

# Memorandum

To: Santa Fe Board of County Commissioners

From: Dodi Salazar, Housing Director

Date: 9/1/2011

Re: Request Approval of an Easement Agreement Between Santa Fe County and the Public Service Company of New Mexico (PNM) to Operate and Maintain PNM Facilities to Provide Service Adjacent to and Abutting the Camino de Jacobo Property Lines

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## Background:

The Public Service Company of New Mexico is requesting a ten (10) foot underground easement along the perimeter of the Camino de Jacobo Public Housing Neighborhood to operate and maintain facilities to provide electrical service to the property.

## Action Requested:

Staff requests approval of an easement agreement between Santa Fe County and the Public Service Company of New Mexico (PNM) to operate and maintain PNM facilities to provide service adjacent to and abutting the Camino de Jacobo property lines.

STC# 2012-0065-HQ/TRV

ROWT 18983

PUBLIC SERVICE COMPANY OF NEW MEXICO  
UNDERGROUND EASEMENT (ELECTRIC)

THIS EASEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 20 11 by and between

Santa Fe County, New Mexico

(Grantor) and PUBLIC SERVICE COMPANY OF NEW MEXICO, a New Mexico corporation (Grantee), and their successors and assigns.

WITNESSETH:

Grantor, for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other valuable consideration, the receipt of which is acknowledged, does hereby give, bargain, sell, grant and convey unto Grantee a perpetual easement to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain underground facilities for the transmission and distribution of electric power and energy and facilities for fiber optics and other communication purposes. Such facilities may include (but are not limited to) lines, cables, poles, guy wires, anchors, conduits and other equipment, fixtures, appurtenances and structures necessary to maintain such facilities on, over, beneath, through and across the easement hereinafter described, together with free access to, from and over said easement, with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein, and with the right to utilize the easement to extend services to customers of Grantee, and to trim and remove any trees, shrubs, bushes or vegetation and remove any structures which interfere with the purposes set forth herein. The easement granted herein is within lands situate in Santa Fe County, New Mexico, and is more particularly described as follows, to wit:

PNM ROWT Number 18983

An easement within Tract B-2, as described in Warranty Deed to Santa Fe County, New Mexico, filed in Bok 451, Pages 849-50, Records of Santa Fe County, New Mexico, situate in Section 6, T.16N., R.9E., N.M.P.M. and being more particularly described as follows:

An easement ten (10) feet in width, adjacent to and abutting the property lines of said Tract B-2.

All as shown on drawing which is attached hereto and made a part hereof as EXHIBIT "A".

To the best of Grantor's knowledge, Grantor is the true and lawful owner of the land described herein.

Grantor shall have the right to use the above described easement for purposes not inconsistent with the rights hereby granted, provided that Grantor shall not erect nor construct any building, pool or other structure thereon, nor drill nor operate any well thereon, nor conduct any activity which violates provisions of the National Electric Safety Code.

The provisions hereof shall inure to the benefit of and bind the heirs, executors, mortgages, lessees, tenants, successors and assigns of the parties hereto. Grantee shall have the unrestricted right to sell, transfer, assign, pledge, mortgage, lease, grant licenses or other use or occupancy rights with respect to, or otherwise dispose of, in whole or in part, any interest in the easement, and such assigns shall have the further right to convey, in whole or in part, the rights granted to them by Grantee.

WITNESS \_\_\_\_\_ hand \_\_\_\_\_ and seal \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20 11

\_\_\_\_\_(SEAL) \_\_\_\_\_(SEAL)

\_\_\_\_\_(SEAL) \_\_\_\_\_(SEAL)

ACKNOWLEDGMENT

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

11

This instrument was acknowledged before me on \_\_\_\_\_, 20 \_\_\_\_\_.

By \_\_\_\_\_

My commission expires:  
(Seal)

\_\_\_\_\_  
Notary Public

FOR RECORDER'S USE ONLY

ACKNOWLEDGMENT FOR LIMITED LIABILITY COMPANY

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on

\_\_\_\_\_, 20 \_\_\_\_\_.

