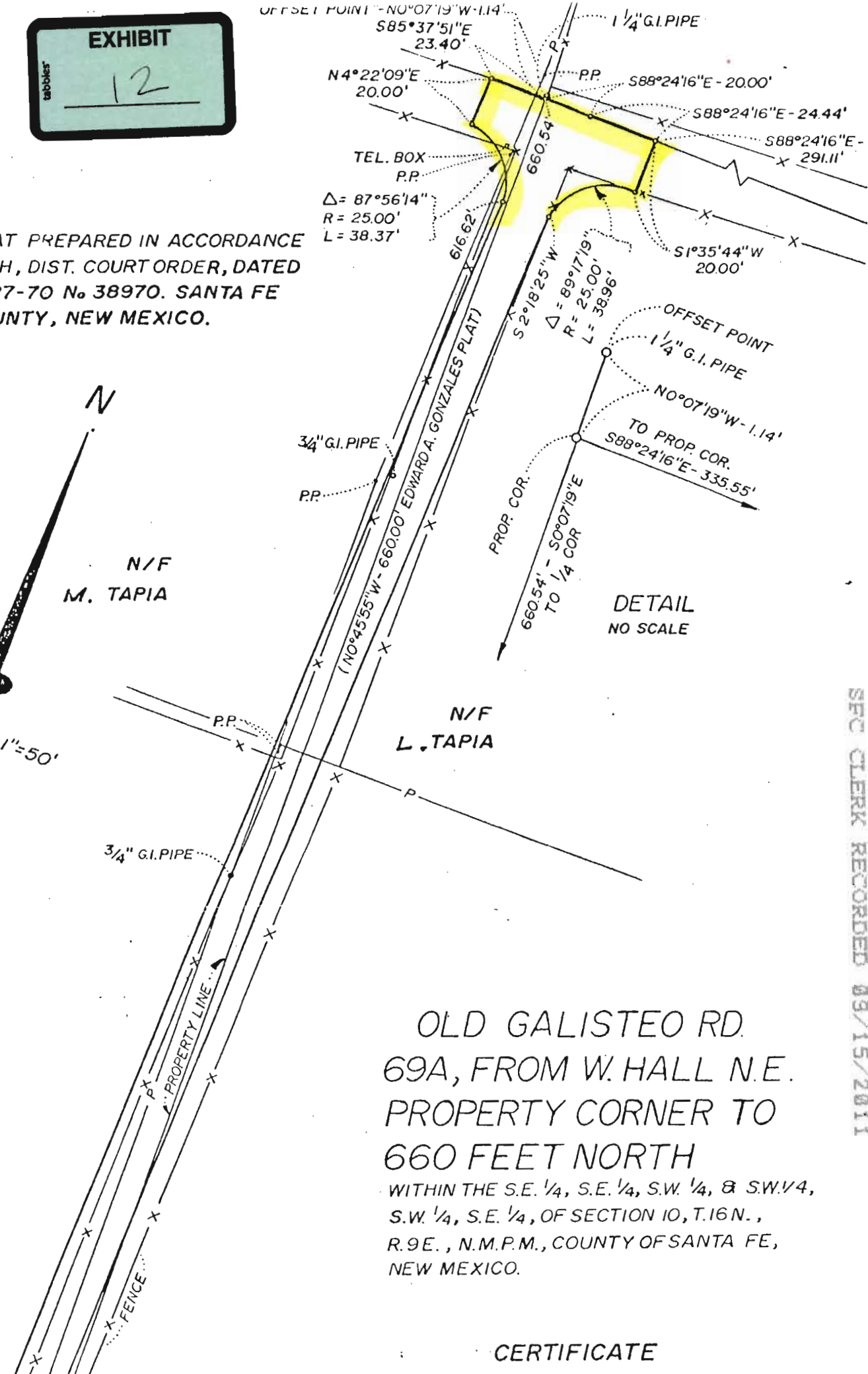
**EXHIBIT**  
 12

PLAT PREPARED IN ACCORDANCE WITH, DIST. COURT ORDER, DATED 2-27-70 No 38970. SANTA FE COUNTY, NEW MEXICO.



N/F  
 M. TAPIA

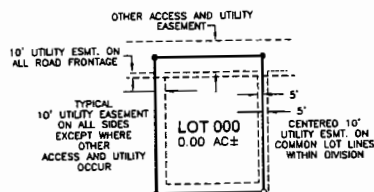
N/F  
 L. TAPIA



OLD GALISTEO RD.  
 69A, FROM W. HALL N.E.  
 PROPERTY CORNER TO  
 660 FEET NORTH  
 WITHIN THE S.E. 1/4, S.E. 1/4, S.W. 1/4, & S.W. 1/4,  
 S.W. 1/4, S.E. 1/4, OF SECTION 10, T.16N.,  
 R.9E., N.M.P.M., COUNTY OF SANTA FE,  
 NEW MEXICO.

CERTIFICATE

SFC CLERK RECORDED 03/15/2011



TYPICAL EASEMENT DETAIL (NTS) FOR SHARED WELL EASEMENT AND WATER DISTRIBUTION LINES

LEGEND AND NOTES

- DENOTES POINT FOUND 11011 CAP OR AS NOTED
○ DENOTES POINT CALCULATED
○ DENOTES POINT TO BE SET 11011 CAP

- DENOTES EDGE OF EASEMENT
[Stippled Area] SHADE DENOTES 2000 SQ.FT. OR GREATER BUILDABLE AREA SLOPE OF LESS THAN 15%, AND NO NATURAL DRAINAGEWAYS OTHER THAN THOSE SHOWN AS DRAINAGE EASEMENTS.
[Empty Box] DENOTES OPEN SPACE FROM PLAT NOTE #1

- 1. BASIS OF BEARING IS FROM PLAT ENTITLED "LAND DIVISION AND LOT LINE ADJUSTMENT FOR STEWART AND BARBARA PECKHAM AND BOYD K. AND NANCY E. MOCK OF 86.51 ACRES" BY RICK CHATROOP NMLS #11011, DATED JUNE 1ST, 1997, AS FILED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN BK 366, PG D12.
2. THIS PLAT IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND COVENANTS OF RECORD.

SPECIAL NOTES AND BUILDING PERMIT CONDITIONS
1. BUILDINGS ON THESE LOTS AREA SUBJECT TO THE URBAN WILDLAND INTERFACE CODE
2. THE FIRE AFFIDAVIT IS RECORDED IN THE OFFICE OF THE COUNTY CLERK AS DOCUMENT # 149 2647

SANTA FE COUNTY APPROVAL:

Maureen Fallender 7/11/07 6/08/06 MEETING DATE
E.L.C. SHARPERSON
by Sherry Chan 7/25/07 DATE
COUNTY LAND USE ADMINISTRATOR

06-4260 DEVELOPMENT PERMIT NO.
COUNTY RURAL ADDRESSING 7/11/07

N/F SPERLICH BK.2338 PG.604 UPC#1-052-094-213-224

N/F LAWRENCE BK.1553 PG.371 UPC#1-052-094-237-197

N/F GIACCHETTI DOC#1371288 UPC#1-052-094-208-152

inst# 149 2645
COUNTY OF SANTA FE JSS
STATE OF NEW MEXICO
I hereby certify that this instrument was filed for record on the 28 day of July, A.D. 2007 at 1:46 o'clock P.M. and was duly recorded in book 660 of the records of page 218 Santa Fe County.

Witness my Hand and Seal of Office
Valerie Espinoza
County Clerk, Santa Fe County, N.M.
Maureen Schubert Deputy

SANTA FE COUNTY NOTES AND CONDITIONS:

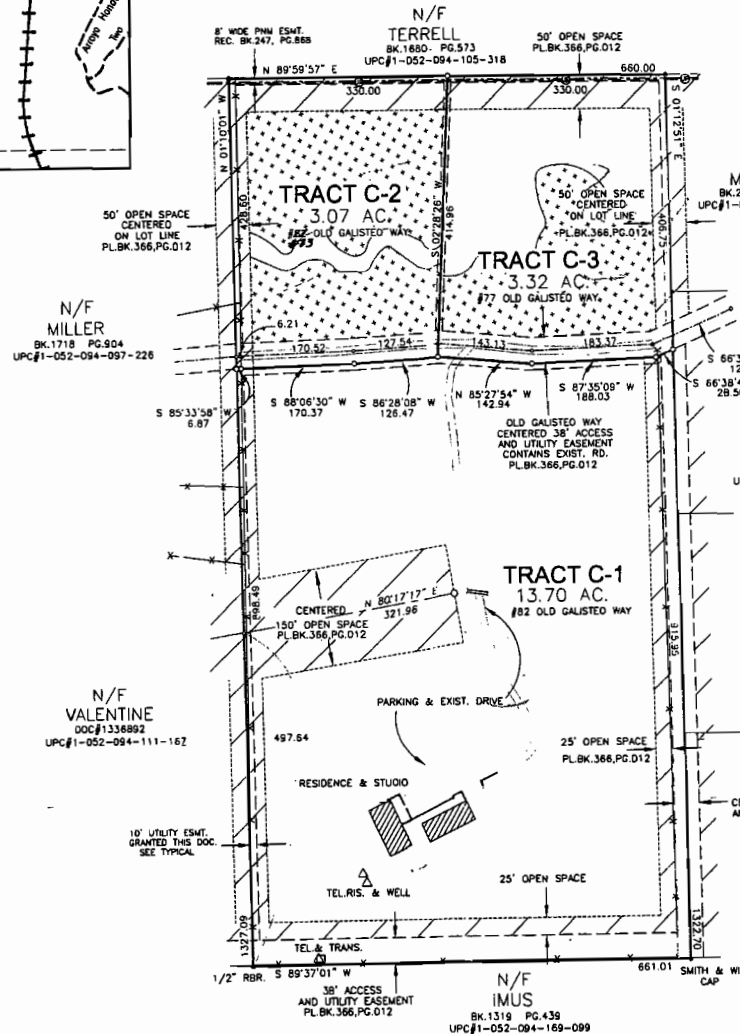
- 1. MAINTENANCE OF ACCESS ROADS AND UTILITY EASEMENTS TO BE RESPONSIBILITY OF LAND OWNERS/USERS UNLESS CURRENTLY MAINTAINED BY SANTA FE COUNTY PUBLIC WORKS DEPARTMENT.
2. THIS PARCEL LIES WITHIN ZONE X AREAS OUTSIDE 500 YR. FLOOD PLAIN AS SHOWN ON F.L.R.M. PANEL#350089 02338 DATED 11/04/88.
3. WATER USE/WELL WITHDRAWAL ON THESE LOTS RESTRICTED BY COVENANTS FILED IN THE OFFICE OF THE COUNTY CLERK DOCUMENT NO. 149 2647.
4. PURSUANT TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE, THE SOIL RATING ON THIS PROPERTY IS DESIGNATED AS BEING MODERATE TO SEVERE REGARDING LIMITATIONS TO SEPTIC TANKS. POTENTIAL BUYERS/SELLERS OF THIS PROPERTY SHOULD INQUIRE WITH THE NEW MEXICO ENVIRONMENT DEPARTMENT WHETHER THESE SOILS ARE SUITABLE FOR CONVENTIONAL SEPTIC SYSTEM OR IF AN ALTERNATIVE SYSTEM IS REQUIRED.
5. SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF THE PRIVATE EASEMENTS OR ROADS AS SHOWN. PRIOR TO THE CONSTRUCTION OF SAID PRIVATE EASEMENTS OR ROADS, IT IS REQUIRED THAT AN ADDITIONAL DEVELOPMENT PERMIT BE APPLIED FOR AND THEN APPROVED BY THE SANTA FE COUNTY LAND USE ADMINISTRATOR.
6. NEW DRIVEWAY/ROAD ACCESS FROM OLD GALISTED WAY IS SUBJECT TO APPROVAL BY THE PUBLIC WORKS DIRECTOR. THE DIRECTOR SHALL APPROVE THE LOCATION AND INSTALLATION OF A CURB/RET AS PERMITTED BY SANTA FE COUNTY PRIOR TO ISSUANCE OF A PERMIT FOR CONSTRUCTION.
7. THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT INCLUDING BUILDING PERMITS.
8. ON SITE SANITARY SEWER SERVICE SHALL BE THE RESPONSIBILITY OF THE LOT OWNERS, AND MUST BE PERMITTED AND APPROVED BY NEW MEXICO ENVIRONMENTAL DEPARTMENT.
9. WATER SUPPLY ON THESE LOTS ARE GOVERNED BY THE EXTRATERRITORIAL ZONING ORDINANCE, SECTION 10.1.A.
10. ONLY ONE WELL SHALL BE PERMITTED TO SERVE THIS WELL SHALL BE SUBJECT TO A SHARED WELL AGREEMENT.
11. DRILLING OF ANY NEW DOMESTIC WELL IS PROHIBITED IF REGIONAL WATER IS AVAILABLE WITHIN 200 FEET OF THESE LOTS.
12. IF REGIONAL WATER BECOMES AVAILABLE, THESE LOTS SHALL CONNECT TO THE REGIONAL WATER SYSTEM AND DOMESTIC WELL USE SHALL CEASE WITHIN 90 DAYS OF SUCH CONNECTION.
13. ALL WELLS DRILLED ON THESE LOTS POST JAN. 1, 2000 MUST BE CONSTRUCTED PER E20 STANDARDS LISTED IN SECTION 10.1.A.3. PROOF OF PROPER CONSTRUCTION MUST BE SUBMITTED AT THE TIME OF DEVELOPMENT PERMIT REQUEST OR UPON DEMAND BY THE COUNTY LAND USE ADMINISTRATOR.
14. THE PARCELS AS PLATTED HEREON ARE SUBJECT TO SECTION 12.1 OF THE E20, TERRAIN MANAGEMENT REGULATIONS AT THE TIME OF ANY DEVELOPMENT.
15. EXISTING NATURAL DRAINAGEWAYS WILL NOT BE MODIFIED OR IMPEDED WITHOUT THE WRITTEN APPROVAL OF THE LAND USE ADMINISTRATOR OR COUNTY HYDROLOGIST. DEVELOPMENT SHALL NOT W/PEDE HISTORIC FLOW RATES OR PATTERNS TO OR FROM THESE LOTS.
16. ACCESS ROADS, WHETHER PUBLIC OR PRIVATE, SHALL BE DEVELOPED IN COMPLIANCE WITH SECTION 3.5.3 OF THE ESR.
17. THE SUBDIVISION DISCLOSURE STATEMENT REGARDING THESE TRACTS IS FILED IN THE OFFICE OF THE COUNTY CLERK AND RECORDED IN DOC # 149 2647.
18. THE LANDS SHOWN HEREON LIE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY AND COUNTY OF SANTA FE.
19. THESE LOTS ARE SUBJECT TO SANTA FE COUNTY FIRE AND RESCUE IMPACT FEES AT THE TIME OF APPLICATION FOR BUILDING PERMIT.
20. ALL DEVELOPMENT SHALL OCCUR WITHIN BUILDABLE AREAS SHOWN IN ACCORDANCE WITH THE SANTA FE COUNTY LAND DEVELOPMENT CODE.
21. SANITARY SEWER SERVICE IS NOT AVAILABLE TO THE SUBJECT PROPERTY.
22. A SHARED WELL AGREEMENT MUST BE APPROVED AND EXECUTED PRIOR TO PLAT RECORDEATION. THE PLAT MUST INDICATE SHARED WELL EASEMENTS.
23. THE SHARED WELL AGREEMENT FOR THESE TRACTS IS FILED IN THE OFFICE OF THE COUNTY RECORDER AS DOCUMENT # 149 2647.
24. THESE LOTS ARE SUBJECT TO A 30% OPEN SPACE REQUIREMENT NO DEVELOPMENT MAY OCCUR WITHIN THE DESIGNATED OPEN SPACE.
25. A RETENTION POND MUST BE INSTALLED ON EACH LOT AT THE TIME OF DEVELOPMENT.
26. A TEN(10) FOOT WIDE UTILITY EASEMENT ALONG ALL PROPERTY LINES MUST BE DEDICATED AND SHOWN ON THE PLAT FOR POTENTIAL WATER DISTRIBUTION LINES.

LAND DIVISION FOR ROBERT and VALERIE ARBER OF TRACT C

PURPOSE: TO CREATE TWO RESIDENTIAL LOTS
ORIGINAL TRACT C IS FROM "LAND DIVISION and LOT LINE ADJUSTMENT FOR STEWART AND BARBARA PECKHAM and BOYD K. and NANCY E. MOCK OF 86.51 ACRES" FILED IN PLAT BK. 366, PG. 12. LYING WITHIN SECTION 15, 16N., R9E., N.M.P.M., SANTA FE COUNTY, NEW MEXICO.

RICK CHATROOP PROFESSIONAL LAND SURVEYOR
NEW MEXICO REGISTRATION NO. 11011

INDEXING INFORMATION FOR THE COUNTY CLERK
OWNER: ARBER ORIGINAL UPC# 1-052-094-164-203



REVIEWED BY CITY OF SANTA FE:

UTILITY APPROVALS:

REVIEWED BY Ryan Brown 07/06/07 DATE
CITY SUBDIVISION ENG.
REVIEWED BY [Signature] 7/26/07 DATE
CITY PLANNER

QWEST COMMUNICATIONS [Signature] DATE 5/14/2007

PNM ELECTRIC SERVICES [Signature] DATE 6-14-2007



SFC CLERK RECORDED 09/15/2011



LAND DIVISION 923029  
OF TRACT A  
FOR RENNY AND MARIA LEVY

WITHIN SW 1/4, SECTION 15 T.16N., R.9E., N.M.P.M.  
SANTA FE COUNTY, NEW MEXICO

PURPOSE: THIS PLAT CREATES FOUR RESIDENTIAL PARCELS

LEGAL DESCRIPTION

CERTAIN TRACTS OF LAND HEREBY DESIGNATED AS TRACTS "A-1, A-2, A-3, A-4", LYING WITHIN THE N1/2 N1/4 SW1/4 SECTION 15, TOWNSHIP 16 NORTH, RANGE 9 EAST, N.M.P.M., COUNTY OF SANTA FE, NEW MEXICO.

TRACT "A-1" CONTAINING 5.002 ACRES, MORE OR LESS.  
TRACT "A-2" CONTAINING 5.002 ACRES, MORE OR LESS.  
TRACT "A-3" CONTAINING 6.286 ACRES, MORE OR LESS.  
TRACT "A-4" CONTAINING 3.924 ACRES, MORE OR LESS.

TOTAL OF TRACTS CONTAINING 20.214 ACRES, MORE OR LESS.

