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STATE OF NEW MEXICO COUNTY OF RIO ARRIBA FIRST JUDICIAL DISTRICT

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF RIO ARRIBA and

NO. D-117-CV-2016-00254

THE CITIZENS FOR ACCESSIBLE AND REPRESENTATIVE GOVERNMENT,

Petitioners

v.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SANTA FE,

Respondent.

COMBINED ANSWER AND BRIEF IN OPPOSITION TO THE VERIFIED PETITION FOR A WRIT OF MANDAMUS IN THE FIRST JUDICIAL DISTRICT COURT

The Board of County Commissioners of the County of the Santa Fe ("Board"), by and through its undersigned counsel, submits this answer and brief in opposition to the Verified Petition for a Writ of Mandamus in the First Judicial District Court ("Verified Petition").

I. <u>PRELIMINARY STATEMENT.</u>

The City of Española ("Española") lies partly within Rio Arriba County and partly within Santa Fe County. A citizen petition was submitted to the Board pursuant to NMSA 1978, § 4-33-2 requesting that the Española portion of Santa Fe County be annexed to Rio Arriba County. At a public meeting, the Board voted to disapprove the citizen petition on the ground that it was facially deficient, in that it failed to set forth facts required by law to be included in the petition. Consequently, it did not cause notice of the petition to be published in one or more newspapers of general circulation in each county affected, a necessary step in the annexation process. The Verified Petition requests a writ of mandamus be issued compelling the Board to publish notice. Fatally flawed, both procedurally and on the merits, the Verified Petition must be dismissed and the requested writ denied.

Procedurally, the Verified Petition must be dismissed:

- Due to improper venue, since the Board may only be sued in Santa Fe County, pursuant to NMSA 1978, § 38-3-2; and
- Because Petitioners lack standing. The Board of County Commissioners of Rio Arriba County is not beneficially interested in this matter. Neither it nor its citizens have the right to sign the annexation petition or vote in the annexation election, should one be held.

The other petitioner, Citizens for Accessible and Representative Government (CARG), does not appear to have the capacity to sue and be sued.

On the merits, the Verified Petition fails because:

- A county annexation petition must set forth facts showing that "it will be more convenient for the residents of any portion of a county to travel to the county seat of some other contiguous county" and (ii) "it will be more convenient and economical for such other county to render governmental services to such portion of such other county". Here, the citizen petition submitted to the Board did not even mention the county seat of Rio Arriba County, Tierra Amarilla, let alone set forth facts showing it would be more convenient to travel to Tierra Amarilla than the county seat of Santa Fe.
- Accordingly, the Board had no legal duty to publish notice of the petition, since the Board's duty to act arises only if presented with a legal petition.

The Verified Petition contains a slew of well poisoners intended to divert the Court's attention from the narrow legal issues presented. Those well poisoners are incredible on their face (e.g., that the Santa Fe County Clerk forsook her constitutional oath of office so as to put the kibosh on the citizen petition and that, in blatant violation of the Open Meetings Act, the Board amended its agenda on the day of its May 10, 2016, meeting to add the citizen petition), contradicted by the Verified Petition itself, and refuted by the sworn testimony of Santa Fe County officials and employees attached hereto.

II. PROCEDURAL POSTURE AND OVERVIEW OF PLEADING.

The Verified Petition was filed on August 1, 2016. Contrary to Rule 1-065(C), the Verified Petition was not accompanied by the proposed form of writ in the form proscribed by Rule 1-065(E).

In lieu of an alternative writ, on August 2, 2016, the Board was served with an ordinary summons commanding it to respond to the Verified Petition within thirty days of service; i.e., by September 1, 2016. This Combined Answer and Brief in Opposition to the Verified Petition is, therefore, timely filed.

The Combined Answer and Brief in Opposition to the Verified Petition is divided into the following parts. Part III contains an index of attached exhibits, consisting of sworn declarations of Santa Fe County officials and employees. Part IV contains the Board's answer, in the forms of admissions and denials, to the numbered factual allegations in the Verified Petition as well as affirmative defenses. Part V contains a brief response to the alleged nefarious conduct on the part of Santa Fe County. Part VI contains the Board's legal argument as to why the Verified Petition should be dismissed or the requested writ denied.

III. INDEX OF ATTACHED EXHIBITS.

- Exhibit 1 Declaration of Geraldine Salazar, Santa Fe County Clerk, dated September 1, 2016 ("G. Salazar Declaration").
- Exhibit 2 Declaration of Tony T. Flores, Deputy Santa Fe County Manager, dated September 1, 2016 ("Flores Declaration").
- Exhibit 3 Declaration of Philip Salazar, Election Administrative Specialist, Santa Fe
 County, dated September 1, 2016 ("P. Salazar Declaration").
- Exhibit 4 Declaration of Kristine Mihelcic, Communication Coordinator, Santa Fe
 County, dated September 1, 2016 ("Mihelcic Declaration").
- Exhibit 5 Declaration of Ambra Baca, Administrative Assistant, Santa Fe County Manager's Office, dated September 1, 2016 ("Baca Declaration").
- Exhibit 6 Declaration of Katherine Miller, Santa Fe County Manager, dated September 1, 2016 ("Miller Declaration").
- Exhibit 7 Declaration of Kathleen Ortiz, Santa Fe County Paralegal, dated September 1, 2016 ("Ortiz Declaration").

IV. ANSWER TO VERIFIED PETITION AND AFFIRMATIVE DEFENSES.

- 1. The Board admits the averments in Paragraph 1 of the Verified Petition.
- 2. The Board admits the averments in Paragraph 2 of the Verified Petition.

3. With regard to the averments in Paragraph 3 of the Verified Petition, the Board admits that the county seat of Rio Arriba County is Tierra Amarilla. The Board is without knowledge or information sufficient to form a belief as to the truth of the remaining averments in Paragraph 3 of the Verified Petition. 4. With regard to the averments in Paragraph 4 of the Verified Petition, the Board admits that the Board of County Commissioners of the County of Rio Arriba has the power and authority to bring suits on behalf of Rio Arriba County but denies that it has standing to bring this action under NMSA 1978, § 4-46-1 (1953) or other law.

5. The Board admits the averments in Paragraph 5 of the Verified Petition.

6. The Board is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 6 of the Verified Petition.

7. The Board admits the averments in Paragraph 7 of the Verified Petition, except denies that venue is proper in Rio Arriba County pursuant to NMSA 1978, § 38-3-1 (1988).

8. The Board denies the averments in Paragraph 8 of the Verified Petition, except admits that NMSA 1978, § 44-2-5 (1953) provides in its entirety as follows: "The writ shall not issue in any case where there is a plain, speedy and adequate remedy in the ordinary course of law. It shall issue on the information of the party beneficially interested."

9. The Board denies the averments in Paragraph 9 of the Verified Petition.

10. The Board denies the averments in Paragraph 10 of the Verified Petition, except admits that the City of Española is located partially within Rio Arriba County and partially within Santa Fe County.

11. The Board is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 11 of the Verified Petition. The Board affirmatively avers that, based upon a good faith search of the Secretary of State's website and the records of the Santa Fe County Clerk and Rio Arriba County Clerk, CARG is not duly organized as a partnership, corporation, limited liability corporation, or other legal entity with the capacity to sue and be sued; nor is it a registered unorganized association under NMSA 1978, § 53-10-1 with the power to sue and be sued under NMSA 1978, §§ 53-10-5 and 53-10-6.

12. The Board denies the averments in Paragraph 12 of the Verified Petition.

13. The Board denies the averments in Paragraph 13 of the Verified Petition. The Board affirmatively avers that the First Amendment to the Constitution for the United States of America provides in its entirety as follows: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." The Board denies, however, that the Verified Petition states any claim under that amendment or that that amendment has any relevance to the legal issues presented by the Verified Petition.

14. The Board admits that Art. II, Section 8 of the Constitution of the State of New Mexico contains the quoted language. The Board denies, however, that the Verified Petition states any claim under that section or that that section has any relevance to the legal issues presented by the Verified Petition.

15. The Board admits that NMSA 1978, § 4-33-1 (1953) contains the quoted language. The Board affirmatively avers that NMSA 1978, § 4-33-1 requires two distinct and separate conditions be present before a portion of a county may be annexed to another county: <u>viz.</u>, annexation is only justified if, because of the location and conditions of roads, or the existence or nonexistence of transportation facilities, (i) "it will be more convenient for the residents of any portion of a county to travel to the county seat of some other contiguous county" **and** (ii) "it will be more convenient and economical for such other county to render governmental services to such portion of such other county". These two conditions are

sometimes referred to throughout the remainder of this pleading as the "County Seat Condition" and the "Governmental Services Condition", respectively.

16. The Board admits that, except for the bracketed information inserted by the compiler, NMSA 1978, § 4-33-2 (1953) contains the language quoted in Paragraph 16 of the Verified Petition. The Board affirmatively avers that, to be legally sufficient, a petition submitted to it pursuant to NMSA 1978, § 4-33-2 must contain facts showing the existence of both the County Seat Condition and the Governmental Services Condition.

17. The Board admits that NMSA 1978, § 4-33-3 (1953) contains the language quoted in Paragraph 17 of the Verified Petition. The Board affirmatively avers that the duty to publish notice of a petition under that section arises only if all statutory prerequisites have been met, including that the petition contain facts showing the existence of both the County Seat Condition and the Governmental Services Condition.

18. The Board admits that Cox v. *City of Albuquerque*, 1949-NMSC-041, ¶ 14, 53 N.M. 334, contains the language quoted in Paragraph 18 of the Verified Petition. The Board denies Cox is dispositive of the issues presented in this case.

19. The Board denies the averments in Paragraph 19 of the Verified Petition, except admits that Santa Fe County includes a portion of the City of Española and that the Española portion of Santa Fe County contained approximately 1,346 registered voters as of May 6, 2016.

20. The Board denies the averments in Paragraph 20 of the Verified Petition.

21. The Board denies the averments in Paragraph 21 of the Verified Petition, except admits that Santa Fe County Clerk Geraldine Salazar received the letter attached to the Verified Petition as Exhibit 1. The Board respectfully refers the Court to that letter for the contents thereof.

22. The Board denies the averments in Paragraph 22 of the Verified Petition, including footnote 3, except admits that the December 14, 2015, letter enclosed a proposed petition form and exhibits to the proposed petition and requested that the Santa Fe County Clerk's Office "please review these documents as to form and that the documents comply with New Mexico Statutes Annotated, Chapter 4 Counties, Article 33 Creation or Change of Counties." The Board affirmatively avers that NMSA 1978, § 3-1-5 (2007) was not cited in the December 14, 2015, letter, that this section is not applicable to county annexation petitions under NMSA 1978, § 4-33-2, and that no statute requires or authorizes a county clerk to approve county annexation petitions under NMSA 1978, § 4-33-2 as to form.

23. The Board denies the averments of Paragraph 23 of the Verified Petition, except admits that the County Clerk received a voicemail message from a person purporting to be George Salazar on or about February 10, 2016, and that she returned the call on or about February 11, 2016, leaving a voicemail in which she apologized for the delay in a response and indicated that she hoped to have a response to him by 5:00 p.m. on Friday, February 12, 2016.

24. The Board denies the averments of Paragraph 24 of the Verified Petition, except admits that, on February 12, 2016, the Santa Fe County Clerk sent the letter attached to the Verified Petition as Exhibit 3. The Board respectfully refers the Court to that letter for the contents thereof.

25. The Board denies the averments of Paragraph 25 of the Verified Petition or is without knowledge or information sufficient to form a belief as to the truth of those averments, including the averments in footnote 4, except admits that the Santa Fe County Clerk received the letter attached to the Verified Petition as Exhibit 4. The Board respectfully refers the Court to that letter for the contents thereof.

26. The Board denies the averments of Paragraph 26 of the Verified Petition, except admits that, on or about February 22, 2016, the Santa Fe County Clerk discussed the proposed petition on the phone with a person whom she understood to be George Martinez and stated that she would not sign the petition, because she did not have the authority to do so, and that questions about the substance of the form should be directed to the Board.

27. The Board denies the averments of Paragraph 27 of the Verified Petition, except admits that Tony T. Flores received the email attached to the Verified Petition as Exhibit 5. The Board respectfully refers the Court to that email for the contents thereof.

28. The Board denies the averments of Paragraph 28 of the Verified Petition, including those in footnote number 5, except admits that the Santa Fe County Clerk received the letter attached to the Verified Petition as Exhibit 6 and that NMSA 1978, § 3-1-5 contains the language quoted in footnote 5. The Board respectfully refers the Court to the letter attached as Exhibit 6 for the contents thereof and affirmatively avers that NMSA 1978, § 3-1-5 is not applicable to county annexation petitions under NMSA 1978, § 4-33-2 and that no other statute requires or authorizes a county clerk to approve county annexation petitions under NMSA 1978, § 4-33-2 as to form.

29. The Board denies the averments of Paragraph 29 of the Verified Petition, except admits and affirmatively avers that a meeting was held on February 26, 2016, at the Santa Fe County Manager's Office, in attendance at which were Deputy County Manager, Tony T. Flores, County Attorney Gregory S. Shaffer, Orlando Romero, Constituent Liaison for County Commissioner Henry P. Roybal, George Martinez, and Margaret C. Campos. The Board affirmatively avers the following concerning the discussion at the meeting: (i) Santa Fe County staff explained the County Clerk's view that NMSA 1978, § 3-1-5 did not apply to the proposed

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annexation petition and, therefore, that she would not be signing the proposed petition; (ii) Santa Fe County staff made clear that they had not been authorized to and were not speaking on behalf of the Board; (iii) Santa Fe County staff explained that, if the proponents of the annexation wanted the Board to review the petition prior to signatures being requested, they would have to request to be placed on the Board's agenda, the Board had meetings on March 8, 2016, and March 29, 2016, and that the proponents of the annexation should inform the Deputy County Manager by Monday, February 29, if they wanted the Board to consider the proposed petition at its March 8, 2016, meeting; (iv) Santa Fe County staff identified what it perceived to be potential facial deficiencies with the draft petition; (v) Santa Fe County staff specifically noted their understanding that NMSA 1978, § 4-33-1 contained two statutory conditions that had to be met before annexation was proper and that both conditions had to be set forth in an annexation petition; (vi) the proposed petition did not address the County Seat Condition at all; (vii) with regard to the County Seat Condition, Santa Fe County staff noted that that the county seat of Rio Arriba County was Tierra Amarilla rather than the City of Española; (viii) Santa Fe County staff expressed its understanding that mileage alone was not the test but, rather, it was the location and condition of roads or the existence or nonexistence of transportation facilities that determined convenience, both with regard to the County Seat Condition and the Governmental Services Condition, and the economics of providing governmental services; (ix) that, should an election be called on the question of annexation, it would be a countywide election in Santa Fe County; and (x) that the heading of the petition could be simplified and the statutory conditions precedent to annexation recited in the petition. At the end of the meeting, Santa Fe County staff provided Ms. Campos with a copy of NMSA 1978, Chapter 4, Article 33, as well as some

newspaper articles concerning the annexation by Sandoval County of the portion of the Village of Corrales that was formerly part of Bernalillo County.

30. The Board is without knowledge or information sufficient to form a belief as to the truth of the averments of Paragraph 30 of the Verified Petition.

31. With regard to the averments in Paragraph 31 of the Verified Petition, the Board is without knowledge or information sufficient to form a belief as to the truth of the averments concerning when Ms. Campos consulted her notes of the February 26, 2016, meeting or whether she described the points set forth in Paragraph 31 was "an aside". With regard to the points set forth in Paragraph 31 that Ms. Campos now remembers, the Board avers that those points and Ms. Campos's notes attached to the Verified Petition as Exhibit 8 are generally consistent with the positive averments set forth in the Board's answer to Paragraph 30 of the Verified Petition above.

32. The Board denies the averments in Paragraph 32 of the Verified Petition, except admits that, on May 3, 2016, Deputy County Manager Tony T. Flores caused the letter attached as Exhibit 10 to the Verified Petition to be sent to the recipients indicated. The Board affirmatively avers that the letter contained a typo, in that the title beneath Mr. Flores's name read "Deputy County Attorney" rather than Deputy County Manager. The Board respectfully refers the Court to the letter for the contents thereof.

33. The Board denies the averments in Paragraph 33 of the Verified Petition, except admits that the Santa Fe County Clerk received the letter attached to the Verified Petition as Exhibit 9. The Board respectfully refers the Court to the letter for the contents thereof.

34. The Board is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 34 of the Verified Petition.

35. The Board denies the averments in Paragraph 35 of the Verified Petition or is without knowledge or information sufficient to form a belief as to the truth of those averments, excepts admits that, on March 14, 2016, the Santa Fe County Clerk's Office received a request for information from the Santa Fe County voter file for the "area of City of Española that is also part of Santa Fe County". [P. Salazar Declaration, ¶ 3 and Exhibit A.]

36. The Board denies the averments in Paragraph 36 of the Verified Petition.

37. The Board denies the averments in Paragraph 37 of the Verified Petition, except admits that the petition contained approximately 712 signatures and that the number of signatures was greater than 51% of the registered voters residing within the City of Española portion of Santa Fe County as of May 6, 2016.

38. The Board is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 38 of the Verified Petition. With regard to footnote 6 of the Verified Petition, the Board admits that NMSA 1978, § 3-1-5(E) contains the language quoted. The Board affirmatively avers that Section 3-1-5(E) is not applicable to annexation petitions pursuant to NMSA 1978, § 4-33-2.

39. The Board denies the averments in Paragraph 39 of the Verified Petition, except admits that, on May 3, 2016, Deputy County Manager Tony T. Flores caused the letter attached as Exhibit 10 to the Verified Petition to be sent to the recipients indicated. The Board affirmatively avers that the letter contained a typo, in that the title beneath Mr. Flores's name read "Deputy County Attorney" rather than "Deputy County Manager" and respectfully refers the Court to the letter for the contents thereof.

40. The Board denies the averments in Paragraph 40 of the Verified Petition, except admits that, on May 4, 2016, the letter attached to the Verified Petition as Exhibit 11 was

delivered to the County Manager's Office. The Board respectfully refers the Court to the letter for the contents thereof.

41. The Board denies the averments in Paragraph 41 of the Verified Petition, except admits that, on May 6, 2016, Deputy County Manager Tony T. Flores caused the letter attached as Exhibit 12 to the Verified Petition to be sent to the recipients indicated. The Board respectfully refers the Court to the letter for the contents thereof.

42. The Board admits the averments in Paragraph 42 of the Verified Petition.

Attached as Exhibit A to the G. Salazar Declaration are true and correct copies of the documents filed with and recorded by the Santa Fe County Clerk on May 9, 2016.

43. The Board admits the averments in Paragraph 43 of the Verified Petition. The Board affirmatively avers that the full text of the motion passed by the Board read substantively as follows:

I move that we disapprove and take no further action on the petition since it is legally defective on its face because it does not set forth facts showing the existence of the statutory conditions justifying annexation. In particular the petition does not set forth facts showing that it would be more convenient for citizens in the annexed area to travel to the county seat of Rio Arriba County as opposed to the county seat of Santa Fe County because of the location and conditions of roads or the existence or non-existence of transportation facilities. Such facts are required by NMSA 1978, Sections 4-33-1 and 4-33-2.

[G. Salazar Declaration, Ex. C.]

44. The Board denies the averments in Paragraph 44 of the Verified Petition or is without knowledge or information sufficient to form a belief as to the truth of those averments, except admits that Deputy County Manager Tony T. Flores did call Mr. Martinez on May 10, 2016, as a courtesy to let him know that the Annexation Petition was on the Board's agenda. The Board affirmatively avers that the Amended Agenda for its May 10, 2016, was a matter of public record as of Friday, May 6, 2016, when it was posted at the Santa Fe County Administrative Building and on Santa Fe County's website.

45. The Board admits that NMSA 1978, § 10-15-1(F) (2013) contains the language quoted in Paragraph 45 of the Verified Petition.

46. The Board denies the averments in Paragraph 46 of the Verified Petition, including those in footnote 7, except admits that, at the beginning of the Board's May 10, 2016, meeting, Santa Fe County Manager Katherine Miller reviewed additions to the meeting agenda that were made on Friday, May 6, 2016, when the Amended Agenda for the meeting was posted at conspicuous and appropriate places at the Santa Fe County Administrative Building and on Santa Fe County's internet website.

47. The Board denies the averments in Paragraph 47 of the Verified Petition, except admits that the N.M. Attorney General's Open Meetings Act Compliance Guide (Eighth Ed. 2015) contains the language quoted in Paragraph 47 of the Verified Petition.

48. The Board denies the averments in Paragraph 48 of the Verified Petition, except admits that the N.M. Attorney General's Open Meetings Act Compliance Guide (Eighth Ed. 2015) contains the language quoted in Paragraph 48 of the Verified Petition.

49. The Board admits the averments in Paragraph 49 of the Verified Petition.

50. The Board denies the averments in Paragraph 50 of the Verified Petition. The Board respectfully refers the Court to the letter attached to the Verified Petition as Exhibit 16 for the contents thereof.

51. The Board denies the averments in Paragraph 51 of the Verified Petition. The Board respectfully refers the Court to the letter attached to the Verified Petition as Exhibit 16 for the contents thereof.

52. The Board denies the averments in Paragraph 52 of the Verified Petition. The Board respectfully refers the Court to the letter attached to the Verified Petition as Exhibit 16 for the contents thereof.

<u>AFFIRMATIVE DEFENSE – IMPROPER VENUE</u>

Venue in this matter is only proper in Santa Fe County, pursuant to NMSA 1978, § 38-3-2 (1953).

AFFIRMATIVE DEFENSE – LACK OF STANDING AND LACK OF CAPACITY

Rio Arriba County is not beneficially interested within the meaning of NMSA 1978, § 44-2-5.

CARG lacks the capacity to sue and be sued.

AFFIRMATIVE DEFENSE – FAILURE TO STATE A CLAIM

The Verified Petition fails to state a claim upon which the requested relief can be granted.

V. <u>BRIEF RESPONSE TO SANTA FE COUNTY'S ALLEGED NEFARIOUS</u> <u>CONDUCT.</u>

On December 14, 2016, George Martinez asked Santa Fe County Clerk Geraldine Salazar to approve the proposed annexation petition "As To Form". [Verified Petition, Exhibit 1.] This was the first time Clerk Salazar had ever been asked to review a petition seeking to have a portion of Santa Fe County annexed to another county for compliance with substantive law. [G. Salazar Declaration, ¶ 4.] She was not aware of any statute that would require her or authorize her to approve the substance of such a petition. She sought legal advice, and ultimately concluded that there was no such statute. [G. Salazar Declaration, ¶¶ 4-5.]

Clerk Salazar responded to Mr. Martinez on February 12, 2016. Because she lacked the authority to approve the substance of the proposed annexation petition, she suggested that Mr. Martinez have the Board review the proposed petition if he wanted the substance approved in

advance of gathering signatures. [Verified Petition, Exhibit 1; G. Salazar Declaration, \P 7.] To facilitate such a review, should Mr. Martinez want it, she gave Mr. Martinez the contact information of the Deputy County Manager, who would work with him to have the draft petition placed on the agenda for review by the Board. [*Id.*]

Nowhere in the Verified Petition do the Petitioners claim that the County Clerk's signature was required or authorized by statute. Instead, it is clear that Mr. Martinez misread NMSA 1978, § 3-1-5 as applying to the annexation petition when it did not.

To summarize to this point of the story, Mr. Martinez misread the law and asked the County Clerk to approve the substance of the annexation petition. The County Clerk did her homework before concluding that she lacked the authority to do so. She tried to facilitate what Mr. Martinez wanted – confirmation that the Annexation Petition was substantively valid – by directing him to the Board and putting him in contact with the person that could place the draft petition on the agenda. There is no nefarious conduct in these facts.

Mr. Martinez and Rio Arriba County employee Margaret C. Campos met with Santa Fe County staff on February 26, 2016. There, Mr. Martinez was again directed to the Board if he wanted officials at the County to formally review the form of the proposed petition. [Flores Declaration, ¶¶ 7-8; Verified Petition, Exhibit 8 and 10.] Santa Fe County staff, however, did note some facial deficiencies with the proposed annexation petition, including that it contained no factual allegations that it would be more convenient for the residents of the area to be annexed to travel to the county seat of Rio Arriba County. [Flores Declaration, ¶ 7; Verified Petition, Exhibit 8 (Margaret C. Campos's notes specifically record conversation about the county seat being Tierra Amarilla, as follows: "'county seat' – TA") and Exhibit 10. Mr. Flores offered to have the draft petition placed on the agenda of the Board's next meeting on March 8, 2016, or its meeting on March 29, 2016. If Mr. Martinez wanted it considered on March 8, 2016, Mr. Flores asked to be informed of that fact by the following Monday. [Flores Declaration, ¶¶ 7-8; Verified Petition, Exhibit 8 (Margaret C. Campos's notes of the February 26, 2016, meeting reflect the Board's March meeting dates, with a "*" next to the March 8, 2016, date and the text "inform by Monday"). As was their right, the annexation proponents proceeded without having the Board review the annexation petition in advance.

In short, Santa Fe County staff gave Mr. Martinez the opportunity to have the Board review the draft petition, but he chose not to. Santa Fe County staff pointed out what they perceived to be facial deficiencies in the draft annexation petition, including the one ultimately relied upon by the Board, and Mr. Martinez chose not to address them. There is no nefarious conduct in these facts.

Next, the Verified Petition alleges that the Santa Fe County Clerk's office refused to provide Mr. Martinez with a list of registered voters residing within the City of Española portion of Santa Fe County and the data that was provided contained hundreds of pages of entries. [Verified Petition, ¶ 36.] This is not true. [P. Salazar Declaration, ¶¶ 3-4, 9 and Exhibits A and B.] The list was provided to Mr. Martinez in Microsoft Excel format, allowing the requester to sort and print the data any way he liked. The entire list could be printed on 18 pages of 8.5" x 11" paper. [P. Salazar Declaration, ¶¶ 4, 9 and Exhibit B.]

The Petitioners also allege that the Board violated the Open Meetings Act by amending its May 10, 2016, agenda on the day of the meeting to add consideration and possible action on the annexation petition. [Verified Petition, ¶ 46.] This is not true. The Amended Agenda for the May 10, 2016, meeting was posted on the County's website and at the Santa Fe County Administrative Building the previous Friday, May 6. [Baca Declaration, ¶ 10 and Exhibit B; Mihelcic Declaration, ¶ 5 and Exhibit B.]