By \_\_\_\_\_  
(Name of Officer) (Title of Officer)

of \_\_\_\_\_  
(LLC Acknowledgment)

a \_\_\_\_\_ limited liability company, on behalf of said LLC.

My Commission Expires:  
(Seal)

\_\_\_\_\_  
Notary Public

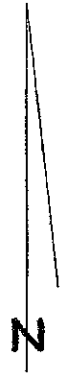
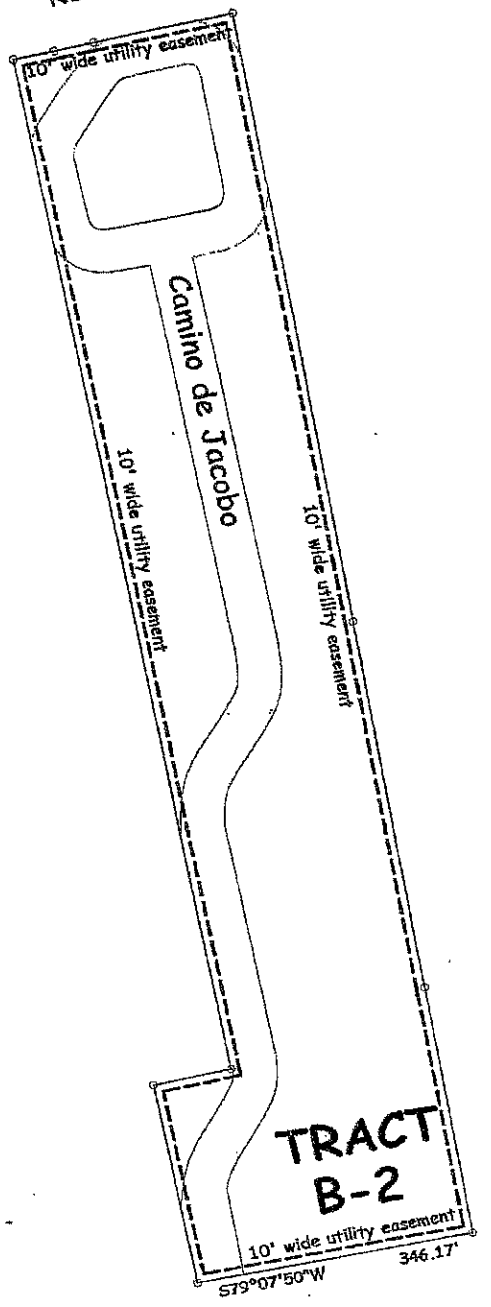
PNM REFERENCE NUMBER \_\_\_\_\_

Approved as to form  
Santa Fe County Attorney

By: [Signature]

Date: Sept. 8, 2011 [Signature]

RUFINA St.



Tract B-2 as described in Warranty Deed to Santa Fe County recorded in Book 451, Pages 849-50, Records of Santa Fe County, New Mexico.

Exhibit "A"

# Memorandum

**To:** Santa Fe Board of County Commissioners

**From:** Dodi Salazar, Housing Director

**Date:** 9/1/2011

**Re:** Request Approval of an Easement Agreement Between Santa Fe County and the Public Service Company of New Mexico (PNM) to Install New Electrical Facilities in the Valle Vista Public Housing Sub-division (Lot 11)

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**Background:**

The Public Service Company of New Mexico is requesting a five (5) foot underground easement to install new electrical facilities in the Valle Vista Public Housing Neighborhood. This easement will allow PNM to upgrade the old electrical system to the residents living in this area.

**Action Requested:**

Staff requests approval of an easement agreement between Santa Fe County and the Public Service Company of New Mexico (PNM) to install new electrical facilities in the Valle Vista Public Housing Sub-division.

SFE#2012-0064-H01TRV

lot 11

ROWT 18777

PUBLIC SERVICE COMPANY OF NEW MEXICO  
UNDERGROUND EASEMENT (ELECTRIC)

THIS EASEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 20 11 by and between

Santa Fe County, New Mexico

(Grantor) and PUBLIC SERVICE COMPANY OF NEW MEXICO, a New Mexico corporation (Grantee), and their successors and assigns.