OWNERS CONSENT

THE UNDERSIGNED OWNERS OF THIS LAND DO HEREBY CONSENT TO THE PLATTING OF THESE LANDS SHOWN HEREON. THEIR LAND INTEREST IS MADE WITH THEIR FREE CONSENT AND IS IN ACCORDANCE WITH THEIR DESIRES AND WISHES. THE 38' ACCESS AND UTILITY EASEMENT SHOWN HEREON IS HEREBY GRANTED TO BENEFIT THE TRACTS AS SHOWN. THE 15' WIDE UTILITY EASEMENT ALONG ALL PROPERTY LINES IS HEREBY GRANTED FOR THE PURPOSE OF INSTALLING UTILITIES, INCLUDING FUTURE WATER DISTRIBUTION LINES. AN EASEMENT IS HEREBY GRANTED FOR ALL EXISTING UTILITIES. THESE LANDS LIE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE COUNTY OF SANTA FE, NEW MEXICO.

RENNY LEVY

MARIA LEVY

STATE OF NEW MEXICO ) SS  
COUNTY OF SANTA FE )

THE FOREGOING INSTRUMENT HAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003, BY \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC

NOTES

- 1) BASIS OF HEARINGS IS TAKEN FROM A PLAT ENTITLED "LAND DIVISION AND LOT LINE ADJUSTMENT FOR STEWART AND BARBARA PECKHAM AND BOTO K. AND NANCY E. MOCK OF 86.61 ACRES" BY RICHARD A. CHATFIELD, N.M.P.L.S., #11615; FILED IN SANTA FE COUNTY OFFICE BOOK 366 PAGE 012. DATA IN SINGLE PARENTHESES ( ) IS FROM SAID PLAT.
- 2) REFER TO WARRANTY DEED FROM STEWART AND BARBARA PECKHAM TO RENNY LEVY AND MARIA LEVY, RECORDED IN THE SANTA FE COUNTY CLERKS OFFICE ON NOV 17, 1994, 1<sup>ST</sup> WTRC, BOOK 1366, PAGES 68/.
- 3) IMPROVEMENTS SHOWN ARE CURRENT AS OF DATE OF SURVEY 12/10/02.
- 4) NO UNDERGROUND UTILITIES WERE LOCATED BY THIS SURVEY.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAT AND NOTES SHOWN HEREON WERE PREPARED UNDER MY DIRECTION FROM A SURVEY PERFORMED IN THE FIELD FOR THE PURPOSE OF SUBDIVIDING THIS PLAT LOT SUBDIVISION AS INSTRUCTED BY THE OWNER OF THESE LANDS. TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THIS PLAT MEETS OR EXCEEDS THE REQUIREMENTS OF THE "MINIMUM STANDARDS FOR LAND SURVEYS IN NEW MEXICO".

RICHARD A. MORRIS  
N.M.P.S. No. 10277

CURRENT U.P.C. CODE 1-052-094-011-020

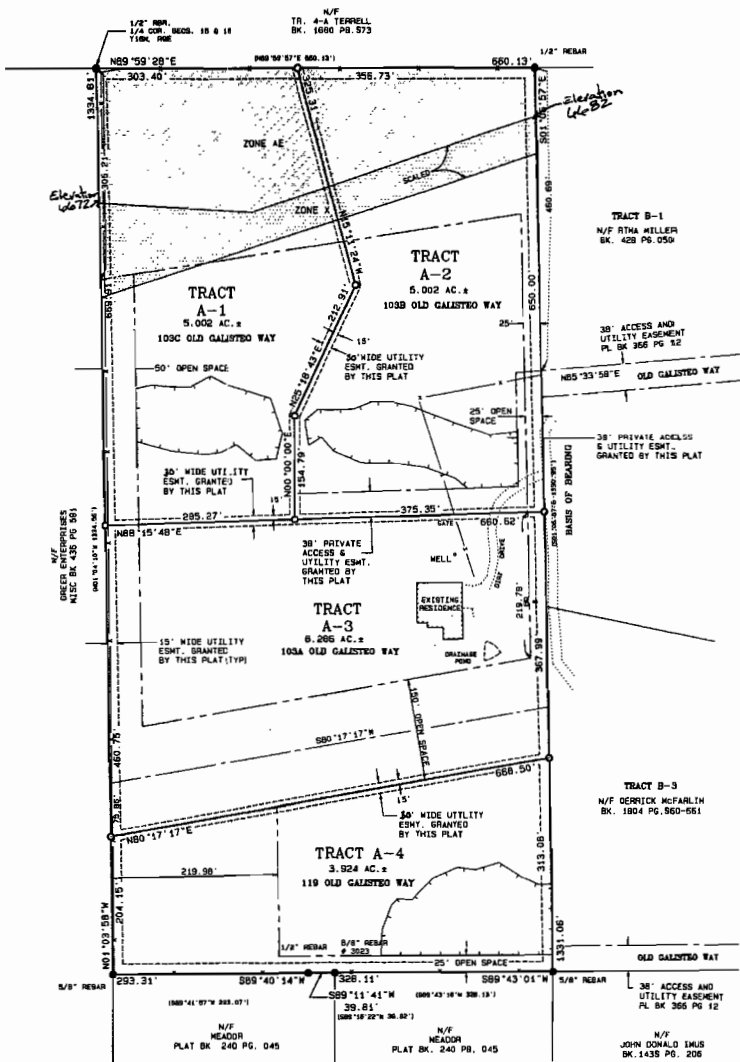
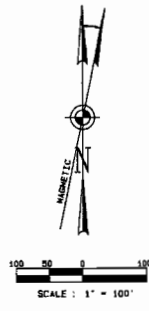
INDEXING INFORMATION FOR COUNTY CLERK				
OWNERS	SECTION	TOWNSHIP	RANGE	LOCATION
RENNY & MARIA LEVY	55	16 NORTH	09 EAST	SANTA FE COUNTY

Red Mountain Engineers, Inc.  
ENGINEERS-SURVEYORS

1616 Parkway Drive  
Santa Fe, NM 87505-7838  
Phone: (505) 478-7979

DRAWN BY: W.E. SCALE: 1" = 100' CHECKED BY: R.A.H.  
NAME: LEVY 23 42, PROPERTY, LOT SPLIT PROJECT NO. 26000-121

- LEGEND
- DENOTES FOUND POINT (AS NOTED)
  - DENOTES POINT SET (1/2" HBR. N/CAP L.S. 10277)
  - DENOTES TELEPHONE PEDESTAL
  - DENOTES ELECTRIC METER
  - DENOTES ELECTRIC TRANSFORMER
  - DENOTES FENCE LINE
  - DENOTES SPECIAL FLOOD HAZARD AREAS DAMAGED BY 100-YEAR FLOOD ZONE AE
  - DENOTES 500-YEAR FLOOD ZONE X
  - DENOTES OPEN SPACE DEDICATED ON PLAT REFERENCED IN NOTE NO. 1.
  - DENOTES BUILDABLE AREA WITH SLOPES LESS THAN 15%



LA CIENEGA WATERSHED CONDITIONS

- 1) CONNECTION TO COUNTY WATER UTILITY. LOT OWNERS THEIR SUCCESSORS AND ASSIGNEES SHALL AGREE TO CONNECT TO THE COUNTY WATER UTILITY WHEN SERVICE IS AVAILABLE WITHIN 200 FEET OF THE PROPERTY LINE OF THE LAND BEING DIVIDED. WHICH 200 FEET SHALL BE MEASURED ALONG PLATTED EASEMENTS TO THE NEAREST PROPERTY LINE. THE LANDOWNERS, SUCCESSORS AND ASSIGNEES AGREE NOT TO OPPOSE THE CREATION OF AN IMPROVEMENT DISTRICT PURSUANT TO SECTIONS 4-25A-1 ET. SEQ. NMSA 1978 (1987 REPL. PAMP.) AS THOSE SECTIONS MAY BE APPROPRIATE. ALTERNATIVELY, THIS CONDITION DOES NOT PRECLUDE ANY LOT OWNER FROM CONNECTING TO THE COUNTY WATER UTILITY UTILIZING OTHER MEANS OF FINANCING THAN THE IMPROVEMENT DISTRICT METHOD. THE LINE EXTENSION WITHIN SAID 200 FEET SHALL BE DONE IN ACCORDANCE WITH THE APPLICABLE RULES AND REGULATIONS AND TARIFFS OF THE SANTA FE COUNTY WATER COMPANY.
- 2) ENCOURAGEMENT FOR SHARED WELLS. TO THE GREATEST EXTENT FEASIBLE, LOT OWNERS SHOULD USE SHARED WELLS TO MINIMIZE EXPENSES RELATED TO THE SYSTEM WATER SUPPLIES.
- 3) DESIGN AND CONSTRUCTION. AT THE TIME A LINE EXTENSION IS MADE PURSUANT TO PARAGRAPH 1 ABOVE, THE DISTRIBUTION SYSTEM WITHIN THE LAND DIVIDED SHALL BE DESIGNED TO MEET THE MINIMUM FIVE FLOW REQUIREMENTS OF THE SANTA FE COUNTY WATER UTILITY, EXCLUSIVE OF ANY RESERVOIR CAPACITY.
- 4) DISCONNECTION FROM DOMESTIC WELLS. AT THE TIME THE CONNECTION IS MADE TO THE SANTA FE WATER UTILITY, LOT OWNERS, THEIR HEIRS, SUCCESSORS, AND ASSIGNEES, AGREE TO DISCONNECT ANY DOMESTIC WELLS CREATED UNDER NMSA SECTION 72-12-1 NMSA 1978 (1987 REPL. PAMP.) AND TO DISCONTINUE USE OF SAID WELLS EXCEPT IN EMERGENCY CIRCUMSTANCES.
- 5) EASEMENTS. LOT OWNERS SHALL DEDICATE A 15 FOOT WIDE UTILITY EASEMENT ALONG ALL PROPERTY LINES FOR THE INSTALLATION OF INFRASTRUCTURE AND WATER DISTRIBUTION LINES FOR THE COUNTY UTILITY SYSTEM.
- 6) WELL DESIGN. A GOOD FAITH EFFORT SHALL BE MADE TO DRILL ALL WELLS 50 FEET INTO THE TERESQUE FORMATION AND TO CONSTRUCT A SE TO PREVENT MIXING OF WATERS BETWEEN THE TERESQUE AND ANCHA FORMATIONS. A SUGGESTED WELL DESIGN IS AVAILABLE FROM THE COUNTY LAND USE DEPARTMENT.

Water Well Agreement  
Recorded in Book 2339  
Pages 813-815

Disclosure Statement  
Recorded in Book 2339  
Pages 810-812

- UTILITY SIGNATURES
- Michael Valdez 1-15-03  
BEST COMMUNICATIONS
- Ronald A. Gomez 1-13-03  
PUBLIC SERVICE CO. OF N.M. - ELECTRIC
- 1-13-03  
PUBLIC SERVICE CO. OF N.M. - GAS
- N/A 1-13-03  
SANGRE DE CRISTO for the CITY OF SANTA FE

1249 114  
COUNTY OF SANTA FE  
STATE OF NEW MEXICO

Richard A. Morris  
Surveyor

2-10-03  
DATE

DATE

DATE

2-5-03  
DATE

1/29/03  
DATE

10/2/03  
DATE

IS TO BE THE RESPONSIBILITY OF THE COUNTY OF SANTA FE.

APPROVAL OF ANY FURTHER

AREAS DETERMINED TO BE IN

ED OR IMPROVED WITHOUT

NO PLATTING JURISDICTION

DOES NOT INCLUDE THE

TY FINE AND RESCUE IMPACT

CODE, THE SOILS HAZARD

ILLERS OF THIS PROPERTY

CTION 12.1 OF THE E.Z. TERRAIN

EMENT. NO DEVELOPMENT MAY OCCUR

EXTRATERRITORIAL ZONING

COUNTY AND EXECUTED PRIOR TO

AS AS PER THE SANTA FE COUNTY

CT PROPERTY AT THIS TIME, SEWER

AM 102 AND THERE ARE NO NATURAL

IS SUBJECT TO APPROVAL BY THE

ION FOR ISSUING A PERMIT FOR CONSTRUCTION.

CTION 12.1 OF THE E.Z. TERRAIN

EMENT. NO DEVELOPMENT MAY OCCUR

EXTRATERRITORIAL ZONING

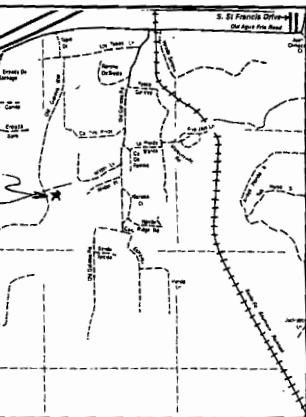
COUNTY AND EXECUTED PRIOR TO

AS AS PER THE SANTA FE COUNTY

CT PROPERTY AT THIS TIME, SEWER

SFC CLERK RECORDED 09/15/2011





**DEDICATION AND AFFIDAVIT**

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S), HAVE CAUSED TO BE DIVIDED THOSE LANDS SHOWN HEREON, THIS DIVISION IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE WISHES AND DESIRES OF SAID OWNER(S). UTILITY COMPANIES ARE GRANTED EASEMENTS AS SHOWN AND FOR EXISTING UTILITIES. OTHER EASEMENTS ARE GRANTED AS SHOWN.

THIS DIVISION CONTAINS 10.85 AC.±, AND LIES WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY AND COUNTY OF SANTA FE, NEW MEXICO.

*Boyd K. and Nancy E. Mock*  
BOYD K. AND NANCY E. MOCK

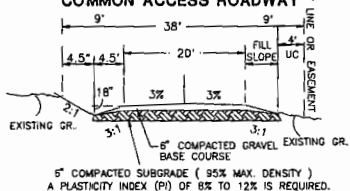
STATE OF New Mexico  
COUNTY OF Santa Fe SS

THE FOREGOING INSTRUMENT WAS SWORN, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY BOYD K. AND NANCY E. MOCK

THIS 25<sup>th</sup> DAY OF September, 2000. *Juliana S. Hester*

MY COMMISSION EXPIRES July 25, 2005. NOTARY PUBLIC

**DETAIL A  
COMMON ACCESS ROADWAY**



5' COMPACTED SUBGRADE (95% MAX. DENSITY)  
A PLASTICITY INDEX (PI) OF 8% TO 12% IS REQUIRED.

N/F  
TR. 4-A CARELTON  
BK.628 PG.500

AREA HATCHED IS WITHIN 100 YR. AND 500 YR. FLOOD PLAINS AS DEFINED BY F.J.R.M. RATE MAP AS REFERENCED IN NOTE #2. ALL STRUCTURES BUILT WITHIN THE FLOOD PLAINS SHALL BE CONSTRUCTED A MINIMUM OF ONE FOOT ABOVE THE MAXIMUM FLOOD ELEVATION OF 6883'-6895'; THESE ELEVATIONS DATUM SHOULD BE VERIFIED BY A LICENSED ENGINEER.

**LEGEND AND NOTES**

- DENOTES POINT FOUND
- DENOTES 11011 CAPPED REBAR SET THIS SURVEY
- DENOTES POINT CALCULATED
- ⊙ DENOTES BRASS MONUMENT
- ⊕ DENOTES UTILITY POLE
- △ AS NOTED
- AS NOTED
- DENOTES EDGE OF EASEMENT
- DENOTES OVERHEAD LINES
- X-X- DENOTES FENCE LINE
- DENOTES EDGE OF 100 YR FLOOD PLAN
- DENOTES CENTER OF 10' WIDE DRAINAGE ESMT.

1. BASIS OF BEARING IS FROM "PLAT OF SURVEY FOR PECKHAM" BY MITCHEL K. NOONAN NMLS #6998, AND BEING FILED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN PLAT BK.128, PG.022
2. DATA IN ( ) IS FROM PLAT OF NOTE #1.
3. THIS PLAT IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND COVENANTS OF RECORD.

**UNITY MAP**

**DESCRIPTIONS**

**PARCEL 1A**

LAND LYING WITHIN SECTION 15, T16N, R9E, COUNTY, NEW MEXICO, AND BEING MORE DESCRIBED AS FOLLOWS:

AT THE SOUTHWEST CORNER OF THE PARCEL 3 FROM WHENCE THE 1/4 CORNER COMMON AND 16 AS REFERENCED ABOVE BEARS 275.98' DISTANT; THENCE FROM SAID POINT BEGINNING N 20°35'59" W, 508.59'; THENCE 63.58'; THENCE S 00°40'35" E, 587.67'; 17' E, 10.03'; THENCE S 89°59'57" W, POINT AND PLACE OF BEGINNING.