The Petitioners complain that a courtesy call to Mr. Martinez on the day of the meeting informing him that the annexation petition was going to be considered at the Board's May 10, 2016, meeting was made too late. [Verified Petition, ¶ 44.] The reality, however, was that no courtesy call was required, and the Board's amended agenda had been posted on Santa Fe County's website since the previous Friday for all interested parties to see. Consequently, through the exercise of ordinary due diligence, Mr. Martinez, Rio Arriba County, and any other interested person would have known that the annexation petition was going to be considered.

The Petitioners also allege that Santa Fe County insulted Mr. Martinez and attacked his credibility when it asked him to properly file the Annexation Petition with the Santa Fe County Clerk's Office. [Verified Petition, p. 22-23.] As Mr. Flores explains, however, having the annexation petition filed with the Santa Fe County clerk was consistent with the law and a best practice in any event. Such filing allowed a permanent record to be created of what was filed, to the benefit of everyone involved, including the Court. He knows from over 17 years of experience in government that documents delivered to a government entity can get misplaced, in whole or in part, through inadvertence or otherwise. Filing the petition with the County Clerk drastically reduces, if not eliminates, the possibility that documents could be misplaced and a dispute arise about what was filed. Requiring the Annexation Petition to be filed with the Santa Fe County Clerk had nothing to do with Mr. Martinez's credibility. [Flores Declaration, ¶ 10,]

VI. ARGUMENT.

A. <u>The Verified Petition Must Be Dismissed for Improper Venue.</u>

Without citing the specific subsection they think applies, Petitioners claim that venue "is proper in Rio Arriba County pursuant to NMSA 1978, § 38-3-1." [Verified Petition, ¶ 7.]

Section 38-3-1 does not apply. Section 38-3-2 NMSA 1978 does, and it mandates that suits against the Board be brought in Santa Fe County. It provides:

All civil actions not otherwise required by law to be brought in the district court of Santa Fe county, wherein any . . . board of county commissioners is a party defendant, shall be instituted only in the district court of the county . . . for which such board of county commissioners is acting.

None of the subsections of Section 38-3-1 apply by their terms.

Subsection A applies to "transitory actions", which, at common law, were those founded on transactions that "might have taken place anywhere", in contrast to local actions involving transactions that "could have happened only in a particular place." *Cooper v. Amerada Hess Corp.*, 2000-NMCA-100, ¶ 11, 129 N.M. 710, *aff'd* 2002-NMSC-020, 132 N.M. 382. Here, the Board could have only acted in Santa Fe County, since it may only meet in Santa Fe County. NMSA 1978, § 4-38-8 (requiring the board of county commissioners of a county to meet quarterly "at the county seat" of the county and at other times "<u>within the prescribed county</u>") (emphasis added).

Section 38-3-1(B) is inapplicable because it governs suits where "the defendant has rendered himself liable to a civil action by any criminal act". Section 38-3-1(C) is inapplicable because it governs suits "brought for the recovery of personal property other than money", which also plainly does not apply here. Section 38-3-1(D) applies to suits where "lands or any interest in lands are the object", in which case the suit "shall be brought in the county where the land or any portion of the land is situate." If applicable, which it is not, this section would require suit to be brought in Santa Fe County, since the land in question – the Santa Fe County portion of the City – is situate in Santa Fe County.¹ Section 38-3-1(E) is inapplicable because it governs "[s]uits for trespass on land". Section 38-3-1(F) is inapplicable because it governs suits "against transient persons or non-residents". Section 38-3-1(G) is inapplicable because it governs suits against "state officers".

In sum, this action must be dismissed for improper venue, since the Board may only be sued in Santa Fe County under NMSA 1978, Section 38-3-2.

B. <u>Petitioners Lack Standing or the Capacity to Sue and be Sued.</u>

Writs of mandamus may only be issued "on the information of the party beneficially interested." NMSA 1978, § 44-2-5 (1953). Rio Arriba County alleges that it "is beneficially interested in ensuring that the citizen petitioners of Santa Fe County who have expressed their desire in writing to be annexed into Rio Arriba County are afforded their right to a free and open election, without interference from a civil authority" and that it is "beneficially interested" in seeing Española consolidated within one county so as to resolve a "long-standing issue of 'checkerboarding' in the area proposed to be annexed." [Verified Petition, ¶¶ 9-10.]

In *State ex rel. Coll v. Johnson*, 1999-NMSC-036, ¶ 14, 128 N.M. 154, the New Mexico Supreme Court analyzed what a party must show in order to demonstrate standing as a "beneficially interested" party under Section 44-2-5. Summarizing and analyzing prior cases, the Supreme Court held that a citizen may not "enforce a shared, abstract duty owed to the public at

¹ In addition, the New Mexico Supreme Court has rejected efforts by local governments to manipulate venue by claiming an action involved an interest in land, so as to sue in a county other than the one required by NMSA 1978, § 38-3-2. *State ex rel. Board of County Commissioners of Harding County v. the Board of County Commissioners of County of Quay*, 1954-NMSC-124, ¶ 10, 59 N.M. 9 (challenge to annexation election results; holding that Quay County could only be sued in Quay County and rejecting argument that an interest in land was involved because "ownership of the roads and bridges is involved" and that the County set to lose territory "has a sort of interest or ownership of the lands sought to be annexed to Quay county"); *City of Albuquerque v. Village of Corrales*, 1975-NMSC-043, ¶ 9, 88 N.M. 185.

large, but that only citizens whose individual fundamental rights are infringed 'in common with' the individual rights of other citizens are entitled to sue for mandamus relief." *Id.* at 18. Accordingly, the Supreme Court ruled that petitioners lacked standing because they had no individual, fundamental right in assuring that a bill passed by the legislature and signed by the governor comports with federal and state law. *Id.*

Here, Rio Arriba County has no individual, fundamental right that it shares with the public at large. Neither it nor its citizens can sign an annexation petition seeking to have territory annexed to Rio Arriba County; nor can they vote in the election on the question of such annexation. Rather, the petition must be signed by the requisite number of "qualified electors residing within the portion of the county proposed to be annexed". NMSA 1978, § 4-33-2. Should a court order that an election be held, the election is held in the county losing territory. NMSA 1978, § 4-33-3.

A desire in having the City Española be located entirely within one county is likewise insufficient. No one has a legal right to require a municipality to be located entirely within one county. To the contrary, state law expressly allows a municipality to span two counties. *E.g.*, NMSA 1978, § 3-2-1(A) (authorizing "residents of territory proposed to be incorporated as a municipality [to] petition the board of county commissioners of the county in which the greatest portion of the territory proposed to be incorporated lies to incorporate the territory").

A party to litigation must have capacity to sue and be sued. Rule 1-017(C) NMRA; *Mackey v. Burke*, 1984-NMCA-028, ¶ 16, 102 N.M. 294 ("once capacity is challenged, a plaintiff must show capacity"), *overruled on other grounds*, *Chavez v. Regents of University of New Mexico*, 1985-NMSC-114, ¶ 5, 103 N.M. 606. Santa Fe County's search of public records of the Secretary of State revealed no record that CARG is duly organized as a partnership, corporation, limited liability corporation, or other legal entity with capacity to sue or be sued. [Ortiz Declaration, ¶ 3.] Nor has CARG taken the steps necessary to be an unincorporated association under NMSA 1978, § 53-10-1 (1953), et seq., with the power to sue and be sued under NMSA 1978, §§ 53-10-5 (1953) and 53-10-6 (1959). [Ortiz Declaration, ¶¶ 4-5.]

C. The Writ of Mandamus Must be Denied Because the Annexation Petition is <u>Illegal on Its Face.</u>

1. The Board has no duty to act on an illegal petition.

The law is settled that "[t]he county commissioners are called upon to act upon legal petitions only. If a petition is not legal, no imperative duty exists on their part to call an election. They cannot by mandamus be compelled to perform an illegal task." *Kiddy v. Board of County Com'rs of Eddy County*, 1953-NMSC-023, ¶ 10, 57 N.M. 145 (citations omitted).

In *Kiddy*, qualified electors submitted a petition to the Board of County Commissioners of Eddy County requesting that it call a special election on the question of issuing bonds in the total amount of \$1.6 million for two separate hospitals. One million dollars for a hospital located in Carlsbad, and \$600,000 for a hospital in Artesia. *Id.* at ¶ 1. The Board of County Commissioners "disapproved the petition and determined not to call the election requested upon advice given them by the district attorney" to the effect that the petition impermissibly called "for a joint submission of two propositions as one question." *Id.* at ¶ 2. The Supreme Court held that the Board of County Commissioners had acted properly in refusing to act on an illegal petition and, therefore, upheld the trial court's decision to deny the requested peremptory writ of mandamus.

Rejecting the argument that the Board of County Commissioners could not question the constitutionality of a statute because commissioners were "not personally injured or jeopardized in his official capacity by its operation, the Supreme Court held:

Submission of the petition created a situation under which it became their duty either to call an election or not to call one. We may admit that under the controlling statute, as a general proposition, the task to be performed by the county commissioners is substantially ministerial in character. Yet, the petition was framed in such language and form that the board was of necessity called upon to determine whether under the particular circumstances it had a duty to call an election. The answer to that question was not of a ministerial type. To resolve its dilemma the board quite properly sought the advice and guidance of competent and duly constituted legal authority. The board is not by its own judgment questioning the constitutionality of a statute or of the petition. It is merely carrying out the requirements of the fundamental and statutory law, as it safely may and is expected to do, under their individual oaths to uphold the Constitution and laws of the State of New Mexico. The county commissioners are called upon to act upon legal petitions only. If a petition is not legal, no imperative duty exists on their part to call an election. They cannot by mandamus be compelled to perform an illegal task. As stated in 55 C.J.S., Mandamus, § 142, at page 236:

"The writ, however, will not lie in the absence of a clear, legal right, or where the statutory prerequisites have not been satisfied * * *."

Id. at ¶ 10.

The Supreme Court also rejected the claim that the Board of County Commissioners

could correct the defect in the petition and submit "the matter to the electorate as two separate

propositions." Id. at ¶ 14. Accordingly, the Supreme Court upheld the trial court's denial of the

requested writ of mandamus. Kiddy, 1953-NMSC-023, ¶ 18.

Here, as explained below, the Annexation Petition presented to the Board was legally

defective on its face because it did not set forth facts establishing the County Seat Condition.

- 2. Annexation by one county of territory of another is only proper if both the County Seat Condition and Governmental Services Condition are met.
 - a. <u>The Plain Meaning of NMSA 1978, § 4-33-1 (1947).</u>

NMSA 1978, § 4-33-1 provides as follows:

Whenever, because of the location and conditions of roads, or the existence or nonexistence of transportation facilities, <u>it will be more convenient for the</u> <u>residents of any portion of a county to travel to the county seat of some other</u> <u>contiguous county</u>, <u>and</u> because of such location and condition of roads or the

existence or nonexistence of transportation facilities, <u>it will be more convenient</u> and economical for such other county to render governmental services to such portion of such other county, the portion of the county so affected may be annexed to such other county in the following manner.

(Emphasis added.)

In assessing legislative intent, Courts look "first to the plain language of the statute, giving the words their ordinary meaning, unless the Legislature indicates a different one was intended." Diamond v. Diamond, 2012-NMSC-022, ¶ 25, 283 P.3d 260 (internal quotation marks and citations omitted). Under the plain meaning rule, "[i]f the language of a statute is not ambiguous, the literal meaning of the words must be applied[.]" Cummings v. X-Ray Associates of N.M., P.C., 1996 -NMSC- 035, ¶45, 121 N.M. 821 (N.M. 1996) (internal quotation marks and citations omitted). Courts apply this rule to conjunctive and disjunctive words used in a statute, giving "or" its normal disjunctive meaning and "and" its normal conjunctive meaning, "unless the context of a statute demands otherwise, or if adherence to the literal use of the word leads to absurdity or contradiction". Diamond, 2012-NMSC-022, ¶27 (internal quotation marks and citations omitted); Stevenson v. Louis Dreyfus Corporation, 1991-NMSC-051, 112 N.M. 97 ("The conjunctive wording of the statute itself requires an interpretation that the fourth elements set forth in Section (D) must be present in the examples delineated in subsections (1) through (17) . . . Here, the statute states the definition of an unfair or deceptive trade practice followed by the word 'and,' nor 'or.'"). See also Statutes and Statutory Construction, Norman J. Singer and J.D. Shambie Singer (7th Ed. 2009), § 21.14 ("[s]tatutory phrases separated by the word 'and' are usually interpreted in the conjunctive").

Giving "and" its normal conjunctive meaning in NMSA 1978, § 4-33-1, two basic conditions must both be present for annexation to be legally permissible: (1) "it will be more convenient for the residents of any portion of a county to travel to the county seat of some other

contiguous county" and (2) "it will be more convenient and economical for such other county to render governmental services to such portion of such other county". A.G. Opinion No. 87-55, p. 4 (opining that the only grounds for annexing a portion of a county to another county are that: "(i) it would be more convenient for the residents of a portion of a county to travel to the county seat of some other contiguous county because of location and conditions of roads or the existence or nonexistence of transportation facilities; and (ii) that it would be more convenient and economical for such other county to render governmental series to such portion of such other county because of the location and conditions of roads or the existence of transportation facilities in original).

Giving "and" its normal conjunctive meaning does not lead to absurd or contradictory results. To the contrary, requiring both conditions to be met makes perfect sense, since the two conditions focus on two different, fundamental things: citizen participation in the democratic process and efficiency in the provision of governmental services.

With regard to citizen participation in the democratic process, as previously indicated, a board of county commissioners must meet "at the county seat of each county at quarterly meetings in January, April, July and October in each year". NMSA 1978, § 4-38-8 (1981). "Meetings other than quarterly meetings **may be held** in the municipality with the largest population concentration in the county, and meetings concerning matters of local interest only may be held in the community affected." *Id.* (emphasis added). Consequently, citizens wishing to observe or participate in meetings of the board of county commissioners will have to travel to the county seat for some (if not all) of its meetings. Among other reasons, the relative convenience of travel to the county seat is significant since a board of county commissioners is required to hold public hearings on such fundamental issues as zoning decisions and ordinances,

the creation of public improvement districts with taxing authority, and whether to make a property tax rebate for low income residents available within the County, to name but a few. *E.g.*, NMSA 1978, § 3-21-6(B) (1981); § 5-11-5 (2001); and § 7-2-14.3 (2003). Accordingly, the Legislature could reasonably conclude that annexation is not appropriate unless it is more convenient for citizens in the area to be annexed to travel to the county seat of the other county, since such travel is critical to citizen participation in government.

Petitioners allege that the Board's interpretation "removes the services that the Española annex offers from the analysis." [Verified Petition, p. 19.] The Board's interpretation does no such thing. Rather, the Board's interpretation simply gives effect to the Legislature's clear intent that it must be both more convenient to travel to the county seat of the annexing county <u>and</u> more convenient and economical for the annexing county to provide services within the area to be annexed.

In contrast, Petitioners interpretation would rewrite the statute to replace "and" with "or", so that either condition would be sufficient. They have offered no analysis or rule of statutory construction that would justify such judicial rewriting of a statute that makes sense as written.²

² Petitioners' reliance on *Cox* is misplaced. [Verified Petition, ¶ 18, p. 18.] In *Cox*, appellants argued that a municipal annexation statute improperly delegated legislative power, since the statute vested unfettered discretion in the administrative tribunal. *Cox*, 1949-NMSC-041, ¶¶ 7-8. Appellants made this argument by focusing in isolation on sections of the statute that did not include any test to judge the propriety of annexation. The Supreme Court rejected this effort to create a statutory deficiency, holding "the whole Act is to be read together" and that the administrative tribunal's discretion was constrained by other sections of the statute supplying a clear test. *Id.* at ¶¶ 12-13. It was in that context that the Supreme Court wrote the words that Petitioners rely upon: namely, that "[s]tatutes should be construed in the most beneficial way of which their language is susceptible to prevent absurdity, hardships, or injustice, to favor public convenience, and to oppose all prejudice to public interests." *Id.* at ¶ 14. Nothing in *Cox* supports Petitioners' efforts to interpret the county annexation statutes contrary to the Legislature's clear intent as expressed by the plain meaning of the language it used.

b. The other County annexation laws support the plain meaning of <u>Section 4-33-1.</u>

Demonstrating that both statutory conditions – i.e., convenience of travel to the county seat and the convenient and economical provision of governmental services – must be present, the other County annexation laws consistently use the plural term "conditions". Specifically, the petition calling for annexation must "set forth the facts showing the existence of the <u>conditions</u> described in Section 1 hereof [Section 4-33-1]." NMSA 1978, § 4-33-2 (1953). An annexation petition may be challenged, among other grounds, on the basis that "the <u>conditions</u> described in Section 1 hereof do not exist." NMSA 1978, § 4-33-3 (1953).

3. An annexation petition must establish that both the County Seat Condition and Governmental Services Conditions are met.

Section 4-33-2 provides as follows:

A petition executed by at least fifty-one percent (51%) of the qualified electors residing within the portion of the county proposed to be annexed shall be filed with the county commissioners of the county in which such portion is located. Such petition shall set forth the facts showing the existence of the conditions described in Section 1 hereof and shall accurately set out the boundaries of the portion of the county proposed to be annexed.

NMSA 1978, § 4-33-2.

4. The Annexation Petition does not contain facts establishing the County Seat Condition.

The Annexation Petition does not mention Tierra Amarilla, the county seat of Rio Arriba

County, let alone allege, even in a conclusory fashion, that it would be more convenient for the

residents of the Annex Area to travel to Tierra Amarilla versus the county seat of Santa Fe

County, the City of Santa Fe. The Annexation petition provides, in pertinent part, as follows:

2. Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County.

3. It will be more convenient and economical for Rio Arriba County to render governmental services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978, § 4-33-2, et seq.

Exhibit B measures only travel distance and time between various points within the area

to be annexed and the Rio Arriba Offices located in the City of Española and Santa Fe County

offices with the City of Santa Fe. [Salazar Declaration, Exhibit A.]

Accordingly, the Annexation Petition is legally deficient on its face, and the Board

properly declined to act on it. The requested writ of mandamus should, therefore, be denied.

C. There was No Open Meetings Act ("OMA") Violation.

1. Petitioners have not complied with the OMA's precondition to suit.

NMSA 1978, § 10-15-3(B) (1997) provides as follows:

All provisions of the Open Meetings Act shall be enforced by the attorney general or by the district attorney in the county of jurisdiction. However, nothing in that act shall prevent an individual from independently applying for enforcement through the district courts, **provided that the individual first provides written notice of the claimed violation to the public body and that the public body has denied or not acted on the claim within fifteen days of receiving it...**

(Emphasis added.)

Petitioners do not allege that they notified the Board of the claimed violation prior to

filing the Verified Petition. The OMA violations should be dismissed accordingly.

2. The Board's Amended Agenda for its May 10, 2016, meeting was posted on Friday, May 6, 2016.

"Except in the case of an emergency or in the case of a public body that ordinarily meets more frequently than once per week, at least seventy-two hours prior to the meeting, the agenda shall be available to the public and posted on the public body's web site, if one is maintained." NMSA 1978, § 10-15-1(F) (2013). As required by NMSA 1978, § 10-15-1(D) (2013), the Board annually adopts a resolution determining reasonable notice of its meetings. Resolution No. 2015-172 applies to Board meetings during calendar year 2016. Section 4 of that resolution provides that, "[i]f not included in the notice of meeting, a final agenda shall be prepared and posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building and on the County's internet web site at least seventy-two (72) hours before the meeting." The Santa Fe County Administrative Building is defined as 102 Grant Avenue Santa Fe NM 87501. [Resolution No. 2015-172, Section 10(C).]

As required by law and Resolution No. 2015-172, the Amended Agenda for the Board's

May 10, 2016, meeting was posted at the Santa Fe County Administrative Building and online

on Friday, May 6, 2016. [Baca Declaration, ¶ 10 and Exhibit B; Mihelcic Declaration, ¶ 5.]

This was over seventy-two hours prior to the scheduled start of the Board's meeting at 2:00 p.m.

on May 10. The Amended Agenda gave clear notice that the Annexation Petition would be

discussed in Executive Session and that the Board would consider and possibly take action on

the Annexation Petition, as follows:

VII. Matters From the County Attorney

A. Executive Session (Items Added)

1. Threatened or Pending Litigation in which Santa Fe County is or may Become a Participant, as Allowed by Section 10-15-1(H)(7) NMSA 1978, and Discussion of the Purchase, Acquisition or and Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as allowed by Section 10-15-1(H)(8) NMSA 1978, Including the Following:

b. Petition for Rio Arriba County to Annex the Portion of Santa Fe County that Lies within the City of Española.

C. Consideration and Possible Action on Petition for Rio Arriba County to Annex the Portion of Santa Fe County that Lies within the City of Española. (Action Item) (Item Added)

Petitioners allege that these items were added to the agenda on the day of the meeting.

These allegations are based exclusively upon a misreading of the minutes of the May 10, 2016

meeting. By way of background, regular Board meetings are held on Tuesday. Over and above

what is required by the OMA and Resolution No. 2015-172, the County's practice is to post the

initial agenda for a regular Board meeting the Tuesday prior to the Board meeting.

Consequently, the initial agenda for the Board's May 10, 2016, meeting was posted on Tuesday, May 3, the day before the Annexation Petition was delivered to the County Manager's Office. If required, an Amended Agenda is prepared and posted seventy-two (72) hours prior to the Board's meeting, usually the Friday before the Board's Tuesday meeting. In this case, the agenda was amended on Friday, May 6, to include the Annexation Petition delivered to the County Manager's Office on Wednesday, May 4. At the beginning of the Board's May 10, 2016, meeting, the County Manager reviewed the changes from the original agenda posted the previous Tuesday (May 3) and the Amended Agenda posted the previous Friday (May 6), as is her normal practice. [Miller Declaration, ¶¶ 4-5.]

3. The Board properly discussed the Annexation Petition in closed or executive session.

The OMA authorizes "meetings subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant" to be closed to the public. NMSA 1978, § 10-15-1(H)(7). This allows a policymaking body such as the Board to discuss in a closed meeting both litigation that may be brought against it as well as litigation that it may consider bringing affirmatively. *Board of County Com'rs of Luna County v. Ogden*, 1994-NMCA-010, ¶ 14-16, 117 N.M. 181 (rejecting argument that the threatened or pending litigation exception applies only when the public body "has already become involved in litigation or has been informed it will likely become involved" in litigation; "[w]e thus conclude that, under [threatened or pending litigation exception], Plaintiff could properly discuss and decide to file suit against Defendants in a closed session").

Here, the Board could properly discuss the Annexation Petition in closed session because there was a credible threat of litigation against the Board based upon Mr. Martinez's May 4, 2016, letter to the Board as well as his prior threat of suit when an elected official disagreed with his legal interpretation. In addition, the Board could properly discuss affirmative action it might consider regarding the Annexation Petition.

The Annexation Petition was accompanied by a letter from George Martinez. In it, he wrote the following:

"This decision by the Board of County Commissioners/the Board's Attorney or Deputy County Manager is arbitrary, capricious and designed deliberately to deny the citizens of Santa Fe County residing in the City of Española the statutory right to effectively petition our government as guaranteed by law."

Any reasonable person would understand this statement for what it was: a threat to bring an

action like the Verified Petition if the Board did not publish notice of the Annexation Petition.

This threat was consistent with the previous threat made by Mr. Martinez when the County Clerk did not agree with his legal interpretations. After the County Clerk declined to sign the Annexation Petition, George Martinez threatened to seek a writ of mandamus against her. In a February 25, 2016 letter, Mr. Martinez opined (erroneously) that the County Clerk was statutorily required to sign the Annexation Petition. The next to last paragraph in his letter included this language:

Please be on notice that in the case you determine not to fulfill the statutory requirement set forth above, we will be prepared to seek a Writ of Mandamus asking the District Court to order compliance this corning Monday.

[Verified Petition, Exhibit 6..]

Separate and apart from the credible threat that Mr. Martinez would affirmatively sue the Board if it disapproved the Annexation Petition, the Board could properly discuss the merits of the Annexation Petition in the context of affirmative litigation it might consider to have the legal sufficiency of the Annexation Petition judicially resolved. *Ogden*, 1994-NMCA-010, ¶ 16; N.M. Attorney General's Open Meetings Act Compliance Guide (Eighth Ed.), p. 29 (noting that the pending or threatened litigation exception may also "be used to close a meeting when the public body wants to consult with its attorney about a lawsuit the public body has initiated or is considering initiating against a defendant"). Consequently, even if there was not a credible threat of litigation from Mr. Martinez (which there was), the Board could properly consider whether it wanted to affirmatively pursue litigation.

D. Petitioners Miscellaneous Arguments are Meritless.

Petitioners also allege that the Board violated the First Amendment to the federal constitution and Article II, Section 14 of the state constitution. [Verified Petition, ¶¶ 13-14; p. 20.] Petitioners cite no authority in support of these propositions. *State v. Godoy*, 2012-NMCA-084, ¶ 6, 284 P.3d 410.

On their face, these claims are specious. Petitioners were at all times free to pursue the annexation petition without having the Board or any other county official preapprove the form of the petition. There were risks to not knowing the Board's opinion on the form of the petition in advance, but they were risks the Petitioners were free to (and ultimately did) accept. In disapproving the Annexation Petition when it was filed, the Board was merely discharging its duty to ensure that it had the legal authority to act. *Kiddy*, 1953-NMSC-023, ¶ 10.

Nor did the Board interfere with the right of suffrage. Santa Fe County voters have the right to vote on the proposed annexation if and only if all statutory prerequisites to an annexation election have been met. Those prerequisites include the filing of a legal petition under NMSA 1978, Section 4-33-2. *Kiddy*, 1953-NMSC-023, ¶ 10.

VII. CONCLUSION

For the foregoing reasons, the Verified Petition should be dismissed or, in the alternative,

the requested writ of mandamus denied.

Respectfully Submitted,

SANTA FE COUNTY ATTORNEY'S OFFICE

By: Gregory S. Shaffer County Attorney Rachel A. Brown Deputy County Attorney P.O. Box 276 Santa Fe, NM 87504-0276 Tele: (505) 986-6279 Fax: (505) 986-6362 Email: gshaffer@santafecountynm.gov rabrown@santafecountynm.gov

Attorneys for the Board of County Commissioners of the County of Santa Fe

VERIFICATION

I, Tony T. Flores, am the Deputy County Manager for Santa Fe County. I have read the Answer to Verified Petition and Affirmative Defenses section of the Combined Answer and Brief in Opposition to the Verified Petition for a Writ Of Mandamus in The First Judicial District Court. I affirm under penalty of perjury under the laws of the State of New Mexico that the statements in that section are true and correct to the best of my knowledge, information, and

belief. Tony T. Flores

9.1.16 Date

CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of September, 2016, I caused to be filed the foregoing Combined Answer and Brief in Opposition to the Verified Petition for a Writ Of Mandamus In The First Judicial District Court electronically through the Odyssey File & Serve system, which caused all counsel of record to be served.