WITNESSETH:

Grantor, for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other valuable consideration, the receipt of which is acknowledged, does hereby give, bargain, sell, grant and convey unto Grantee a perpetual easement to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain underground facilities for the transmission and distribution of electric power and energy and facilities for fiber optics and other communication purposes. Such facilities may include (but are not limited to) lines, cables, poles, guy wires, anchors, conduits and other equipment, fixtures, appurtenances and structures necessary to maintain such facilities on, over, beneath, through and across the easement hereinafter described, together with free access to, from and over said easement, with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein, and with the right to utilize the easement to extend services to customers of Grantee, and to trim and remove any trees, shrubs, bushes or vegetation and remove any structures which interfere with the purposes set forth herein. The easement granted herein is within lands situate in Santa Fe County, New Mexico, and is more particularly described as follows, to wit:

PNM ROWT Number 18777

An easement five (5) feet wide within Lot 11 of the Plat entitled SUBDIVISION PLAT FOR SANTA FE COUNTY PUBLIC HOUSING AUTHORITY known as "Valle Vista" being Cerrillos Sites 1 & 2, situate in Santa Fe County, New Mexico, as the same is shown and designated on said Plat filed for record in the office of the County Clerk of Santa Fe County on October 4, 2001 in Book 485, Pages 048-050A, said easement is more particularly described on:

Exhibit A-1 Description and shown  
on Exhibit A-2 Drawing of Description, both attached.

To the best of Grantor's knowledge, Grantor is the true and lawful owner of the land described herein.

Grantor shall have the right to use the above described easement for purposes not inconsistent with the rights hereby granted, provided that Grantor shall not erect nor construct any building, pool or other structure thereon, nor drill nor operate any well thereon, nor conduct any activity which violates provisions of the National Electric Safety Code.

The provisions hereof shall inure to the benefit of and bind the heirs, executors, mortgagees, lessees, tenants, successors and assigns of the parties hereto. Grantee shall have the unrestricted right to sell, transfer, assign, pledge, mortgage, lease, grant licenses or other use or occupancy rights with respect to, or otherwise dispose of, in whole or in part, any interest in the easement, and such assigns shall have the further right to convey, in whole or in part, the rights granted to them by Grantee.

WITNESS \_\_\_\_\_ hand \_\_\_\_\_ and seal \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20 11

By: \_\_\_\_\_ SEAL) \_\_\_\_\_ (SEAL)

Title: \_\_\_\_\_ (SEAL) \_\_\_\_\_ (SEAL)

ACKNOWLEDGMENT

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_, 20 \_\_\_\_\_.

By \_\_\_\_\_

My commission expires:  
(Seal)

Notary Public

ACKNOWLEDGMENT FOR Limited Liability Company

STATE OF NEW MEXICO

COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on

\_\_\_\_\_, 20 \_\_\_\_\_.

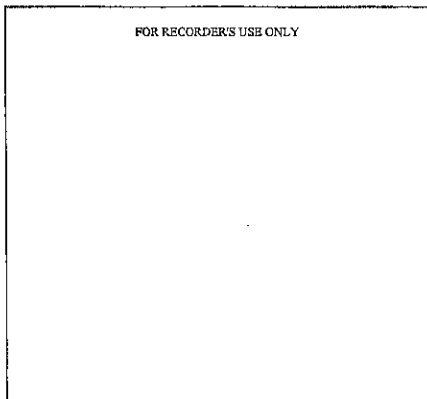
By \_\_\_\_\_  
(Name of Officer) (Title of Officer)

of \_\_\_\_\_  
(LLC Acknowledgment)

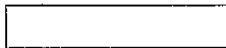
a \_\_\_\_\_ limited liability company.