85 AC± AND AS MORE FULLY SHOWN AS N.

**PARCEL 1B**

AND LYING WITHIN SECTION 15, T16N, R9E, COUNTY, NEW MEXICO, AND BEING MORE DESCRIBED AS FOLLOWS:

AT THE NORTHEAST CORNER OF THE PARCEL 3 FROM WHENCE THE 1/4 CORNER COMMON AND 16 AS REFERENCED ABOVE BEARS 75.98' DISTANT; THENCE FROM SAID POINT BEGINNING S 32°11'54" E, 335.32'; THENCE 7.00'; THENCE N 01°12'51" W, 323.65'; 7' E, 295.58' TO THE POINT AND PLACE

10 AC± AND AS MORE FULLY SHOWN AS N.

**PARCEL 1C**

LAND LYING WITHIN SECTION 15, T16N, R9E, COUNTY, NEW MEXICO, AND BEING MORE DESCRIBED AS FOLLOWS:

THE NORTHWEST CORNER OF THE PARCEL 16 AS REFERENCED ABOVE BEARS 98' DISTANT; THENCE FROM SAID POINT BEGINNING N 89°59'57" E, 378.54'; THENCE 5'; THENCE N 89°59'48" W, 294.57'; 5'; THENCE S 335.32' TO THE POINT AND PLACE

10 AC± AND AS MORE FULLY SHOWN AS N.

**CERTIFICATE**

THE NOTES HEREON FIELD SURVEY COMPLETED JULY 1ST, 2000, AND ARE MY KNOWLEDGE AND BELIEF, AS A PROFESSIONAL LAND SURVEYOR



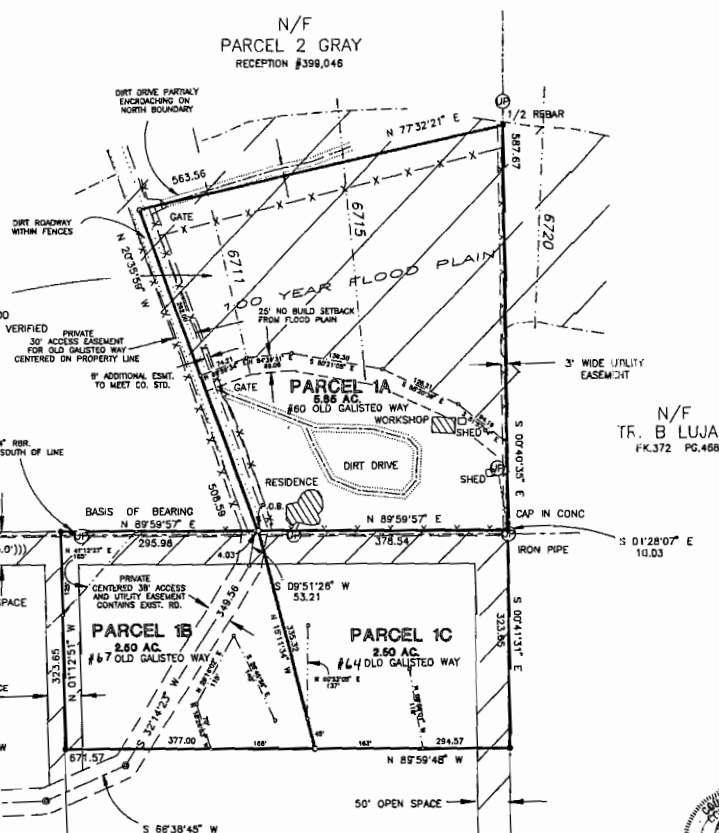
REVIEWED BY *[Signature]* DATE 1/26/00  
CITY SUBDIVISION ENG.  
REVIEWED BY *[Signature]* DATE 1/26/00  
CITY PUBLIC WORKS DIRECTOR  
REVIEWED BY *[Signature]* DATE 1/26/00  
CITY PLANNER

N/F  
TRACT A PECKHAM  
PLAT BK.366 PG.012

SANTA FE CO. WATER CO. *[Signature]* DATE 9-22-00

U.S.WEST COMMUNICATIONS *[Signature]* DATE 1/26/00

U.S.WEST COMMUNICATIONS *[Signature]* DATE 1/26/00



1142 895  
COUNTY OF SANTA FE, N.M.  
STATE OF NEW MEXICO  
I hereby certify that this instrument was filed for record on the 25 day of September, A.D. 2000, at 11:30 o'clock P.M. and was duly recorded in book 465 page 015 of the records of Santa Fe County, N.M.  
Witness my Hand and Seal of Office  
Rebecca Bustamante  
County Clerk, Santa Fe County, N.M.  
*[Signature]*  
Deputy

**SANTA FE COUNTY APPROVAL, NOTES AND CONDITIONS:**

*Nancy Cong*  
E.Z.C. CHAIRMAN MEETING DATE July 13, 2000  
*[Signature]*  
COUNTY LAND-USE ADMINISTRATOR DATE 12-20-00

00-4370  
DEVELOPMENT PERMIT NO.  
*[Signature]*  
COUNTY RURAL ADDRESSING 11-30-00

1. MAINTENANCE OF PRIVATE ACCESS EASEMENTS TO BE RESPONSIBILITY OF TRACT OWNERS.
2. THIS PARCEL LIES WITHIN ZONE X AREAS OUTSIDE 500 YR. FLOOD PLAN AS SHOWN ON F.I.R.M. PANEL #550069 233B DATED 11/04/98 UNLESS OTHERWISE NOTED.
3. WATER WELL WITHDRAWAL ON THESE LOTS RESTRICTED BY COVENANTS FILED IN THE OFFICE OF THE COUNTY CLERK  
RECORDED IN BOOK 1849 PAGE 514-516  
DOCUMENT NO. 1142-894

4. PURSUANT TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE, THE SOIL RATING ON THIS PROPERTY IS DESIGNATED AS BEING MODERATE TO SEVERE REGARDING LIMITATIONS TO SEPTIC TANKS. POTENTIAL BUYERS/SELLERS OF THIS PROPERTY SHOULD INQUIRE WITH THE NEW MEXICO ENVIRONMENT DEPARTMENT WHETHER THESE SOILS ARE SUITABLE FOR CONVENTIONAL SEPTIC SYSTEM OR IF AN ALTERNATIVE SYSTEM IS REQUIRED.
5. SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF THE PRIVATE EASEMENTS OR ROADS AS SHOWN. PRIOR TO THE CONSTRUCTION OF SAID PRIVATE EASEMENTS OR ROADS, IT IS REQUIRED THAT AN ADDITIONAL DEVELOPMENT PERMIT BE APPLIED FOR AND THEN APPROVED BY THE SANTA FE COUNTY LAND USE ADMINISTRATOR.
6. NEW DRIVEWAY/ROAD ACCESS FROM OLD GALISTEO WAY IS SUBJECT TO APPROVAL FOR LOCATION AND INSTALLATION OF A CULVERT AS PERMITTED BY SANTA FE COUNTY PRIOR TO ISSUANCE OF A PERMIT FOR CONSTRUCTION.
7. THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT INCLUDING BUILDING PERMITS.
8. ON SITE SANITARY SEWER SERVICE SHALL BE THE RESPONSIBILITY OF THE LOT OWNERS, AND MUST BE PERMITTED AND APPROVED BY NEW MEXICO ENVIRONMENTAL DEPARTMENT.
9. ONLY ONE WELL SHALL BE PERMITTED TO SERVE THESE LOTS. THIS WELL SHALL BE SUBJECT TO A SHARED WELL AGREEMENT.
10. THE PARCELS AS PLATTED HEREON ARE SUBJECT TO SECTION 12.1 OF THE GEO. TERRAIN MANAGEMENT REGULATIONS AT THE TIME OF ANY DEVELOPMENT.
11. ALL WELLS DRILLED ON THESE LOTS MUST BE CONSTRUCTED PER EZO STANDARDS LISTED IN SECTION 10.1A.3. PROOF OF PROPER CONSTRUCTION MUST BE SUBMITTED AT THE TIME OF DEVELOPMENT PERMIT REQUEST OR UPON DEMAND BY THE COUNTY LAND USE ADMINISTRATOR.
12. EXISTING NATURAL DRAINAGE PATTERNS WILL NOT BE MODIFIED OR IMPEDED WITHOUT THE WRITTEN APPROVAL OF THE LAND USE ADMINISTRATOR OR COUNTY HYDROLOGIST. DEVELOPMENT SHALL NOT IMPROVE HISTORIC FLOW RATES OR PATTERNS TO OR FROM THESE LOTS.
13. THESE LOTS ARE SUBJECT TO A 30X OPEN SPACE REQUIREMENT. NO DEVELOPMENT MAY OCCUR WITHIN THE DESIGNATED OPEN SPACE.
14. DRILLING OF ANY NEW DOMESTIC WELL IS PROHIBITED IF REGIONAL WATER IS AVAILABLE WITHIN 200 FEET OF THESE LOTS.
15. IF REGIONAL WATER BECOMES AVAILABLE, THESE LOTS SHALL CONNECT TO THE REGIONAL WATER SYSTEM AND DOMESTIC WELL USE SHALL CEASE WITHIN 90 DAYS OF SUCH CONNECTION.
16. ACCESS ROADS, WHETHER PUBLIC OR PRIVATE, SHALL BE DEVELOPED IN COMPLIANCE WITH SECTION 3.5.3 OF THE ESR.

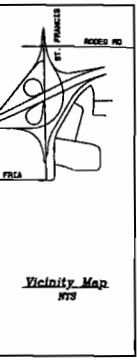
LAND DIVISION FOR  
BOYD K. AND NANCY E. MOCK  
OF  
10.85 AC.  
PURPOSE: TO CREATE THREE RESIDENTIAL LOTS

LYING WITHIN SECTION 15, T16N, R9E, N.M.P.M., SANTA FE COUNTY, NEW MEXICO.

**RICK CHATROOM**  
PROFESSIONAL LAND SURVEYOR  
NEW MEXICO REGISTRATION NO. 11011  
(505) 470-0037 2492 MANZANO LP. RIO RANCHO, NM 87124

INDEXING INFORMATION FOR THE COUNTY CLERK  
OWNER BOYD K. AND NANCY E. MOCK





- Legend**
- FOUND POINT
  - SET POINT (1/2" RBR, W/CAP No. 12491 UNLESS OTHERWISE NOTED)
  - ◆ CALCULATED POINT
  - ◆ PVC PIPE
  - EXISTING DEET ROAD
  - FENCELINE
  - ▨ 30% OPEN SPACE

**NOTES**

- 1) BASIS OF BEARINGS TAKEN FROM PLAT ENTITLED "DIVISION OF LAND FOR LISA R. DELISI," PREPARED BY ALLEN C. GRACE, NO. 12491, D.C.T. N. 1988. SAID PLAT WAS RECORDED AT THE SANTA FE COUNTY CLERKS OFFICE UNDER RECEPTION NO. 1033, 054 ON 7/16/89. IN PLAT BOOK 361, PAGE 005. DATA IN SINGLE PARENTHESES ( ) TAKEN FROM THIS PLAT.
- 2) REFER TO "LAND DIVISION AND LOT LINE ADJUSTMENT FOR STENART AND BARBARA PECKHAM & BOYD K. AND NANCY E. NOCK," PREPARED BY RICHARD A. CHATHROP, PS No. 11031 ON 6/1/87; SAID PLAT WAS RECORDED AT THE SANTA FE COUNTY CLERKS OFFICE UNDER RECEPTION NO. 968, 580 ON 6/30/87, IN PLAT BOOK 366, PAGE 012.

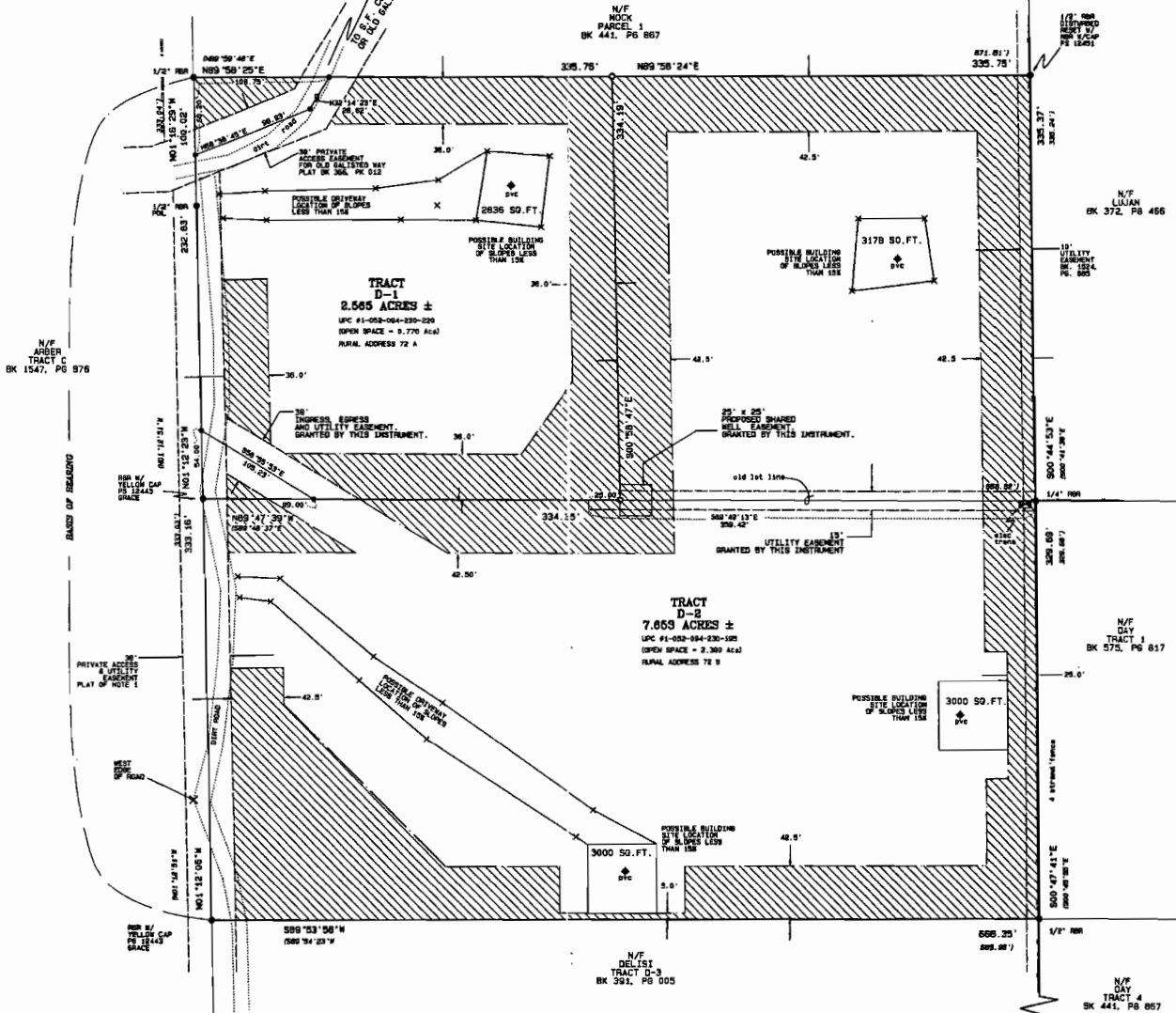
**LOT LINE ADJUSTMENT OF TRACT D-1 & TRACT D-2 FOR**

**Joanna Lawrence**

LYING & BEING SITUATE WITHIN SECTION 15, T 16 N, R 9 E, N.M.P.M. SANTA FE COUNTY, NEW MEXICO CONTAINING 10.217 ACRES MORE OR LESS

Purpose Statement: This plat is to amend existing lot boundaries. (This purpose statement is required by the Santa Fe County Land Use Department and is taken from and required by their checklist for plat approval)

419033



**OWNERS CONSENT**

THE UNDERSIGNED OWNERS DO HEREBY CONSENT TO THE PLATTING OF LANDS AS SHOWN HEREON. THIS LOT LINE ADJUSTMENT IS BEING MADE WITH THEIR FREE CONSENT AND IS IN ACCORDANCE WITH THEIR DESIRES AND WISHES. THESE LANDS LIE WITHIN THE PLATTING AND PLANNING JURISDICTION OF THE CITY AND COUNTY OF SANTA FE, NEW MEXICO. EASEMENTS ARE HEREBY GRANTED AS SHOWN. AN EASEMENT IS HEREBY GRANTED FOR UTILITIES WHICH MAY CURRENTLY EXIST WITHIN THESE LOTS.

June 18, 1999

JOANNA LAWRENCE

STATE OF NEW MEXICO

COUNTY OF SANTA FE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 18<sup>th</sup> DAY OF JUNE, 1999.

MY COMMISSION EXPIRES 11/16/2001

Melinda Hillstrom

NOTARY PUBLIC



- Terms and Conditions**
1. **Development Permit** No. 9-3039
2. **Development Permit Number** 9-3039
3. **Development Code** 7-19-99
4. **Development Code** 7-19-99
5. **Development Code** 7-19-99
6. **Development Code** 7-19-99
7. **Development Code** 7-19-99
8. **Development Code** 7-19-99
9. **Development Code** 7-19-99
10. **Development Code** 7-19-99
11. **Development Code** 7-19-99
12. **Development Code** 7-19-99
13. **Development Code** 7-19-99
14. **Development Code** 7-19-99
15. **Development Code** 7-19-99
16. **Development Code** 7-19-99
17. **Development Code** 7-19-99
18. **Development Code** 7-19-99
19. **Development Code** 7-19-99
20. **Development Code** 7-19-99



**Surveyors Certificate**

I HEREBY CERTIFY THAT THIS PLAT AND THE NOTES SHOWN HEREON WERE PREPARED BY ME OR UNDER MY PERSONAL DIRECTION AND ARE A TRUE AND ACCURATE REPRESENTATION OF A FIELD SURVEY WHICH WAS COMPLETED ON 1/27/99, TO THE BEST OF MY INFORMATION, KNOWLEDGE AND BELIEF. THIS PLAT MEETS OR EXCEEDS THE "MINIMUM STANDARDS FOR LAND SURVEYING IN NEW MEXICO."

Dean L. Shrader  
DEAN L. SHRADER NEW MEXICO PROFESSIONAL SURVEYOR NO. 12451



COUNTY OF SANTA FE  
STATE OF NEW MEXICO  
I hereby certify that this instrument was filed for records on the 19<sup>th</sup> day of June A.D. 1999 at 11:16 o'clock A.M. and was duly recorded in book 419 page 033 of the records of SANTA FE COUNTY.



OWNER	SECTION	TOWNSHIP	RANGE	LOCATION
LAWRENCE	SECT. 15	T 16 N	R 9 E	OLD GALISTED WAY

**HIGH DESERT SURVEYING PROFESSIONAL SURVEYING**

3012 CIELO COURT, SUITE D  
SANTA FE, NM, 87505  
PHONE: (505) 438-8094 FAX: 424-1709  
DWS. NAME: LOT LINE ADJUSTMENT - JOANNA LAWRENCE PROJECT NO. 89002

CLERK RECORDED 03/15/2011

**DIVISION OF LAND  
FOR  
LESA R. DELISI**  
ON TRACT D, OF THE STEWART AND BARBARA PECKHAM LAND DIVISION,  
LOCATED AND LYING WITHIN SECTION 15, T.16 N., R.9 E., N.M.P.M., COUNTY OF  
SANTA FE, NEW MEXICO.

0391005

PURPOSE: CREATION OF THREE RESIDENTIAL LOTS

**DEDICATION/AFFIDAVIT**

Know all persons by these presents:  
That the undersigned owner(s) have caused lands to be divided  
as shown hereon, lying and being situate in Santa Fe County and within the Planning  
and Platting Jurisdiction of Santa Fe County and the City of Santa Fe. All that appears  
on this plat is with the free consent and in accordance with the wishes and desires of the  
undersigned owner(s).  
Easements shown hereon, are hereby granted, and easements are hereby granted  
for existing utilities.

Lesia R. Delisi 7/16/98  
LESA R. DELISI (OWNER) DATE

STATE OF NEW MEXICO  
COUNTY OF SANTA FE JS

The foregoing instrument was acknowledged before me this 16 day of July, 1998.