Gregory S. Shaffer

STATE OF NEW MEXICO COUNTY OF RIO ARRIBA FIRST JUDICIAL DISTRICT

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF RIO ARRIBA and

NO. D-117-CV-2016-00254

THE CITIZENS FOR ACCESSIBLE AND REPRESENTATIVE GOVERNMENT,

Petitioners

v.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SANTA FE,

Respondent.

DECLARATION OF GERALDINE SALAZAR

Geraldine Salazar declares as follows:

- 1. I am the County Clerk of Santa Fe County.
- 2. I am over the age of eighteen and have personal knowledge of the facts contained

in this declaration.

I take my duties as County Clerk seriously, having taken an oath of office to 3. support the constitution and laws of the State of New Mexico and faithfully and impartially discharge the duties of my office to the best of my ability. This oath includes understanding and respecting the limits of my legal authority.

4. The December 14, 2015, letter from George Martinez was the first time I had ever been asked to review a petition seeking to have a portion of Santa Fe County annexed to another county for compliance with substantive law. (Mr. Martinez's December 14, 2015, letter is attached to the Verified Petition for a Writ of Mandamus in the First Judicial District Court



(Verified Petition) as Exhibit 1.) I was aware of no statute that would require me or authorize me to approve the substance of such a petition.

5. I sought legal advice regarding the scope of my authority from the Santa Fe County Attorney. The substance of that advice is confidential. Ultimately, I concluded that there was no statute that required me or authorized me to approve the substance of the proposed annexation petition.

6. I wrote Mr. Martinez on February 12, 2016. (Exhibit 3 to the Verified Petition.) In my letter, as a courtesy, I did confirm that the proposed petition contained adequate information – i.e., the name and registered voting address of petitioners – to enable my staff to verify whether the petition has been executed by the requisite number of qualified electors in the proposed annexation area, should we be called upon to do so.

7. Given my conclusion that I lacked the authority to approve the substance of the proposed petition, however, in my letter, I referred Mr. Martinez to the Board of County Commissioners of the County of Santa Fe (Board). My reasoning was that, if Mr. Martinez wanted Santa Fe County officials to review and approve the substance of the petition form in advance, the Board would be the body to do so. That seemed appropriate, since, by law, county annexation petitions are filed with the Board and any statutory responsibilities with respect to such petitions rest with the Board. To facilitate such a review, I provided Mr. Martinez with the contact information of Deputy County Manager Tony T. Flores, who I told him he should contact "[s]hould you want the petition to be reviewed by Board before you obtain signatures". My letter concluded that "Mr. Flores would work with you to have the draft petition placed on the agenda for review by the Board."

8. Prior to my February 12, 2016, letter, I did exchange voicemails with Mr. Martinez. I do not recall verbatim what I said in my voicemail and did not record the voicemail on my end. But I generally remember apologizing for the delay in a response and indicating that I hoped to have a response to him by 5:00 p.m. on Friday, February 12, 2016.

9. My apology was sincere, as I wish that I could always respond to every constituent in the timeframe they desire. But this was, for my office and Santa Fe County, a novel request that required research to ensure that I was not acting outside of my statutory authority.

10. Sometime between February 12, 2016, and February 25, 2016, I did speak with Mr. Martinez after he continued to request that I sign the annexation petition. While I do not recall the specifics of our conversation, I recall reiterating that I would not sign the petition, because I did not have the authority to do so, and that questions about the substance of the form should be directed to the Board.

11. Pages 20 and 21 of the Verified Petition include the following: "Clerk Salazar is a duly-elected County Clerk with no oversight of her official duties by either the Board, the County Manager's office or the County Attorney. It therefore appears that Santa Fe County prevented Clerk Salazar from performing her statutory duties in signing the petition despite the fact that Clerk Salazar herself had indicated that it had met with her approval. This is reflected in a direct quote taken by Margaret Campos of County Attorney Shaffer, that there was no prerequisite that "... we have her [Clerk Salazar] sign the form." See Exhibit 2. Petitioners assert that Santa Fe County has attempted to deny CARG's petition any form of legitimacy from the outset." This assertion is wrong.

12. First, no-one at Santa Fe County prevented me (or tried to prevent me) from doing anything with regard to the annexation petition. With regard to the County Attorney, I receive confidential advice from him and his staff on a routine basis, and did so with respect to my authority relative to the annexation petition. But I ultimately make the decisions about the scope of my authority and how to faithfully discharge the duties of my office. With regard to the inapplicability of NMSA 1978, § 3-1-5, my views are accurately captured in Mr. Flores's May 3, 2016, letter, attached to the Verified Petition as Exhibit 10. Second, I never said that the petition "met with [my] approval". The statement in my letter was much narrower than that. As previously explained, as a courtesy, my office did review the proposed form of petition to see whether it would contain enough information for us to determine whether the petition had been executed by the requisite number of qualified electors in the proposed annexation area, should we be called upon to do so. I deferred questions about the substance of the petition, however, to the Board. Third, I continue to be of the opinion that I have no statutory authority to approve the form of a county annexation petition. Consequently, by asking me to go beyond my statutory authority, Mr. Martinez was in essence asking me to bestow upon the annexation petition "legitimacy" that I had no authority to give.

13. My statutory duties as County Clerk include "keep[ing] the seals, records and papers of [the] board of county commissioners and keep[ing] a record of the proceedings of said board". NMSA 1978, § 4-40-3 (1876).

Attached hereto as Exhibit A are true and correct copies of the materials that Mr.
 Martinez filed with and that were recorded by my office on May 9, 2016, as Instrument No.
 1793046.

15. Attached hereto as Exhibit B are true and correct copies of the pages of the

Board's May 10, 2016, meeting at which the annexation petition was acted upon.

16. Attached hereto as Exhibit C is a true and correct copy of Santa Fe County

Resolution No. 2015-172.

Pursuant to Rule 1-011(B) NMRA, I affirm under penalty of perjury under the laws of the State of New Mexico that the above statements are true and correct.

line Jalaxar 9-1-2016 Geraldine Salazar Date



Recience 514/10

ambro Baca Administrative Assistant



May 4, 2016

COUNTY OF SANTA FE STATE OF NEW MEXICO) 85 PETITTION (NC) PAGES: 85

I Hereby Certify That This Instrument Was Filed for Record On The STH Day Of May, 2016 at 11:20:35 AM and Was Duly Recorded as Instrument # 1793046 of The Records Of Santa Fe County

Honorable Chairman, Miguel M. Chavez Santa Fe County Commission 102 Grant Ave. Santa Fe, NM 87504

Dear Chairman Chavez:

Alter and asked about the con February 11, 2016 and asked about the conty Clerk. I'm red that to my office I lief to work with our uldn't have taken this approximate the con second sec Witness My Hand And Seal Of Office Seputy Shelly

We are excited and pleased to report that we have obtained pursuant to §4-33-2 NMSA 1978 the names of at least 51% of the qualified electors residing within the portion of Santa Fe County proposed to be annexed into Rio Arriba County. Attached for filing is that petition pursuant to that section of the statutes.

I called County Clerk Geraldine Salazar on February 10, 2016 and asked about the status of our letter of December 14, 2015. She called back on February 11, 2016 and left the following message on my cell phone which I saved and quote verbatim:

"Hello Mr. Martinez this is Geraldine Salazar, Santa Fe County Clerk. I'm calling to give you an update. As soon as you delivered that to my office I immediately gave it to my Bureau of Elections Chief to work with our County Attorney to prepare a response for you. It shouldn't have taken this long, I'm sorry it has. Tomorrow the County Attorney has been so busy that he's rescheduled with my staff three times. But tomorrow they have a meeting so and I've already sent up an e-mail saying that I would like a response to be sent to you by this Friday, tomorrow before 5:00 so hopefully everything will be done, you'll get a response from me but there should be other procedures that will come forward also because this would be a Board of County Commissioner decision, ok. So first of all thank you for calling and you will be getting a response and I'm hoping tomorrows the final date where I will have a final response for you. Thank you so much. Take care. Bye bye."

I understood she was sorry, no action had been taken, she gave it to the County Commissioners attorney, the County Attorney, to take action and get back with us and then I received the February 12, 2016 letter. My understanding was that the letter was written by the Commission attorney on behalf of the Board, signed by the County Clerk.

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	EXHIBIT	
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I then called and set up a meeting where I met on February 26, 2016 with Deputy County Manager, Tony T. Flores and County Attorney Greg Schaefer. At that meeting I went through a summary of events with the Board of County Commissioners staff and I requested they authorize the County Clerk to approve the form. They refused to authorize the Clerk to do so because the Attorney for the Board of County Commission took the position that we need not have the signature of the County Clerk but the County Attorney or Deputy County Manager never indicated that review of the Board of County Commissioners of the Petition was required, so we did not ask for it.

Indeed, I understood I was talking that day to the agents for the Board of County Commissioners and they were reviewing the petition, telling me they had no objection, I had presented the Petition to the Board of County Commissioners via the County Clerk on December 14, 2015. I understood the meeting with the Deputy County Manager and County Attorney was my meeting with the Board of County Commissioners per my understanding of the telephone recording of February 11, 2016 at 5:25 p.m. Out County Commission did not attend the meeting but he sent a representative who attended on his behalf. I understood that I was on February 26, 2016 talking to the agents for the Board of Commissioners and they never informed me the Petition contents were subject to some sort of Board public meeting that I would have to request; in fact my impression was we were free to proceed to gather signatures immediately rather than wait for another 2 1/2 months because I explained repeatedly that we needed approval of the Petition that day, February 26, 2016 because we needed to start gathering signatures so as to meet the time lines of the election calendar to have an election in the summer after the primaries but before the general election as authorized by law.

Then the County Commission waits until May 3, 2016, next to the last day to turn in petitions under NMSA §3-1-15 1978 to provide me a letter telling me that the Petition we have spent hundreds of man hours circulating and explaining to residents of Santa Fe County living within the City of Española is defective. I take issue with the statement in your May 3, 2016 letter that you advised me that the Petition was defective because it failed to make factual statements regarding location or condition of roads, absence of transportation facilities or convenience of residents to travel to County service locations. Your Deputy County Manager and County Attorney, contrary to the statements suggesting you gave me such information, never even hinted the Board of Commissioners had concerns about the lack of fact allegations you now raise on next to the last day to turn in petitions. This decision by the Board of County Commissioners/the Board's Attorney or Deputy County Manager is arbitrary, capricious and designed deliberately to deny the citizens of Santa Fe County residing in the City of Española the statutory right to effectively petition our government as guaranteed by law.

Our understanding of the statute is that under §4-33-3 you will immediately upon the filing of the petition cause a notice to be published in a newspaper or newspapers of general circulation in each county affected (Rio Arriba County and Santa Fe County). Because the statute uses the word "immediately" we tender herewith a form of notice that we would ask you to consider immediately publishing. With regard to the process for examination of the Petition signatures to ensure there are valid signatures of at least 51% of the registered voters residing in the area to be annexed, we used the list provided by the Santa Fe County Clerk showing 1,315 resident qualified electors in the area. There are in excess of 51% of them on the Petition filed with the County Clerk today.

Under §4-33-3, the notice shall notify the public of the filing of the petition and notify the public of the petition being on file at the County administrative offices and open to public inspection by any member of the public. Our understanding of the notice requirement is that this is to give the opportunity to any resident of either of the counties affected, on behalf of himself or others similarly situated; to bring an action in the District Court of the county in which such area proposed to be annexed is located, against any one or more of the signers of the petition, alleging that the petition has not been executed by the requisite number of signers or that the description of the area to be annexed is not accurately described or that the conditions described in §4-33-1 NMSA 1978 do not exist.

It is our understanding that only if such an action is filed within the 30 day period after notice of this petition is published by you, will the court conduct a hearing and make a determination on the question of whether or not the allegations of the petition are well taken. We understand the law to be that in the event such an action is not filed, then we, the proponents of the proposed annexation will call the matter to the attention of the court by appropriate pleading requesting the court determine that jurisdictional grounds exist for the annexation and requesting the court issue an order authorizing the process to proceed to an election.

Thank you very much for your time and attention, we very much appreciate the cooperation of Santa Fe County in facilitating the opportunity by the voters to choose which County will serve the territory in question.

^{*} Because §3-1-5(A) NMSA 1978 governing review of the signatures has the "...except as otherwise provided by law." Exception, the process of review of the signatures is vested in the District Court under §4-33-3. District Court review of the Petition occurs within 30 days of notice to the public of filing this Petition. In the absence of such a challenge in the District Court of the Petition, the proponents of the annexation must file a Petition for review by the District Court. In any event Court review of the signatures is a precondition to the election being called.

Honorable Chairman Miguel M. Chavez May 4, 2016 Page 4

Ferry Mart-6

George Martinez

Citizens Group for Annexation into Rio Arriba County of Santa Fe County Territory now located within the City of Española

Enclosure: Notice of Filing Petition for Annexation into Rio Arriba County of Santa Fe County Territory Now Located in the City of Española

70 Sheets of Petitions of 717 Petitioners

December 14, 2015 letter to Honorable Geraldine Salazar from George Martinez

Sample Petition for Annexation of Part of Santa Fe County by Rio Arriba County, New Mexico; Requesting the Board of Commissioners of Santa Fe County (NMSA 1978 §4-33-3) to Immediately Cause Notice to be Published of this Petition; Follow the Process set out Therein and Hold an Election on the Question of Annexation of the Portion of Santa Fe County into Rio Arriba County as set out in the Attached Map

Maps, Exhibits A and B

May 3, 2016 letter to George Martinez from Tony T. Flores, Deputy County Attorney

May 4, 2016

Honorable Chairman, Miguel M. Chavez Santa Fe County Commission 102 Grant Ave. Santa Fe, NM 87504

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Under §4-33-3, the notice shall notify the public of the filing of the petition and notify the public of the petition being on file at the County administrative offices and open to public inspection by any member of the public. Our understanding of the notice requirement is that this is to give the opportunity to any resident of either of the counties affected, on behalf of himself or others similarly situated, to bring an action in the District Court of the county in which such area proposed to be annexed is located, against any one or more of the signers of the petition, alleging that the petition has not been executed by the requisite number of signers or that the description of the area to be annexed is not accurately described or that the conditions described in §4-33-1 NMSA 1978 do not exist.

It is our understanding that only if such an action is filed within the 30 day period after notice of this petition is published by you, will the court conduct a hearing and make a determination on the question of whether or not the allegations of the petition are well taken. We understand the law to be that in the event such an action is not filed, then we, the proponents of the proposed annexation will call the matter to the attention of the court by appropriate pleading requesting the court determine that jurisdictional grounds exist for the annexation and requesting the court issue an order authorizing the process to proceed to an election.

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George Martinez

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Maps, Exhibits A and B

May 3, 2016 letter to George Martinez from Tony T. Flores, Deputy County Attorney

December 14, 2015

Honorable Geraldine Salazar Santa Fe County Clerk 102 Grant Ave Santa Fe, NM 87501

Re: Request review of proposed annexation documents as to form pursuant to Section 4-33-1 NMSA.

Dear Ms. Salazar,

The Citizens for Accessible and Representative Government is an assembly of registered voters that reside in that section of the City of Espanola that falls within Santa Fe County. Given our proximity to Rio Arriba County Services and conversely the distance to Santa Fe County services, we request that an election be held in a timely manner to consider annexation of this area into Rio Arriba County and if approved to take effect January 1, 2017.

For your review please find the enclosed documents:

- 1. Proposed Petition Form
- Exhibit A, a map accurately describing the Santa Fe County territory proposed to be annexed into Rio Arriba County
- Exhibit B, a map showing the relative distances and time travel for residents of Exhibit A to Santa Fe County offices versus offices of Rio Arriba County

We request that your office please review these documents as to form and that the documents comply with New Mexico Statutes Annotated, Chapter 4 Counties, Article 33 Creation or Change of Counties. We look to begin our petition drive in mld-January and would respectfully request a timely response.

We appreciate your time and consideration of this matter. I remain available to you by phone or email as you may require. If you choose to respond by mail my address is 1031 Camino Vuelta, Espanola NM 87532.

Respectfully Submitted,

George Martinez Petitioner 505-603-4097 Gm.maj.04@gmail.com

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County 1. territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").

Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and $\frac{M}{\Omega}$ 2 time in travel for residents of Ex. *A" to the Santa Fe County offices versus offices of Rio Arriba County.

It will be more convenient and economical for Rio Arriba County to render governmental services to render Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-3 the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.

4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA
1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.
5. By signing this Petition, you swear or affirm that you are a resident qualified elector (registered voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowingly providing or causing to be provided any false information on this Petition, forging a signature, or signing this the territoryu Petition when that person knows that they are not a resident qualified elector (registered w proposed to be exed, is guilty of a fourth degree felony. è

Date of Signature	Name (Prin	Signature	Petitione Systered Voter Address		
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	Di	aka	ple		
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	1				
Date		Appro	Approved As To Form, Geraldine Salazar		

County Clerk, Santa Fe County

T:/FRC/MISC/2015-2-5 410465 Petition for Incorporation Espanola

NOTICE OF FILING PETITION FOR ANNEXATION INTO RIO ARRIBA COUNTY OF SANTA FE COUNTY TERRITORY NOW LOCATED WITHIN THE CITY OF ESPANOLA

Notice is hereby given that on May 4, 2016 there was filed with the Santa Fe County Commission a Petition for Annexation into Rio Arriba County of Santa Fe County territory now located within the City of Española. Please take notice that within 30 days after the publication of this notice, but not thereafter, any resident of either Rio Arriba County or Santa Fe County, on behalf of himself and all others similarly situated, may bring an action in the District Court of Santa Fe County against any one or more of the signers of the Petition, alleging that the Petition has not been executed by the requisite number of signers or that the description of the area to be annexed does not accurately describe the territory to be annexed or that the conditions described in §4-33-1 NMSA 1978 do not exist. The Petition and the map of the territory to be annexed is on file with the Santa Fe County Commission and such is open to inspection by the public during normal and regular County business hours at its offices located at 102 Grant Ave., Santa Fe, NM 87501.

DONE THIS ______ day of _____, 2016.

SANTA FE COUNTY MANAGER

Publish once in the Santa Fe New Mexico and Rio Grande Sun



A MAP DESCRIBING THE SANTA FE COUNTY TERRITORY PROPOSED TO BE SFC CLERK RECORDED 05/09/2016 ANNEXED INTO RIO ARRIBA COUNTY



DESCRIPTION OF THAT PORTION OF SANTA FE COUNTY PROPOSED TO BE ANNEXED INTO RIO ARRIBA COUNTY

boundaries of the City of Espanola, New Mexico." (1332 Parcels (approx.) "All parcels of Santa Fe County located within the current municipal





responsibility of the data users. Users of the data are solely responsible for validation and verification of the data. This information shall not be Property Tax Code. this data for purposes other than to meet the requirements of the general representation purposes ONLY. The Rio Arriba County Assesso with the Property Tax Code. Any use or recompilation of this data is the This map was prepared through the use of information in accordance expressly disclaims all liability regarding accuracy or completeness of used to establish boundary lines or legal title. This information is for

PROPERTY UNES ARE IN ACCORDANCE WITH DEEDS OR SURVEYS. ALL COUNTY MAPS ARE FOR VISUAL USE ONLY AND ARE SUBJECT TO CHANGE. PROPERTY LINES ARE PROVIDED BY THE RIO ARRIBA COUNTY ASSESSOR. NOTI

MAP PROVIDED BY BIO ARRIBA COUNTY ASSESSOR'S OFFICE CREATED BY 5. GONZALES, MAPPING SUPERVISOR SEPTEMBER 25, 2015, REVISED DECEMBER 3, 2015

Legend

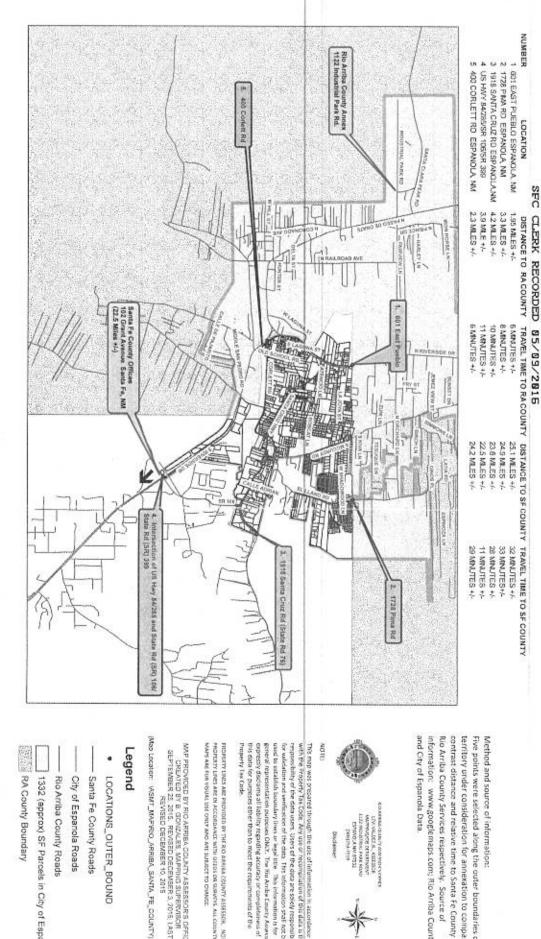
(Map Location: VASMT_MAPIRIO_ARRIBA_SANTA_FE_COUNTY)

Santa Fe County Roads City of Espanola Roads

RA County Boundary

1332 (approx) SF Parcels in City of Espanola

Rio Arriba County Roads



information: www.googlemaps.com; Rio Arriba County Data; Rio Arriba County Services respectively. Source of contrast distance and relative time to Santa Fe County and territory under consideration for annexation to compare and Five points were selected along the outer boundaries of the and City of Espanola Data. Method and source of information: FOR RESIDENTS OF EXHIBIT A TO THE SANTA FE (SF) COUNTY OFFICES

VERSUS THE OFFICES OF RIO ARRIBA (RA) COUNTY

A MAP DEPICTING RELATIVE DISTANCES AND TIME IN TRAVEL

EXHIBIT B



The map was presared through the use of information in accordance with the Property Tax Code, My use or recompliation of this data is into responsibility of itse data uses a Viscer of the data are solely responsible for validation and verification of the data. This information static notice Imperty Tax Code expressly disclaims all liability regarding accuracy or completeness (35 data for purposes other than to meet the requirements of the general representation purposes DNLY. The Siu Ambe County Asses used to establish bou adary lines or legal little. This information is for

FINDPERTY LIVES ARE PROVIDED BY THE RID BRAILS COUNTY ASSESSED. NOTE PROFILINY LIVES ARE IN ACCORDANCE WITH OFFICE OR SURVEYS. ALL COUNTY MAYS ARE FOR INSULT USE ONLY AND ARE SUBJECT TO CHANCE.

MAP PROVIDED BY RICARPIIS.COLARY ASSESSOR'S OFFICE CREATED BY 8. GONZALES, MAPPING SUPERVISOR SEPTEMBER 25. 2015. REASED DECEMBER 10, 2015. JOIN, LAST SEVISED DECEMBER 10, 2015.

Legend 0

LOCATIONS_OUTER_BOUND Santa Fe County Roads

RA County Boundary

1332 (approx) SF Parcels in City of Espanola

Rio Arriba County Roads City of Espanola Roads

Henry P. Roybal Commissioner, District 1

Miguel M. Chavez Connelssioner, District 2

Robert A. Anaya Commissioner, District 3



Kathy Holian Comulssioner, District 4

> Liz Stefanics ommissioner, District 3

Katherine Miller County Manager

May 3, 2016

BY EMAIL AND REGULAR MAIL

George Martinez 1031 Camino Vuelta Española NM 87532 Email: gm.maj.04@gmail.com

> Re: Petition for Rio Arriba County to Annex the Portion of Santa Fe County that Lies within the City of Española

Dear Mr. Martinez:

I am writing as a follow-up to our meeting of February 26, 2016, concerning your proposed petition for Rio Arriba County to annex the portion of Santa Fe County that lies within the City of Española, pursuant to NMSA 1978, Chapter 4, Article 33.

At the meeting, among other things, we discussed what appeared to County staff to be potential facial deficiencies with the draft petition. In particular, County staff noted the following:

 NMSA 1978, § 4-33-1 sets forth the factual basis upon which a petition for one county to annex a portion of another county must be based. That section provides as follows:

"Whenever, because of the location and conditions of roads, or the existence or nonexistence of transportation facilities, it will be more convenient for the residents of any portion of a county to travel to the county seat of some other contiguous county, and because of such location and condition of roads or the existence or nonexistence of transportation facilities, it will be more convenient and economical for such other county to render governmental services to such portion of such other county, the portion of the county so affected may be annexed to such other county in the following manner." (Emphasis added.)

- Mileage alone is not the test of convenience. Stone v. Crenshaw, 1952-NMSC-093, ¶ 8, 56 N.M. 707.
- The annexation petition must "set forth the facts showing the existence of the conditions described in [NMSA 1978, § 4-33-1]", among other information. NMSA 1978, § 4-33-2.
- The draft petition contained no factual statements concerning the location and condition
 of roads or the existence or nonexistence of transportation facilities.

We also discussed that, should an election be called on the question of annexation, it would be a countywide election in Santa Fe County.

In addition, we explained the County Clerk's view that, by statute, she was not required to approve the form of the petition, since NMSA 1978, § 3-1-5 applies only to "those petitions that trigger a municipal special or regular election" and Santa Fe County was not included in the definition of municipal or municipality under NMSA 1978, § 3-1-2(G), since it was neither an incorporated or H class county.

102 Grant Avenue • P.O. Box 276 • Santa Fe, New Mexico 87504-0276 • 505-986-6200 • Fax: 505-995-2740 www.santafecountynm.gov George Martinez May 3, 2016 Page 2 of 2

Finally, I informed you that, if you wanted the Board of County Commissioners of Santa Fe County (Board) to formally consider the form and substance of the petition in advance of its formal submission to the Board with voter signatures, you would need to ask to be put on its agenda, which you never did.