My Commission Expires:  
(Seal)

Notary Public



PNM  
REFERENCE  
NUMBER



Approved as to form  
Santa Fe County Attorney

By: [Signature]

Date: Sept 8, 2011

# EXHIBIT A-1

## DESCRIPTION

A Utility Easement within LOT 11 as described in the Plat entitled SUBDIVISION PLAT FOR SANTA FE COUNTY PUBLIC HOUSING AUTHORITY, as filed on October 4, 2001 in Book 485, Pages 048-050A, Records of Santa Fe County, New Mexico, and being five feet in width, two and one-half feet on each side of the following described centerline, the sides of said easement to be shortened or lengthened so as to terminate at the boundary lines of said Lot 10 and which north line is adjacent to and parallel with the north line of said Lot 10:

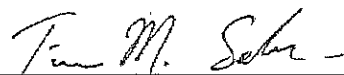
BEGINNING at a point on the West Property Line of LOT 11; WHENCE the southwesterly corner of said LOT 10, being a found Plastic Survey Cap bears South 00°2'31" East a distance of 100.30 feet; Thence

North 89°31'01" East a distance of 109.61 feet to the POINT OF ENDING.

Easement contains 548 Sq.Ft. or 0.0126 acre, more or less.

## SURVEYOR'S CERTIFICATION

I, Timothy Solinski, a New Mexico Professional Surveyor No. 17531, do hereby certify that this Easement Plat and the actual survey on the ground upon which it is based were performed by me or under my direct supervision; that I am responsible for this survey; that this survey meets the Minimum Standards for Surveying in New Mexico; and that it is true and correct to the best of my knowledge and belief. I further certify that this survey is not a land division or subdivision as defined in the New Mexico Subdivision Act and that this instrument is an Easement Survey for use in granting a new easement.

  
Timothy Solinski  
New Mexico Professional Surveyor No. 17531

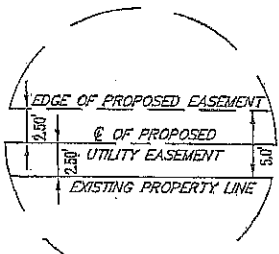
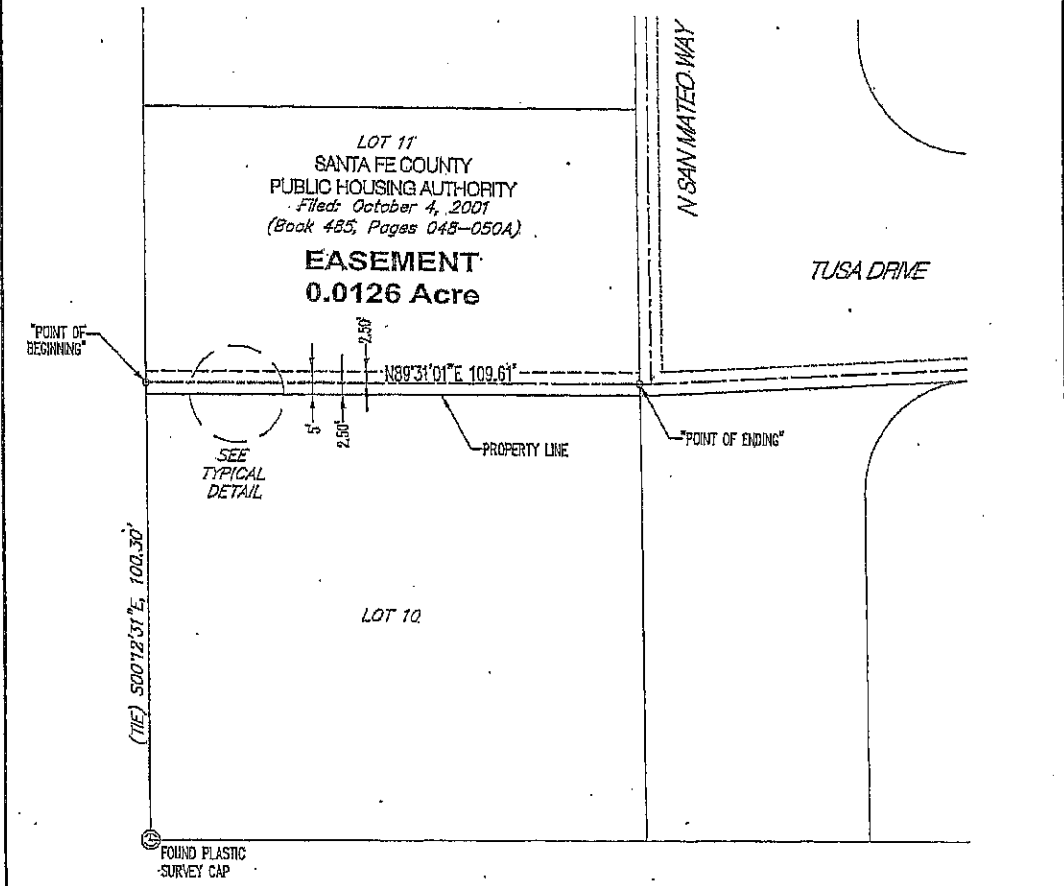
2-9-2011  
Date