Norma Mariah - Bora 8/17/98  
Notary Public My Commission Expires



**COUNTY APPROVAL**

Debra Green 7-16-98  
COUNTY LAND USE ADMINISTRATOR Date

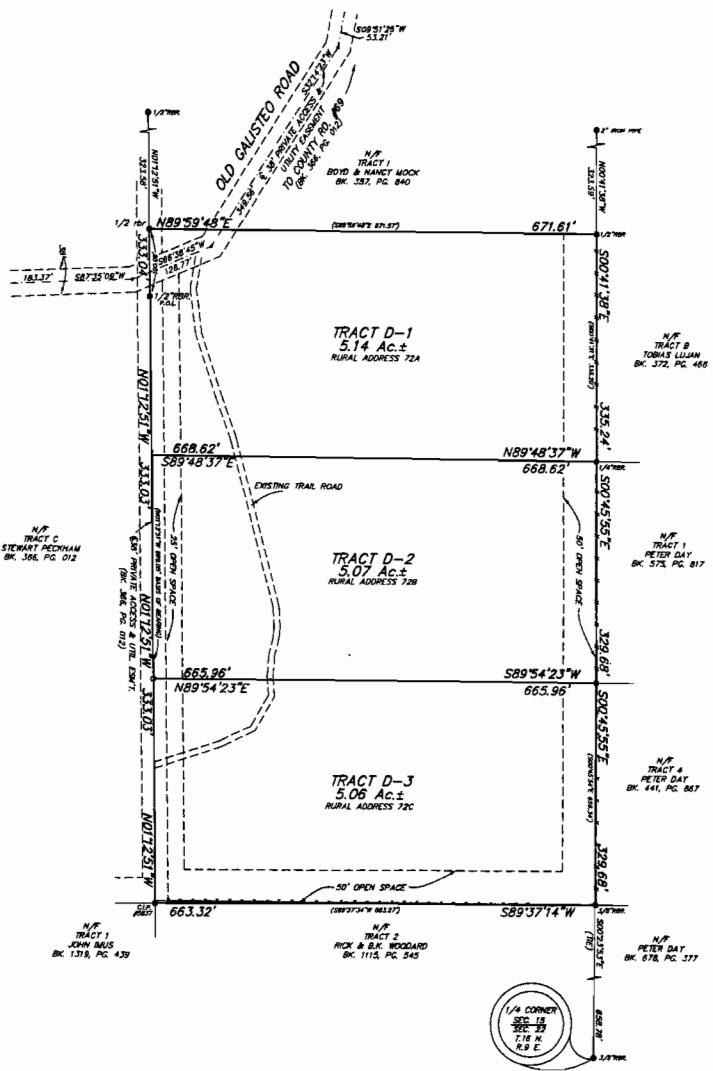
J.A.S. 7/16/98  
RURAL ADDRESSING DIRECTOR

98-3127  
COUNTY DEVELOPMENT PERMIT NO.

**SANTA FE COUNTY APPROVAL,  
NOTES AND CONDITIONS**

- 1.) Maintenance of private access easements is the responsibility of the land owner and users.
- 2.) Santa Fe County Approval of this survey plat does not include the construction of the private easement(s) or road(s) as shown. Prior to the construction of said private roads or easements, it is required that an additional development permit be applied for and approved by the Santa Fe County Land Use Administrator.
- 3.) The approval of this plat does not constitute the approval of any further development including building permits.
- 4.) Pursuant to the Santa Fe County Land Development code, the soil rating of this property is designated as being moderate to severe regarding limitations to septic tanks. Potential buyers or sellers of this property should inquire with the New Mexico Environment Department whether these soils are suitable for a conventional septic system or if an alternative system is required.
- 5.) Lands shown hereon lie outside the 100 year floodplain in Zone "X" according to the Federal Flood Insurance Rate Map Panel No. 350065-0233B.
- 6.) The parcels as platted hereon are subject to Section 12.1 of the EZO (within 2 mile E2).
- 7.) Sanitary sewers are not available to subject property. On site sanitary disposal is the responsibility of the land owner. On-site sewer disposal system must be permitted and approved by New Mexico Environmental Department.
- 8.) Driveway location off Old Galisteo Road is subject to approval from the Santa Fe County Public Works Department.
- 9.) Private access roads shall be developed in compliance with section 3.5.2 F3 of the E.S.R. including adequate radii of cu=de-roads.
- 10.) Water use/withdrawal on these tracts is restricted by covenants filed in the Office of the County Clerk and recorded in Book \_\_\_\_\_, Pages \_\_\_\_\_ as Document No. \_\_\_\_\_.

NOTE: SLOPES DO NOT EXCEED 15% GRADE



1033-054  
COUNTY OF SANTA FE  
STATE OF NEW MEXICO  
I hereby certify that this instrument was filed for  
record on the 16 day of July, A.D.  
1998 at 2:24 o'clock P.M. and was duly  
recorded in Book 347, Page 5  
of the records of Santa Fe County.

Witness my Hand and Seal of Office  
REBECCA BUSTAMANTE  
County Clerk, Santa Fe County, New Mexico  
Rebecca Bustamante Deputy



(U.P.C. 105209-4230198)

<b>XYZ SURVEYING &amp; DRAFTING</b>	
337 WILLOWS ST.	SANTA FE, NM 882-5538
Project No. XYZ98021	DATE: 7/16/98
NAME: _____	INDEXING INFORMATION FOR COUNTY CLERK

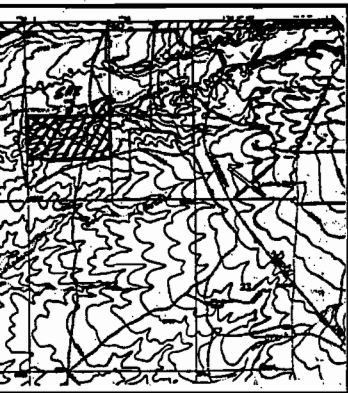
Surveyor in the State of  
New Mexico. I certify that the  
actual survey made in  
accordance with the Minimum Standards  
stated herein is true and correct.

MAY 16, 1998.

P.S. No. 12443  
Santa Fe, NM.

SFC CLERK RECORDED 09/15/2011





**DEDICATION AND AFFIDAVIT**

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S), HAVE CAUSED TO BE DIVIDED AND ADJUSTED THOSE LANDS SHOWN HEREON. THIS DIVISION AND ADJUSTMENT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE WISHES AND DESIRES OF SAID OWNER(S). UTILITY COMPANIES ARE GRANTED EASEMENTS AS SHOWN AND FOR EXISTING UTILITIES. OTHER EASEMENTS ARE GRANTED AS SHOWN.

THIS DIVISION AND ADJUSTMENT CONTAINS 86.51 AC. ±, AND LIES WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE COUNTY OF SANTA FE, NEW MEXICO.

*Stewart and Barbara Peckham*  
STEWART AND BARBARA PECKHAM

STATE OF NEW MEXICO SS  
COUNTY OF SANTA FE

THE FOREGOING INSTRUMENT WAS SWORN, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY STEWART AND BARBARA PECKHAM

THIS 26th DAY OF June, 1997 *John P. Nugent*  
MY COMMISSION EXPIRES Oct 4, 1997 NOTARY PUBLIC

*Boyd K. and Nancy E. Mock*  
BOYD K. AND NANCY E. MOCK

STATE OF NEW MEXICO SS  
COUNTY OF SANTA FE

THE FOREGOING INSTRUMENT WAS SWORN, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY BOYD K. AND NANCY E. MOCK

THIS 26th DAY OF June, 1997 *John P. Nugent*  
MY COMMISSION EXPIRES Oct 4, 1997 NOTARY PUBLIC

**LEGEND AND NOTES**

- DENOTES POINT FOUND
- DENOTES 11011 CAPPED REBAR SET THIS SURVEY
- DENOTES POINT CALCULATED
- DENOTES BRASS MONUMENT
- ⊕ DENOTES UTILITY POLE
- △ AS NOTED
- AS NOTED
- DENOTES EDGE OF EASEMENT
- DENOTES OVERHEAD LINES
- DENOTES FENCE LINE
- DENOTES EDGE OF 100 YR FLOOD PLAN
- DENOTES FLOOD PLAIN ELEVATION

1. BASIS OF BEARING IS FROM "PLAT OF SURVEY FOR PECKHAM" BY MITCHEL K. NOONAN N.M.L.S. #8988, AND BEING FILED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN PLAT BK.122, PG.227.
2. DATA IN ( ) IS FROM PLAT OF NOTE #1.
3. THIS PLAT IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND COVENANTS OF RECORD.

0366012  
**SANTA FE COUNTY APPROVAL,  
NOTES AND CONDITIONS:**

*Orlinda Greenleaf* 6-30-97  
COUNTY LAND USE ADMINISTRATOR DATE  
96-3199  
DEVELOPMENT PERMIT NO.

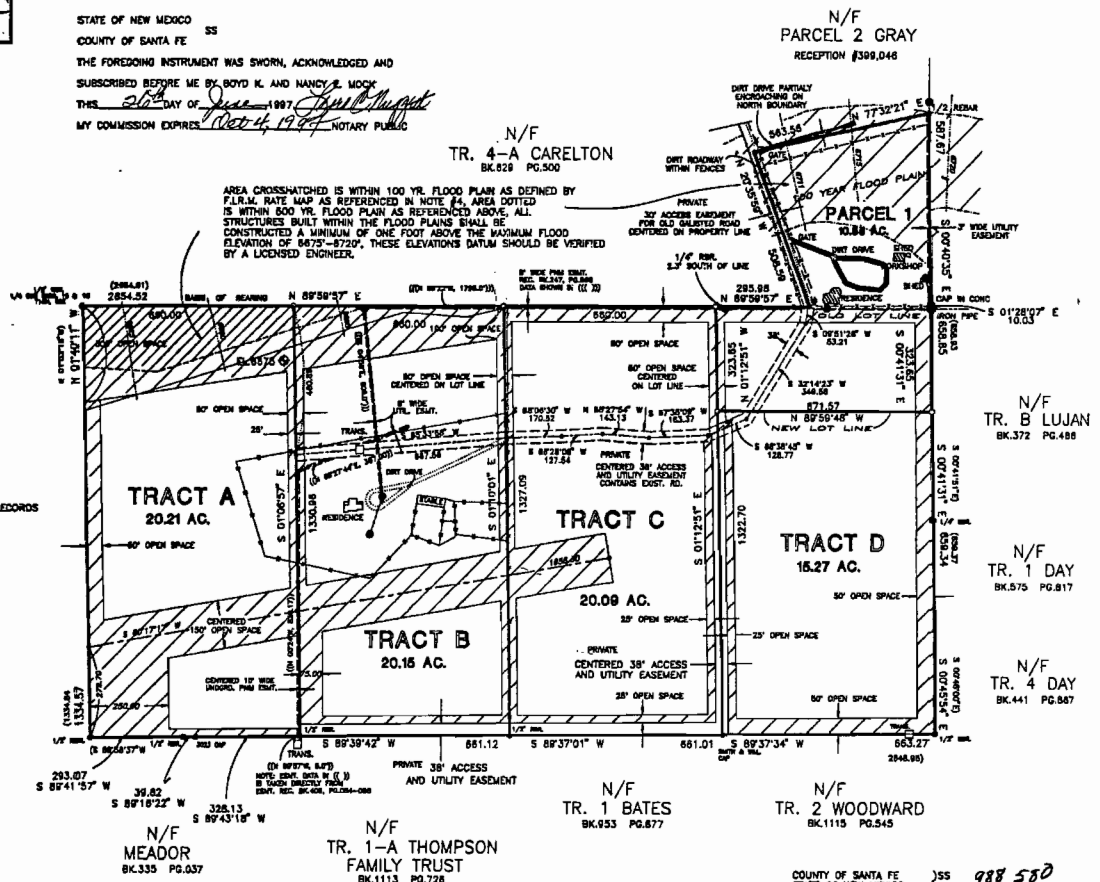
3. MAINTENANCE OF PRIVATE ACCESS EASEMENTS TO BE RESPONSIBILITY OF TRACT OWNERS.
4. THIS PARCEL LIES WITHIN ZONE X AREAS OUTSIDE 500 YR. FLOOD PLAN AS SHOWN ON F.L.R.M. PANEL #350089 2336 DATED 11/24/96 UNLESS OTHERWISE NOTED.
5. WATER WELL WITHDRAWAL ON THESE LOTS RESTRICTED BY COVENANTS FILED IN THE OFFICE OF THE COUNTY CLERK RECORDED IN BOOK N/A PAGE \_\_\_\_\_ DOCUMENT NO. \_\_\_\_\_
6. PURSUANT TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE, THE SOIL RATING ON THIS PROPERTY IS DESIGNATED AS BEING MODERATE TO SEVERE REGARDING LIMITATIONS TO SEPTIC TANKS. POTENTIAL BUYERS/SELLERS OF THIS PROPERTY SHOULD INQUIRE WITH THE NEW MEXICO ENVIRONMENT DEPARTMENT WHETHER THESE SOILS ARE SUITABLE FOR CONVENTIONAL SEPTIC SYSTEM OR IF AN ALTERNATIVE SYSTEM IS REQUIRED.
7. SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF THE PRIVATE EASEMENTS OR ROADS AS SHOWN. PRIOR TO THE CONSTRUCTION OF SAID PRIVATE EASEMENTS OR ROADS, IT IS REQUIRED THAT AN ADDITIONAL DEVELOPMENT PERMIT BE APPLIED FOR AND THEN APPROVED BY THE SANTA FE COUNTY LAND USE ADMINISTRATOR.
8. NEW DRIVEWAY/ROAD ACCESS FROM OLD CALISTED RD. IS SUBJECT TO APPROVAL FOR LOCATION AND INSTALLATION OF A CULVERT AS PERMITTED BY SANTA FE COUNTY PRIOR TO ISSUANCE OF A PERMIT FOR CONSTRUCTION.
9. THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT INCLUDING BUILDING PERMITS.
10. THE PARCELS AS PLATTED HEREON MAY BE SUBJECT TO FUTURE TERRAIN MANAGEMENT REGULATIONS AS ADOPTED BY SANTA FE COUNTY.
11. THESE LOTS ARE SUBJECT TO SANTA FE COUNTY FIRE AND RESCUE IMPACT FEES AT THE TIME OF APPLICATION FOR BUILDING PERMITS.

**VICINITY MAP**



**CERTIFICATE**  
I AND THE NOTES HEREON  
OF A FIELD SURVEY COMPLETED  
ON JUNE 1ST, 1997, AND ARE  
OF MY KNOWLEDGE AND BELIEF,  
PROFESSIONAL LAND SURVEYORS

N.M.P.L.S.#11011



COUNTY OF SANTA FE SS 988 580  
STATE OF NEW MEXICO  
I hereby certify that this instrument was filed  
for record on the 21st day of June, A.D.  
19 97 at 10:00 o'clock P.  
and was duly recorded in book 988 580  
page 012 of the records of  
Santa Fe County.  
Witness My Hand and Seal of Office  
Rebecca Blumenthal  
County Clerk, Santa Fe County, N.M.  
*Maggie Blumenthal* Deputy

**LAND DIVISION AND LOT LINE ADJUSTMENT FOR  
STEWART AND BARBARA PECKHAM  
AND  
BOYD K. AND NANCY E. MOCK  
OF  
86.51 ACRES**

LYING WITHIN SECTION 15, T.18N.,  
R.9E., N.M.P.M., SANTA FE COUNTY, NEW MEXICO.

**RICK CHATROOP  
PROFESSIONAL LAND SURVEYOR**  
NEW MEXICO REGISTRATION NO. 11011  
(505) 470-0037 RT. 1 BOX 504 FROES, NM 87652

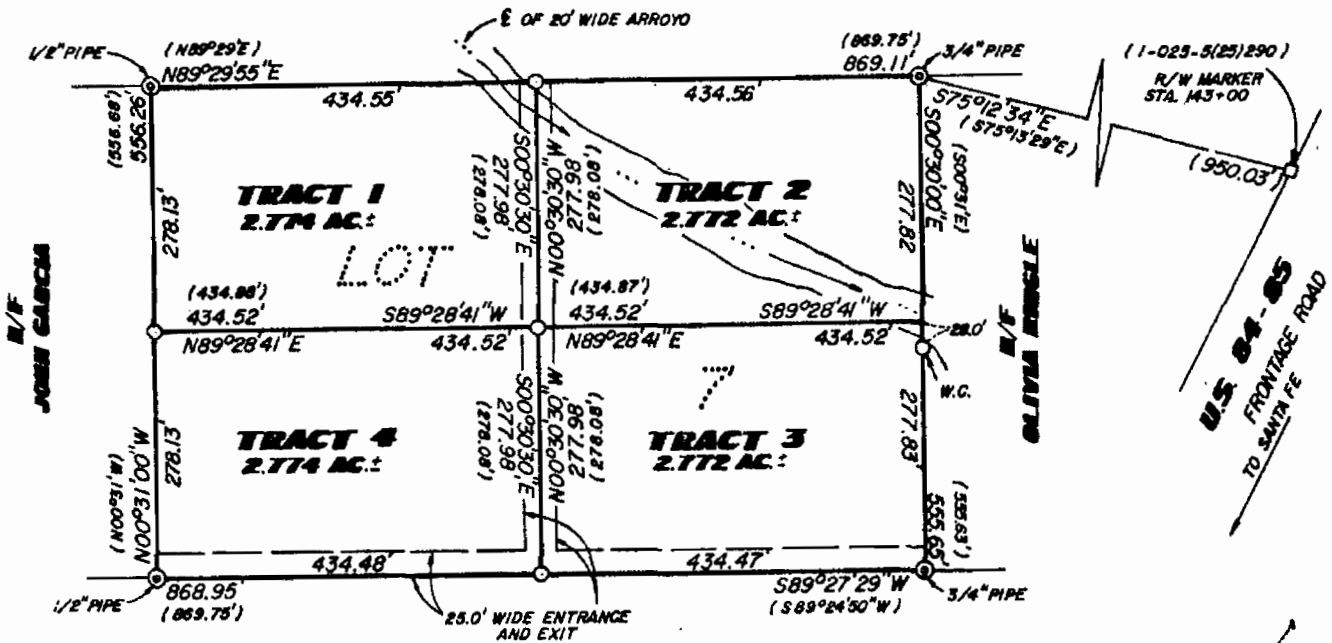
INDEXING INFORMATION FOR THE COUNTY CLERK  
OWNER STEWART AND BARBARA PECKHAM  
LOCATION: LYING WITHIN SECTION 15, T18N, R9E, N.M.P.M., SANTA FE COUNTY,  
NEW MEXICO.

REC. CLERK RECORDED 98/15/97



AMENDED OCTOBER 23, 1980 TO CHANGE THE TITLE.

*James J. Medrano*  
 JAMES J. MEDRANO R.P.L.S. No. 5217



**LEGEND**

- ⊙ INDICATES POINT FOUND AS SHOWN.
- No. 4 (1/2") REBAR SET THIS SURVEY.
- INDICATES HIGHWAY RIGHT-OF-WAY MARKER.
- W.G. ○ INDICATES WITNESS CORNER SET.

466-792

COUNTY OF SANTA FE 155  
 STATE OF NEW MEXICO 1

I hereby certify that this instrument was filed for record on the 20 day of Oct, 1980 at 1:00 o'clock P.M. and was duly recorded in book \_\_\_\_\_ page \_\_\_\_\_ of the records of Santa Fe County.

Witness my Hand and Seal of Office  
 CAROLINA R. GONZALES  
 County Clerk, Santa Fe County, N.M.

*James J. Medrano*  
 Deputy

**LANDS SURVEYED FOR  
 ABC PARTNERS**  
 WITHIN THE BISHOP JOHN LAMY GRANT  
 T. 15N., R. 10E., N.M.P.M., SANTA FE COUNTY,  
 NEW MEXICO.