After our meeting, we provided Margaret C. Campos, who accompanied you to the meeting, with a copy of NMSA 1978, Chapter 4, Article 33, as well as some newspaper articles concerning the annexation by Sandoval County of the portion of the Village of Corrales that was formerly part of Bernalillo County.

Sincerely,

Tony T. Flores Deputy County Attorney

cc (by email):

Board of County Commissioners of Santa Fe County Katherine Miller, County Manager Margaret C. Campos (algonativo@cybennesa.com)

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

1. Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").

2. Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County.

3. It will be more convenient and economical for Rio Arriba County to render governmental G services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.

NMSA 1978 §4-33-2, et seq.
 4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.

5. By signing this Petition, you swear or affirm that you are a resident qualified elector (registered voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowing providing or causing to be provided any false information on this Petition, forging a signature, or signing this Petition when that person knows that they are not a resident qualified elector (registered voter), in the territory proposed to be annexed into Rio Arriba County.

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
1-26	Stella Meloy		737- LaToya Start 42
7-26	Sinda Mc Donald	0	a 737 Ja goya # 41
7-26	Lucy Marting		1332 Calle Don Altro
11.11 11	AUDRES ANDRAINE	Curf in j-	1332 CALLE DON ALFREDO
7-26-16	Unicut R M.A.h. ting BERT GRIEGO	Gun & Marting	1408 MAAturz Line
	EDWARD 3 LUCAN	par prilo	4007 INDIAN WAY ESPANOLA
1/2/16	Parrick Martineo	THINK -	119A Rixion DE ESTRELLA STSLT
127/16	Charles L. Radosevic	1 0 for for Dance	143 South (RUZ PRA 57567
27/16	Nadine Smartinez	Nadin S. Mastri	939 Conino Santa Cruz 875-22 966 St Rd 76, Esponda 87582
BTIL	DecianQmartinez	auanmartines.	412 Lamb Street Eprinolg 8750
1127/16	haquel tit	Roquel Martinez	1033 Megill St (Sp. 8+03
128/16	Episte Barely	MBereios	737 Ladoyn Apt 50
128/14	THOMAS HAYNES	Thomas Haynes	787 PHEREAUT LAVESPORT
		/	

Per letter of Santa Fe County Clerk dated February 12th 2016, petition contains adequate information for purposes of the County Clerks' Office.

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

1. Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").

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Date of Name (Printed)	Signature	Petitioners Registered Voter Address
Standor ALdoff	"a laten Junco	119 RINCON DE ESTREUA
7/19/16 Darch latera	Sandriggina	1326 Camiao Des Jose Merced Stado N
4/25/16 Tel: X Muldet	June	1421 Micordy Conte Estada
4.25-16 Richard Gonzale	s Richard Gules	1434 mc Cundy, Circle, Espandance
4-25-16 Éric Cortez	2 Lan	1434 Mc Curdy Circle Exercise NH
4-25-16 SANDRAREYES	5 Sand Blanes	1815 CALLE REDONDA, ESPANDLANA
1-25-16 PATRICIOT TObra	face -	160 Granfuld to Espert AM
HADIO Parrick Borrege	ATRick Bourgo	1610 Concentral & I tomate um
41-25-16 Debre Borres		1610 Greenteld Rd Esp. NM
4-25-16 Thomas MONGE	thomas Mark	137 South MC undy Rd. Espinola NM
42516 Anden SalinAS	They I	1901 A CHAMANA CT ESPANIA WAR.
4-26-16 Dannis RivPPA	D-K	300 Camino DulSol Espavela, MM,
2/26/16 ARturone	20 ontiero may	403 Dinta Cruz Rd Gp.
2126/16 Frankip Mezz	Aunthi nor	403 torthe Santa crucked Gp
4/26/14 Gan Saloza	SSF	790 alle Remen Esp. WM
4-26.16 Gilbert Suley	Hot Suls	782. Calle Romero Espain
4.24.16 Desiree Miranda	Duff	1115 State Paral 74 Sand an

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Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

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3. It will be more convenient and economical for Rio Arriba County to render governmental services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.

4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA0 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/26/14	CIGA A. GARCIA	VAG -	819 La Joya St Espanola STS 20
+126/14	silve Atengo	Opelin Otenin (Rosman)	523 Gameno Santa COME ESPONS
\$12416	TIM A Pacheco	Fim A Vackers	406CPM 57.

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/23/16		Emilia Atmir	723 Adencistane Esperatural
4/23/11C	Candelarita Valder	Candelande d'alog	153 - 3 B 420 Questa LAN 420 Questa Lona Expande 12 0
1/2316	Burnee @ Romaco Wartene Adencio	Ben Nie Romoro	630 Lastlep St Egenla
4/24/16	Elizabeth Schmitt	Martine atinero	1310 State Rd 74 Santa Cruz M. 107-A LAS Tegos St - Estanda NH.
4-24-16 4-24-16	Ernestine V Garcia	Enoustre 11 Mining	514 W. Pueblo Dr. Espeñoia, NM
124/16	MAR 1AH PIZZO	No Materili Bere	12 213 Paseo Les Tuan
1/24/14	Vincint Garee +	Varite kan W	724B SR74 Espendela

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/25/16	Tyra Crishra Zapata-Lan		1902-b Canada Ct. Esperale, Nint
4/25/16	Eric Garcia Malik Turee Warts	-Williams there real	600 strd 76 apt 4-26 Estimola
	Anyro liganor	Angato Sintas	600 st at 76 apt 426 Espensi
4-251.16	Wario Miconda (Unda Cordoon	Muse minuse	1615 State Rd. 76 316 Septe sipa 10
4/26/16	Geraldine Martine	Julans	050 Gminide Durch Esp NH 8102
12416	Jessa MAATHER		OSC Camino de Duran Esp Non 8032 OSC Camino de Duran Esp Non 8753
4/20/16		Benjo	DEC Camino De Duran ESP NM 87502
111 11	Barbara Hemandez Dolores F. Luceno		520 Camino Santa Croz, ESp. NH87532 ACROSS HOLY CODSS CHURCH
4/27/14	JUAN GLIEGO	Horsz	403 Cammo Santa Chuz ESP.
4-27-14	AMELIA SALAZA	RAJAIM	726 Pheasant
4/25/16	Richard Horton	Rectar Atotta	128 RINCON DE ESTREUA

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SH

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
\$1/1/14	PAT J. Lovato	* Val Q Lovato	228 mecurd , Rd.
4/1/16	ANDREA D. LOUATC	andrea Dolovato	228 McCuody Rd.
	PAUL D Quentin		226 s. meurly
	BENJUMIN P. Rolrige		DI C. Old or a Gard have
	JOHNNY KING	7997 1	1130- ST Rd. 76
	Chrus Herrin		1205- ST. R.676
1 / 1	ELIZA M. Vigil	The one of the second	1425- Calle Cielito Laso-
4/3/14	ALINA L. VIGil	Ayne Vigil	1425- Culle C. Elt. L.NO.
4/4/10	Julian Masting	Oplin Minting	HSE. 32-WAInut Civele
4/1/10	Joseph LiaL	x for The	1461 Melandy C.o.L.
11/1/6	ELizabeth A Lewis		152 EL LIMANO EL
11/10	PATRICH J. Lounte	XAtat	228. C Culle Kovita

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
1/16	Floyd E, Archuleta		612 CAMINO SANTA (YUZ ESPANCIA NE
116	Franky VALDEZ Ernest Sanches	Iny Dardy	1 30 0000 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
1/16	Inarrie Sanches	MARGIE SANGH	1440 Eathe Cretito Lundon Ede
16	Judith Bar	Vitudith Barr	631 Camino Rio Vista, ESD.
16	Judith M. Barr	Judithm Barr_	606 Camino Risvista, ESp. 87.
11	No un Martines Archulet	K Thomi Harling archult	JIJ MUCRAKEN LN
2-1	James Scott	Col ter	600 Sc 76 opt 2-26 Espanson
2-1	too R. MADDUCZ	ANTHING /	to 306 Ne Concaco Carlo
1116	Stephenie F Martinez	Agging M Jany	301 Martinez Jane Espirela
hilic	Avananzo G. Gonalas	amount & Bogo de	301 Malralla Lane, Esperite 132 5. McCorsy 2. Esperite Mer
17/10-	William Jesse Vel	TI IVET	525 cumine vievista 430
-7-16	HeleN Cedillo	The C. A. M.	613 Com in - String String charge Est.

3-7-16 He I CN Cedillo Roben Codillo 613 cam No Santacion Espanola Per letter of Santa Fe County Clerk dated February 12th 2016, petition contains adequate information for purposes of the County Clerks' Office.

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Date of Signature	Name (Printed)	Signature	~	Petitioners Registered Voter Address
3-1-16	Acessilaño T. Carrie	Quelle	heren	1437- Call Cill Lunge Seil-
3-1-16	Jennie Lia L	gon fri		1401 meandy Ge Espando NM8759
3-1-16	Therma Montay	Delene 0	nonth	720 megiel St Espurelity
2/1/16	Lurry Minstain	Lund M	arters	629 Cunaria Ric Visto ESP. NAT
3/1/16	Priscylla MARTING	1.	Milde	629 CAMINO Rin VISTA, 550, 9487
3/1/16		Magdolen 1/ h	mill?	PO By 286 Santa Cruz NIII 878 7
3-1-16	Luis & Valdez	Juis ?!	fall 3	Posta 749 South Macurdy RD
3-1-16	Edni A JUNIZEZ	Jana gin	ilde 2	749 South Miccurdy Rd
2-11	Kichard Vigil	Kuthaut (agel	1425 calle cielito Lindos
3-1-16	DENNIS SALAZAA	Rufun Aak	Jan	46 Box 365 Santa proz nm 2+557
3-1-16	3	Col 12	w.F.	P.6 B. 3978 ESBmth, 87533 \$
3-1-16	a literation of the state	Billetta	Martin Sond	1426 CHAINO DON JOSE MERCED 1621 State RA 16 Senta Craz, King
3/1/16	Raymond Certit	Ruguel h	ilit	ZIZ Camino Santa Cruz
3/1110	Levilar Archult	Lunk Cu	elt	212 Canild Sante Cruz
1.11.	Put Change and a land	1	1	44.20 1 1 1 1 1

2/1/16 Cristiana Ruiz dr Jucat Grina Right de Yoo 1407 Calle te co lote Sand a Cruz * Per letter of Santa Fe County Clerk dated February 12th 2016, petition contains adequate information for purposes of the County Clerks' Office.

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/9/16	Charles MArruto	Charles	717 Megill StESPañda B
4 <u>1911</u>	Milinda Serrano	Milindi Derjano	720 Megil St Espanden A
7/9/16	Kalf L Martind 2	Jeff make	719 Megill St Española G 720 Megill St Espanden NA 727 Megill St Espanden NA
f]q/14 -	Toby Trupello	Doby Juylo	1403 James Thompson Laur tag
/	<u> </u>	<u> </u>	· /
		+	
	10		

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94/17/16 94/17/16 91/17/16 4/17/16 4/17/16 4/17/16 4/17/16 4/17/16	CAILY GREGO Phillip Matinez Bunee Sundoval Ashley Sandoval Andres Komero Carmen Naranjo Soft Jackson JECKIA-LEE	Ashly andmy	1433 SETE ESPITIOLA, Non 51892 312 Calle Lucic ESP 221 20483 310 Calle Lucic ESP 221 20483 310 Calle Lucia Espirola NM 8755 310 Calle Lucia Espirola NM 8755 117 Paseo Don Juan Espirola NM 209 Paseo don Juan 27572 520 S Bunned die Jasu andury 318 free Don Jawn 1335 CALLE DON ALFRED
Por lotter			

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
1-416	RoseM Quin	tay Rose M geen	
176.16	JOSEPHINE L. MAES	TAS JAMPHINE Mai	TURINI SANTA CAUZ RO
1-0-16	Mussatories	O The series	102 Aalle Adrian SantaCar
11-12-16	C. OUD	2 Co light	106 catte Adian Santa
4-12-11	HURE CAST	10 Attale Castill	342 Camino Santa Cruz
7-14-	64 WREDER BE	u Maural 18 8	24 -22 C. Hando Danie
1-114	1 Nancy Be	11 nany Bel	208 Old School Rd.
1-16-11	- Low Ameritand	12	
4-16-10	BERTHA BORN		p 1608 St Rd. 16
4-16-14 4-16-16	SLUCKIND Box Rober Vasquez	the function of	> 118 Windstur Rd.
4-16-16	LennyEChave	teng E. Bhov	7 408 E. Solan In Espavely
1-16-14	Shar on J. Chy	· / //- //-	to 408 E. Seland Capqueles
4.16.16	Show Chighin	to Mally Plating flag	The 41V3 LAST Stone Las ESDMING VALE 1852

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Signature	Petitioners Registered Voter Address
n Daten tragen	a SII-A LA JOYA Sop NM 8733
A Alena Level	and 131 rayoug ap an and
Up Actoursellacan	ille 1018 Green fiet Re General B
Jay Man	130 ADRIAN STREET
all Dalles	130 AORTAN STREET SANTACRIZ
- MAL M	152 Min, St. R.J. M. San Jalius;
Diana Willie	1521 Non State Road 76 Sante Pars
Duann Chae	111 PASGO DE PAULINA ESPANOCA
214/16/14	CUR III PASED DE PAULUA ESPANOCA
Dense Padeco	PASSYE PAULINA 135 Passo De Pauling 2135
Simple	
	a Daten Frage Jane Level US Jourseffere Jour Mar Same Welle Dame Welle Dame Welle Dame Welle

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A

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3/4/2010	HIGINA & Roorisvel	Hogen & Rolan	714 5 Mc Cireny RDESphares
3-4-16	ANDERS INALTI	en Curr	1329 CALLE DON ALTREDO
11 11 4	Lucy Martinez		SANTA CRIN
3/5/16	Isabel Becker-Hudson MARC HUDGON	Where buden	1106 Carnino Vuelta Espanola, NM 27532 106 Comino Vuelta Espanola NH
3/5/14.	BONNie ates	Beyales	1112 Comino Juelta, Espanola NM
3-1-16	Maber TCorowas	Robert Caromode _	1115 Camin Vueltos Proporto 82532
3-5-16	Loretta H. Martine	0	114 Canine Vuelta Espinela Turos 523 Camino Santa Cruz Espinela
3-5-16	Frances Rodriguez	Nalson	25 CAMINO SANTA CHAZESPANNA
3-5-N	CRISIG HERRERD	CALL-	1115 Lond Street Frondberry St
3-5-14	Robert J. Romero	N th	1111 Camino Vuelta Espanda Nin
2-6-16	RICHARD T GARCIA	ni. AT M.	1115 Camine Vielta Esperate Mith 344 CAMINO SANTACRUZ
3-6-16	CYNTHA A GARCI		344 CAMINO BANTACOJZ ESPANDIANM
3-7-16	Jelene A. Hart -	Alter A. Hart	732 S. McCurdy Rd Espanola pm 87532

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3-1-16	Lonnie J: SANCHOZ	2-graf	611 5 Mc Curly RD
3/1/16	Edwina G. Sanchez	E-BBanchez_	611 S Mc Curdy Rd N
3/1/16	Leonard Z. Auchok	he Tax 2. 6to	295 LAMB St.
3-1-16	malpla sine	no PtildA	+416 Corteste DV.
3-1-01	Rennth Vigil	Kalto	1155 Calle Under Esperden NA 87572
3-12-1	- Gerald Komero	Surald Frances	1901 Calle Redonda 87532
3-12-16	Fair G Romego	Filis B+ men	1901 Calle Redonda Esp 87532 -
3-12-16	Mario Madrid	Mario Midne	580 El Ulano Rol.
7-12-16	DAVIS HERRERA	Wail Hum	1KS ARAjul St Especial
3-12-16	Betsy Quinn	Betoftim	1105 Megin St Ep NM 87532 5
3-12-16	Reuben Guinn	tenber & Summe	1034 MEGIN St ESp. NM 87332 V
3/12/16	Timothy valdur	tinty -e-	1034 Megill St Esp. NM 87532
3/12/16	Daniel Gallegos	Darkillalla	1105 Meg: 11 St Sp Nn 87532
3/2/14	Dorothy Guinn	Dorth LS un	1034 Migil St Espo NM 87572
3/12/11	Flong TAthek	toradely_	603 Camino Urbibin, Jup, 87 - 32
3-12-11	GAR TRLAChy	ATTAN O	and composition EN M 125

Per letter of Santa Fe County Clerk dated February 12th 2016, petition contains adequate information for purposes of the County Clerks' Office.

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		1.20	
Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
03/ kal	ANNA PENISE FLORE	SC Mr Suis low	248 Alle Sierra Santa Guz 80047
03/01/2014	Christ MATINEZTA	Chrain St Machine tel	248 CALLE SECTE Sanda (tuz SUSUA
03/1/2016	Maria Teresa Komer	o maria John Kom	# 828 E Pheblo DI Esp. Ning875
5-14-12	Victor L. Salar	Vitte	Sac CAMINO Sanfa Cray porton
2.14-16	Spelles Base	Theles Baros	1333A CALLE DON ALEREDO S.C.242
3-14-16	KOBBY DARDS	Billy Rom	1333A CALLE DON ALTREDD, SAVTACEUR
3-18-16	Fabiolalouvic	40 1 Tallol aller	436 Deaton St. Espt. M.
3-1-16	Rodo Fo Chave	laster	734 Theasant Love, Est. N.V.
3/19/16	JEFFL Martinez	Gottom 2	727. Megill St Espanola Nul 8:533
3/19/16	David Guinn 2	Valate	1109 Meg. 11 ST ESPANOLANMB7532
static	HUALDEL J. HUAT	a series of	
3/19/16	HILNEEL V. MARTINEZ	Manal Houter	1033 MEGILL ST. ESPHANLA 875 32
3/19/10	14 Anty 16HES MARANCE	Mary age marting	1033 MEGAL ST ESPANEL 87532
3/19/16	1248-ANNA MITESINE	Burama mater	DES MEGILLST ESPITNOLA 87532
3/19/10	Charlene Guinn	Charles burn	1034 Mill St Espinala, 87532
3/19/2	SONJA VALDEZ	Musther	1034 MEGILL ST ESPANOLA 8753

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Date of Signature	Name (Printed)	Signature		Petitioners Registered Voter Address
3-16-16	IJAbel ROMER	Joshel,	Romino	1337 B Call& Dow Alferdo &
3-16-16	Cynthia Redman	Conto	Vicha	704 La Joya Espanda NM N
3-16-16	Adan A. (45000)	Alant	agiliz	Statio & Eliciscle Esperts, AVE
3-16-12	Garen J. Cusados	Mum 1	londoe	819 Zaut he 16 SI Esponde an
	Debbe Vigil	Delle	Vil	StateRoad 76 1116-B North
5-16-16	RAIPH GALLEGOS	Ralph	Sally	SIB S. MCCURPY RD &
3-16-16	ANTHOIX I MARTING	and.	miti	Calle Lycane
3/14/14	Desetora Martinic	JANER	4	Sted 74 514-B Sorta Cruz NM 8 567
3/17/16	Isarah Malad Anhald	Drink	Rue-lay,	1136 La Toya SE
3/18/16	EDWARD ORBAKER	Any 4	Chapter	811 LA JOYA ANTB ESPANOLA 87532
3/18/4	Paarl A. Delgata	Gearl 4	Algel	+29 Conlett Rd. Expande 51532
3/18/14	Chris A. Delyado	6his A	1 Auch	429 Coslett Rd. Espanala
3/18/16	Rosemarienliger	Kosemai	entra	211 old School Rd. Esperala NM.
318/16	Jose M. Naradio	pose M.	Maxing 6	513 Calle Navanio Esp. NM.
3/18/16	SOCORRO GONGE	Coton	Jung	719 MEGILL ESPANULA 87532
3/19/16	Mary Spill	mans	ell o	723 Megill St. Espanola, NM 87532
Per letter	of Santa Ee County Clerk	dated Februa	ry 12th 2016	5, petition ophtains adequate information

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/20/	Michael C. Salas	Knighand calalier	1432. Calle Ciclito Lurno
4/23/10	BENNY A. muchins	· Manata	1220 B. Sada Guas King Re
4/23/14	MCLAINE MARSINS	Mila Mait	1220 B. SANGACEN R. H
	ALTER V. Gullige	~ alie D. Dallegor	1/26 ST. Ke76 Y 0
4/23/14	Trady FJAIOMill.	that 7 Andla	211 Camina S.Calz
	Dolores I Roybul		110 Calle Adrian
4/23/10	RAMONISTER M. Smith	Ringer & Utomith	120 CALL& Gelvian
4/23/14	HErman J. ALCORES	Henn Alam	755- 1919 Shadowoodham
4			4
		-	

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		· · · · · · · · · · · · · · · · · · ·	
Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
315/16	Eloy Trubillo	Eloy Trujille	1445 CALLE Cielito Linido
515/16	MARY B GOMEZ	Mary B Gomes	1449 CALLE CIELTO LINDO
3/5/14	Daron LaBadia	Anonfabadia	1445 Calle Cietito Lindo
3/5/14	Jennifer Sisnens	1 AN	1449 Calle Cielito Lindo
3/5/14	Shemp Water s	E XIII	1433 Calle Credito Lindo
	GABRIELA RodRIGUEZ-		1420 Celle Cubito Lindo
	William SaRVER	William Same	1420 Calle Cielito Lindo
3/5/16	1 0 1 1 1	Cheryl meyer	1421 Calle Cielito Lindo
3-5-16	Mary Alice Asequeda	mary alun Dreguede.	1416 Calle, Cielito Lindo
3-5+16	Robert D. Parcelly	420.2	1441 Calle Cullits Unde
7-5-16	Fran O. Parcell	Anne & Parelles	1461 Calle Calte / Into
3-5-16	MARYVMartoya	Mary V montoya	1018 - Sonta Creek - way 71
3/5/16	Harold W. Mertinez	Blaria V- Martin	2 911 St Rd. 70
	Gloria V. Martines		911 St.R.d. 76
315/14		Prese Ma Herven	-1205 Santa Crew Rd.
3/1/16	marie A Carcia	1 A. M/A	1437 Calle Cielto Lind

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voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowinglig providing or causing to be provided any false information on this Petition, forging a signature, or signing this Petition when that person knows that they are not a resident qualified elector (registered voter), in the territoring proposed to be annexed, is guilty of a fourth degree felony. proposed to be annexed, is guilty of a fourth degree felony.

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3 11	Gusman marshy	Himan maisle	\$ 721 Glenword 9
3-1-16	KANDY REPRAGEN	The	750 inorte Uista Isi parvolu No
3 1-16	Shen Mystanze	Chimper-	304 Richaus leve Cop 57532
3/1/,16	Dwight Hersen -	Dirdit Duren	736 McCurdy Road Espenden
3/1/16	Ponta Infa/A	Wind Jyze	Sole Sunset Brive, ESMMola
3/1/16	MARY MADRID	manymatical	1136 La Joya St., Espander 87532
5/1/4	Santiago Madrid	Santingon adrid	1136 La Juga Street, Espendo Nal 87532
11/16	JOE PODRIGUEZ	1.0	
11/14	Jaseph A Rodrigua	At colugy	714 SMCCURRY KD
3/1/14	Rose Gray	Rose GRAY S	524 Remine Soute Crucy Les. 81532
3/110	Marcin Bickonham	Ro Marcin Richard	
3414	Br. Thank	DANK	BURMARZ. (n Ep. N. h & 753)
3/01	MARYAGNES LUGAN	Mary Con Line	- 1407 MCCURDY CIRCLE ESP, NM 87532
3/01/16	DANKE ARCHILETA	(and analta	424 CAMINE CANTH CRUZ DP 84532
3/1114	Camilla Rovero	Camille 12 c	- 104 Meadow U. Eu Espertis 32
5-1-16	Quebrial Madinie	U- Alat	1413 alle Cieling Could Comingh 510

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address	5/1
4-12	Derrick Serrano Roberte Serrano	Bytoms.	902 Pacheco Lawr	89/2816
1/12	Roberts Seraro	fit pin	1610 Quenfield Rel.	28
4/21	Elisa Borregu	Elha Barcogo	1610 Ordentald Kol.	6
			11.000	
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3-1-16	EAX Valdez	10/ 1/2	991 East Pueblo Drive En.
3-1-16	Nick Romero.	nick Romen	704 mendow View ESpe
3-1-16	JuanitaLucero.	august Storment	State Rd 76 gt 1326, Easter #
3-1-16	Rolymour Lucaro	Xint	at Rd Fly gate 132/2 Sunta
3-1-10	Lorencita Vigil	verse,	318 calle Lucia
3-110,	Alyshu Chaves	950A	11019. Shadward in Espinily
3/1/16	Matthew G. Martinez	Thetter J. Hartine	1414 Martinez Lane, Espanda Nov187582
311416	Ernesto Espinoza	Eting	1411 James Thompson La, Espanila M 87552
3/1/10	Central Espinioza	Gapt in one 4	1411 Jamy Thompson La Earpy, MARXER
3114	SEANEHE R. MARTINZ	2 Algerte R. Marle	4 1143 Calle Sombra Santalna
3-11/4	Levi R. MARtinez	Kuill ork	524 Pacheco Lane Sandor
3-1-10	Margor A Martes	Margar & Martin	367 Mc Crucky, Lane Sart Cy
3-1-16	Marstan De bee	Marial Jales	709A State Rd. 76, Sanda Guza.w
03:01-16	Hoy P. Archulata	Eg F. Ulechelelo	738 Pheosentlene, Espanoh NIM 87532
3101/16	Lengue Shepulito a	grange Offichatio	738 Phensant Su. Espenale MUST
21-16	a state the class	EV125+7. 511VA	340 Comin Sula (niz



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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3.1.16	Sylva Mantinez	Alia Morany	1413 Caul Culite Sinch (general
31-16	SammyAlfriature	XmANte	StRITL HE # 116 N
63 41-K	Juse Ti ATELOO	adjut i 165	SJI CAMINO FIC ULISTA
3-16	John Santillanes	John Auntillanis	1409 M Willy Circle
3-1-14	Diane Santillan	is Winie Santil	lands 1469 the Curdy Circle
3-12-16	Margarito Martinoz	Marganite marting	1114 Carmino Verelta Espender n.n.
3-12-16	Jored Aline	8m	728 S. Melurdy Rd
3/12/10	Veronica Maes	Veronica Maes	728 S. McCurdy Ro Espinola NM 87532
312/140	Samanthagtencia	Satencica	1103 Megill St Espania um 87532
3/14/16	Juquia Comero	VIRGINIA ROMER	
3/14/16	JERRY Nevarez	Wararez	1335 Gille Jon Affredo Sauticina
	Placida Mg At oy		A]
3/14/16	Placida in Archul	eta Placida arch	all 1335 Calle De HAredsont
3/14/16	AlfonsoRomero	alfonse Lopero	1335 Calle Don AlFreddy
3/14/16	Melanie Lucero	11 Danuticore	1335 Calle Don AlfredoSanda
3/14/16	Lorraine Salazar	Konone Lada	526 Camino Santa Cruz, Espanola, NM
	of Santa Fe County Clerk		6, petition contains adequate information /

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Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

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3-1-16	GECIDGE MARTINEZ	Harry MmEG	1031 COMMONO UNELTH, ESIST NOLIT, NA
3.1.16	Edward Meding	Ellemin	411 Calett Rd Sspinds NUM 87121
3-1-16	Claudette Cordina	(Candets (Inda.	1510 martinez line Esp. Nim 8157
5-1-2416	Floyd Cordon	Flogd Conton	1510 Mustice lare Esperite Nor. 8 25.
	Rolph J. Alarid	Ruph G. alainf	921 Pachalo Lone. Sexte Care, N. 4 STSU
3-1-16	REGGIE MAESTAS	Reggie master	1030 LA JOYA ST ESPANOLAN 182
21-16	Rosabelly Maring	Senbolk Moutanes	103) Canino Warthy Espinala NM. 87-32
-1-16	Christine V. Salazur	an-	756 S Mccurdy Espansia NM 81532
51-16	LUCIE Fio- Sandoval	- Martic Jandal	722 Meg. 110 St Esp 11 8753
3-1-16	Richard Dolo (me	-fold & t. G	722 Megill St. ESO.NAI 6753
	Kathy E. Valdez	Kathy E Dold	941 East Puble Dr. Espanols, nm 8753
3-3-14	Traay Blea	Sauts-	1526 Canono los Sunchoz NU 87532
38-16	CARLOS & GALICOUS	Jal Hallerse	16 HIWAY 7-6 SAVIA
3-12-6	Delego	Jose L. Lopez	-1744 Calle Redonda Cinc
3-12-1	Ruby mars <	Hugnas.	1802 CANE Redonde
3-12-16	Rendelal Reves	Suddh Rem	1815 Calle Redonda

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4/18/16	Patsy Duran	Patry Duen	934 E. Julito Dr. Upende MM
419/16	Jeel Crockett	gel Africity	334 Camino Santa Chiz N
W-14-16	Ben MARSTAS	mat	12206 W. Sante Craz Rd. MM
4-19-16	a string the string	KAL	209 Old School Rd Nm
+119/14	Barbarn Kicci	But feer	209 OLA School Rd, NM
41/9/16	KEVIN HAUCK	Kowin Hauch	208 OLD SCHOOL RD NM
	17.6		

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5. By signing this Petition, you swear or affirm that you are a resident qualified elector (registered) voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowing providing or causing to be provided any false information on this Petition, forging a signature, or signing the Petition when that person knows that they are not a resident qualified elector (registered voter), in the territory proposed to be annexed is a signature.