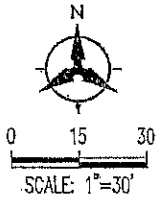
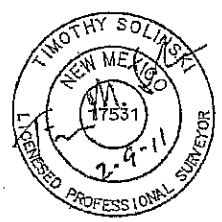
PNM SANTA FE CABLE REPLACEMENT	
PNM#: ROWT 18777 LOT 11	SHEET 1 OF 2
BHI #: 20110108	DATE: 2010/12/13



# EXHIBIT A-2 DRAWING OF DESCRIPTION



TYPICAL EASEMENT DETAIL  
N.T.S.



**PNM SANTA FE  
CABLE REPLACEMENT**

PNM#- ROWT 18777-LOT 11	SHEET 2 OF 2
BHI #: 20110108	DATE: 2010/12/13



**Bohannon & Huston**

# Memorandum

**To:** Santa Fe Board of County Commissioners

**From:** Dodi Salazar, Housing Director

**Date:** 9/1/2011

**Re:** Request Approval of an Easement Agreement Between Santa Fe County and the Public Service Company of New Mexico (PNM) to Install New Electrical Facilities in the Valle Vista Public Housing Sub-division (Lots 52, 56, 57, 58, and 59)

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**Background:**

The Public Service Company of New Mexico is requesting an underground easement to install new electrical facilities in the Valle Vista Public Housing Neighborhood. This easement will allow PNM to upgrade the old electrical system to the residents living in this area.

**Action Requested:**

Staff request approval of an easement agreement between Santa Fe County and the Public Service Company of New Mexico (PNM) to install new electrical facilities in the Valle Vista Public Housing Sub-division.



PUBLIC SERVICE COMPANY OF NEW MEXICO  
UNDERGROUND EASEMENT (ELECTRIC)

THIS EASEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 20 11 by and between

Santa Fe County, New Mexico

(Grantor) and PUBLIC SERVICE COMPANY OF NEW MEXICO, a New Mexico corporation (Grantee), and their successors and assigns.

WITNESSETH:

Grantor, for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other valuable consideration, the receipt of which is acknowledged, does hereby give, bargain, sell, grant and convey unto Grantee a perpetual easement to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain underground facilities for the transmission and distribution of electric power and energy and facilities for fiber optics and other communication purposes. Such facilities may include (but are not limited to) lines, cables, poles, guy wires, anchors, conduits and other equipment, fixtures, appurtenances and structures necessary to maintain such facilities on, over, beneath, through and across the easement hereinafter described, together with free access to, from and over said easement, with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein, and with the right to utilize the easement to extend services to customers of Grantee, and to trim and remove any trees, shrubs, bushes or vegetation and remove any structures which interfere with the purposes set forth herein. The easement granted herein is within lands situate in Santa Fe County, New Mexico, and is more particularly described as follows, to wit:

PNM ROWT Number 18777

An easement seven (7) feet wide within Lots 52, 56, 57, 58 and 59 of the Plat entitled SUBDIVISION PLAT FOR SANTA FE COUNTY PUBLIC HOUSING AUTHORITY known as "Valle Vista" being Cerrillos Sites 1 & 2, situate in Santa Fe County, New Mexico, as the same is shown and designated on said Plat filed for record in the office of the County Clerk of Santa Fe County on October 4, 2001 in Book 485, Pages 048-050A, said easement is more particularly described on:

Exhibit A-3 Description and shown  
on Exhibit A-4 Drawing of Description, both attached.