**CERTIFICATE**

I HEREBY CERTIFY THAT THIS PLAT IS AN ACCURATE DELINEATION OF A SURVEY DONE BY ME ON 17 OCTOBER, 1980.

**LANDMARK SURVEYS**

*James J. Medrano*  
 JAMES J. MEDRANO R.P.L.S. No. 5217

OF SANTA FE 155  
 OF NEW MEXICO 1 **467.008**

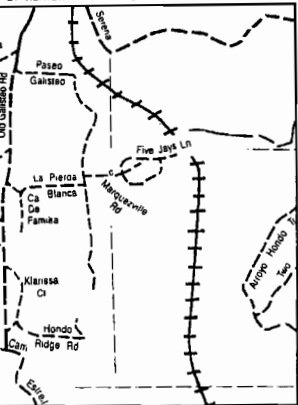
I certify that this instrument was filed on the 23 day of Oct, 1980 at 2:08 o'clock P.M. and was duly recorded in book 83 of the records of Santa Fe County.

Witness my Hand and Seal of Office  
 CAROLINA R. GONZALES  
 County Clerk, Santa Fe County, N.M.

*Dolores K. Aragon*

S-262

SEC CLERK RECORDED 09/15/2011



CITY MAP NOT TO SCALE

AT THE UNDESIGNED ROADS SHOWN FREE CONSENT AND WRITERS OF SAID OWNERS(S) AS SHOWN AND PLAN GRANTED AS SHOWN.

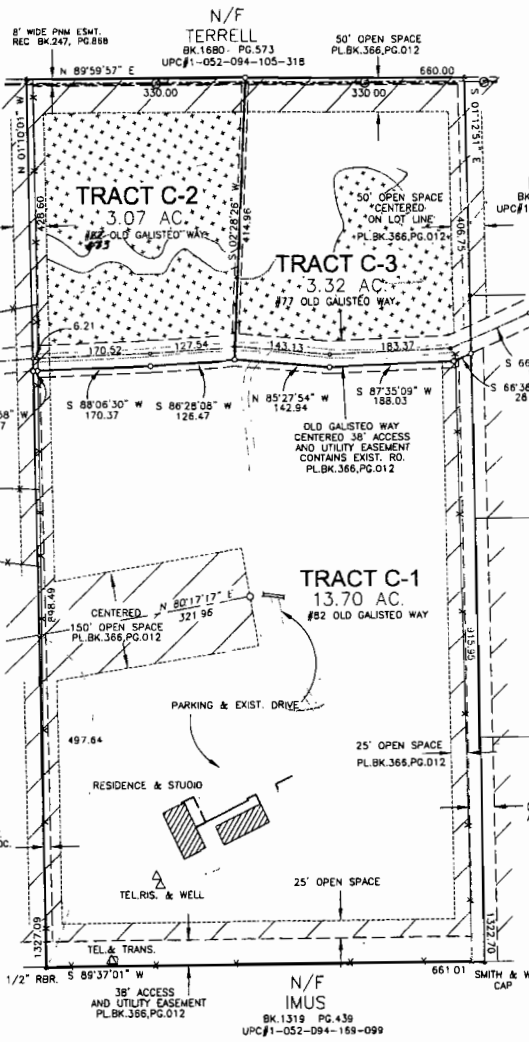
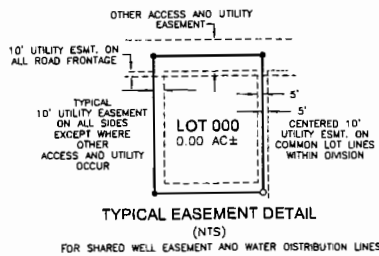
AND LIES WITHIN THE CITY AND COUNTY OF SANTA FE, N.M.

ACKNOWLEDGED AND VALERIE ARBER

NOTARY PUBLIC

N/F VALENTINE  
DOC#1336892  
UPC#1-052-094-111-167

DATE  
SIGNAL SURVEYOR  
AT AND THE ACTUAL  
TIMED BY ME OR  
RESPONSIBLE FOR  
ORDS FOR SURVEYING  
BEST OF MY



LEGEND AND NOTES

- DENOTES POINT FOUND 11011 CAP OR AS NOTED
- DENOTES POINT CALCULATED
- DENOTES POINT TO BE SET 11011 CAP
- DENOTES EDGE OF EASEMENT
- \*\*\* SHADE DENOTES 2000 SQ.FT. OR GREATER BUILDABLE AREA SLOPE OF LESS THAN 15% AND NO NATURAL DRAINAGEWAYS OTHER THAN THOSE SHOWN AS DRAINAGE EASEMENTS.
- DENOTES OPEN SPACE FROM PLAT NOTE #1

1. BASIS OF BEARING IS FROM PLAT ENTITLED "LAND DIVISION AND LOT LINE ADJUSTMENT FOR STEWART AND BARBARA PECKHAM AND BOYD K. AND NANCY E. MOCK OF 86.51 ACRES" BY RICK CHATROOP MAPS #11011, DATED JUNE 1ST, 1997, AS FILED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN BK 366, PG 012.
2. THIS PLAT IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND COVENANTS OF RECORD.

**SPECIAL NOTES AND BUILDING PERMIT CONDITIONS**  
 1. BUILDINGS ON THESE LOTS AREA SUBJECT TO THE URBAN WILDLAND INTERFACE CODE  
 2. THE FIRE AFFIDAVIT IS RECORDED IN THE OFFICE OF THE COUNTY CLERK AS DOCUMENT# 149 2647

SANTA FE COUNTY APPROVAL:

- 08-4260 DEVELOPMENT PERMIT NO. *[Signature]* 7/11/07 COUNTY RURAL ADDRESSING
- 08-4260 DEVELOPMENT PERMIT NO. *[Signature]* 7/23/07 COUNTY LAND USE ADMINISTRATOR
- 08-4260 DEVELOPMENT PERMIT NO. *[Signature]* 7/23/07 COUNTY LAND USE ADMINISTRATOR
- 08-4260 DEVELOPMENT PERMIT NO. *[Signature]* 7/23/07 COUNTY LAND USE ADMINISTRATOR

SANTA FE COUNTY NOTES AND CONDITIONS: §60 038

1. MAINTENANCE OF ACCESS ROADS AND UTILITY EASEMENTS TO BE RESPONSIBILITY OF LAND OWNERS/USERS UNLESS CURRENTLY MAINTAINED BY THE SANTA FE COUNTY PUBLIC WORKS DEPARTMENT.
2. THIS PARCEL LIES WITHIN ZONE X AREAS OUTSIDE 500 YR. FLOOD PLAIN AS SHOWN ON F.I.R.M. PANEL#350069 02338 DATED 11/04/88.
3. WATER USE/WELL WITHDRAWAL ON THESE LOTS RESTRICTED BY COVENANTS FILED IN THE OFFICE OF THE COUNTY CLERK DOCUMENT NO. 149 2647.
4. PURSUANT TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE, THE SOIL RATING ON THIS PROPERTY IS DESIGNATED AS BEING MODERATE TO SEVERE REGARDING LIMITATIONS TO SEPTIC TANKS. POTENTIAL BUYERS/SELLERS OF THIS PROPERTY SHOULD INQUIRE WITH THE NEW MEXICO ENVIRONMENT DEPARTMENT WHETHER THESE SOILS ARE SUITABLE FOR CONVENTIONAL SEPTIC SYSTEM OR IF AN ALTERNATIVE SYSTEM IS REQUIRED.
5. SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF THE PRIVATE EASEMENTS OR ROADS AS SHOWN PRIOR TO THE CONSTRUCTION OF SAID PRIVATE EASEMENTS OR ROADS, IT IS REQUIRED THAT AN ADDITIONAL DEVELOPMENT PERMIT BE APPLIED FOR AND THEN APPROVED BY THE SANTA FE COUNTY LAND USE ADMINISTRATOR.
6. NEW DRIVEWAY/ROAD ACCESS FROM OLD CALISTEO WAY IS SUBJECT TO APPROVAL BY THE PUBLIC WORKS DIRECTOR. THE DIRECTOR SHALL APPROVE THE LOCATION AND INSTALLATION OF A CURBLET AS PERMITTED BY SANTA FE COUNTY PRIOR TO ISSUANCE OF A PERMIT FOR CONSTRUCTION.
7. THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT INCLUDING BUILDING PERMITS.
8. ON SITE SANITARY SEWER SERVICE SHALL BE THE RESPONSIBILITY OF THE LOT OWNERS, AND MUST BE PERMITTED AND APPROVED BY NEW MEXICO ENVIRONMENTAL DEPARTMENT.
9. WATER SUPPLY ON THESE LOTS ARE GOVERNED BY THE EXTRATERRITORIAL ZONING ORDINANCE, SECTION 10.1.A.
10. ONLY ONE WELL SHALL BE PERMITTED TO SERVE ~~THESE LOTS~~ THIS WELL SHALL BE SUBJECT TO A SHARED WELL AGREEMENT.
11. DRILLING OF ANY NEW DOMESTIC WELL IS PROHIBITED IF REGIONAL WATER IS AVAILABLE WITHIN 200 FEET OF THESE LOTS.
12. IF REGIONAL WATER BECOMES AVAILABLE, THESE LOTS SHALL CONNECT TO THE REGIONAL WATER SYSTEM AND DOMESTIC WELL USE SHALL CEASE WITHIN 90 DAYS OF SUCH CONNECTION.
13. ALL WELLS DRILLED ON THESE LOTS POST JAN. 1, 2000 MUST BE CONSTRUCTED PER EZD STANDARDS LISTED IN SECTION 10.1A.3. PROOF OF PROPER CONSTRUCTION MUST BE SUBMITTED AT THE TIME OF DEVELOPMENT PERMIT REQUEST OR UPON DEMAND BY THE COUNTY LAND USE ADMINISTRATOR.
14. THE PARCELS AS PLATTED HEREON ARE SUBJECT TO SECTION 12.1 OF THE EZO, TERRAIN MANAGEMENT REGULATIONS AT THE TIME OF ANY DEVELOPMENT.
15. EXISTING NATURAL DRAINAGEWAYS WILL NOT BE MODIFIED OR IMPEDED WITHOUT THE WRITTEN APPROVAL OF THE LAND USE ADMINISTRATOR OR COUNTY HYDROLOGIST. DEVELOPMENT SHALL NOT IMPEDE HISTORIC FLOW RATES OR PATTERNS TO OR FROM THESE LOTS.
16. ACCESS ROADS, WHETHER PUBLIC OR PRIVATE, SHALL BE DEVELOPED IN COMPLIANCE WITH SECTION 3.5.3 OF THE ESR.
17. THE SUBDIVISION DISCLOSURE STATEMENT REGARDING THESE TRACTS IS FILED IN THE OFFICE OF THE COUNTY CLERK AND RECORDED IN DOC# 149 2647.
18. THE LANDS SHOWN HEREON LIE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY AND COUNTY OF SANTA FE.
19. THESE LOTS ARE SUBJECT TO SANTA FE COUNTY FIRE AND RESCUE IMPACT FEES AT THE TIME OF APPLICATION FOR BUILDING PERMIT.
20. ALL DEVELOPMENT SHALL OCCUR WITHIN BUILDABLE AREAS SHOWN IN ACCORDANCE WITH THE SANTA FE COUNTY LAND DEVELOPMENT CODE.
21. SANITARY SEWER SERVICE IS NOT AVAILABLE TO THE SUBJECT PROPERTY.
22. A SHARED WELL AGREEMENT MUST BE APPROVED AND EXECUTED PRIOR TO PLAT RECORDATION. THE PLAT MUST INDICATE SHARED WELL EASEMENTS.
23. THE SHARED WELL AGREEMENT FOR THESE TRACTS IS FILED IN THE OFFICE OF THE COUNTY RECORDER AS DOCUMENT # 149 2647.
24. THESE LOTS ARE SUBJECT TO A 30% OPEN SPACE REQUIREMENT NO DEVELOPMENT MAY OCCUR WITHIN THE DESIGNATED OPEN SPACE.
25. A RETENTION POND MUST BE INSTALLED ON EACH LOT AT THE TIME OF DEVELOPMENT.
26. A TEN(10) FOOT WIDE UTILITY EASEMENT ALONG ALL PROPERTY LINES MUST BE DEDICATED AND SHOWN ON THE PLAT FOR POTENTIAL WATER DISTRIBUTION LINES.

LAND DIVISION FOR  
**ROBERT and VALERIE ARBER**  
 OF  
**TRACT C**

PURPOSE: TO CREATE TWO RESIDENTIAL LOTS  
 ORIGINAL TRACT C IS FROM "LAND DIVISION AND LOT LINE ADJUSTMENT FOR STEWART AND BARBARA PECKHAM AND BOYD K. AND NANCY E. MOCK OF 86.51 ACRES" FILED IN PLAT BK. 366, PG. 12. LYING WITHIN SECTION 15, T16N., R9E., N.M.P.M., SANTA FE COUNTY, NEW MEXICO.

inst.# 149 2645  
 COUNTY OF SANTA FE )  
 STATE OF NEW MEXICO )  
 I hereby certify that this instrument was filed for record on the 23 day of JULY A.D. 2007 at 1:41 o'clock P.M. and was duly recorded in book 660 of page 018 of the records of Santa Fe County.  
 Witness my Hand and Seal of Office  
 Valerie Espinoza  
 County Clerk, Santa Fe County, N.M.  
*[Signature]* Deputy

REVIEWED BY CITY OF SANTA FE:

REVIEWED BY *[Signature]* 07/09/07 DATE  
 CITY SUBDIVISION ENG.  
 REVIEWED BY *[Signature]* 7/23/07 DATE  
 CITY PLANNER

UTILITY APPROVALS:

WEST COMMUNICATIONS *[Signature]* DATE 5/14/2007  
 PNM ELECTRIC SERVICES *[Signature]* DATE 6/14/2007  
 PNM GAS SERVICES *[Signature]* DATE 5/14/2007



**RICK CHATROOP**  
 PROFESSIONAL LAND SURVEYOR  
 NEW MEXICO REGISTRATION NO. 11011  
 (505) 470-0037 110 WAGON TRAIL ROAD CERRILLOS, NM. 87010

INDEXING INFORMATION FOR THE COUNTY CLERK  
 OWNER: ARBER ORIGINAL UPC# 1-052-094-164-203  
 LOCATION: LYING WITHIN SEC. 15, T16N, R9E, NMPM, SANTA FE CO., N.M.

SFC CLERK RECORDED 09/15/2011

LAND DIVISION 523029  
OF TRACT A  
FOR RENNY AND MARIA LEVY

WITHIN SW 1/4, SECTION 15 T.16N., R.9E., N.M.P.M.  
SANTA FE COUNTY, NEW MEXICO

PURPOSE: THIS PLAT CREATES FOUR RESIDENTIAL PARCELS

LEGAL DESCRIPTION

CERTAIN TRACTS OF LAND HEREBY DESIGNATED AS TRACTS "A-1, A-2, A-3, A-4", LYING WITHIN THE 1/2 SECTION 15, TOWNSHIP 16 NORTH, RANGE 9 EAST, N.M.P.M., COUNTY OF SANTA FE, NEW MEXICO.

TRACT "A-1" CONTAINING 5.002 ACRES, MORE OR LESS.  
TRACT "A-2" CONTAINING 5.002 ACRES, MORE OR LESS.  
TRACT "A-3" CONTAINING 6.286 ACRES, MORE OR LESS.  
TRACT "A-4" CONTAINING 3.924 ACRES, MORE OR LESS.

TOTAL OF TRACTS CONTAINING 20.214 ACRES, MORE OR LESS.

OWNERS CONSENT

THE UNDERSIGNED OWNERS OF THIS LAND DO HEREBY CONSENT TO THE PLATTING OF THESE LANDS SHOWN HEREON. THIS LAND DIVISION IS MADE WITH THEIR FREE CONSENT AND IS IN ACCORDANCE WITH THEIR DESIRES AND WISHES. THE 30' ACCESS AND UTILITY EASEMENT SHOWN HEREON IS HEREBY GRANTED TO BENEFIT THE TRACTS AS SHOWN. THE 15' WIDE UTILITY EASEMENT ALONG ALL PROPERTY LINES IS HEREBY GRANTED FOR THE PURPOSE OF INSTALLING UTILITIES, INCLUDING FUTURE WATER DISTRIBUTION LINES. AN EASEMENT IS HEREBY GRANTED FOR ALL EXISTING UTILITIES. THESE LANDS LIE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE COUNTY OF SANTA FE, NEW MEXICO.

RENNY LEVY  
MARIA LEVY

STATE OF NEW MEXICO ) SS  
COUNTY OF SANTA FE )  
THE FOREGOING INSTRUMENT HAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 2003, BY \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_  
NOTARY PUBLIC

NOTES

- 1) BASIS OF BEARINGS IS TAKEN FROM A PLAT ENTITLED "LAND DIVISION AND LOT LINE ADJUSTMENT FOR STENART AND BARBARA PECKHAM AND BOB K. AND NANCY E. ROCK OF 88.31 ACRES" BY RICHARD A. CHAFFROOP, N.M.P.L.S., #11011, FILED IN SANTA FE COUNTY OFFICE BOOK 356 PAGE 016. DATA IN SINGLE PARENTHESES ( ) IS FROM SAID PLAT.
- 2) REFER TO WARRANTY DEED FROM STENART AND BARBARA PECKHAM TO RENNY LEVY AND MARIA LEVY, RECORDED IN THE SANTA FE COUNTY CLERKS OFFICE ON NOV 17, 1998, IN WIDE, BOOK 356G, PAGES 689.
- 3) IMPROVEMENTS SHOWN ARE CURRENT AS OF DATE OF SURVEY 12/10/02.
- 4) NO UNDERGROUND UTILITIES WERE LOCATED BY THIS SURVEY.