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
5/10/10	Martha Sportez (6110	MIC	1453 SK 76 Ep. NM
110/16	Cistina Scuidovel	CristinaStudend	936 EASJ fueblo DI Ep NUM
3/16/46	James Scudoval	JAMES Scuyburg.	BEAST bueblo Dr. Sp. NM
3/21/16	Genavo Lujan	Sing 7 Sugar	319 SANTO NIND LANE, ESPHNOLA
22110	Dolovas Ballego	12.	408 Costilla, ESPANOLA NIM
121/16	Bill Daller	Berenall	408 Costillo, Espond NM
1118/16		Johnny King	1130 ST RD 46 850. NM
1 18/16	MANUELA LUNA	Omed D'Lole	1130 ST RD ZC SSPNM
4/18/16	EppielMartinez	Epit Marin	1030 ST RD 76 ESp. N.M.
1/19/14	Theresa Raybal (Ahrense Koylal	118 State RD 76, Esp MM
119/16	Mike Roybal	Mike kept	118 state RD 76, ESp. NM
H19/16	Sylvia D. Tatoyou	An to hay	1326 Camino Don Jose Marced Nm
11911	Mark Sarkhe	Mark Server	423 A Kursdo D. Eepin
4/19/14	RALPH TRUSILO	KAUNT -	P. 0. Ray 2451/ 315 Cost mole, was \$7755
1/99/14	michael Johne	W. Marton	400 SR 14 65P 275 32
1/19/16	Fernando Staliez	RSD	1005A La Jura Street Escarda N. M. P.

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County 1. territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").

Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County.

O

'n It will be more convenient and economical for Rio Arriba County to render governmental 3. Ó services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to 4-33-2, et seq. NMSA 1978 §4-33-2, et seq.

4 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.

By signing this Petition, you swear or affirm that you are a resident qualified elector (registered voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowingly providing or causing to be provided any false information on this Petition, forging a signature, or signing the Petition when that person knows that they are not a resident qualified elector (registered voter), in the territory proposed to be annexed, is guilty of a fourth degree felony.

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/23/	Coepera Miera	mina a	1805 Calle Redonda Esp. NA
4/23/14	Hollow & But	AAbert Sito 606,	Toky (Alle REdoned a ESP NING
4/2/10	Angel Prinke	ly 1-	Here Calle Kedonda Esporda
× 4/23/11	Elizabeth Pachec	Flight the Pacheco	1803 Calle Redundo, Esperola, M.
412011 412011	- Lava Ridy	Due by	180 Calle bener type to May
*4/23X	RUBAN GALLAN &	GAR	14 CAMENO DE DURIN, SANCI CAUE
4/20/10	Gunthia Diaz	Cunthe Dian	679 Cubera Count, Esparala
4-51	Eli PS	Ello 73	679 COBERO COULTESPINOUS
4-25-16	Joyge Diaz	Same	679 CUBERO COULT ESPANOLA
34-2611	ELLA ZAMORA DE DIAL	Eliz D.	619 CUBERU COURT ESPANOLA
	6 Carelas Movitora	Carbo Montrys	1612 Greenfield Kd, Espanola Lun
4/25/14	Hina Strice	-	
4/15/1	Sylvia Garcia	& Yluia Louia	14 Camino de Duron.
HASNY	Ruben Garcia	Ling Series	14 Camin= dr. Duran
4-2511	Truck Sula		1407 James Thomas un

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

 Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").

 Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County.

3. It will be more convenient and economical for Rio Arriba County to render governmental C services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.

4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSAU 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.

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Date of	Name (Printed)	Signature	Petitioners Registered Voter Address
Signature	D-0	- Dog	518 Carring Nabolina Espender
Josi 22,1	Faul Dayne	5 tertaberrer	
4-22-26	6. HAHANY MARTINA	On any marken	4008 Undian ways SF CRENCIA MARES
4/22.16	Ir aphini lo	Joseph Felle.	4008 Finlium Uny SEESA. 189303
+-22-16	CouliA M. GARCIA	Meulia N. Darcia	1908 Avienda Conda #46 2
4-22+6	Esther Martrez	Ally Sunt	720 Brown Street Exerts MASS
01/2/16	CREARY C. MEDINA	deffah	1700 Greenfield Rd, ESPANAR MM8755
4-211/6	TEDNAND MARTING	Kelly	720 BROWN STREET ESDANOG NUM
4-12-16	RANDY HARTINEZ	Kingly Stinting	1001 La Joya Espanola NUL 87333
4-22-20	RixDommaua	1 total	13 CAMINO DE DURAN ESPINA
april n20	Bianca Ponce	Con Dal	1616 Calle Redonda EspanouNN
	publicardo Delvo	Recruite Billio	1712 Culle Redon da Espunda NI
4.22-16	Betty Conzales	Beth analy	1601 Callo Kedonda Espanda rin
4.22-16	Sperry Cari en	Spirit Carto	1747 Calle Redorda Equale N.
4.22-16		KUKUGOLOOU	1009 Indian way pacry 2 UM
4/22/16	The Work	Toplotifier	1805 Culle Redender Grand alt
1 23/16	Ta Isaar Tdamits	Phillip	1731 Curle Redonder ES p INAL87532

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

 Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4-22/16	Marcia Baynes	Marcia Brynes	578 Camino Arbolera Espanola M
1-23-16	Richard M- Whiting	Richard M. Ulut	1030 Carriso Vuelta Espandar
123-16	Henry Valencischy POA Marg	ad Uplancia Malencia	1030 Camino Vuelte Espanole UM
4/23/1	CEISA LUCERO	Celus Jucy	and a set
1/24/16	Daniel Garcia	Baren	724A, SR.76, Española
2 173/4	The phan Churter	STEVEN GUINIA	A 816 SR 76, ESPTNOLA
14/23/16	Shar Riey	Shay Belly	820 SP76 Copas de, NM
4/33/16	Dawn Mercyler_	ASS WAT	932 State Rd. 74 Santa Care, 1
23-16	Ramon Cano_	the the	Indian way 4026
123/14	Klana Lujan_	Klugar	4016 Indian Uby
21155	Javie Stitucer	Art Alta	332 Holy Cross St Sata Supr
4/23/10	Larraine Trujillo	Muand fright	160 Polle Federida
12316	Mary Emandrose	Mary E Martin Ez	1812 Vista al Valle
12316	Janet Trujilio, <	Jan + Only	1507 mtz Lane
7/23/16	Steve Trujille	0 stufel_	827 Uista pointe ESPANSH- LAISS2
1/23/16	Tonny Martinez	TH	1158 Bobcat LA Espanola NM 875 32

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

1. Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").

 Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County.

3. It will be more convenient and economical for Rio Arriba County to render governmental services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.

4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017

5. By signing this Petition, you swear or affirm that you are a resident qualified elector (registered voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowing providing or causing to be provided any false information on this Petition, forging a signature, or signing the Petition when that person knows that they are not a resident qualified elector (registered voter), in the territory proposed to be annexed is guilty of a fourth degree felony.

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
64/16	Baula Reid	autullen	HER TOWS THOMPSER 18118
24/16	Idia Koid	Solar Reid	1401 James Thompson Laves 3
124116	Alicia Byers-Smith	aficia Byer South	1407 James Thompson Lane 6
1/24/6	KEWIN SHITH	NAT Y	1407 Janes THOMASONLANE
Horn W	Stephene Avanag	Sugara & 4	136 Meter 2 VENCIAND X7
1231	6 Annela Diget	t. and D. now	1409 mt. W Esc an TU.
124/101	NICCELIONTINE	Nicael Masso	1400 mtz lane Espanolanm
124/14	Parnela T. maesta S	amela7. martas	21412 M Hz Lane Espanula Norreka
29.16	OLIVER WILTON	great Wilter	752 Brown St: 5 sponde, Nen BIS.
74.11	Junita Willon Jose Maver	Maande Kutster	753 BIOWNST Espande NIMBTS 52
-24-16	Facque Chavez	Xacque Chours	1320 dortary lone
121/10	MICHAD VALERIU	Michael Jalus	1323 MAPTINE LANE, ESP B7532
2			

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

1. Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").

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3. It will be more convenient and economical for Rio Arriba County to render governmental services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.

Services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.
 4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.

5. By signing this Petition, you swear or affirm that you are a resident qualified elector (registered voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowingly providing or causing to be provided any false information on this Petition, forging a signature, or signing this Petition when that person knows that they are not a resident qualified elector (registered voter), in the territory proposed to be annexed, is guilty of a fourth degree felony.

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Date of	Name (Printed) Kartar Khalso	Signature Charles	S26 Camino Rio USTA
4/2/16	Loretta macstas,	Journ Maestra	SIZ Camius Rid Vista Esperit
4/22/10	Patricia Fernener	AFternance	1426 He Custy Circle Estendard
4/23/16	Albert Fernandez	all fins.	1426 McCordy Corre Espenslop

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

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4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA 1978 §4-33-3 and 4 in a timely manner so that if the aninexation is approved, it will take effect January 1, 2017.

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By signing this Petition, you swear or affirm that you are a resident qualified elector (registered 5. 5. By signing this Petition, you swear or animit that you are a resident qualitied elector (registered voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowinglyQ providing or causing to be provided any false information on this Petition, forging a signature, or signing this Petition when that person knows that they are not a resident qualified elector (registered voter), in the territory proposed to be annexed, is guilty of a fourth degree felony. proposed to be annexed, is guilty of a fourth degree felony.

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
1 4/29/0	Dulio Gavai		10 1152 bebeat () 10 1152 20brat (U, Eponoh Um 8) 2 507 Camino Arbelera
4/29/16	Amanda Konera Bochelle U	co Coullis	507 Camino Arbelerast
11.		-	
		_	

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

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SEC

It will be more convenient and economical for Rio Arriba County to render governmental services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to

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 By signing this Petition, you swear or affirm that you are supported. voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowingly providing or causing to be provided any false information on this Petition, forging a signature, or signing this Petition when that person knows that they are not a resident qualified elector (registered voter), in the territory proposed to be annexed, is guilty of a fourth degree felony.

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/12/11	Jeff Arellicho	State	P.O. BOX 4216 FEINVIEW N. 18872
4 131	ALKOTDA) (MINOM	ro calle Horian -120 0 3
4-20-16	folth X. Atencio	Mar gall	523 Campo Rio Vista Estade Non
10616-	Michael Winterna	202	103 anno Ko Vista Espanola NUL 187532
4/20/10	& Span Quintana	S-CB-	603 Camino Dro Vista Eparole, NH87592
4-21-16	dom Borrego	0121270.	102 Celle Adrian Scate Crush
4-23-12	Ganaiding SUAZO	Conculture Series	168 STAR Rd 76 PO.Bax 1061-STATT
4-23-16	Selicia Suap	Felicia Suaco	240 Latte Siena F.O. Dix Idd 325001
7/23/1	Hilen Aular	MAN AND	1119 St. Rd. 76, Santa Cruz, NM 87567
Ulvali	Leroy Wharting	Rept Barty	106 ST. El TE Espanola
1284	GILBOUT Paulille	Jul 1 chanter V	13/ LA UTA ST. Apt. 1182352
4/23/4	Veronica Vennig	Unower Deares	737 La Jeya Av116 tsp. 0. 7 8-5 B2
1/221.1	NABEL SANCI		dug 13) La gaya St Fro
Th211.	PACENIS Mand & CON		15/ Credora 27 11
412211		Marcomic Plandisyn	137 LA Joyn St. npt. 20

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SFC It will be more convenient and economical for Rio Arriba County to render governmental 3. services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
420	LARAS ORTON	Lang Qto	INIS CAN NO VUELTA
4:20	warebsp.11	14 - all	723 Aleyill St. N
4.20	Guru Kinn Khats	a dus	1004 55-76
4/20	Mikelle Silva	Mutor Attin	746 Camiao Sonte (ruz, Sspand, W
so their	Sy daw Torchert	Vicin Tank	1154 . De +t Case
4/20	A. GUID, DELLIS	This and	1154 Dobert Line
4/21	Nicole Villalibos	micdfillelit	1006 Indian way Sentacriz
4121	MICHAIELEREN	quella	1011 Inpar with Somacles
4/2/12	Barbara Garcin	Charcela	4032 Indian Way Santa Crussor
A/2, /16	aNGTEG SALAZA.	A Derya Hidelaya	1452 Auntaber SATE
1 hel	Ever ie Burrego	Aysec Boni ja	15010 Cik Ti
4/21/16	1 Istudiy Uhle	1 Devites lat	1921 McCondy Cuch Esp. UMP3
u 17	0	0	
		tell set	a utility of the sector information

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 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.
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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/9	Richard A. Quintana	ElBarrian	727 10 T. StArt SOF
4/9	Nova Mars	Nora maes	137 LA Joya St Apt 3 ESTERA
4/19	Ralp Rallys	Ralph Dallepp	737 La Joyast Apt 5 Espando
4/9	Ralph Bullefor	margat Exat	731 Rolloga Aptle
4/9-	Brenda KSA2	Biento KSalz 5	
419	Pepelope Davies	Perulon Divias	643 Wise Lane Eop NM
49	Kober + Steams	Re-	Gto wis LANC
4-9	Agy Nornin	Auto Samola	1903A Shadowno dtw #D.R.
4-9	Juanite Scool	JuctoSand	1911 E. Shadoward Line
4.9	Mulos Pafille	Melisse Radilla	1. 0. Box 20, Sandy Co 42 87567)
4-9	Malol B. J.	Aller Bity	191 Box 14

Per letter of Santa Fe Count dilerk dated February 12th 2016, petition contains adequate information for purposes of the County Clerks' Office.

SA

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Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3/1/2016	Willie Atenci	o Wille	atrico 745 Atencio LANE
3/1/2016	Morianna D. Aten	Hymne	V. Glancie 745 Atencia Wana N
3/01/16	Kathie Romero	the	1005 E. Corlett Dr.
1.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2	Belle Becker	Bith Beck	- 1113 st. R. d. 76, Espanola 87532
	Sabelle Becker	lockelle Acci	- All 3 St. R.d. 76, Espende 87532 - 1901A Compose of Openila 87532
	Anarcon Salinas	$\alpha \delta$	
	CARLOS VELLAPENT	Coals m	1005 CORLETT RD. SAVA CEUR, NM &
21116	Geri Galvan	fei ht	alle 1402 laws Thayson lang
219-16	Louis W. Alarig	forus w.	algred 1115 La Joya ST Espanola N. Max
59-16	MAKIE ALARID	Manel	land 1115 LA JOYAST, ESPANOL
3/10/16	Beth Pacheco	Beth (Ja	checo 1803 Calle Redondo, Espanola, N
/ /	Celesting Vigil	Celestino	Vigil 1728 calle Rodunda, Espanela n
al .	Gertrude Bulos	gatrade	baron 1333 calle DOM Alfred Sam
	Sonnebec	Joan ma.	in the for the for the for the for the for
51516	Vernon More	Verpon y	106-e 1745 11 11 11
1/12/14	Therese Lopez	Thurs	Topes 1744 " " " " "

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3/18/16	Johnny Silva	MAMMy &.	1118 LAJOYA Espendenn
3/19/16	Apgela Borrego	Angla Bingo	748 A Brown St. Espanola, non
3.19.16	and the second se	umle Wilting	752 Brown St. Espende NM + 752 Brown St. Espender, MM.+
3-19-16	Jugnitz Wilton	Charle Charles	
3/19/16	Martha Leal	The artig they the	748 B. Brown St Fspanula, NM
3/19/16	Casey Casados	Caren Conata	748.B. Brown St Espanola, MM
3/19/14	Richard Herrera	· affral Hener	730 Brown St. Es panola, n.M.
3/19/14	Ireve Griego	x freme b spring	730 Brown St Espanole, N.M.
5/21/16	Veronica Silva	Termina Hon	1118 LA JUYA ESP. NM
		1	

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

1. Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").

2. Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County.

SE

n

It will be more convenient and economical for Rio Arriba County to render governmental 3. services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to

The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA 21978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.
 By signing this Petition, you swear or affirm that yotar) residing within a statement.

5. By signing this Petition, you swear or affirm that you are a resident qualified elector (registered voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowingly providing or causing to be provided any false information on this Petition, forging a signature, or signing this Petition when that person knows that they are not a resident qualified elector (registered voter), in the territorian processed to be appeared is quilty of a fourth degree felony proposed to be annexed, is guilty of a fourth degree felony.

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
	Ruby NORAN SO	Red Maran	1114 State Road 76
3-6-16	Anthon Navanjo	Anty Ver	1118 State Royd 76
3-6-16	Melva Komero	Milua Komero	1118 State Royd 76 1110 Santa CRUZ Rd
3-6-16	Sylvia RomERO	Ayluia Romero	
3-21-16	Malanic maestas	Milani moentas	1030 Latas Street
1002 - 1420 - 240			
2012 1-123			

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3. It will be more convenient and economical for Rio Arriba County to render governmental Ω services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq. Ω

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3-12-16	ERIC FERNANDEL	Shi terns	905 Pacheco IN, 855
3-17-16	Sedie Marid	Sierij Wantif	Vial Fachero Lane tot p. 30
5-19-16	Veronica Fernan	192 MAN'I Mun	> 905 Packer LN 87532
3-19-16	Raymond A. Lopez	Kaynusd a. Lopez .	D 564 Pacheco In 87552
3-19-16	Loretta E. Lopez	Lotetta E. Lor	504 Richero Ln 87532
3-19-16	Frances Jargmi	10 Frances Myray	ule 504 Packers (8753)
219-16	Makie B. troheer	Make B, Pached	0429 PacheloLy 87532
3-19.16	MARC A VAlerio	Allas A Vola	1015 Calle Lucia 57582
3~19-10	Theres a Sauchez	- Thurson S anth	72 645 Veyar 87532
3-20-16	Lehn D. WARMON	Admit and	1751 Las Vigos St. 87532
3/201164	Nonica M. Nugo (OCTOGRAVE Y ANIMONS	751 LAS VEGAS ST 80, 124 87532

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3-19-14	J.ANita Saucher	1x D. anter Saint	1441-Celle Colde Line
3-22-10	TOE R. Martin	Ster Kmarth	1441- Celle Cielto Linos
3-22-16	ENRIFO Firanday	Orace Temost	1426 MoCurry Circlo
3.22-16	Robert Gallogos	* Retent Hollow	1126 ST. Rd 76
57244	LEONANT Absight	Dere Mayt	1126 ST. R. 76 1444 CALL + Calife Lineno
			1910

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3-7-16	13 MAC ATEHLE		
3-7-16	Dootha Maelan	Drothy AMASSTAS	625 B ATENCIO F.N BOB SONTA CILE Rd Eapond
3.7.16	Alicia ATELICE	alive ateres	524 CAMILIO RID UNSTON
116	DOEY ATENCIO	Day alevel	SY CAMINO RIC VISTOR

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3/19/14	Victoria Montaya	Victoria Montays	609 Camino Santa Cruz
119/14	Juanita Montaja		609 Camino Santa Cruz
119/16	PATRICE Montap	Ptte mg	609 CAMINO SANTA CRUZ
20 Mary	Harry River	Mang 402	648 canino Sayla Curz
3143116	Adelano Anglada	Colab Jal	647 Camiono Santo Cruz
125/16	March Slorgh	Forald angleta	697 Camio Santa Cruz
		,	- J
		4	
Destau	of Conto Fo County Oly		

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address 1508 MAY TINEZ LANC, ESDANOLAND 3053
3/31/16	Celio M. Ortiz	Celto M.O.Ly	1508 MAYTINEZ LANC, ESDANOLA AU
			ۍ س
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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3-7-16	JOHN HERNANDEZ	Ah Kemanka	531 CAMINO SANTA CRUZ ESPANORA
11	Barbara Hernandez	Babara Herrand	531 Carrino Santa Cruz Espano
3/23/1	TONIS VALENCIA	Jone billaling	UD E. SOLAND ESMANELA
23/16	AMADA Q. HERRERA	anabod Henere	
3/23/16	VESNIA MILLER	Viereniaf mill	
3/23/16	Michael Nician	Millie Mic	60 51 Rd 76 11215 Espan
3/23/16	Donielle Webber	Donielle Webber	600 SR 76 # 5-13 Espavola
13/14	JOSEGNASQUEZ_	Jose & Vospuez	600 SR76# 4-22 ESPANOLA
3/23/16	MARRY SANCHEZ		402 RIVERSIDE DR. ESPANOLA
5/23/16	Steven D. Salazar	Atten D felen	935 E. Pueblo Dr. Espanola
13/14	Manuelling Salar	morie Elle Mar	935 E. PUEBLO Do El Dande
124/16	Charrles Li Radosev	ich le lover Shelow	ul 929 N St. Ld 16 Exensly po
3/24/1L	Eric Revelosevid		# 400 Lam bstreet Sonta Cryp
3/24/14	Ine Valencia-	tral	419 Lambe St. Espande WH
31.28/16	STRUCH A FUILIB	Shawy u Zunde	9006 puelstate Sr. nms 232
3/28/16	Bubing loib!	Ruberlbihl	9508 Rubb D Church 87537

Per letter of Santa Fe County Clerk dated February 12th 2016, petition contains adequate information for purposes of the County Clerks' Office.

)

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Date of Signature,	Name (Printed)	Signature	Petitioners Registered Voter Address
3/0/15	Theresa Changle	for There & Rord	1412-Calleliel to Lines
3/2/16	(hAR/cs SALAZAR	Mulis Calance	1432 CALLE Ciclity Under
318/16	Bryndon Ricci	Brynley Dig (209 Old School road
3/19/16	Roberta S. Haynes	Roberto S. Haynes	707 Pheasant Lane Española
3/19/16.	ISAAC A. LOVATO	chaoc A. Foroto	730 Pheasant LANE ESPANON
3/19/14	Helen, L LOUAto S	Holm & Rurato	130 Pheasant Lane Espanda
3/10/16	Levors Dun	Sund De	934 E. Dueblo Dr. Espinala
3/19/16	PATSY DURAN .	11	934 E. PHEBLO DR ESARNOUR
2/21/16	Mubel M. Valennia	Mild M. Colinard	940 E. Richlo Dr, Espenda, NM
3/21/16	MICHAR A.SISMENOS (put Cars	942 E. PULBLO BR. SSP. IV. unf.
3/21/10	Vennica Sisters	alennica Sistero	942 F. Rueblo Brill Espanda, nor
21 Mar 16	DeAquerc, David D.	Davil D. DeAgnero	1153 Calle Verde, Espanola N.M.
3-21-16	Erlinda Montay	E 1 4 1	
2-21-16	JOHNNY MONTON	John DYDIG	221 011 50hool 100 d
3-21-14	Joyce Lopez	Danse Lupp	501 Cost. 11 A LN. Espavola N.M.
3-2116	HOWARD FLOPZ	Der / 4/2	Sol astiller, Epoda

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Date of	Name (Printed)	Signature	Petitioners Registered Voter Address
Signature	1 1 1	0	1134 ST. RD 76 ESPANOLA
3-22-16	Angela Archuld	Gryala Gicladto	P.O. Box 307 Santa Cruz NA
3/22/16	Paviel Archulet	- Daniel Archunde	ROB R ANT STACKUZ ESPANICA
Sector Contraction of the sector of the sect	Larry Lopez	Ling Jones	DZIG 040 SCHOOL ROAD
V. /0	/ •	1 BOULT	212 OLD SCHOOL RD 550ANDIA
	Feddling Lopez		POBOY 375 Capanel a nov 8 1532
24/16	Russell G. Narange	lall Alan	210 Old School Rd. Eganula, NM 57532
124/16	Lisa M. Naranto		210 012 Solad Rd. Expandia, 118253.
18411	MATILDA GUILLEN		420 Cohlost DA & Children
124/16		11111	129 Concer Koy aspannosis
1.11	John Doranjo	John I lynni	318 Passo Due Jun Formaly 1/10/31
174/4	Bath Noyen's	Fleshet Starie	318 taxa to gen tipula / 4/ JDZ
124/16	Connert levels 1	Connert. H.c.	214 Preset In Jun (Stuck)/41 SADZ
19-15	CHALS RODANDUCE	Chris Alexan	
3-13-16	DINO MARTINEZ	1) 11/100	201 Space or Simh F2, North 50
2 32 11		CA Vaca	SR CHIE Armedia E33 NKR 8253
5-23-16	matche Martina	moders montant	118 Page de Don Juan Espenda AM
323-16	pake Sandooul	take dendorat	111 peso de Ortegu Espende Dela
3-23-16	Mary Harting	mary Martine,	
.02 /. (116 69	Nell'S A.F.S	111 Pass deOrtaga Espanola Nome
15/6	of Santa Fe County Clerk	dated February 12h 2016	117 Pasco de Vor Juer Enerola NT

for purposes of the County Clerks' Office.