To the best of Grantor's knowledge, Grantor is the true and lawful owner of the land described herein. Grantor shall have the right to use the above described easement for purposes not inconsistent with the rights hereby granted, provided that Grantor shall not erect nor construct any building, pool or other structure thereon, nor drill nor operate any well thereon, nor conduct any activity which violates provisions of the National Electric Safety Code.

The provisions hereof shall inure to the benefit of and bind the heirs, executors, mortgagees, lessees, tenants, successors and assigns of the parties hereto. Grantee shall have the unrestricted right to sell, transfer, assign, pledge, mortgage, lease, grant licenses or other use or occupancy rights with respect to, or otherwise dispose of, in whole or in part, any interest in the easement, and such assigns shall have the further right to convey, in whole or in part, the rights granted to them by Grantee.

WITNESS \_\_\_\_\_ hand \_\_\_\_\_ and seal \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20 11

By: \_\_\_\_\_ (SEAL) \_\_\_\_\_ (SEAL)

Title: \_\_\_\_\_ (SEAL) \_\_\_\_\_ (SEAL)

ACKNOWLEDGMENT

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_, 20 \_\_\_\_\_.

By \_\_\_\_\_

My commission expires:  
(Seal)

Notary Public

ACKNOWLEDGMENT FOR Limited Liability Company

STATE OF NEW MEXICO

COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on

\_\_\_\_\_, 20 \_\_\_\_\_.

By \_\_\_\_\_  
(Name of Officer) (Title of Officer)

of \_\_\_\_\_  
(LLC Acknowledgment)  
a \_\_\_\_\_ limited liability company.

My Commission Expires:  
(Seal)

\_\_\_\_\_  
Notary Public

FOR RECORDER'S USE ONLY

PNM REFERENCE NUMBER \_\_\_\_\_

Approved as to form  
Santa Fe County Attorney

By: [Signature]

Date: Sept 8, 2011

# EXHIBIT A-3

**DESCRIPTION**

A Utility Easement within LOTS 56, 57 AND 58, as described in the Plat entitled SUBDIVISION PLAT FOR SANTA FE COUNTY PUBLIC HOUSING AUTHORITY, as filed on October 4, 2001 in Book 485, Pages 048-050A, Records of Santa Fe County, New Mexico, and being seven feet in width, three and one-half feet on each side of the following described centerline, the sides of said easement to be shortened or lengthened so as to terminate at the boundary lines of said LOT 56 and LOT 58:

BEGINNING at a point on the south boundary line of said LOT 56 and being labeled as CENTERLINE 1; WHENCE the southwesterly corner of said LOT 10 being a found Plastic Survey Cap bears South 63°57'10" West a distance of 351.30 feet; Thence

North 00°38'14" East a distance of 177.20 feet to the POINT OF ENDING, CENTERLINE 1.

Easement contains 1240 Sq.Ft. or 0.0285 acre, more or less.

AND

A Utility Easement within LOTS 52, 58 AND 59, as described in the Plat entitled SUBDIVISION PLAT FOR SANTA FE COUNTY PUBLIC HOUSING AUTHORITY, as filed on October 4, 2001 in Book 485, Pages 048-050A, Records of Santa Fe County, New Mexico, and being seven feet in width, three and one-half feet on each side of the following described centerline, the sides of said easement to be shortened or lengthened so as to terminate at the boundary lines of said CENTERLINE 1 and Existing 7.5 feet Wide Utility Easement:

BEGINNING at a point within LOT 58 and being labeled as CENTERLINE 2; WHENCE the southwesterly corner of said LOT 10 being a found Plastic Survey Cap bears South 45°59'08" West a distance of 436.57 feet; Thence

North 89°21'46" East a distance of 169.53 feet to the POINT OF ENDING, CENTERLINE 2.

Easement contains 1187 Sq.Ft. or 0.0272 acre, more or less.