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THE PLAT AND NOTES SHOWN HEREON WERE PREPARED UNDER MY DIRECTION FROM A SURVEY PERFORMED IN THE FIELD FOR THE PURPOSE OF SUBDIVIDING THIS FOUR LOT SUBDIVISION AS INSTRUCTED BY THE OWNER OF THESE LANDS. TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THIS PLAT MEETS OR EXCEEDS THE REQUIREMENTS OF THE "MINIMUM STANDARDS FOR LAND SURVEYS IN NEW MEXICO".  
RICHARD A. MORRIS  
N.M.P.S. No. 10277  
JAN. 10, 2003

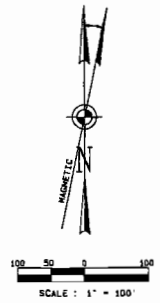
CURRENT U.P.C. CODE 1-052-094-031-202

INDEXING INFORMATION FOR COUNTY CLERK				
OWNER	SECTION	TOWNSHIP	RANGE	LOCATION
RENNY & MARIA LEVY	15	15 NORTH	09 EAST	SANTA FE COUNTY

**Red Mountain Engineers, Inc.**  
ENGINEERS - SURVEYORS  
1818 Parkway Drive  
Santa Fe, NM 87508-7833  
Phone: (505) 478-7979

DRAWN BY: M.E. SCALE: 1" = 100' CHECKED BY: R.A.M.  
NAME: LEVY 20 AC. PROPERTY, LOT SPLIT PROJECT NO: 25008-121

- LEGEND**
- DENOTES BOUND POINT (AS NOTED)
  - DENOTES POINT SET (1/2" REB. W/CAP L.S. 10277)
  - DENOTES TELEPHONE PEDESTAL
  - DENOTES ELECTRIC METER
  - DENOTES ELECTRIC TRANSFORMER
  - DENOTES FENCE LINE
  - DENOTES SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD ZONE AE
  - DENOTES 500-YEAR FLOOD ZONE X
  - DENOTES OPEN SPACE DEDICATED ON PLAT REFERENCED IN NOTE NO. 1.
  - DENOTES BUILDABLE AREA WITH SLOPES LESS THAN 15%

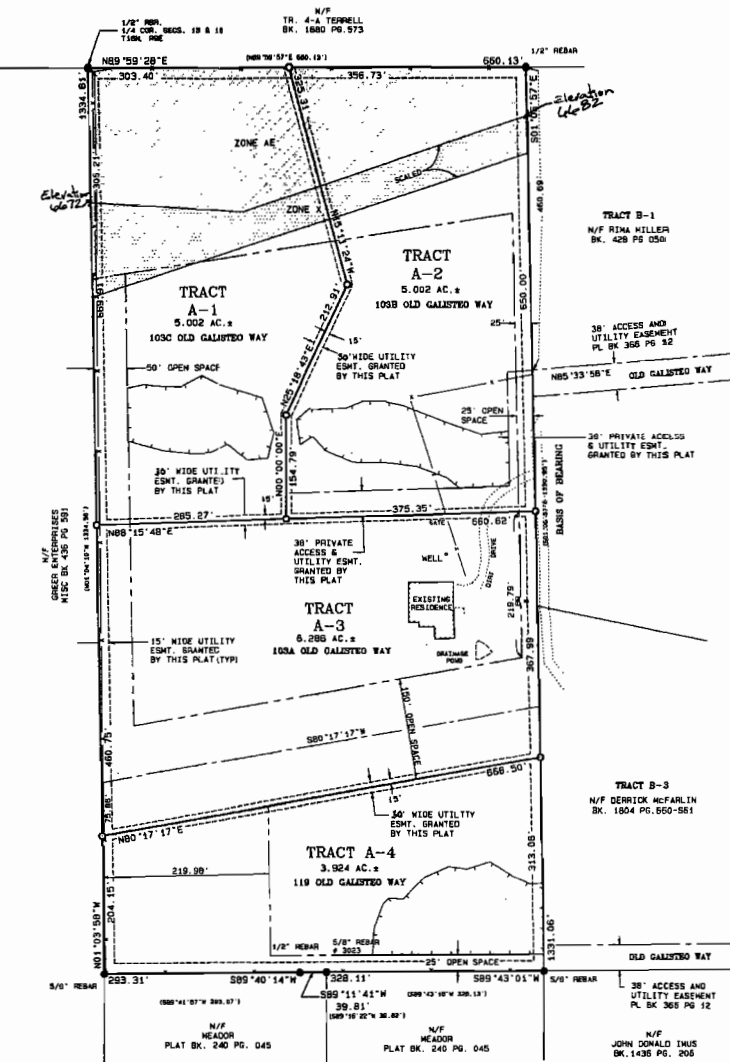


8-10-03  
DATE  
1-03  
DATE  
2-5-03  
DATE  
1/29/03  
DATE  
1/29/03  
DATE

LA CENEGA WATERSHED CONDITIONS

- 1) CONNECTION TO COUNTY WATER UTILITY. LOT OWNERS THEIR SUCCESSORS AND ASSIGNEES SHALL AGREE TO CONNECT TO THE COUNTY WATER UTILITY WHEN SERVICE IS AVAILABLE WITHIN 200 FEET OF THE PROPERTY LINE OF THE LAND BEING DIVIDED. WHICH 200 FEET SHALL BE MEASURED ALONG PLATTED EASEMENTS TO THE NEAREST PROPERTY LINE. THE LANDOWNERS, SUCCESSORS, AND ASSIGNEES AGREE NOT TO OPPOSE THE CREATION OF AN IMPROVEMENT DISTRICT PURSUANT TO SECTIONS 4-55A-1 ET. SEQ. NMSA 1978 (1997 REPL. PAMP.) AS THOSE SECTIONS MAY BE APPROPRIATE. ALTERNATIVELY, THIS CONDITION DOES NOT PRECLUDE ANY LOT OWNER FROM CONNECTING TO THE COUNTY WATER UTILITY UTILIZING OTHER MEANS OF FINANCING THAN THE IMPROVEMENT DISTRICT METHOD. THE LINE EXTENSION WITHIN SAID 200 FEET SHALL BE DONE IN ACCORDANCE WITH THE APPLICABLE RULES AND REGULATIONS AND TARIFFS OF THE SANTA FE COUNTY WATER COMPANY.
- 2) ENCOURAGEMENT FOR SHARED WELLS. TO THE GREATEST EXTENT FEASIBLE, LOT OWNERS SHOULD USE SHARED WELLS TO MINIMIZE EXPENSES RELATED TO THE EXTERIOR WATER SUPPLY.
- 3) DESIGN AND CONSTRUCTION. AT THE TIME A LINE EXTENSION IS MADE PURSUANT TO PARAGRAPH 1 ABOVE, THE DISTRIBUTION SYSTEM WITHIN THE LAND DIVIDED SHALL BE DESIGNED TO MEET THE MINIMUM FIRE FLOW REQUIREMENTS OF THE SANTA FE COUNTY WATER UTILITY, EXCLUSIVE OF ANY RESERVOIR CAPACITY.
- 4) DISCONNECTION FROM DOMESTIC WELLS. AT THE TIME THE CONNECTION IS MADE TO THE SANTA FE WATER UTILITY, LOT OWNERS, THEIR HEIRS, SUCCESSORS, AND ASSIGNEES, AGREE TO DISCONNECT ANY DOMESTIC WELLS CREATED UNDER NMSA SECTION 72-12-1 NMSA 1978 (1997 REPL. PAMP.) AND TO DISCONTINUE USE OF SAID WELLS EXCEPT IN EMERGENCY CIRCUMSTANCES.
- 5) EASEMENTS. LOT OWNERS SHALL DEDICATE A 15 FOOT WIDE UTILITY EASEMENT ALONG ALL PROPERTY LINES FOR THE INSTALLATION OF INFRASTRUCTURE AND WATER DISTRIBUTION LINES FOR THE COUNTY UTILITY SYSTEM.
- 6) WELL DESIGN. A GOOD FAITH EFFORT SHALL BE MADE TO DRILL ALL WELLS 50 FEET INTO THE TESQUE FORMATION AND TO CONSTRUCT A SE TO PREVENT MIXING OF WATERS BETWEEN THE TESQUE AND ANCHA FORMATIONS. A SUGGESTED WELL DESIGN IS AVAILABLE FROM THE COUNTY LAND USE DEPARTMENT.

Water Well Agreement  
Recorded in Book 2339  
Pages 813-815  
Disclosure Statement  
Recorded in Book 2339  
Pages 810-812



**UTILITY SIGNATURES**

*Michael Valdez* 1-15-03  
WEST COMMUNICATIONS DATE

*Richard A. Morris* 1-13-03  
PUBLIC SERVICE CO. OF N.M. - ELECTRIC DATE

*Richard A. Morris* 1-15-03  
PUBLIC SERVICE CO. OF N.M. - GAS DATE

*N/A* 1-13-03  
SANGRE DE CRISTO FOR THE CITY OF SANTA FE DATE

1249 114  
COUNTY OF SANTA FE  
STATE OF NEW MEXICO

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON  
JAN 15 2003 BY 740  
R.A.M. AND WAS ONLY RECEIVED IN  
BOOK 523 PAGE 019 OF THE RECORDS OF  
SANTA FE COUNTY.

Richard A. Morris  
COUNTY CLERK, SANTA FE COUNTY, N.M.

SFC CLERK RECORDED 09/15/2011

**DIVISION OF LAND  
FOR  
LESA R. DELISI AND RANDALL HOLMES**  
ON TRACT D-3, OF THE LESA DELISI LAND DIVISION,  
LOCATED AND LYING WITHIN SECTION 15, T.16 N., R.9 E., N.M.P.M., COUNTY OF  
SANTA FE, NEW MEXICO.

PURPOSE: CREATION OF TWO RESIDENTIAL LOTS

850013

**DEDICATION/AFFIDAVIT**

Know all persons by these presents:  
That the undersigned owner(s) have caused lands to be divided  
as shown hereon, lying and being situate in Santa Fe County and within the Planning  
and Platting Jurisdiction of Santa Fe County and the City of Santa Fe. All that appears  
on this plat is with the free consent and in accordance with the wishes and desires of the  
undersigned owner(s).  
Easements shown hereon are hereby granted, and easements are hereby granted  
for existing utilities.

*Leso Delisi* 1/16/03  
LESA R. DELISI (OWNER) DATE 16 R.H.  
*Randall D. Holmes* 1-26-03  
RANDALL HOLMES (OWNER) DATE

STATE OF NEW MEXICO  
COUNTY OF SANTA FE JSS  
The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of January 2003

BY: *Sandra Dames*  
Notary Public February 11, 2006  
My Commission Expires

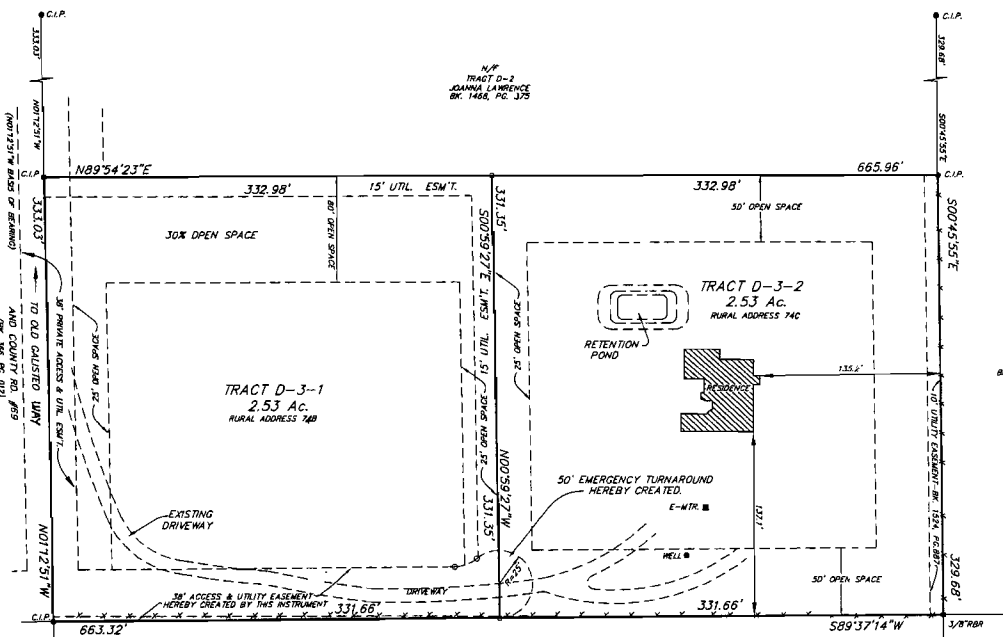
COUNTY APPROVAL  
*James Nya* 2/4/04  
COUNTY LAND USE ADMINISTRATOR Date  
CO - 4870  
COUNTY DEVELOPMENT PERMIT No.  
*Neil Salcedo* 3-13-05  
RURAL ADDRESSING DIRECTOR

E.Z.C. APPROVAL  
*Nancy R Long* 4-2-03  
E.Z.C. CHAIRPERSON Date  
*Shirley A. 3/21/03*  
CITY/SUBDIVISION ENGINEER REVIEW  
*Greg Smith* 03-13-03  
PLANNER

**SANTA FE COUNTY APPROVAL  
NOTES AND CONDITIONS:**

- 1.) Maintenance of private access easements is the responsibility of the land owner and users.
- 2.) Santa Fe County Approval of this survey plat does not include the construction of the private easement(s) or road(s) as shown. Prior to the construction of said private roads or easements, it is required that an additional development permit be applied for and approved by the Santa Fe County Land Use Administrator.
- 3.) The approval of this plat does not constitute the approval of any further development including building permits.
- 4.) Pursuant to the Santa Fe County Land Development code, the soil rating of this property is designated as being moderate to severe regarding limitations to septic tanks. Potential buyers and/or sellers of this property should inquire with the New Mexico Environment Department whether these soils are suitable for a conventional septic system or if an alternative system is required.
- 5.) Lands shown hereon lie outside the 100 year floodplain in Zone "X" according to the Federal Flood Insurance Rate Map Panel No. 350069-0233B.
- 6.) The parcels as platted hereon are subject to Section 12.1 of the EZO (within 2 mile EZ).
- 7.) Sanitary sewers are not available to subject property. On site sanitary disposal is the responsibility of the land owner. On-site sewer disposal system must be permitted and approved by New Mexico Environment Department.
- 8.) Driveway location off Old Galisteo Road is subject to approval from the Santa Fe County Public Works Department.
- 9.) Private access roads shall be developed in compliance with section 3.5.2 F3 of the E.S.R. including adequate runoff of cul-de-sacs.
- 10.) Water use/level withdrawal on these tracts is restricted by covenants filed in the Office of the County Clerk and recorded in Book \_\_\_\_\_, Pages \_\_\_\_\_ at Document No. \_\_\_\_\_.

UTILITY COMPANIES  
SANTA FE CO. WATER CO. 3/12/03 DATE  
*Annita* 1/20/05 DATE  
SANTA FE COMMUNICATIONS 2/13/03 DATE  
*Robert A. Dwyer* 2/13/03 DATE  
PUBLIC SERVICE CO. OF NEW MEXICO  
*Robert A. Dwyer* 2/13/03 DATE  
PUBLIC SERVICE Co. Gas



**NOTES**

- A.) TERRAIN MANAGEMENT REGULATIONS SHALL BE COMPLIED WITH AT THE TIME OF BUILDING APPLICATION FOR EACH LOT.
- B.) SANITARY SEWERS ARE NOT AVAILABLE TO SUBJECT PROPERTY. ON SITE SANITARY DISPOSAL IS THE RESPONSIBILITY OF THE OWNER.
- C.) SEWER DISPOSAL SYSTEM MUST BE PERMITTED AND APPROVED BY THE NEW MEXICO ENVIRONMENTAL DEPARTMENT.
- D.) ACCESS ROADS, WHETHER PUBLIC OR PRIVATE, SHALL BE DEVELOPED IN COMPLIANCE WITH SECTION 3.5.3 OF THE E.S.R. CONFIRM LEGAL ACCESS TO THE PROPERTY AND LIST THE RECORDED BOOK AND PAGE INFORMATION.
- E.) EXISTING NATURAL DRAINAGE WAYS WILL NOT BE MODIFIED OR IMPAIRED WITHOUT THE WRITTEN APPROVAL OF THE LAND USE ADMINISTRATOR OR COUNTY HYDROLOGIST. DEVELOPMENT SHALL NOT IMPEDE HISTORIC FLOW RATES OR PATTERNS TO OR FROM THESE LOTS.

COUNTY OF SANTA FE  
STATE OF NEW MEXICO } 1313399  
I hereby certify that this instrument was filed for record on the 16<sup>th</sup> day of January, A.D. 2003, at 14:41 o'clock P.M., and was duly recorded in Book 552, Page 023 of the records of Santa Fe County.

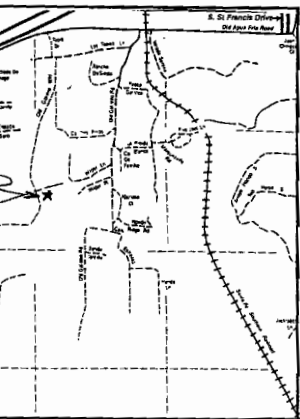
Witness my Hand and Seal of Office  
REBECCA BUSTAMANTE  
County Clerk, Santa Fe County, New Mexico  
*Frank Quillana* Deputy

FIELD CHECKED AND UPDATED DECEMBER 17, 2002  
*John Nalg*

Surveyor in the State of New Mexico  
P.S. No. 12443  
Santa Fe, NM.  
SEPTEMBER 10, 2000

(U.P.C. 103209420195)			
XYZ SURVEYING & DRAFTING			
331 VALLEROS ST.	SANTA FE, NM	982-5536	
Project No. XY220037	Drawn: AGC	Chk:	
	PLN: C-288207	Lib: A	
INDEXING INFORMATION FOR COUNTY CLERK			
NAME	LOCATION	SUBDIVISION	
LDELISI	SEC. 15, T16N, R9E	PECKHAM	





### DEDICATION AND AFFIDAVIT

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S), HAVE CAUSED TO BE DIVIDED THOSE LANDS SHOWN HEREON, THIS DIVISION IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE WISHES AND DESIRES OF SAID OWNER(S). UTILITY COMPANIES ARE GRANTED EASEMENTS AS SHOWN AND FOR EXISTING UTILITIES. OTHER EASEMENTS ARE GRANTED AS SHOWN.

THIS DIVISION CONTAINS 10.85 AC.±, AND LIES WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY AND COUNTY OF SANTA FE, NEW MEXICO.

*Boyd K. and Nancy E. Mock*  
BOYD K. AND NANCY E. MOCK

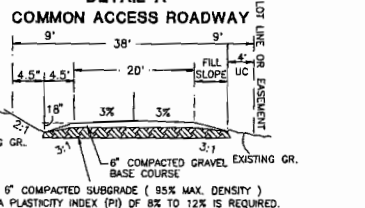
STATE OF New Mexico SS  
COUNTY OF Santa Fe

THE FOREGOING INSTRUMENT WAS SWORN, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY BOYD K. AND NANCY E. MOCK

THIS 23<sup>RD</sup> DAY OF September, 2000 At Santa Fe, N.M.

MY COMMISSION EXPIRES July 23, 2003 NOTARY PUBLIC

### DETAIL A



AREA HATCHED IS WITHIN 100 YR. AND 500 YR. FLOOD PLAINS AS DEFINED BY F.I.R.M. RATE MAP AS REFERENCED IN NOTE #2. ALL STRUCTURES BUILT WITHIN THE FLOOD PLAINS SHALL BE CONSTRUCTED A MINIMUM OF ONE FOOT ABOVE THE MAXIMUM FLOOD ELEVATION OF 6683'-6695'. THESE ELEVATIONS DATUM SHOULD BE VERIFIED BY A LICENSED ENGINEER.