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3/11	Delayna Garcia	Delaytori	141 calle sombra
3/11	Isabel Gureia	deale garcia	1141 Calle Sombra
	Selina Giarcia	Siling Garrier	1141 Calle Sombra
	MURA L Naestas Murt	no prof not	142 Calle Sombra
3/15/16		MAD	1142 Culy Jonbra
3-15-16	piquera 5. Vigil	Laura D. Vigil	1144 Calle Sombra
3-15-16	Company in the second		1143 (alle Sombra
3-15-16	sampled here in	Simer anen "	1411 Calle Sombra
3-19-16		Jogce daw Daily	> 1149 Calle Verde.
3-15-16	THOMAS A. SISNERS	As a	120T CALLE VERDE
3-15-16	Eliana Quiego Marísa Griego	Clava Muyo	USI Callo verde
	Attinge Graings	Man Fries	1151 Calle Verde
	TEGINA GARCHA	the state	141 CH LE SOMADRA
	Micheli cigun	Micallacigu	304 Motreton len:
3-21-16	CANSTAL REMO	1 million Ju	Jos Mclaulla h

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3-21-16		pay of	300 McKracken LN ESPANOLA
3-21-16	Esther E Martine	Soffre Lilly	300 Mctracter LN Eperder Men
32114	Marcie P. Dovis ANN MARTINEZ	a ma	1324 Lomote In Branch NIM
3/21/14	David Salazar	Dave Shin	1324 Lomita LANE ESpannic, Non 8757 1154 Calle Verde ESP. NMBT32
3/21/14	Gina Salazar	Apa los-	1154 Calle Verde Esp. nm81532
3 120/16	Alley Salazar	Andres	1203 BobertLane ESP. NM. 8753
3/28/16	Amanda Romero	amanda Rameno	1152 Babcat (N Espanda NM 8753 1152 Bobcat (N Espanda NM 87532
3 28 16	Corina Vigil	Course Vigil	1144 Calle Sombra Spurda NM 1757
			, (
D. L.U.			

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3/22/16	Theresa Roybal	Theresa h. Boyla	629 El 1/Ano Rd.
3/22/16	I TRANSPORT THE TRANSPORT OF TRANSPORT	Cimpy Kola	629 El MANO Rd.N
3 27/11	Michelly Henry	Minekotty Alum	1941 Calls Riybul (
3.22.14	11-202 million	4150	1940 caus izarbal
3/22/16	ANNA GALVAN-ROYB	AL ame Halves hoffed	1935 CALLE ROYBAL
3 ballis	JOHNNE ROUSA	L Lohne Kould	1935 CALLE KOYBAL
aladu	(JOHNNIE ROYBAL	DIA	111- ALL P.L.
331116	Kita Weille Galv	n day melli falva	1923 Calle Forford
3 3 1/6	Udam B. Martiner	All Man D. Warting	1923 Calle Kongbal
			11 m

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
and the second se	MaryAnnUaldez	martala	709 A State Rd. 76, Sanda Crife
3-25-16	Elise Woodall	Mallachde	713 Glenwood Avenue, Er Stala
3-25-16	Jamie Aragon	pann, Argon	1907 E. Shadowood Lon. Espanda
3-25-16	James Aragon	fame	1907 E. Shadow ord In, Espanola MAY STA
348 14	María Gonzales	maria tomale	1912 E. Shadewood Lane, Espunds, nm
720/10	Eric NUttall	Enge Not	1495 Carra da const Espanja NN
5/28/1	Hyten i frester	2 (SA)	1927 Ausel aucherspin
312311	8 Reaning Fresque	2 Danker -	1927 Avenik Canach Epril
3/2	Dernockte [vigres]	BILLIA .	1925 Avenua Chinga BP
2128	Sudith & Def	Haun a pill	1926 URNING CERNELLY
3/29	Lobres Sanch	Kedous Sanch	1895 cast shadown lane
3/30	ACHIII) Cardenas	Manu aiden	1100 nataradty NIM
24313	PAR AZ	-(10 - 7 -	0
5-31	(Johny Could	10 the Curl	1703 Shadwood Esph
3/21	JLose Maes	Tose Main	1201 W. Shadowood IN-Sp
3/3/	James C. Maes	Harrys C. Maer	170 W Shadowood AU-Esp.

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County 1. territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").

2 Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County.

SEC

It will be more convenient and economical for Rio Arriba County to render governmental 3 services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to

4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.
5. By signing this Petition, you swear or affirm that you are a residue. 5. By signing this Petition, you swear or affirm that you are a resident qualified elector (registered voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowingly providing or causing to be provided any false information on this Petition, forging a signature, or signing this Petition when that person knows that they are not a resident qualified elector (registered voter), in the territory proposed to be annexed, is guilty of a fourth degree felony. proposed to be annexed, is guilty of a fourth degree felony.

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
1/2/16	MARY SANCHEZ	Mary Scy Cha	YOR RIVERSIDE DR. ESPANOLA
4/2/16	Chrindewis	Ellont	1919 Avienda Canado D
4/2/16	Edward Valencia	and Site ui	119 camb.S.
412/16	Mario Pacheco	Mul Jut	412 Lamb ST Espirite
4/2/16	Tim A Vachuro		412 Lamb St Espanola 408 CAMB ST Fra
4/2/16	Evargeline Galazar	Anana elinos alazar	199 Celle Ronero Compala 8752
1/2/14	CORINAE VIGIL	tonne Vegel	272 PAONECO, GSDANCAA
12/16	Ray Medina	71- 72.00	218 5. Mc Curly F.s. 24. 018 275.
1/2/16	Cirtis Schottschneider	Cut the	310 S. Michary ad Espensila 81552
21/2/16	Alicia Galvan	Lucio In Angling	1902 James Dompson Lane s.
1/02/14	Michael A Contine		1402 Sumis THUM Son Lune "
7/3/16	CyAlbin Sineme	Cut Lie	Hasta Sama ESANNOLA
4/3/16	Lonnie Simone	Release	1104 ha Java ESAANOLA
1/3/16	SIRIA LUCERD	Airia Turacio	1359 LAWE DON ALCOCOD

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

 Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").

2. Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County.

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 It will be more convenient and economical for Rio Arriba County to render governmental services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.

NMSA 1978 §4-33-2, et seq.
 4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.

5. By signing this Petition, you swear or affirm that you are a resident qualified elector (registered) voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowingly providing or causing to be provided any false information on this Petition, forging a signature, or signing this Petition when that person knows that they are not a resident qualified elector (registered voter), in the territory proposed to be annexed, is guilty of a fourth degree felony.

Date of Signature	Name (Printed)	Signature	1	Petitioners Registered Voter Address
3/8/16	Socord Madrid	beenix	nadril	1452 Calle Cielito Lindo
3/10/16	PATRICIA MADRID	Fan	ia	1136 LA JOYA ST ESpanda NM N
3/16/16	talle Parick Mailier	the May	/	1416 El Ilana Santa Guzan Stall
3-38-16	Contraction of the start of the	Christophi	2 My Jord	950 EAst Pueble Rd. Espanolo 87532
8-30-16	DEHIDO SERTANE	Relfind	- fur	-1417 Colle Cielito Lindo
3-30/16	THOMAS HAYNES	C1.	the	1417 CALLE CIELITO LINDO, ESPANOCA
3-36-16	Dehas Massfus	Sherras S	Ino ti	722 PAEASANT AN. ESPANICHAN MY
3-30-16	MELGNIE MAGAR	1 second second	4.40-10-	1030 LA HoyAST.
3.30 46		Kelperal	Water	526 calle Andera Espren
3-30-16	Steven Maez	Atom	Mas	534 CALL ADOLEYA FERRED
2131/1	La presione Quention	1	Junton	. 111 CALLE Adrian Santo Cruz
3/3//201	14.11/	a yopus (Lunlan	a second second second
4/1/1	Cotherine Kinl	Date	and also	900 E. Dueble, ESPANOLA
1.1.16	Diane Pena	Diline	Preu	600 St Kd 16:7-11 5-spanille
Per letter	of Santa Fe County Clerk	dated Februa	ry 12th 2016	, petition contains adequate information
for purpos	es of the County Clerks'	Office.		

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

1. Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").

2. Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County.

3. It will be more convenient and economical for Rio Arriba County to render governmental CO services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.

4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/2/16	Marvin Montage	Mou. Junat	1725 Piny Rel, Estenda No Prizz
4/2/14	Elizabethiman	Gmile	1414 Green Field Rd Sop 1875
4/2/16	Kad Guinn	210	144 Granfield Rd Esp. 8753 55
4/2/6	SKyler Marall	Stalle	1614 Grund Fix 1 d r d 551.8752 2
412/10	TODAILY MONTAUR	- Alath	663 Calle March Hos Elamo L 87832 742 MENDER VIE WAVE ESDANOLAKON?
4/2/6	JAMES W. MATSH	The Willet	1712 Sthoowas Lu. Es mode un 8732
4216	Roselly MAI 314	Roselli Martsh	1712 W. SHADWOOD LN EgilAnda, NAVEREZ
4/2/2010	Rang B, 5d	Lawrence Roybel	1957 Calle Royby Espenda, UM \$753
45 have	the	CHRES QUENTRIA	1963 CALLE Royen, Sawa Care an 1914-3
4/5/2016	Cholama Quintana	Chefanio Company	1963 CALL REPARL GOUT CALL NM 8787
7.5-16	Steve Southstance		1619 SHEWFEIN RJESPANONGNIM

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County 1 territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").

Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and 2 time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County. SEC

It will be more convenient and economical for Rio Arriba County to render governmental services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to

 4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA 201978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.
 5. By signing this Petition, you swear or affirm that we voter) residing within the time. voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowingling providing or causing to be provided any false information on this Petition, forging a signature, or signing this Petition when that person knows that they are not a resident qualified elector (registered voter), in the territory proposed to be annexed, is guilty of a fourth degree felony.

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
731 boil	Sally A. Galleges	Dave an Lallyn	40 BOT 878, SANTACINS, NM 8756 79
131/2016	Gary A. Gallyges	Han A. Hallo	PO 608 878 Santa Cruz, NM 87561
131/2010	Charlotte T. Galleges	Charlette T. Halls	P.O. Box 115 Santa Cruz Nim 8257
12/2016	TanyaLewis	Jona ton	1910 E. Shadew wood Esperipeitre
aprinu	Vernon G. Lujan	Vers Glip	1903 Giledel Renche Espensis, MA 8753
4/2/16	Carmen M. Lujan	E-1A	1903 Calle Del Kariho Rd Copund
1/2/14	Junny Holfer 1	224	713 GENWOOd Estimoly UN
412/18	Hurbert Board	DITUTI	
4/4/6	Kobert (Doodel)	Cafet Alecold	713 Chenwood, Esparato, MM
1/2/16	David Viera	your Vin	709 Cleanund the, Estande Non
4/1/10	Magdalena	y. Vigit	1623 Georgeold Rd
4/2/16	LEONARD ARAGON,	Hannes for Lancerage	713 GLENHIDD, ESPIENCIA, NM
415116	Francisco Andrade	(Act-	1806 Vista del Valle Española NIM
76114	LOUIS C Salazar	LOUISG SQIAZ	O4AB Calle Duran Espanda
1/5/14	Sinia Galazar	Sitia Sale	
715/14	Michael D Salazar	Michaersala	6. petition contains adequate information

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

1. Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").

2. Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County.

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 It will be more convenient and economical for Rio Arriba County to render governmental services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.

4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSAZ 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.

5. By signing this Petition, you swear or affirm that you are a resident qualified elector (registered voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowing providing or causing to be provided any false information on this Petition, forging a signature, or signing the Petition when that person knows that they are not a resident qualified elector (registered voter), in the territory proposed to be annexed, is guilty of a fourth degree felony.

Date of Signature	Name (Printed)	Signature	Pctitioners Registered Voter Address
4-2-14	Vicenta RivERA	Vicente Protes	704 Las Vegas Espavola 8753.
4.2.16	Gregg Velarde	Republic	815 Pacheco LAI 8755
4/2/16	Etro + Olivia	flow Martin	310 Pacher I.N. 81532
4/2/16	ELIA'S Martine	Eliz Motoly	-310 Pacheco La E7532
4/4/16	GeraldineLoper	Burghesson ~	906 Apache Ln 87567
4/4/16	JAMES G. Lopez	Lasty	906 Apache LN 87563

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

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2. Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County.

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NMSA 1978 §4-33-2, et seq.
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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/2/16	LEON LOPEL	America	124 calle adiren Santa Cruz 6
1/2/16	Timmy C, Larc	Junin C. Jan	124 Calle addian Jonto Guz B 807 Ash Loop Espanda
1/2/16	Norma J. Lara	Jama J. Luca	807 Ash Loop, Espanola, NM
12/16	Jose M. Naran	Jose m. narans	PS. Box 59 Senta Cruz. MM
R/6	Carmen Narania	Comin Maranin	P.O Box 933 Sata Cruz MM
1/2/14	John P. Navanjo	Jup Majo	3/0 PALA Den Jun, Esonaly Mar Spor
_		/ 0	
Por lattar	of Carda Fa Carata Ol	dated Eshrusar 19th 2016	

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

 Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").

2. Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County.

3. It will be more convenient and economical for Rio Arriba County to render governmental Construction of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.

4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA's 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017

5. By signing this Petition, you swear or affirm that you are a resident qualified elector (registered voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowing providing or causing to be provided any false information on this Petition, forging a signature, or signing the Petition when that person knows that they are not a resident qualified elector (registered voter), in the territory proposed to be annexed, is guilty of a fourth degree felony.

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/10/16	MARTIN KOBY	Martin W. Kot	Ly 338 CANINO SWERCEUZ
4/14/16	PAMKIGY	Gamella fab	338 Camino Santa Maz
4/16/16	Jacob Torres	DERISS CURden	De proving Cers attacio fane ago 404 B Sulay (4
4/16/16	Gloria Valencia	Shin Valence	409 B E. Solano Espanda
Deviation	of Conta Factor to Ol		

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

1. Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").

2. Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County.

3. It will be more convenient and economical for Rio Arriba County to render governmental Construction of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to MMSA 1978 §4-33-2, et seq.

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/9	Sharon Busch	Sharon Busch	1912 Avenida Canada Espiñía
dilog	SUSEPH MENER	etokup Marking	1879 Nr. (AVADA, EX 32 4
4/11	NOAH E. Buck	Noak ErBack	1908 Exot Shadowood Lone Sepanda
	Jandra Adams	Jo changen s	1910 E.Shadewwww.
0.1.1			

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

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SEC

3. It will be more convenient and economical for Rio Arriba County to render governmental services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.

A. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA
 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.

5. By signing this Petition, you swear or affirm that you are a resident qualified elector (registered of providing or causing to be provided any false information on this Petition, forging a signature, or signing this proposed to be annexed into Rio Arriba County. Any person knowingly Petition when that person knows that they are not a resident qualified elector (registered voter), in the territory proposed to be annexed into Rio Arriba County.

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/18/11.	Carol Taschek	Cart tascluk	POBOX111 / 1518 St R. 75/Santalovz 80
4/18/14	SALVADOR LUCERO	Salure June June	P.O. Box 25, Santa Curs, 8
118/16	Edward Luceru	Edward Success	Abs. Bunconsda Sof Trenor
4/20/10	KATARYN BENNE	es hope -	MORETRON Se Entrolline
10 /10			13 Run Con Proton 18

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

1. Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").

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4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
18/10	Juise Marta	Atto	117 maill St
19/16	Bours Mayrinez	Centre mg	TIT Magill St
4/9/16	Bryan Trujillo VELIA DETIL	Bryan Tryllo	1403 Janes Thompson Lane 737 LA JOJA ST
17.9 u			141 - A J & J A ST
Dealette			

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/8/16	Tony Mastarez	Joyla	808 La Jong St. 87532
117/16	wanda ward	X Wands totas	812 LA Joyas \$ 1,532
4/4/14	Sadie Martine	- Sadie Smart	312 Colle Lucia 82532
7-2.16	Frank ANJUMAS	fral Anyrang	407-Lombst 87532
41-16	Reberra Narghio	Deperco Joran	8 407 LAMB 57 87532
4 9-16	Frank Noranje	Find norago	407 Lamp St 87532
-			
Declatter	of Conto En County Ola	to date d E - to - toth oo	

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Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

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SFC

 It will be more convenient and economical for Rio Arriba County to render governmental services to the portion of Santa Fe County Petitioners/request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.

NMSA 1978 §4-33-2, et seq. 4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017

5. By signing this Petition, you swear or affirm that you are a resident qualified elector (registered) voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowingly providing or causing to be provided any false information on this Petition, forging a signature, or signing this petition when that person knows that they are not a resident qualified elector (registered voter), in the territory

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/20/16 4/20/16 4/20/16 4/20/16 1/20/16 1/20/16 1/20/16 1/20/16 1/20/16 1/20/16 1/20/16	Brandi Cordon Ryan Cordon Hristen Cisneros Andred Cisneros MANUEL Dixon DIANA Wheeler John SAMICHER John SAMICHER John SAMICHER CHARCE BAKER Joseph Trinillo Judy A Monton Orleado & Montoge	Brandi Cordolo Mila Contros Maria Goneros Maria Romeros Maria Romeros Ma	213 Camino Santa Crun 213 Camino Santa Crun 213 Camino Santa Crun 215 West Ruebloch Espanokamin 87537 502 W. Pheblo Dr, Exanola 197532 424 13 W. Pueblo DK. 424 W. Pueblo DK. 425 Julian Why Santa Canz JK. 4001 Indust Santa Cruz NM. 4001 Indust Santa Cruz NM. 4001 Indust Santa Cruz NM.

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County 1 territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").

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It will be more convenient and economical for Rio Arriba County to render governmental services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.

CLERK The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017

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4/24/16 Helen O Martinez Halen Q. Martinez 1429 MaCurdy Cu 4/26/16 DENHIS Salvan information 1429 MaCurdy Cu 4/26/16 Allen Trujillo 1420 Calle Calle 4/26/16 I walk Trujitto 200 1420 Calle Callo 4/26/16 Emestotspinoza Et E 4/26/16 Kimberly Luced Kimplicino 1457-Calle Calle	ress 5
Abelle Lunda Try to a 2000 1423 Calle Cield	icle EN
	Lindo E
	Lingi

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3. It will be more convenient and economical for Rio Arriba County to render governmental Services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.

4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.

5. By signing this Petition, you swear or affirm that you are a resident qualified elector (registered voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowing providing or causing to be provided any false information on this Petition, forging a signature, or signing the Petition when that person knows that they are not a resident qualified elector (registered voter), in the territory proposed to be annexed, is guilty of a fourth degree felony.

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/2/16	Rosario far	vie pransfer	Petitioners Registered Voter Address - 1212 Red Hand Cr. 1212 Red Perkel 1212 Red Hand Ct.
4/28/16	Manul Gercia	a Juz cole	212 Red perted
9/2816	Christin USE.	- Christing C	Kui 1212 BRIN HANY CH

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County 1. territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").

Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and 2 time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County. SFC

It will be more convenient and economical for Rio Arriba County to render governmental services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.

CLERK The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA 4 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/27/14	Frances Garci	a Frances David	4 1615 W Shadowood Lane
4-27-11	JAMES DAT	72 Jany Or	14 1615 W Shadowood Lane

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2. Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County.

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NMSA 1978 §4-33-2, et seq.
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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
# 28/16	Amy Miller	Gnillo	529 Comino Santa (roz
4/25/16	Plagy Vigil	ROG	1321 martines Lane
4/28/16	Dominic Roybal	And all	523 Camino RID VISTA
4~0110	LOMINIC Noybel	Unex By	1216 Cortat Kel. Srike Cours
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Per letter of Santa Fe County Clerk dated February 12th 2016, petition contains adequate information for purposes of the County Clerks' Office.

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/28/16	Olga A. GARCIA	atre-	814 LA JOVA ST EAD 87534
4/28/16	Olga A. GARCIA Julie S. Atencio	gulils. Atini	819 LA Joya St E. 87536 523 Camino Rio Vista Esp. 87530

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/1/10	PAT LOUATO ANDIEG LOUGE	Pat Sovato	221- Calle hovato
4/1/10	ANDIEG LOUGE	Andrea Rovä	to 221-Calle horato
4/29/10	STEPHANIE Land	Auptoniu Siva	to 228- and Lovare

Per letter of Santa Fe County Clerk dated February 12th 2016, petition contains adequate information for purposes of the County Clerks' Office.

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4-22-16	Rill Empales	Alch Ample	1434 McCurdy Circle, Esp.
4-22-16		Undreg Contes	1434 Mc Curdy Circle Edparol
4 22-14		Chie Cotto	1434 McCurdy Circle Espanota
4-28-16	Naily Reyes	Matz Reyn	1430 Mc Curry civile Experield
4-28-16	Tama Prayes	1mg R	1430 McCurly Cir. Espenda 1406 McCurly Cir Espenda
9-28-16	Alfredo Rayas	Philes lean	106 McCurl Cir Espinole
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		1000001	

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CLERK RECORDED By signing this Petition, you swear or affirm that you are a resident qualified elector (registered voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowingly providing or causing to be provided any false information on this Petition, forging a signature, or signing this Petition when that person knows that they are not a resident qualified elector (registered voter), in the territory proposed to be annexed, is guilty of a fourth degree felony.

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
1-29-16	Paula Upldez	Joulak	705 Glenwood Avenue, Espanola

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4 /28/15	EVANGeline MAR	ture Everycline Mater	ing 601 el Llano Road

Per letter of Santa Fe County Clerk dated February 12th 2016, petition contains adequate information for purposes of the County Clerks' Office.

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SANTA FE COUNTY

BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

May 10, 2016

Miguel Chavez, Chair - District 2 Henry Roybal, Vice Chair - District 1 Robert A. Anaya, Chair - District 3 Kathy Holian - District 4 Liz Stefanics - District 5

	EXHIBIT	
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SANTA FE COUNTY

REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS

May 10, 2016

I. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:45 pm by Chair Miguel Chavez in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

B. Roll Call

Roll was called and indicated the presence of a quorum as follows:

Members Present:

Members Excused: None

Commissioner Miguel Chavez, Chair Commissioner Henry Roybal, Vice Chair Commissioner Robert A. Anaya Commissioner Kathy Holian Commissioner Liz Stefanics

- C. Pledge of Allegiance
- D. State Pledge
- E. Moment of Reflection

The Pledge of Allegiance was led by Andria Duran, the State Pledge by Dana Budagher and the Moment of Reflection by Margie Romero of the Human Resources Department.

- F. Approval of Agenda
 - 1. Amendments
 - 2. Tabled or Withdrawn Items

CHAIRMAN CHAVEZ: Manager Miller, do you want to walk us through the agenda. Then we have some amendments that we want to present.

KATHERINE MILLER (County Manager): Yes, Mr. Chair. Since the agenda was published last Tuesday we've had a few additions. Then also some Santa Fe County Board of County Commissioners Regular Meeting of May 10, 2016 Page 29

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (2, 7 and 8) to discuss the matters delineated above passed by unanimous roll call vote as follows:

Commissioner Anaya	Aye
Commissioner Chavez	Aye
Commissioner Holian	Aye
Commissioner Roybal	Ave
Commissioner Stefanics	Aye

CHAIRMAN CHAVEZ: So we'll go into executive session, then we have one item on our agenda, beer and wine license, and that will be discussed after, when we come out of executive session.

MR. SHAFFER: Mr. Chair, there are actually two other items listed under Matters from the County Attorney for certain which is a consideration and possible action on the petition, on Rio Arriba County to annex the portion of Santa Fe County that lies within the City of Española, as well as approval of a restrictive deed covenant for the Santa Fe County Judicial Complex.

CHAIRMAN CHAVEZ: So we'll have those two items as action items and then we'll have the public hearing on the beer and wine license. Okay. Thank you.

[The Commission met in closed session from 4:25 to 6:20.]

COMMISSIONER STEFANICS: Mr. Chair,

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: I move that we come out of executive session, having only discussed the items that were listed with the five Commissioners, the County Manager, the County Attorney and the Deputy County Attorney.

COMMISSIONER ANAYA: Second.

CHAIRMAN CHAVEZ: There's a motion and a second, Commissioner Roybal, to come out of executive session.

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

VII. C. Consideration and Possible Action on Petition for Rio Arriba County to Annex the Portion of Santa Fe County that Lies within the City of Española [Exhibit 6: Supporting Material]

CHAIRMAN CHAVEZ: So how we have two items that we need to take care of as a result of executive session. Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, on item C, consideration and possible action on the petition for the Rio Arriba County to annex the portion of Santa Fe Santa Fe County Board of County Commissioners Regular Meeting of May 10, 2016 Page 30

County that lics within the City of Espanola, I have a motion. I move that we disapprove and take no further action on the petition since it is legally defective on its face because it does not set forth facts showing the existence of the statutory conditions justifying annexation. In particular the petition does not set forth facts showing that it would be more convenient for citizens in the annexed area to travel to the county seat of Rio Arriba County as opposed to the county seat of Santa Fe County because of the location and conditions of roads or the existence or non-existence of transportation facilities. Such facts are required by NMSA 1978, Sections 4-33-1 and 4-33-2.