**SURVEYOR'S CERTIFICATION**

I, Timothy Solinski, a New Mexico Professional Surveyor No. 17531, do hereby certify that this Easement Plat and the actual survey on the ground upon which it is based were performed by me or under my direct supervision; that I am responsible for this survey; that this survey meets the Minimum Standards for Surveying in New Mexico; and that it is true and correct to the best of my knowledge and belief. I further certify that this survey is not a land division or subdivision as defined in the New Mexico Subdivision Act and that this Instrument is an Easement Survey for use in granting a new easement.

*Tim M. Solinski*  
 Timothy Solinski  
 New Mexico Professional Surveyor No. 17531

2-9-2011  
 Date



**PNM SANTA FE  
 CABLE REPLACEMENT**

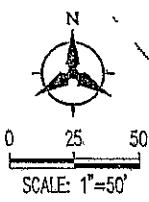
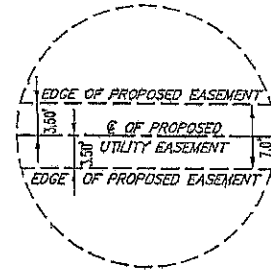
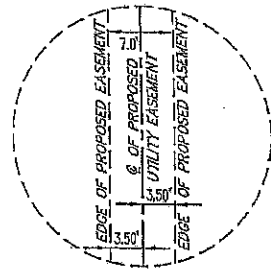
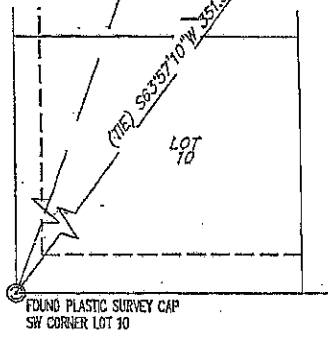
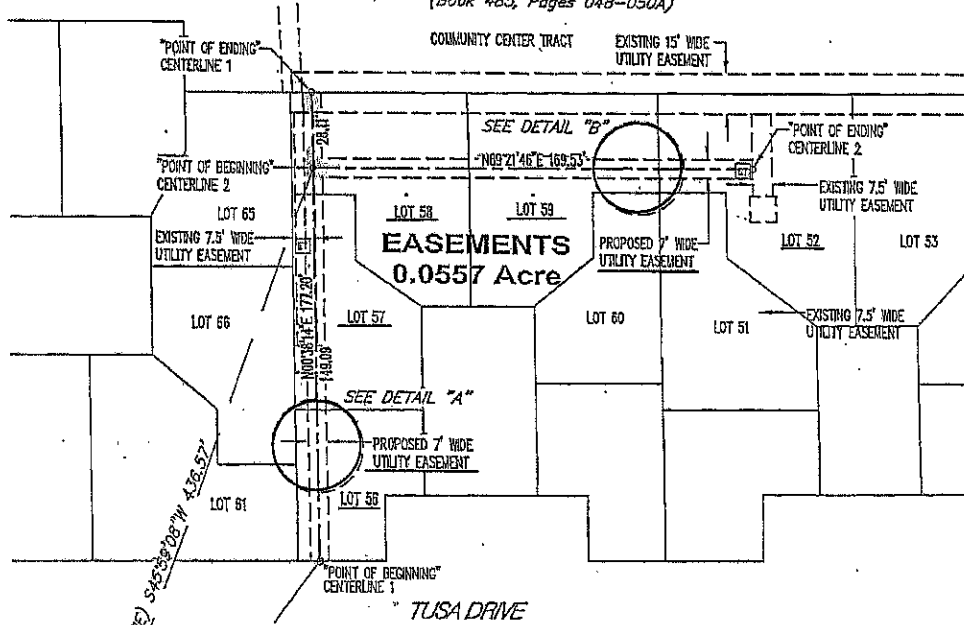


PNM #: ROWT 18777 SHEET 1 OF 2  
 BHL #: 20110108 DATE: 2010/12/13



# EXHIBIT A-4 DRAWING OF DESCRIPTION

SANTA FE COUNTY  
PUBLIC HOUSING AUTHORITY  
Filed: October 4, 2001  
(Book 485, Pages 048-050A)



PNM SANTA FE CABLE REPLACEMENT	
PNM #: ROWT 18777	SHEET 2 OF 2
BHI #: 20110108	DATE: 2010/12/13