### LEGEND AND NOTES

- DENOTES POINT FOUND
- DENOTES 11011 CAPPED REBAR SET THIS SURVEY
- DENOTES POINT CALCULATED
- ⊙ DENOTES BRASS MONUMENT
- ⊕ DENOTES UTILITY POLE
- △ AS NOTED
- AS NOTED
- DENOTES EDGE OF EASEMENT
- DENOTES OVERHEAD LINES
- X-X- DENOTES FENCE LINE
- DENOTES EDGE OF 100 YR FLOOD PLAIN
- DENOTES CENTER OF 10' WIDE DRAINAGE ESMT.

- BASIS OF BEARING IS FROM "PLAT OF SURVEY FOR PECKHAM" BY MITCHELL K. NOONAN NMLS #6998, AND BEING FILED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN PLAT BK.129 PG.027.
- DATA IN ( ) IS FROM PLAT OF NOTE #1.
- THIS PLAT IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND COVENANTS OF RECORD.

### PROPERTY MAP

### DESCRIPTIONS

#### PARCEL 1A

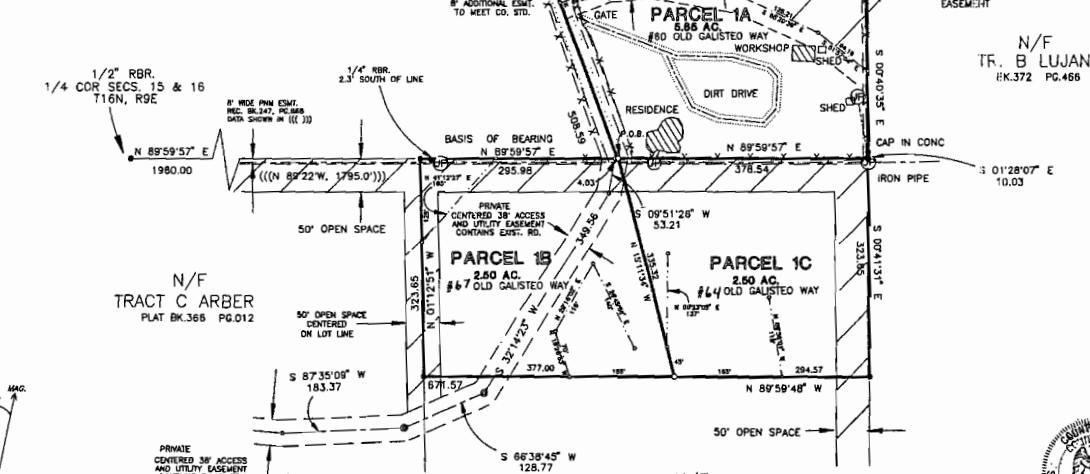
LYING WITHIN SECTION 15, T16N, R9E, COUNTY, NEW MEXICO. AND BEING MORE FULLY DESCRIBED AS FOLLOWS:  
THE SOUTHWEST CORNER OF THE PARCEL FROM WHENCE THE 1/4 CORNER COMMON 16 AS REFERENCED ABOVE BEARS 75.98' DISTANT; THENCE FROM SAID POINT BEGINNING N 20°35'59" W, 508.59'; THENCE S 56°58'18" W, 323.65'; THENCE S 00°40'35" E, 587.87'; THENCE S 10°03'18" E, 10.03'; THENCE S 89°59'57" W, 1980.00' TO THE POINT AND PLACE.

#### PARCEL 1B

LYING WITHIN SECTION 15, T16N, R9E, COUNTY, NEW MEXICO. AND BEING MORE FULLY DESCRIBED AS FOLLOWS:  
THE NORTHEAST CORNER OF THE PARCEL FROM WHENCE THE 1/4 CORNER COMMON 16 AS REFERENCED ABOVE BEARS 3.98' DISTANT; THENCE FROM SAID POINT BEGINNING N 12°13'34" E, 335.32'; THENCE N 01°12'51" W, 323.65'; THENCE S 295.98' TO THE POINT AND PLACE.

#### PARCEL 1C

LYING WITHIN SECTION 15, T16N, R9E, COUNTY, NEW MEXICO. AND BEING MORE FULLY DESCRIBED AS FOLLOWS:  
THE NORTHWEST CORNER OF THE PARCEL FROM WHENCE THE 1/4 CORNER COMMON 16 AS REFERENCED ABOVE BEARS 89' DISTANT; THENCE FROM SAID POINT BEGINNING N 89°59'57" E, 378.54'; THENCE S 77°35'09" W, 183.37'; THENCE S 87°35'09" W, 183.37'; THENCE S 66°38'45" W, 128.77'; THENCE S 09°51'28" W, 53.21'; THENCE S 01°12'51" W, 323.65'; THENCE S 00°40'35" E, 587.87'; THENCE S 10°03'18" E, 10.03'; THENCE S 89°59'57" W, 1980.00' TO THE POINT AND PLACE.



REVIEWED BY *[Signature]* DATE 1/26/00  
CITY SUBDIVISION ENG.  
REVIEWED BY *[Signature]* DATE 1/26/00  
CITY PUBLIC WORKS DIRECTOR  
REVIEWED BY *[Signature]* DATE 1/26/00  
CITY PLANNER



### SANTA FE COUNTY APPROVAL, NOTES AND CONDITIONS.

*Nancy E. Cong*  
E.Z.C. CHAIRMAN MEETING DATE July 13, 2000  
*[Signature]*  
COUNTY LAND-USE ADMINISTRATOR DATE 12-20-00

00-4370  
DEVELOPMENT PERMIT NO.  
*[Signature]* 11-30-00  
COUNTY RURAL ADDRESSING

- MAINTENANCE OF PRIVATE ACCESS EASEMENTS TO BE RESPONSIBILITY OF TRACT OWNERS.
- THIS PARCEL LIES WITHIN ZONE X AREAS OUTSIDE 500 YR. FLOOD PLAIN AS SHOWN ON F.I.R.M. PANEL #350069 2338 DATED 11/04/88 UNLESS OTHERWISE NOTED.
- WATER WELL WITHDRAWAL ON THESE LOTS RESTRICTED BY COVENANTS FILED IN THE OFFICE OF THE COUNTY CLERK. RECORDED IN BOOK 1849 PAGE 514-516 DOCUMENT NO. 1142-894
- PURSUANT TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE, THE SOIL RATING ON THIS PROPERTY IS DESIGNATED AS BEING MODERATE TO SEVERE REGARDING LIMITATIONS TO SEPTIC TANKS. POTENTIAL BUYERS/SELLERS OF THIS PROPERTY SHOULD INQUIRE WITH THE NEW MEXICO ENVIRONMENT DEPARTMENT WHETHER THESE SOILS ARE SUITABLE FOR CONVENTIONAL SEPTIC SYSTEM OR IF AN ALTERNATIVE SYSTEM IS REQUIRED.
- SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF THE PRIVATE EASEMENTS OR ROADS AS SHOWN. PRIOR TO THE CONSTRUCTION OF SAID PRIVATE EASEMENTS OR ROADS, IT IS REQUIRED THAT AN ADDITIONAL DEVELOPMENT PERMIT BE APPLIED FOR AND THEN APPROVED BY THE SANTA FE COUNTY LAND USE ADMINISTRATOR.
- NEW DRIVEWAY/ROAD ACCESS FROM OLD GALISTEO WAY IS SUBJECT TO APPROVAL FOR LOCATION AND INSTALLATION OF A CULVERT AS PERMITTED BY SANTA FE COUNTY PRIOR TO ISSUANCE OF A PERMIT FOR CONSTRUCTION.
- THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT INCLUDING BUILDING PERMITS.
- ON SITE SANITARY SEWER SERVICE SHALL BE THE RESPONSIBILITY OF THE LOT OWNERS, AND BE PERMITTED AND APPROVED BY NEW MEXICO ENVIRONMENTAL DEPARTMENT.
- ONLY ONE WELL SHALL BE PERMITTED TO SERVE THESE LOTS. THIS WELL SHALL BE SUBJECT TO A SHARED WELL AGREEMENT.
- THE PARCELS AS PLATTED HEREIN ARE SUBJECT TO SECTION 12.1 OF THE EZO, TERRAIN MANAGEMENT REGULATIONS AT THE TIME OF ANY DEVELOPMENT.
- ALL WELLS DRILLED ON THESE LOTS MUST BE CONSTRUCTED PER EZO STANDARDS LISTED IN SECTION 10.1A.3. PROOF OF PROPER CONSTRUCTION MUST BE SUBMITTED AT THE TIME OF DEVELOPMENT PERMIT REQUEST OR UPON DEMAND BY THE COUNTY LAND USE ADMINISTRATOR.
- EXISTING NATURAL DRAINAGEWAYS WILL NOT BE MODIFIED OR IMPEDED WITHOUT THE WRITTEN APPROVAL OF THE LAND USE ADMINISTRATOR OR COUNTY HYDROLOGIST. DEVELOPMENT SHALL NOT IMPEDER HISTORIC FLOW RATES OR PATTERNS TO DR FROM THESE LOTS.
- THESE LOTS ARE SUBJECT TO A 30% OPEN SPACE REQUIREMENT. NO DEVELOPMENT MAY OCCUR WITHIN THE DESIGNATED OPEN SPACE.
- DRILLING OF ANY NEW DOMESTIC WELL IS PROHIBITED IF REGIONAL WATER IS AVAILABLE WITHIN 200 FEET OF THESE LOTS.
- IF REGIONAL WATER BECOMES AVAILABLE, THESE LOTS SHALL CONNECT TO THE REGIONAL WATER SYSTEM AND DOMESTIC WELL USE SHALL EXCEED WITHIN 90 DAYS OF SUCH CONNECTION.
- ACCESS ROADS, WHETHER PUBLIC OR PRIVATE, SHALL BE DEVELOPED IN COMPLIANCE WITH SECTION 3.5.3 OF THE ESR.

LAND DIVISION FOR  
**BOYD K. AND NANCY E. MOCK**  
OF  
**10.85 AC.**  
PURPOSE- TO CREATE THREE RESIDENTIAL LOTS  
LYING WITHIN SECTION 15, T.16N., R.9E., N.M.P.M., SANTA FE COUNTY, NEW MEXICO.

**RICK CHATROOP**  
PROFESSIONAL LAND SURVEYOR  
NEW MEXICO REGISTRATION NO. 11011  
(505) 470-0037 2492 MANLANO LP. RIO RANCHO, NM 87124

INDEXING INFORMATION FOR THE COUNTY CLERK  
OWNER: BOYD K. AND NANCY E. MOCK

COUNTY OF SANTA FE  
STATE OF NEW MEXICO  
I hereby certify that this instrument was filed for record on the 23 day of SEP, 2000 at 11:13 o'clock A.M. and was duly recorded in book 4665 page 825 of the records of Santa Fe County.  
Witness my Hand and Seal of Office  
Rebecca Bustamante  
County Clerk, Santa Fe County, N.M.  
*[Signature]*  
Deputy

SANTA FE CO. WATER CD. *[Signature]* DATE 1-26-00  
U.S. WEST COMMUNICATIONS *[Signature]* DATE 1/26/00  
TELEPHONE SERVICE TRACT DEVELOPMENT





**Legend**

- FOUND POINT
- SET POINT (1/2" RBR. W/CAP NO. 12491 UNLESS OTHERWISE NOTED)
- CALCULATED POINT
- ◆ PVC PIPE
- EXISTING DIRT ROAD
- - - FENCELINE
- ▨ 30% OPEN SPACE

**NOTES**

- 1) BASIS OF BEARINGS TAKEN FROM PLAT ENTITLED "DIVISION OF LAND FOR LESSER DELIST. . . ." PREPARED BY ALLEN C. GRACE, NO. 12443 ON OCT. 8, 1988. SAID PLAT WAS RECORDED AT THE SANTA FE COUNTY CLERK'S OFFICE UNDER RECEPTION NO. 1033, 054 ON 7/19/95, IN PLAT BOOK 351, PAGE 003. DATA IN SINGLE PARENTHESES ( ) TAKEN FROM THIS PLAT.
- 2) REFER TO "LAND DIVISION AND LOT LINE ADJUSTMENT FOR STEWART AND BARBARA PECKHAM & BOYD K. AND RANNEY E. MOCK . . ." PREPARED BY RICHARD A. CHATFIELD, PG. NO. 11011 ON 8/1/97, SAID PLAT WAS RECORDED AT THE SANTA FE COUNTY CLERK'S OFFICE UNDER RECEPTION NO. 988,560 ON 8/30/97, IN PLAT BOOK 366, PAGE 012.

**LOT LINE ADJUSTMENT OF TRACT D-1 & TRACT D-2 FOR**

**Joanna Lawrence**

LYING & BEING SITUATE WITHIN SECTION 15, T 16 N, R 9 E, N.M.P.M. SANTA FE COUNTY, NEW MEXICO CONTAINING 10.217 ACRES MORE OR LESS

Persons Statement: This plat is to amend existing lot boundaries. (This Persons statement is required by the Santa Fe County Land Use Department and is taken from and received by their checklist for plat approval.)

419033

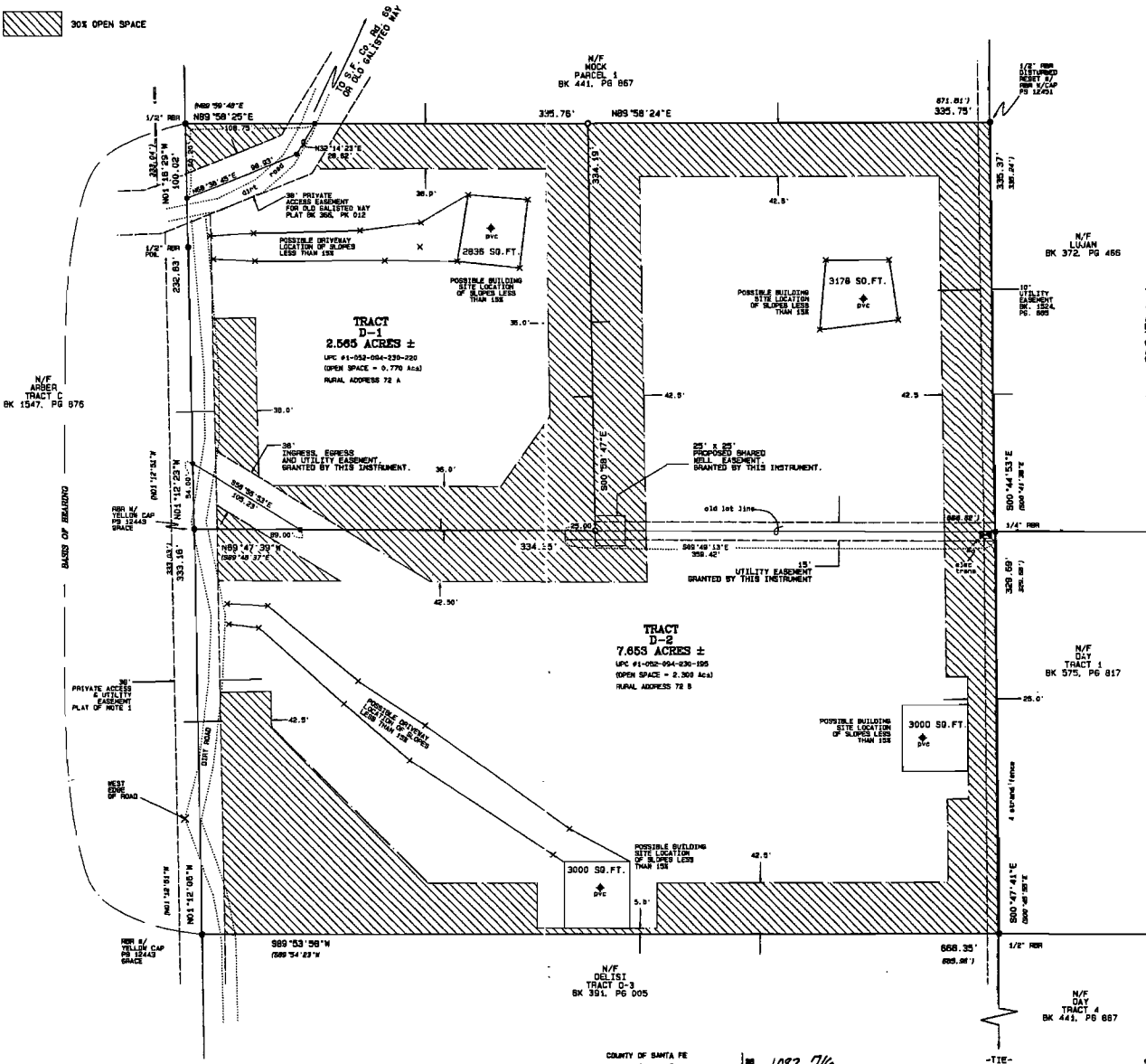
**OWNERS CONSENT**

THE UNDERSIGNED OWNERS DO HEREBY CONSENT TO THE PLATTING OF LANDS AS SHOWN HEREON. THIS LOT LINE ADJUSTMENT IS BEING MADE WITH THEIR FREE CONSENT AND IS IN ACCORDANCE WITH THEIR DESIRES AND WISHES. THESE LANDS LIE WITHIN THE PLATTING AND PLANNING JURISDICTION OF THE CITY AND COUNTY OF SANTA FE, NEW MEXICO. EASEMENTS ARE HEREBY GRANTED AS SHOWN. AN EASEMENT IS HEREBY GRANTED FOR UTILITIES WHICH MAY CURRENTLY EXIST WITHIN THESE LOTS.

JOANNA LAWRENCE DATE: June 18, 1999

STATE OF NEW MEXICO }  
COUNTY OF SANTA FE }  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 18<sup>th</sup> DAY OF JUNE, 1999.  
MY COMMISSION EXPIRES 11/19/2001

Mildred Hillstrom  
NOTARY PUBLIC  
OFFICIAL SEAL  
Mildred Hillstrom  
NOTARY PUBLIC  
COUNTY OF SANTA FE  
NEW MEXICO  
EXPIRES 11/19/2001



**and Conditions**

land Parcel 7-19-99  
CITY RURAL ADDRESSING  
1-3032  
DEVELOPMENT PERMIT NUMBER

YEAR FLOOD PLAIN, FLOOD  
A, F, I, R, H, COMMUNITY

NEED THE APPROVAL OF ANY  
PERMITS.

DEVELOPMENT CODE, THE SOILS  
AND BEING MODERATE/SEVERE  
POTENTIAL BUYER/SELLERS  
THE NEW MEXICO ENVIRONMENT  
TABLE FOR A CONVENTIONAL  
ITEM IS REQUIRED.