COMMISSIONER ANAYA: Second.

CHAIRMAN CHAVEZ: There's a motion and a second. Any further discussion? Hearing none.

The motion passed by unanimous [4-1] voice vote with Commissioner Roybal casting the dissenting vote.

CHAIRMAN CHAVEZ: Commissioner Roybal.

COMMISSIONER ROYBAL: I'm actually going to be voting nay. With that being said I would like to invite Mayor Lucero and the city councilors to work to meet with us to discuss ways in collaboration in a non-litigious way to service the area.

CHAIRMAN CHAVEZ: So we have four yeses and one no vote on this item. So thank you, Commissioner Roybal.

VII. D. Approval of Restrictive Deed Covenant for the Santa Fe County Judicial Complex, VRP Site No. 53092001, as Required by the Conditional Certificate of Completion Issued to Santa Fe County by the New Mexico Environment Department Pursuant to the Voluntary Remediation Act [Exhibit 7:Staff Memorandum]

COMMISSIONER STEFANICS: We need a presentation, Mr. Chair, on item D and we have it at our place as a separate handout.

CHAIRMAN CHAVEZ: Yes. You're correct.

MR. SHAFFER: And if I could, Mr. Chair, I'd just note for the record that that was not an item that was discussed in executive.

CHAIRMAN CHAVEZ: It was not. I stand corrected. So we're done with executive session then.

PAUL OLAFSON (Planning): Mr. Chair, Commissioners, I am presenting a restrictive deed covenant for the Santa Fe new traditional courthouse. This is an item that is part of the voluntary remediation program we've been entering into with NMED. It's part of the final cleanup phase of that project. As you'll recall, we did encounter some environmental conditions and we have remediated those conditions. Part of the final agreement is to provide – we have already received our conditional certificate of completion and one of the conditions of that is that the County places a deed restriction prohibiting residential development on the property until such time as a final certificate of completion is issued.

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY, NEW MEXICO

RESOLUTION NO. 2015-172

A RESOLUTION

DETERMINING REASONABLE NOTICE FOR PUBLIC MEETINGS DURING CALENDAR YEAR 2016 OF THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY AND FOR BOARDS AND COMMITTEES APPOINTED BY OR ACTING UNDER THE AUTHORITY OF THE BOARD OF COUNTY COMMISSIONERS; ESTABLISHING PERMISSIBLE MEETING LOCATIONS AND A WEBCAST AND BROADCAST POLICY; AND RESCINDING PARTS OF RESOLUTION NO. 2015-59

WHEREAS, the Open Meetings Act, NMSA 1978, Chapter 10, Article 15 (hereinafter referred to as "the Act") provides that "[a]ll meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policymaking body of . . . any county, . . . held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or taking any action within the authority of or the delegated authority of any board, commission or other policymaking body are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution of New Mexico or the [Act]" (NMSA 1978, Section 10-15-1(B) (2013));

WHEREAS, the Act further provides that "[a]ny meetings at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs and at which a majority or quorum of the body is in attendance, and any closed meetings, shall be held only after reasonable notice to the public" (NMSA 1978, Section 10-15-1(D));

WHEREAS, the Act further requires a public body to "determine at least annually in a public meeting what notice for a public meeting is reasonable when applied to that body" (NMSA 1978, Section 10-15-1(D)); and

WHEREAS, for calendar year 2016, the Board of County Commissioners of Santa Fe County (hercinafter referred to as "the Board") desires to determine what constitutes reasonable notice to the public of its meetings and for meetings of boards and committees appointed by or acting under the authority of the Board, as required by the Act, and to otherwise specify important elements of its continuing compliance with the Act, establish permissible meeting locations, and establish a policy concerning the webcasting and broadcasting of meetings.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF AS FOLLOWS:

1. Regular Meetings.

A. Board Meetings.

i. Time and Place; Schedule for Calendar Year 2016. From January 1, 2016, through December 31, 2016, regular meetings of the Board will be held beginning at 2:00 p.m. on the second and last Tuesday of each month, except that there will be only one Board

Page 1 of 5



meeting in December, on December 13, 2016. A copy of the complete calendar of regular meetings of the Board for calendar year 2016 is attached to this resolution as Appendix 1.

ii. Notice. This Resolution and Appendix 1 shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building. So long as the meetings are held on the days and times and at the location specified in Appendix 1, posting of this Resolution and Appendix 1 shall constitute reasonable and appropriate notice of each regular meeting of the Board.

iii. Notice of Rescheduled Regular Meeting. If a regular meeting is rescheduled from the date, time, or location specified in Appendix 1, notice of the rescheduled meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least ten (10) days prior to the date of the meeting.

iv. Notice to Radio, Television and Print Media. Notice of a regular meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such Notice.

B. Other Meetings Requiring Notice.

i. Time and Place. A regular meeting of a board or committee appointed by or acting under the authority of the Board shall be held at a time and place to be specified in the resolution creating such board or committee or, if not specified, upon a decision of the board or committee.

ii. Notice, Annual Schedule. Notice of a regular meeting of each board or committee shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least ten (10) days before such meeting. Alternatively, a regular meeting schedule of a board or committee may be developed for calendar year 2016 and posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building; if so posted and so long as meetings are held on the days and times and at the location specified, posting of the annual meeting schedule shall constitute reasonable and appropriate notice of each regular meeting of the board or committee.

iii. Notice of Rescheduled Regular Meeting. If a regular meeting is rescheduled from the date, time, or location specified on the annual schedule, notice of the rescheduled meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least ten (10) days prior to the date of the meeting.

iv. Notice to Radio, Television and Print Media. Notice of a regular meeting of a board or committee shall also be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notices.

2. Special Meetings.

A. When Held. A special meeting of the Board may be called by the Chair or by a majority of the members of the Board at such time and place as the Chair or a majority of the members of the Board deem appropriate. A special meeting of a board or committee appointed by or acting under the authority of the Board may be called by the chair of that board or committee or by a majority of the members of that board or committee at such time or place as

Page 2 of 5

the chair of that board or committee or a majority of members of the board or committee deem appropriate.

B. Notice of Special Meeting. Notice of a special meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least three (3) days before such meeting.

C. Notice to Radio, Television and Print Media. Notice of a special meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

3. Emergency Meetings.

A. Board Emergency Meeting, When, Where Held. An emergency meeting of the Board may be called by the Chair or by a majority of the members of the Board to consider unforeseen circumstances that, if not addressed immediately, will likely result in injury or damage to persons or property or substantial financial loss to the County. An emergency meeting may be conducted at a time and place as the Chair or a majority of the members of the Board deem appropriate.

B. Board or Committee Emergency Meetings, When, Where Held. An emergency meeting of a board or committee appointed by or acting under the authority of the Board may be called by the chair of that board or committee or by a majority of the members of that board or committee to consider unforeseen circumstances that, if not addressed immediately, will likely result in injury or damage to persons or property or substantial financial loss to the County, to be held at such time or place as the chair of that board or committee or a majority of members of the board or committee deem appropriate.

C. Notice. If possible given the emergency circumstances, notice of an emergency meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least twenty-four (24) hours prior to the meeting. If twenty-four (24) hours advance notice cannot be given, notice shall be posted as soon as possible.

D. Notice to Radio, Television and Print Media. Notice of an emergency meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

E. Required Report. Any action taken at an emergency meeting shall be reported to the Attorney General's Office as described in paragraph 4 of this Resolution.

4. Agendas. Meeting notices shall include an agenda containing a list of specific items of business to be discussed or transacted at the meeting or information on how the public may obtain a copy of such an agenda. If not included in the notice of meeting, a final agenda shall be prepared and posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building and on the County's internet web site at least seventy-two (72) hours before the meeting. Except for emergency matters, action shall be taken only on items appearing on the final agenda. An "emergency" refers to "unforeseen circumstances that, if not addressed immediately by the public body, will likely result in injury or damage to persons or property or substantial loss to the public body." NMSA 1978, Section 10-15-1(F). Within ten (10) days of taking action on an emergency matter, the County shall report to the Attorney General's Office

Page 3 of 5

the action taken and the circumstances creating the emergency, except in the event of a declared state or federal emergency.

5. Recessed Meetings. A meeting may be recessed to a later day, if, prior to recessing, the date, time and place for continuation of the meeting is specified, and, immediately following the recessed meeting, notice of the date, time and place for the reconvened meeting is posted on or near the door of the place where the original meeting was held. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting unless notice of the reconvened meeting is provided as otherwise set forth herein.

6. Cancelled Meetings. A meeting may be cancelled by posting a notice of cancellation in a conspicuous and appropriate place at the Santa Fe County Administrative Building and posting notices of the cancelled meeting on the doors of the building where the meeting was to be held as soon as practicable prior to the time and date of the cancelled meeting.

7. Participation by Conference Telephone. A member of the Board may participate in a meeting of the Board by means of conference telephone or other similar communications equipment when it is difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the Board who speaks, during the meeting.

Closed Meetings. A meeting may be closed in the following manner:

A. If the Board or board or committee appointed by or acting under the authority of the Board is in an open meeting when a closed meeting is desired and authorized by the Act, then the closed meeting shall be approved on motion by a majority of a quorum of the Board, or committee and the authority for the closure shall be stated in the motion. The votes of the members on the motion shall be recorded in the minutes.

B. If the Board or committee appointed by or acting under the authority of the Board is not in a public meeting and a closed meeting is desired and authorized, public notice of the closed meeting, appropriate under the circumstances, shall be given stating the authority for the closure.

C. Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state that the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

9. Application to County Boards, Committees. This Resolution shall apply to each meeting of a board or committee whose members are appointed by the Board or which is acting under the authority of the Board, except the Extraterritorial Land Use Authority, the Extraterritorial Land Use Commission, the Buckman Direct Diversion Board, the Regional Planning Authority, the Regional Emergency Communications Committee, the Northern Central Regional Transit District, and the Solid Waste Management Authority.

Page 4 of 5

10. Definitions.

A. "Board." For purposes of this Resolution, Board means the Board of County Commissioners of Santa Fe County.

B. "Meeting." For purposes of this Resolution, the term "meeting" shall be defined as a meeting of a quorum of the members of the Board and each meeting of a board or committee whose members are appointed by the Board held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of the Board or board or committee whose members are appointed by the Board.

C. "Santa Fe County Administrative Building." For purposes of this Resolution, the term "Santa Fe County Administrative Building" means 102 Grant Avenue Santa Fe NM 87501.

11. Meeting Locations. Pursuant to NMSA 1978, Section 4-38-8 (1981), Board meetings shall be held in the City of Santa Fe, except that meetings concerning matters of local interest only may be held in the community affected. All Board meetings shall be held in a public building owned by the State, County, or public schools.

12. Webcasting and Broadcasting. Unless it is impracticable or impossible to do so, Board meetings shall be webcast live on the County's internet site and broadcast live on local radio and television stations. In addition, video recordings of Board meetings shall be made available on the County's internet site.

 Parts of Prior Resolution Resolution No. 2015-59, except for Paragraph 13 of that resolution, is hereby rescinded.

14. Effective Date. This Resolution shall become effective on January 1, 2016.

PASSED, APPROVED, AND ADOPTED this 8th day of December, 2015.

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

Rober A. Anava. Cháir

Geraldine Salazar, County Clerk

APPROVED AS TO FORM:

Gregory S. Shaffer, County Attorney

Page 5 of 5

APPENDIX 1

NOTICE OF REGULAR MEETINGS OF THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY TO BE HELD FROM JANUARY 1, 2016, TO DECEMBER 31, 2016, IN THE COMMISSION CHAMBERS ON THE SECOND FLOOR OF THE SANTA FE COUNTY ADMINISTRATIVE BUILDING LOCATED AT 102 GRANT AVENUE SANTA FE NM 87501

January 12, 2016	2:00 PM
January 26, 2016	2:00 PM
February 9, 2016	2:00 PM
February 23, 2016	2:00 PM
March 8, 2016	2:00 PM
March 29, 2016	2:00 PM
April 12, 2016	2:00 PM
April 26, 2016	2:00 PM
May 10, 2016	2:00 PM
May 31, 2016	2:00 PM
June 14, 2016	2:00 PM
June 28, 2016	2:00 PM
July 12, 2016	2:00 PM
July 26, 2016	2:00 PM
September 13, 2016	2:00 PM
September 27, 2016	2:00 PM
October 11, 2016	2:00 PM
October 25, 2016	2:00 PM
November 8, 2016	2:00 PM
November 29, 2016	2:00 PM
December 13, 2016	2:00 PM

Final agendas for these meetings shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building located at 102 Grant Avenue Santa Fe NM 87501 and on the County's internet web site at least seventy-two (72) hours before the meeting.



BCC RESOLUTIONS COUNTY OF SANTA FE | PAGES: 6 STATE OF NEW MEXICO | 56 I Hereby Certify That This Instrument Was Filed for Record on The 9TH Day Of December, 2015 at 10:47:52 AM and Was Duly Recorded as Instrument # 1761443 Of The Records Of Santa Fe County

Jeputy All All College My Hand And Seal Of Office Geraldine Salazar Jeputy College College Salazar STATE OF NEW MEXICO COUNTY OF RIO ARRIBA FIRST JUDICIAL DISTRICT

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF RIO ARRIBA and

NO. D-117-CV-2016-00254

THE CITIZENS FOR ACCESSIBLE AND REPRESENTATIVE GOVERNMENT,

Petitioners

v.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SANTA FE,

Respondent.

DECLARATION OF TONY T. FLORES

Tony T. Flores declares as follows:

1. I am the Deputy County Manager for Santa Fe County.

 I am over the age of eighteen and have personal knowledge of the facts contained in this declaration.

3. On Friday, February 26, 2016, there was a meeting in the conference room of the

Santa Fe County Manager's Office. In attendance were me, County Attorney Gregory S.

Shaffer, Orlando Romero (Constituent Liaison for County Commissioner Henry P. Roybal),

George Martinez, and Margaret C. Campos. The purpose of the meeting was to discuss the proposed annexation petition that is the subject of this lawsuit.

4. Prior to the meeting, I had reviewed the proposed petition, some law on the topic, and some newspaper articles concerning the annexation by Sandoval County of the portion of the

Village of Corrales that was formerly part of Bernalillo County. Based upon that review, the

proposed petition seemed defective on its face.



Page 1 of 4

5. Santa Fe County staff had a choice to make at the meeting. We could say nothing about the potential facial deficiencies we saw or be forthright about them. If we said nothing, and the petition was rejected by the Board when it was filed with them, we would be accused of sandbagging the annexation proponents and setting them up to fail. Saying nothing would also feel disingenuous.

6. Consequently, I made the decision that, in addition to providing basic information about the process, we should be candid about the shortcomings we saw, while being clear that we had not been authorized to speak on behalf of the Board. That way, the annexation proponents could make an informed decision about how they wanted to proceed.

7. By way of general summary, here are some of the takeaways that I recall from the meeting: (i) Santa Fe County staff explained the County Clerk's view that NMSA 1978, § 3-1-5 did not apply to the proposed annexation petition and, therefore, that she would not be signing the proposed petition; (ii) Santa Fe County staff made clear that they had not been authorized to and were not speaking on behalf of the Board; (iii) Santa Fe County staff explained that, if the proponents of the annexation wanted the Board to review the petition prior to signatures being requested, they would have to request to be placed on the Board's agenda, the Board had meetings on March 8, 2016, and March 29, 2016, and that the proponents of the annexation should inform the Deputy County Manager by Monday, February 29, if they wanted the Board to consider the proposed petition at its March 8, 2016, meeting; (iv) Santa Fe County staff identified what it perceived to be potential facial deficiencies with the draft petition; (v) Santa Fe County staff specifically noted their understanding that NMSA 1978, § 4-33-1 contained two statutory conditions that had to be met before annexation was proper and that both conditions had to be set forth in an annexation petition; (vi) the proposed petition did not address the

County Seat Condition at all; (vii) with regard to the County Seat Condition, Santa Fe County staff noted that that the county seat of Rio Arriba County was Tierra Amarilla rather than the City of Española; (viii) Santa Fe County staff expressed its understanding that mileage alone was not the test but, rather, it was the location **and** condition of roads or the existence or nonexistence of transportation facilities that determined convenience, both with regard to the County Seat Condition and the Governmental Services Condition, and the economics of providing governmental services; (ix) that, should an election be called on the question of annexation, it would be a countywide election in Santa Fe County; and (x) that the heading of the petition could be simplified and the statutory conditions precedent to annexation recited in the petition. At the end of the meeting, Santa Fe County staff provided Ms. Campos with a copy of NMSA 1978, Chapter 4, Article 33, as well as some newspaper articles concerning the annexation by Sandoval County of the portion of the Village of Corrales that was formerly part of Bernalillo County.

8. As indicated, to the extent the annexation proponents wanted the petition reviewed in advance by the Board, I offered to have the proposed petition placed on the agenda of the Board's March 8 or March 29, 2016, meeting. Ultimately, as was their right, the annexation proponents chose to proceed with the petition without such pre-review by the Board, thereby assuming the risk that, when filed with the Board, the Board might conclude that the petition was legally defective on its face after they had collected signatures.

9. In a May 3, 2016, letter, I memorialized what I considered at the time to be the most significant points discussed at the February 26, 2016, meeting. The time between the meeting and my letter reflects nothing more than the press of other work. My May 3, 2016,

letter contains an obvious typo. "Deputy County Attorney" appears under my name rather than "Deputy County Manager".

10. My May 6, 2012, letter is attached as Exhibit 12 to the Verified Petition for a Writ of Mandamus in the First Judicial District Court (Verified Petition). According to the Verified Petition, Mr. Martinez took this as an insult and an attack on his credibility. I do not think that is a fair reading of my letter, and it certainly was not what I intended. Having the annexation petition filed with the Santa Fe County clerk was consistent with the law and a best practice in any event. Such filing allowed a permanent record to be created of what was filed, to the benefit of everyone involved, including the courts. I know from over 17 years of experience in government that documents delivered to a government entity can get misplaced, in whole or in part, through inadvertence or otherwise. Filing the petition with the County Clerk drastically reduces, if not eliminates, the possibility that documents could be misplaced and a dispute arise about what was filed. In short, Santa Fe County's desire to create a proper record by having the annexation petition filed with the County Clerk has nothing to do with Mr. Martinez's credibility.

Pursuant to Rule 1-011(B) NMRA, I affirm under penalty of perjury under the laws of the State of New Mexico that the above statements are true and correct.

9.1.16

STATE OF NEW MEXICO COUNTY OF RIO ARRIBA FIRST JUDICIAL DISTRICT

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF RIO ARRIBA and

NO. D-117-CV-2016-00254

THE CITIZENS FOR ACCESSIBLE AND REPRESENTATIVE GOVERNMENT,

Petitioners

v.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SANTA FE,

Respondent.

DECLARATION OF PHILIP SALAZAR

Philip Salazar declares as follows:

1. I am employed by Santa Fe County as an Election Administrative Specialist in the

Bureau of Elections within the Santa Fe County Clerk's Office.

 I am over the age of eighteen and have personal knowledge of the facts contained in this declaration.

3. Attached hereto as Exhibit A is a true and correct copy of a request I personally

processed for registered voter information from the Santa Fe County voter file. The request was for the "Area of City of Española that is also part of Santa Fe County." The request was made by a Christopher Madrid of Taos NM representing George Martinez. The requested format was Microsoft Excel. The request did not request any particular sorting option. Nor did it request physical addresses. The Microsoft Excel file I created in response to the request was provided to the requester on a compact disc.



4. The program we use to extract voter records from the voter file keeps a copy of the electronic files of voter records that we create. Consequently, I have a digital copy of the Microsoft Excel file that I created to satisfy the attached request. A printed copy of that Microsoft Excel file is attached hereto as Exhibit B.

5. To capture the Santa Fe County residents residing within the City of Española, I searched for voters registered within the City of Española Council Districts that include a portion of Santa Fe County, Council Districts 1-4. In other words, the Microsoft Excel file I created contained all Santa Fe County residents registered to vote in City of Española City Council Districts 1-4.

6. Unless otherwise specified in the request for information from the voter file, my practice is to provide the mailing address of voters for whom there are different physical and mailing addresses in the voter list database. That means if a voter record contains both a physical address and a different mailing address, then the mailing address will be extracted rather than the physical address. This is done to make the size of the Microsoft Excel file more manageable and because most voter lists I create are used to mail campaign literature. Here, since the requester did not specifically ask for physical addresses, the Microsoft Excel file I created in response to this request contained mailing addresses only, some of which -- P.O. Boxes, for example -- are outside the City of Española.

7. All told, there were 1,315 voter records in the Microsoft Excel file I created. This is consistent with the price we charged for the file, \$21. As reflected on Exhibit A, there is a \$15 setup fee per request, plus an additional fee of \$3 per 1,000 records. (The \$3 fee is not prorated. For example, the charge for a Microsoft Excel file with 500 records would be \$3 (plus the \$15 setup fee). The charge for one with 1,001 records would be \$6 (plus the \$15 setup fee).)

8. It is important to understand that the voting records were provided to the requester in the requested Microsoft Excel format on a compact disc. This means that the requester of the data could easily sort the data in a multitude of ways, including by last name, city, zip code, or voter precinct. How the requester sorted, printed, and used the data was up to the requester.

9. The Microsoft Excel file that I provided in response to the request could have been printed on 18 8.5" x 11" pages of paper without any deleting or hiding of columns or rows. This could have been done by changing the page orientation to "Landscape Orientation" and choosing the "Fit All Columns on One Page" scaling option. Attached hereto as Exhibit B is a printout of the Microsoft Excel file I provided to the requester using those settings. But, again, how the data was sorted, printed, and used was up to the requester.

Pursuant to Rule 1-011(B) NMRA, I affirm under penalty of perjury under the laws of the State of New Mexico that the above statements are true and correct.

5/2-

Philip Salazar

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Affidavit of Authorization

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Any person, organization or corporation or agent, officer, representative or employee thereof who commits unlawful use of voter data or special voter lists shall be guilty of a fourth degree felony and upon conviction shall be fined one hundred dollars (\$100.00) for each and every line of voter information which was unlawfully used. Each and every unlawful use of voter data or special voter lists shall constitute a separate offense.



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+O BOX 1868	524 CAMINO SANTA CRUZ	PD 30X 2352	PD 50% 40045	P O BOX 1427	PD 50X 4472	9,0 80% 4282	SADA MOCUROV OR	2.0 BOR 481	9/0. BOX 4472	P.O. BOX 2748	792 S MCCURDY RD	STO S RIVERSIDE DR	PLIC XOB O 4	P.O. BOX 9176	P.O. BOX 3176	P.O. BOX 3378	438 W PUEBLO DR	00 101 101 101 N	711 WEGHL ST	1906 E SHADOWOOD UN	1880 CANADA CT	PO 50X 4107	10 PAR SANADA CT	THE PACE STATE	1141 CALLE SOMARA	PO BOX 93	PO BOX 3043	253 ONATE	PO BOX 2215	B19 LAJOYA ST	PO 80x 4197	1201 0 CANADA CT	PO 800 3215	1813 W SHADOWOOD UN		1152 806CAT LN	1141 CALL SOMERA	Sec.	P.O. BOX 1222	S14 W PUEBLO DR	P O BOX 111	BOX 60207	831 CHLE LANE	PO 80X 4197	1711 BELLEVILLE	344 CAMINO SANTA CRUZ	1906 AVENIDA CANADA	2004 2004 2004 2004	P.O. BOX 1793	P.O. 80X 537	P.0 500 5052	1402 LADIE THOMPSON IN	P 090X 502	1402 LAVES THOMPSON LN	PO 50X 202)	SCE XOB O 4	P O 809 758	FO 50X 432	1410 MARTINEZ LN	PO BOX 377	1954 WSE IN
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UNUMATE STREET	ALMANT	JOSEPH	10SEPH	1ACD60	EDWARD	EDAUA	CTLSA	ASHLEY	TAMARA	STEPHUNE	Palleck	PAT	HELEN	FPIMENIA	ANDREA	4J5H4	INCOLUME	TANTHA	RAYMOND	PAULINE	MISE	LOSELLY	KANLA	inwit	LAMES	HOWAND	GERALDINE	FEDELINA	BETTY	THURSDAY T	TOW	NUBINA	CHRISTOPHER	LARM	IANTA	CARN	CLORIN,	JEREMIAH	SHANECE	ODEACIE	MICH4EL	AVBON	CANDELARIA	TREVON	-AUGE	MASTIN	HARSON	ANNHOL	SAUGE SHART	KANTAR	HARNOT	SURUMUSTUK	DUMPING T	WIN	NADINE	DAMELLE	DWID.	TTT-63mm	NARC	NATHY .	105EP+1	SHERVNEE	SEAN
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12201	3/56/	87567	47267	8/552	87567	17522	87567	87567	87532	10567	1000	20070	20232	87552	87567	83502	17567	295.00	87532-0755	63567	\$7532	17532-0755	00010	17533	27567	87533	17247	8/532	6767	20040	96426-0120		87532	0000	2503	26528	17557	87532	25528 27528	87532	21528	07532	87567	87567	20220	87555	87533	17567 17567	37567.1444	87532	87567	87532	17552	20202	17552-3304	87552	87532-3304	0/004	107622	17533	67533	87532	NM 87567

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500.00	111/10	2222	87567	17512	37557	87567	47532	a)552	17567	100.00	176.00	10200	10418	100.00	10000	20070	20010	a.rad	19502	6/553	87567	195.02	19608	2523	ELS20	87532	87533	E7533	87532	87567	87533	87551	25528	07567	3/567	23620	area a	2/22/	29503	17567	87532	67532	67532	87592	67532	87532	24528	22220	87567	87567	37557	87567	17567	1950	12727	19502	2550	17532	87532	87532	01203	57532	67532	1223	57532	2ES/28	12228	07512	