N 1/4 OF THE E20 TERRAIN  
ANY DEVELOPMENT, USE  
OR MODIFIED SUBJECT TO

THEY PLAT DOES NOT INCLUDE  
N(1/4) OR ROAD(S) AS SHOWN,  
EASEMENT(S) OR ROAD(S).  
A DEVELOPMENT PERMIT BE APPLIED  
COUNTY LAND USE ADMINISTRATOR.

EASEMENTS IS THE  
UNLESS CURRENTLY MAINTAINED  
PARTMENT.

AS PERMITTED BY SANTA FE  
CONSTRUCTION.

ACTS TO RESTRICTED BY GOVERNMENT  
K. (M) RECORDED IN BOOK 12625

73-2115 6-25-99  
(PHONE) DATE

6-24-99  
(ELEC) DATE

**Surveyors Certificate**

I HEREBY CERTIFY THAT THIS PLAT AND THE NOTES SHOWN HEREON WERE PREPARED BY ME OR UNDER MY PERSONAL DIRECTION AND ARE A TRUE AND ACCURATE REPRESENTATION OF A FIELD SURVEY WHICH WAS COMPLETED ON 1/27/99, TO THE BEST OF MY INFORMATION, KNOWLEDGE AND BELIEF. THIS PLAT MEETS OR EXCEEDS THE "MINIMUM STANDARDS FOR LAND SURVEYING IN NEW MEXICO."

Dean L. Spradger  
DEAN L. SPRADGER NEW MEXICO PROFESSIONAL SURVEYOR NO. 12451



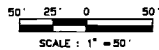
COUNTY OF SANTA FE  
STATE OF NEW MEXICO  
I hereby certify that this instrument was filed for record on the 19<sup>th</sup> day of June A.D. 1999 at 2:42 o'clock P.M. and was duly recorded in book 419 page 032 of the records of SANTA FE COUNTY.

1082.716

Witness my Hand and Seal of Office  
Notary Public, Santa Fe County, N.M.  
Mildred Hillstrom



-TIE-  
TO "REPERMITS"  
1/4 CORNER  
SECTION 15/22  
300°29'53"E  
968.53'



INDEXING INFORMATION FOR COUNTY CLERK				
OWNER	SECTION	TOWNSHIP	RANGE	LOCATION
LAWRENCE	SECT. 15	T 16 N	R 9 E	OLD GALISTED WAY

**HIGH DESERT SURVEYING**  
PROFESSIONAL SURVEYING

3012 CIELO COURT, SUITE D  
SANTA FE, NM, 87505  
PHONE: (505) 438-8094 FAX: 424-1709

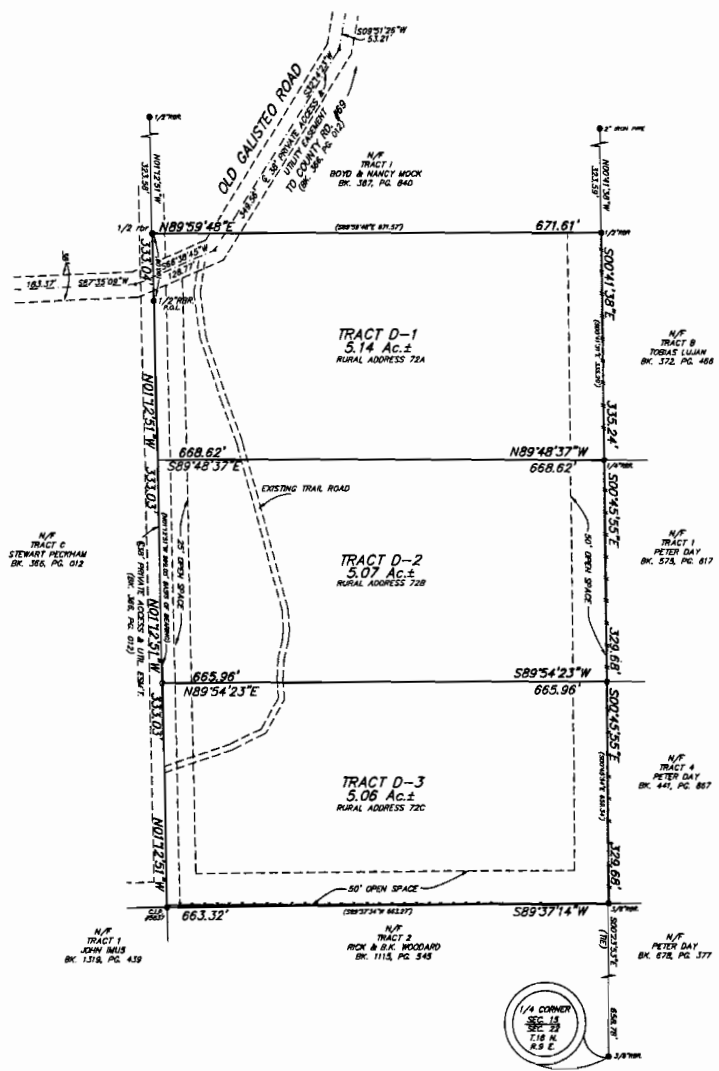
OW. NAME: LOT LINE ADJUSTMENT - JOANNA LAWRENCE PROJECT NO. 89002

1102/01/00 RECORDED

DIVISION OF LAND FOR LESA R. DELISI ON TRACT D, OF THE STEWART AND BARBARA PECKHAM LAND DIVISION, LOCATED AND LYING WITHIN SECTION 15, T.18 N., R.9 E., N.M.P.M., COUNTY OF SANTA FE, NEW MEXICO.

PURPOSE: CREATION OF THREE RESIDENTIAL LOTS

NOTE: SLOPES DO NOT EXCEED 15% GRADE



DEDICATION/AFFIDAVIT

Know all persons by these presents: That the undersigned owner(s) have caused lands to be divided as shown hereon, lying and being situate in Santa Fe County and within the Planning and Platting Jurisdiction of Santa Fe County and the City of Santa Fe. All that appears on this plat is with the free consent and in accordance with the wishes and desires of the undersigned owner(s).

LESAR DELISI (OWNER) 7/16/98 DATE

STATE OF NEW MEXICO COUNTY OF SANTA FE JSS

The foregoing instrument was acknowledged before me this 16 day of July 1998

Notary Public My Commission Expires 8/17/98



COUNTY APPROVAL

County Administrator 7-16-98 Date

Rural Addressing Director 7/16/98

98-3127 COUNTY DEVELOPMENT PERMIT No.

SANTA FE COUNTY APPROVAL, NOTES AND CONDITIONS

- 1) Maintenance of private access easements is the responsibility of the land owner and users.
2) Santa Fe County Approval of this survey plat does not include the construction of the private easement(s) or road(s) as shown.
3) The approval of this plat does not constitute the approval of any further development including building permits.
4) Pursuant to the Santa Fe County Land Development code, the soil rating of this property is designated as being moderate to severe regarding limitations to septic tanks.
5) Lands shown hereon lie outside the 100 year floodplain in Zone "X" according to the Federal Flood Insurance Rate Map Panel No. 350083-0233B.
6) The parcels as platted hereon are subject to Section 12.1 of the EZD (within 2 mile EZ).
7) Sanitary sewers are not available to subject property. On-site sanitary disposal is the responsibility of the land owner.
8) Driveway location off Old Galisteo Road is subject to approval from the Santa Fe County Public Works Department.
9) Private access roads shall be developed in compliance with section 3.5.2 F3 of the E.S.R. including adequate curb and gutter.
10) Water use/well withdrawal on these tracts is restricted by covenants filed in the Office of the County Clerk and recorded in Book \_\_\_\_\_, Pages \_\_\_\_\_ as Document No. \_\_\_\_\_

COUNTY OF SANTA FE STATE OF NEW MEXICO I hereby certify that the instrument was filed for record on the 17th day of July 1998 at 2:24 o'clock p.m. and was duly recorded in Book 311, Page 3 of the records of Santa Fe County.

Witness my Hand and Seal of Office REBECCA BUSTAMANTE County Clerk, Santa Fe County, New Mexico



Table with columns: NAME, LOCATION, CLERK. Includes 'XYZ SURVEYING & DRAFTING' and 'SANTA FE, NM 987-5506'.

Survey in the State of New Mexico is a Minimum Standard and herein is true and belief.



**DEDICATION AND AFFIDAVIT**

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS HAVE CAUSED TO BE DIVIDED AND ADJUSTED THESE LANDS SHOWN HEREON. THIS DIVISION AND ADJUSTMENT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE WISHES AND DESIRES OF SAID OWNER(S). UTILITY COMPANIES ARE GRANTED EASEMENTS AS SHOWN AND FOR EXISTING UTILITIES. OTHER EASEMENTS ARE GRANTED AS SHOWN.

THIS DIVISION AND ADJUSTMENT CONTAINS 86.51 AC. ±, AND LIES WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE COUNTY OF SANTA FE, NEW MEXICO.

*Barbara Peckham Barbara Peckham*  
STEWART AND BARBARA PECKHAM

STATE OF NEW MEXICO SS  
COUNTY OF SANTA FE

THE FOREGOING INSTRUMENT WAS SWORN, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY STEWART AND BARBARA PECKHAM

THIS 26th DAY OF June, 1997 *Paul M. Meador*  
MY COMMISSION EXPIRES Oct 4, 1997 NOTARY PUBLIC

*Bob K. and Nancy E. Mock*  
BOB K. AND NANCY E. MOCK

STATE OF NEW MEXICO SS  
COUNTY OF SANTA FE

THE FOREGOING INSTRUMENT WAS SWORN, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY BOYD K. AND NANCY E. MOCK

THIS 26th DAY OF June, 1997 *Paul M. Meador*  
MY COMMISSION EXPIRES Oct 4, 1997 NOTARY PUBLIC

N/F  
TR. 4-A CARELTON  
BK.629 PG.300

AREA CROSS-HATCHED IS WITHIN 100 YR. FLOOD PLAN AS DEFINED BY F.I.R.M. RATE MAP AS REFERENCED IN NOTE #4. AREA DOTTED IS WITHIN 500 YR. FLOOD PLAN AS REFERENCED ABOVE. ALL STRUCTURES BUILT WITHIN THE FLOOD PLANS SHALL BE CONSTRUCTED A MINIMUM OF ONE FOOT ABOVE THE MAXIMUM FLOOD ELEVATION OF 8778'-8720', THESE ELEVATIONS DATUM SHOULD BE VERIFIED BY A LICENSED ENGINEER.

**LEGEND AND NOTES**

- DENOTES POINT FOUND
- DENOTES 11011 CAPPED REBAR SET THIS SURVEY
- DENOTES POINT CALCULATED
- DENOTES BRASS MONUMENT
- ⊕ DENOTES UTILITY POLE
- △ AS NOTED
- AS NOTED

- DENOTES EDGE OF EASEMENT
- DENOTES OVERHEAD LINES
- X-X-X-X DENOTES FENCE LINE
- DENOTES EDGE OF 100 YR FLOOD PLAN
- DENOTES FLOOD PLAN ELEVATION

1. BASIS OF BEARING IS FROM "PLAT OF SURVEY FOR PECKHAM" BY MITCHEL K. MOORE, R.SURVEYOR, AND BEING FILED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN PLAT BK.129, PG.027.
2. DATA IN ( ) IS FROM PLAT OF NOTE #1.
3. THIS PLAT IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND COVENANTS OF RECORD.

**SANTA FE COUNTY APPROVAL, NOTES AND CONDITIONS.**

0366812

*Orlando Hernandez* 6-30-97  
COUNTY LAND USE ADMINISTRATOR DATE  
# 26-3199  
DEVELOPMENT PERMIT NO.

3. MAINTENANCE OF PRIVATE ACCESS EASEMENTS TO BE RESPONSIBILITY OF TRACT OWNERS.
4. THIS PARCEL LIES WITHIN ZONE X AREAS OUTSIDE 500 YR. FLOOD PLAN AS SHOWN ON F.I.R.M. PANEL #350009 2338 DATED 11/04/88 UNLESS OTHERWISE NOTED.
5. WATER WELL WITHDRAWAL ON THESE LOTS RESTRICTED BY COVENANTS FILED IN THE OFFICE OF THE COUNTY CLERK RECORDED IN BOOK N/A PAGE \_\_\_\_\_ DOCUMENT NO. \_\_\_\_\_
6. PURSUANT TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE, THE SOIL RATING ON THIS PROPERTY IS DESIGNATED AS BEING MODERATE TO SEVERE REGARDING LIMITATIONS TO SEPTIC TANKS. POTENTIAL BUYERS/SELLERS OF THIS PROPERTY SHOULD INQUIRE WITH THE NEW MEXICO ENVIRONMENT DEPARTMENT WHETHER THESE SOILS ARE SUITABLE FOR CONVENTIONAL SEPTIC SYSTEM OR IF AN ALTERNATIVE SYSTEM IS REQUIRED.
7. SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF THE PRIVATE EASEMENTS OR ROADS AS SHOWN. PRIOR TO THE CONSTRUCTION OF SAID PRIVATE EASEMENTS OR ROADS, IT IS REQUIRED THAT AN ADDITIONAL DEVELOPMENT PERMIT BE APPLIED FOR AND THEN APPROVED BY THE SANTA FE COUNTY LAND USE ADMINISTRATOR.
8. NEW DRIVEWAY/ROAD ACCESS FROM OLD GALISTED RD. IS SUBJECT TO APPROVAL FOR LOCATION AND INSTALLATION OF A CULVERT AS PERMITTED BY SANTA FE COUNTY PRIOR TO ISSUANCE OF A PERMIT FOR CONSTRUCTION.
9. THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT INCLUDING BUILDING PERMITS.
10. THE PARCELS AS PLATTED HEREIN MAY BE SUBJECT TO FUTURE TERRAIN MANAGEMENT REGULATIONS AS ADOPTED BY SANTA FE COUNTY.
11. THESE LOTS ARE SUBJECT TO SANTA FE COUNTY FIRE AND RESCUE IMPACT FEES AT THE TIME OF APPLICATION FOR BUILDING PERMITS.



VICINITY MAP

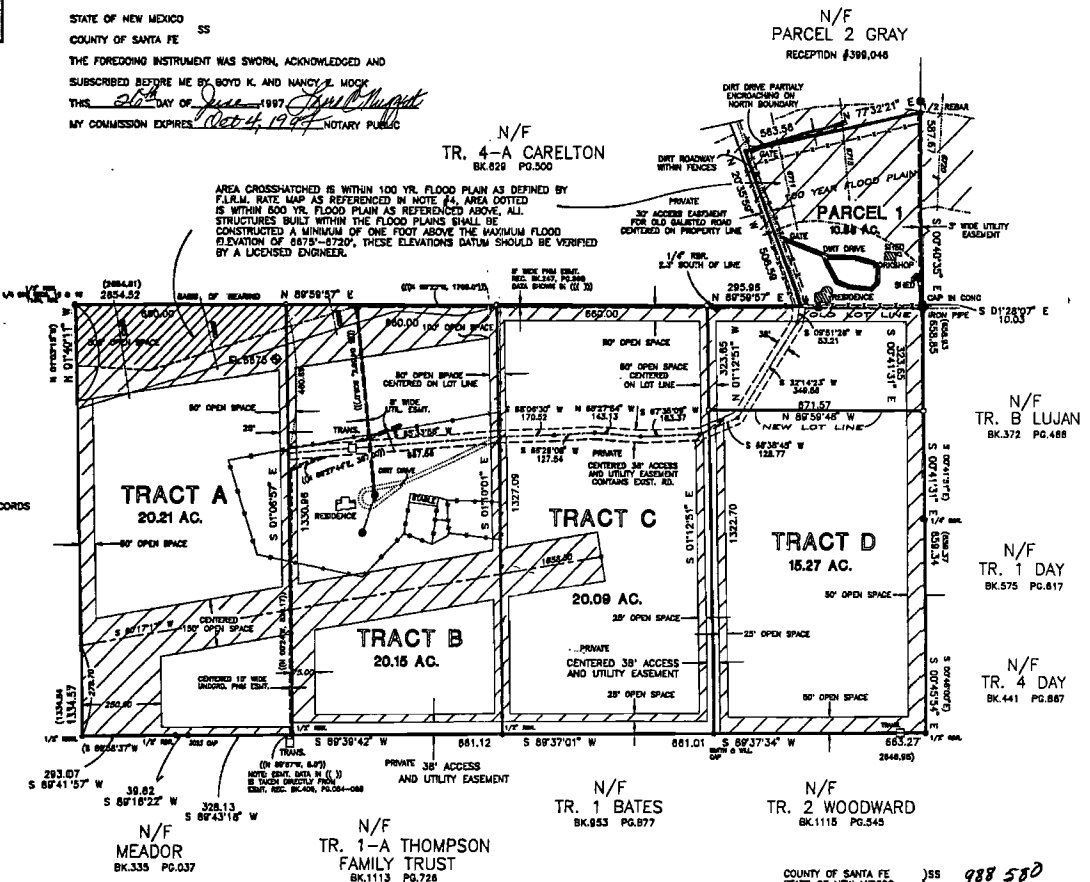


1-200

**CERTIFICATE**

I AND THE NOTES HEREON OF A FIELD SURVEY COMPLETED ON JUNE 1ST, 1997, AND ARE OF MY KNOWLEDGE AND BELIEF, PROFESSIONAL LAND SURVEYORS

*N.M.P.L.S.#11011*



COUNTY OF SANTA FE SS 988 580  
STATE OF NEW MEXICO  
I hereby certify that this instrument was filed for record on the 26th day of June, A.D. 19 97, of 5:00 o'clock P. M. and was duly recorded in book 26-3199 of the records of Santa Fe County.  
Witness My Hand and Seal of Office  
Rebecca Bustamante  
County Clerk Santa Fe County, N.M.  
*Maggie Burtman*  
Deputy



LAND DIVISION AND LOT LINE ADJUSTMENT FOR STEWART AND BARBARA PECKHAM AND BOYD K. AND NANCY E. MOCK OF 86.51 ACRES

LYING WITHIN SECTION 15, T.16N., R.9E., N.M.P.M., SANTA FE COUNTY, NEW MEXICO.

**RICK CHATROOP**  
PROFESSIONAL LAND SURVEYOR  
NEW MEXICO REGISTRATION NO. 11011  
(505) 470-0037 RT. 1 BOX 804 PBCOS, NM 87552

INFORMED INFORMATION FOR THE COUNTY CLERK  
OWNER STEWART AND BARBARA PECKHAM  
LOCATION LYING WITHIN SECTION 15, T16N, R9E, NMPM, SANTA FE COUNTY, NEW MEXICO.

SBC CLERK RECORDED 89/15/2011