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1401 MCDUIDE CH	600 STATE SOAD 75	P.D. 80X 4912	PO BOX 125	P 0 50X 1041	PO BOX 4840 FA BO FW	725 GLEN/WOOD AVE	046 XOB 04	556 XOB Cd	P.O. 5002 287	P.O. BOX 287	P.O. BOS 287	919 X06 04	accontrate shap to	600 STATE R040 76	PO 80X 1852	1408 STATE NOAD 78	1461 CALLE OF TO HUDO	PO 50X 1734	PO 80X 425	SOD STATE NOAD 76	and after these	304 MOCRANEN LN	757 LA JOYA ST	1251 X09 04	PO EQUITER	POBOX 827	PO BOX 251	FOR A DATE	PO 80X 630	P.O. 80X 909	1618 GREENRELD RD	P O 80X 475	711 S MOCURDY SD	1416 CALLÉ CIEUTO LINDO	P D 50X 173	P.O. 50X 395	PO 80X 1440	1200 MANDOWDOD IN	PO BOX 272	LISCE WARTINEZ IN	P O BOX 730	80X 50112	318 CAMINO SANTA CRUZ	12/01 SHEENFIELD SD	> 0 80X 730	101 LA DEA ST	CEL 2006 CI4	201 X 00 D 4	PO 50x 1968	PO 60X 1872	PO 500 1075	1212 B RED HAWK CT	50 BOB 052	549 CAMINO SANTA CRUZ	N1 COOMOCMHS 3 E091	500 STATE MOAD 75	PO 804 1023	600 SANTA CRUT RD	NO COMPACIANTA CIOLO	2010 MOR 0 0 0
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P0.975538	87533	87533	87567	97567-1045	222/2	87532	37544	37557	37567	87567	87567	3100-1321F	20508	17532	87567	87567	20202	87567	17567	87532	10002	87532	67532	21232	87%) 1864	100.00	87567	\$1532	17507	29528	17533	87557	26528	101212	87567	11528	87557	2000	37557	25578	47567	47532	87552	17532	87567	10220	19629	17267	21232	67567	67513	87532	87963	57532	21228	27552	87511	25228	37557	

145	MS	MR	MM	15	C.P	25	No.	S	S	100	105	NR	K B		ſ	ES.	2A	NS	N/R	NR	N.	NIS	NS		100	NM		PMR .	MS	PAS.		INS.		ľ	1MS	32	NS	NIN		N/S	NS.	-	5	NS.		NR	T	Γ	NE	NH	1	BAN	NW	Pav Pav	EM4	MA	EW	MS	NAN .	MS		NS.	100	5 2
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CHIMANO	SANTA CRUZ	SANTA CRUZ	ATDNA CO	ESPANOLA	SANTA CRUZ	SANTA CRUZ	ESPANOLA	CALCULATION OF AN	SANTA CHUZ	VIONVESS	SAN JUAN PUTEL	SANTA CRUZ	S2PANOLA	SWITA CRUZ	SANTA CRUZ	ESPANCIA	ESPANDIA	SANTA CRUZ	SANTA CRUZ	SWATA CRUZ	ESPANOLA	SUMPA CRUZ	PURMINE	Eperantica -	ESPANOLA	SANTA CRUZ	S3 TWWWGBW	SAVEN CAPE	ESPANOLA	SANTA CHU2	CHANDLER	ESPANOLA	SANTA CRUZ	SANTA CRUZ	ESPERIOLA	VIDMAGU	T INTERNO	LISPANOLA	ESPANOLA	SANTA CRUZ	DSPANOLA	CONTRACT -	VIONAGO	SANTA CRUZ	ESPANCIA	SWITA CRUZ	SAMIA CRUZ	ESPANOLA	ESPANOLA	ESPANOLA	SMALA CARS	ESPANOLA	ESPANOLA	SIND VIIWS	Shine water	ESPANOLA	SANTA CRUZ	SANTA CRUZ	VICANAGO	SANTA CRUZ	SANTA CRUZ	SANTA CRUZ	SANTA CRUZ	SANTA CRUZ
NNY	NM	NM	NM	NM	MM	NM	MM	100	NM			MM		NM	MM	hand	Mark	MM	NVA	MM	MM	200	200	NN NN	NN.	MM	AN	MN	NN	MN	100	MM	MM	MM	NM	MM	No.	NM	MM	MM	MM	NPA NO	MM	MM	MM	hind	MM	nave	MM	MM	NN NN	MN	MM	AN.	AN AN	NM	MN	NM	MM	MM	MM	NRA	MN	
27222	87567	87567	07532	27552	87567	37567	17532	20000	3/56/	87582	37566	87567	87552	10567	19503	87532	20222	67567	67567	67263	57532	C5003	Prese	250.9	26508	1951	87548	87567	07533	87367	100000	22222	87567	87567	15528	21518	TOCAD	20220	87552	87567	20208	10000	6528	17567	\$7532	19509	19502	67532-3362	00203	57552	6767	67567	87592	67567	10000	61528	27567	87567	20020	87567	33267	17567	19503	19501

S.	No.	No.	N.	ME	NI	NH		141	100	242			PM2	MR	MS	NNS.	TANK.	MS	MES	MS	NS	MS	MS	Mar No.	22	MS IN	C.	N.	C.R.	S.S.	VR	NR.	5	NR.	MS	-	NW	NO	ĩ	NE	NS	MS	MR	NIN	RM .		MIX	Ma	and a	TWS .	Chu C	MS	MR	148	2.0		MS	S.	S I	C.		60	200	NW NIN	NO.	NO.	NS	N	MS	NB	MS	- Mil	Ma
142961	PVA	LOTET	FOWING	DOLORES	CURIOS	NEVAN CONTRACT	al Via	1 Mining	TRAIN	Annually Stenuard	CTEDUAUS	HENER	2446	MOWEL	MARIE	MARIA	MANUEL	CUPE -	500	LONDIA	LONGAINE	NNADI	JUNN DI	CODINE	SPL	SENEVA	CENE	EVANGELINA	FLOW	D ISHA	DENNIS	DAVID	CORINE	DURIES	BONNIE	ANGLE	ALCO	SHER	KEDE,IY	VIDIA	THERESA	THERESA	MACE	LENDY	LAWRENCE	SINNHOR	AMME	104	C SNA	DOTONES	GMORE	CRIMA	ALBERT	ALBENT	INVES	Insus	ACIMPICA	TUNT KI	VIRGINIA	COLORA	NJOCK .	N N N N	THEORY	NICK	TITACIAN	MELVA	MATILDA	NNAMANN	NUM	MANA	LENORA	Helson	Hereor
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a statement	ADU/HEY Deserves	CANDER .	- STACHER	SANCHEZ	STATCHES	15	CALLARY CONTRACTOR	50/ 03/04	2712210	Detraces.	CALADAD	SALAZAR	SALAZAN	SALAZAR	SALAZAR	SALAZAN	SALAZAR	SALAZAR	UALACA:	SALAZAR	SALUZAR	STREET STREET	CALEJAR .	SALATAR	SALATAR SALATAR	0.51 2 2 2 0	Chis7AD	SALATAR AT		511 673 8	SALAZAR	SATATA	SALADA	541 678.8	SAL AZAD	2010/2010	201 1/200	NTAN .	NUMA	POPEAL	TVIADOR	Tegapa	RORBAL	ROVEN L	Teladoli	ROWSAL	Tella C d	Trancos	DOVER 1	HLTEVA.	HCNBAL	HONBAL	REYRAL		BOWE III	RONDUILLO	ACMERO	ADMEND	1000500	ADMENO	CONTRACTOR OF	AL PARTY AND A	ACAMERO	DATA NON	CREADE	CALCO	DATANON	CHEMON	BOREBO	NOVENO	ROMERO	RUNERO	PONTED
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STATE OF NEW MEXICO COUNTY OF RIO ARRIBA FIRST JUDICIAL DISTRICT

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF RIO ARRIBA and

NO. D-117-CV-2016-00254

THE CITIZENS FOR ACCESSIBLE AND REPRESENTATIVE GOVERNMENT,

Petitioners

v.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SANTA FE,

Respondent.

DECLARATION OF KRISTINE MIHELCIC

Kristine Mihelcic declares as follows:

1. I am the Communication Coordinator for Santa Fe County.

2. I am over the age of eighteen and have personal knowledge of the facts contained in this declaration.

3. My duties at Santa Fe County include the posting of meeting agendas for

meetings of the Board of County Commissioners of the County of Santa Fe (Board) on Santa Fe

County's website, www.santafecountynm.gov.

4. On Tuesday, May 3, 2016, I posted the initial Agenda attached hereto as Exhibit

A on Santa Fe County's website.

On Friday, May 6, 2016, I posted the Amended Agenda attached hereto as Exhibit
 B on Santa Fe County's website.



Pursuant to Rule 1-011(B) NMRA, I affirm under penalty of perjury under the laws of the

State of New Mexico that the above statements are true and correct.

9/1/2016 Kristine Mihelcic Date

Board of County Commissioners of Santa Fe County County Commission Chambers County Administrative Building 102 Grant Avenue Santa Fe NM 87501

REGULAR MEETING

May 10, 2016, at 2:00 p.m.

Please turn off cellular phones during the meeting.



- I. Opening Business
 - A. Call to Order
 - B. Roll Call

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- C. Pledge of Allegiance
- D. State Pledge
- E. Moment of Reflection
- F. Approval of Agenda (Action Item)
 - 1. Amendments.
 - 2. Tabled or Withdrawn Items.
- G. Approval of Minutes (Action Item)
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(End of Consent Agenda)

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III. Action Items

- A. Items From Consent Agenda Requiring Extended Discussion / Consideration
- **B.** Miscellaneous
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- IV. <u>Matters From the County Manager</u> A. Miscellaneous Updates
- V. <u>Matters of Public Concern</u>

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- **Discussion/Information Items/Presentations** VI.
 - A. Matters from County Commissioners and Other Elected Officials
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- Matters From the County Attorney VII. A. Executive Session
- VIII. Public Hearings (To Begin No Earlier Than 5:00 P.M.) A. Land Use Case (Possible Action Item)*
 - - 1. BCC CASE #MIS 16-5080 Black Bird, LLC Beer & Wine License. Black Bird Saloon, LLC, Applicant, Requesting Approval for a Restaurant Beer and Wine License. The Property is Located at 28 Main Street, within the Los Cerrillos Community Overlay District, within Section 17, Township 14 North, Range 8 East, (Commission District 3). (John M. Salazar, Case Planner)
- IX. Concluding Business

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- A. Announcements
- B. Adjournment (Action Item)

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Board of County Commissioners of Santa Fe County

County Commission Chambers County Administrative Building 102 Grant Avenue Santa Fe NM 87501

REGULAR MEETING

May 10, 2016, at 2:00 p.m.

Please turn off cellular phones during the meeting.

Amended Agenda

- I. Opening Business
 - A. Call to Order
 - B. Roll Call
 - C. Pledge of Allegiance
 - D. State Pledge
 - E. Moment of Reflection
 - F. Approval of Agenda (Action Item)
 - 1. Amendments.
 - 2. Tabled or Withdrawn Items.
 - G. Approval of Minutes (Action Item)
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 - 2. Resolution No. 2016-___, A Resolution Requesting a Budget Increase for the Senior Services Home Delivered Meal Program (101-0492) / \$11,991.00. (Finance Department/Carole Jaramillo)

(End of Consent Agenda)



- III. Action Items
 - A. Items From Consent Agenda Requiring Extended Discussion / Consideration
 - **B.** Miscellaneous
 - 1. Request Approval of Amendment No. 1 to Professional Services Agreement No. 2015-0229 A-CSD/MM between Santa Fe County and La Familia for the Low Birth Weight Prevention Initiative (i) Increasing Compensation in the Amount of \$185,000, Exclusive of GRT, and (ii) Extending the Term of the Agreement for an Additional Year. (Purchasing/Bill Taylor and Community Services/Patricia Boies)
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 - 3. Request Approval of (i) Agreement to Subject Property Interests to Existing Mortgage and (ii) Partial Release of Mortgage Arising Under Affordable Roof Program. (Growth Management/Robert Griego)
 - 4. Request (i) Approval of the High Intensity Drug Trafficking Areas Program (HIDTA) Grant Award No. G16SN001A in the Amount of \$255,013.00 and (ii) Authorization for the County Manager to Sign the Grant Award Agreement. (Finance Department/Carole Jaramillo)
 - 5. Request Approval of Amendment No. 1 to the Jacona Solid Waste Transfer Station Lease Agreement and Access Easement between Santa Fe County and the Pueblo of Pojoaque. (Public Works/Robert Martinez) (Item Added)

C. Resolutions

- 1. Resolution No. 2016-____, A Resolution to Recognize La Bajada Traditional Village Committee as a Community Organization (CO) for The La Bajada Traditional Community. (Growth Management/Erin Ortigoza)
- 2. Resolution No. 2016-____, A Resolution Requesting a Budget Increase to Budget Cash in the Lodger's Tax Advertising Fund (215) for Tourism Related Initiatives / \$500,000. (Finance Department/Carole Jaramillo)
- 3. Resolution No. 2016-____, A Resolution Authorizing the Disposition of Fixed Assets in Accordance with State Statute. (Public Works/Erik Aaboe) (Item Added)

- **D.** Appointments/Reappointments/Resignations
 - Appointment of Nancy Long as Hearing Officer Pursuant to Section 3.5.3 of the Santa Fe County Sustainable Land Development Code until June 30, 2017. (Growth Management/Vicki Lucero) (Item Added)
- IV. <u>Matters From the County Manager</u> A. Miscellaneous Updates
- V. Matters of Public Concern

VI. <u>Discussion/Information Items/Presentations</u>

A. Matters from County Commissioners and Other Elected Officials

- 1. Elected Officials Issues and Comments These are Non-Action Items by Elected Officials, Such as Constituent Concerns, Elected Official Recognitions, and Requests for Updates or Future Presentations.
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- 3. Approval and Presentation of a Proclamation Establishing the Month of May as Mental Health Month. (Commissioner Chavez) (Item Added)

VII. Matters From the County Attorney

A. Executive Session (Items Added)

1. Threatened or Pending Litigation in which Santa Fe County is or may Become a Participant, as Allowed by Section 10-15-1(H)(7) NMSA 1978, and Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as allowed by Section 10-15-1(H)(8) NMSA 1978, Including the Following:

- a. Right of Ways for County Roads.
- b. Petition for Rio Arriba County to Annex the Portion of Santa Fe County that Lies within the City of Española.
- c. Whistleblower Protection Act, NMSA 1978, Chapter 10, Article 16C, Lawsuits.
- 2. Limited Personnel Matters, as Defined and as Allowed by Section 10-15-1(H)(2) NMSA 1978.

a. Department, Division, and Office Heads.

- **B.** Possible Action(s) with Respect to Threatened or Pending Litigation in which Santa Fe County is or may Become a Participant Discussed in Executive Session. (Action Item) (Item Added)
- C. Consideration and Possible Action on Petition for Rio Arriba County to Annex the Portion of Santa Fe County that Lies within the City of Española. (Action Item) (Item Added)
- D. Approval of Restrictive Deed Covenant for the Santa Fe County Judicial Complex, VRP Site No. 53092001, as Required by the Conditional Certificate of Completion Issued to Santa Fe County by the New Mexico Environment Department Pursuant to the Voluntary Remediation Act. (Action Item) (Item Added)
- VIII. Public Hearings (To Begin No Earlier Than 5:00 P.M.)
 - A. Land Use Case (Possible Action Item)*
 - 1. <u>BCC CASE #MIS 16-5080 Black Bird, LLC Beer & Wine License.</u> Black Bird Saloon, LLC, Applicant, Requesting Approval for a Restaurant Beer and Wine License. The Property is Located at 28 Main Street, within the Los Cerrillos Community Overlay District, within Section 17, Township 14 North, Range 8 East, (Commission District 3). (John M. Salazar, Case Planner)
- IX. Concluding Business
 - A. Announcements
 - B. Adjournment (Action Item)

*These land use cases are administrative adjudicatory proceedings. Among other things, this means that Commissioners generally may not discuss a case with the applicant or other members of the public outside of the public hearing on the case. In addition, the Board of County Commissioners may not announce its decision on a land use case at the conclusion of the public hearing tonight.

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should contact Santa Fe County Manager's Office at (505) 986-6200 in advance to discuss specific needs (e.g., interpreters for the hearing impaired or readers for the sight impaired).

STATE OF NEW MEXICO COUNTY OF RIO ARRIBA FIRST JUDICIAL DISTRICT

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF RIO ARRIBA and

NO. D-117-CV-2016-00254

THE CITIZENS FOR ACCESSIBLE AND REPRESENTATIVE GOVERNMENT,

Petitioners

v.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SANTA FE,

Respondent.

DECLARATION OF AMBRA BACA

Ambra Baca declares as follows:

1. I am the Administrative Assistant for the Santa Fe County Manager's Office.

 I am over the age of eighteen and have personal knowledge of the facts contained in this declaration.

in this declaration.

My duties at Santa Fe County include the posting of meeting agendas for

meetings of the Board of County Commissioners of the County of Santa Fe (Board) at the Santa

Fe County Administrative Building located at 102 Grant Avenue Santa Fe NM 87501.

4. Within the Santa Fe County Administrative Building, there are two locked

bulletin boards generally used to post meeting notices and agendas. One is located on the first floor; the other on the second floor. Above each locked bulletin board used for the purpose of posting meeting notices and agendas is a carved wooden sign with the following words in all capital, black letters: "PUBLIC MEETING NOTICES & AGENDAS".

 The key for the two locked bulletin boards described above is maintained in the Santa Fe County Manager's Office.

Regular Board meetings are usually held on Tuesdays.

7. One week before a regular Board meeting, Santa Fe County's practice is to try and post the initial agenda for the regular Board meeting on Santa Fe County's website and in the two locked bulletin boards at the Santa Fe County Administrative Building described above. The final amended agenda for a regular Board meeting is posted on Santa Fe County's website and at the Santa Fe County Administrative Building at least seventy-two hours before the regular meeting, and usually is posted on the Friday before the Board's meeting.

On Tuesday, May 3, 2016, I posted the initial Agenda attached hereto as Exhibit
 A in the two locked bulletin boards at the Santa Fe County Administrative Building described
 above.

9. On Wednesday, May 4, 2016, a letter from George Martinez to Board Chair Miguel M. Chavez, with enclosures, was delivered to the County Manager's Office. The letter and enclosures were ultimately filed with the Santa Fe County Clerk's Office and recorded as Instrument No. 1793046.

On Friday, May 6, 2016, I posted the Amended Agenda attached hereto as Exhibit
 B in the two locked bulletin boards at the Santa Fe County Administrative Building described
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Pursuant to Rule 1-011(B) NMRA, I affirm under penalty of perjury under the laws of the State of New Mexico that the above statements are true and correct.

nlea Baca

Ambra Baca

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Page 2 of 2

Board of County Commissioners of Santa Fe County County Commission Chambers County Administrative Building 102 Grant Avenue Santa Fe NM 87501

REGULAR MEETING

May 10, 2016, at 2:00 p.m.

Please turn off cellular phones during the meeting.

Agenda

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 - B. Roll Call

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Board of County Commissioners of Santa Fe County

County Commission Chambers County Administrative Building 102 Grant Avenue Santa Fe NM 87501

REGULAR MEETING

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 - A. Items From Consent Agenda Requiring Extended Discussion / Consideration
 - **B.** Miscellaneous
 - 1. Request Approval of Amendment No. 1 to Professional Services Agreement No. 2015-0229 A-CSD/MM between Santa Fe County and La Familia for the Low Birth Weight Prevention Initiative (i) Increasing Compensation in the Amount of \$185,000, Exclusive of GRT, and (ii) Extending the Term of the Agreement for an Additional Year. (Purchasing/Bill Taylor and Community Services/Patricia Boies)
 - 2. Request Approval of Amendment No. 1 to Professional Services Agreement No. 2015-0188-CSD/MM between Santa Fe County and Presbyterian Medical Services for the Operation of the Mobile Crisis Response Team (i) Increasing Compensation in the Amount of \$350,000, Exclusive of GRT, and (ii) Extending the Term of the Agreement for an Additional Year. (Purchasing/Bill Taylor and Community Services/Patricia Boies)
 - 3. Request Approval of (i) Agreement to Subject Property Interests to Existing Mortgage and (ii) Partial Release of Mortgage Arising Under Affordable Roof Program. (Growth Management/Robert Griego)
 - 4. Request (i) Approval of the High Intensity Drug Trafficking Areas Program (HIDTA) Grant Award No. G16SN001A in the Amount of \$255,013.00 and (ii) Authorization for the County Manager to Sign the Grant Award Agreement. (Finance Department/Carole Jaramillo)
 - 5. Request Approval of Amendment No. 1 to the Jacona Solid Waste Transfer Station Lease Agreement and Access Easement between Santa Fe County and the Pueblo of Pojoaque. (Public Works/Robert Martinez) (Item Added)

C. Resolutions

- 1. Resolution No. 2016-___, A Resolution to Recognize La Bajada Traditional Village Committee as a Community Organization (CO) for The La Bajada Traditional Community. (Growth Management/Erin Ortigoza)
- Resolution No. 2016-____, A Resolution Requesting a Budget Increase to Budget Cash in the Lodger's Tax Advertising Fund (215) for Tourism Related Initiatives / \$500,000. (Finance Department/Carole Jaramillo)
- 3. Resolution No. 2016-____, A Resolution Authorizing the Disposition of Fixed Assets in Accordance with State Statute. (Public Works/Erik Aaboe) (Item Added)

D. Appointments/Reappointments/Resignations

 Appointment of Nancy Long as Hearing Officer Pursuant to Section 3.5.3 of the Santa Fe County Sustainable Land Development Code until June 30, 2017. (Growth Management/Vicki Lucero) (Item Added)

IV. <u>Matters From the County Manager</u> A. Miscellaneous Updates

V. Matters of Public Concern

VI. <u>Discussion/Information Items/Presentations</u>

A. Matters from County Commissioners and Other Elected Officials

- 1. Elected Officials Issues and Comments These are Non-Action Items by Elected Officials, Such as Constituent Concerns, Elected Official Recognitions, and Requests for Updates or Future Presentations.
- 2. Commissioner Issues and Comments These are Non-Action Items by Commission District, Such as Constituent Concerns, Commissioner Recognitions, and Requests for Updates or Future Presentations.

B. Presentations

- 1. Approval and Presentation of a Proclamation Honoring National Correctional Officer, Correctional Nurse and National Teacher Appreciation Week. (Commissioner Chavez) (Action Item)
- 2. Approval and Presentation of a Proclamation Establishing the Day of May 11, 2016, as 2016 Wrestling State Champion Xavier Vigil Day. (Commissioner Chavez) (Action Item) Presentation by Santa Fe Community College (SFCC) and New Mexico Highlands University (NMHU) partnership, Masters of Social Work Program at the Santa Fe Higher Education Center (HEC), Presentation by: Dr. Andrew Israel, Rebecca Estrada, HEC Director and Thomasinia Ortiz-Gallegos, Director NMHU Santa Fe. (Commissioner Anaya)
- 3. Approval and Presentation of a Proclamation Establishing the Month of May as Mental Health Month. (Commissioner Chavez) (Item Added)

VII. Matters From the County Attorney

A. Executive Session (Items Added)

 Threatened or Pending Litigation in which Santa Fe County is or may Become a Participant, as Allowed by Section 10-15-1(H)(7) NMSA 1978, and Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as allowed by Section 10-15-1(H)(8) NMSA 1978, Including the Following:

- a. Right of Ways for County Roads.
- b. Petition for Rio Arriba County to Annex the Portion of Santa Fe County that Lies within the City of Española.
- c. Whistleblower Protection Act, NMSA 1978, Chapter 10, Article 16C, Lawsuits.
- 2. Limited Personnel Matters, as Defined and as Allowed by Section 10-15-1(H)(2) NMSA 1978.

a. Department, Division, and Office Heads.

- B. Possible Action(s) with Respect to Threatened or Pending Litigation in which Santa Fe County is or may Become a Participant Discussed in Executive Session. (Action Item) (Item Added)
- C. Consideration and Possible Action on Petition for Rio Arriba County to Annex the Portion of Santa Fe County that Lies within the City of Española. (Action Item) (Item Added)
- D. Approval of Restrictive Deed Covenant for the Santa Fe County Judicial Complex, VRP Site No. 53092001, as Required by the Conditional Certificate of Completion Issued to Santa Fe County by the New Mexico Environment Department Pursuant to the Voluntary Remediation Act. (Action Item) (Item Added)

VIII. Public Hearings (To Begin No Earlier Than 5:00 P.M.)

A. Land Use Case (Possible Action Item)*

- <u>BCC CASE #MIS 16-5080 Black Bird, LLC Beer & Wine License.</u> Black Bird Saloon, LLC, Applicant, Requesting Approval for a Restaurant Beer and Wine License. The Property is Located at 28 Main Street, within the Los Cerrillos Community Overlay District, within Section 17, Township 14 North, Range 8 East, (Commission District 3). (John M. Salazar, Case Planner)
- IX. Concluding Business
 - A. Announcements
 - B. Adjournment (Action Item)

*These land use cases are administrative adjudicatory proceedings. Among other things, this means that Commissioners generally may not discuss a case with the applicant or other members of the public outside of the public hearing on the case. In addition, the Board of County Commissioners may not announce its decision on a land use case at the conclusion of the public hearing tonight.

Santa Fe County makes every practical effort to assure that auxiliary aids or services are available for meetings and programs. Individuals who would like to request auxiliary aids or services

should contact Santa Fe County Manager's Office at (505) 986-6200 in advance to discuss specific needs (e.g., interpreters for the hearing impaired or readers for the sight impaired).

STATE OF NEW MEXICO COUNTY OF RIO ARRIBA FIRST JUDICIAL DISTRICT

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF RIO ARRIBA and

NO. D-117-CV-2016-00254

THE CITIZENS FOR ACCESSIBLE AND REPRESENTATIVE GOVERNMENT,

Petitioners

v.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SANTA FE,

Respondent.

DECLARATION OF KATHERINE MILLER

Katherine Miller declares as follows:

- 1. I am the Santa Fe County Manager.
- I am over the age of eighteen and have personal knowledge of the facts contained in this declaration, except as otherwise noted.

3. One week before a regular meeting of the Board of County Commissioners of the

County of Santa Fe (Board), Santa Fe County's practice is to post the initial agenda for the regular Board meeting on Santa Fe County's website and at the Santa Fe County Administrative Building. The final amended agenda for a regular Board meeting is posted on Santa Fe County's website and at the Santa Fe County Administrative Building at least seventy-two hours before the regular meeting, and usually is posted on the Friday before the Board's meeting the subsequent Tuesday.

 With regard to the Board's regular meeting on Tuesday, May 10, 2016, I understand from the members of my staff responsible for such things that (i) the initial Agenda



for this meeting was posted on Santa Fe County's website and at the Santa Fe County Administrative Building the previous Tuesday, May 3, 2016, and (ii) the Amended Agenda for the meeting was posted on Santa Fe County's website and at the Santa Fe County Administrative Building on Friday, May 6, 2016.

5. At the beginning of a regular Board meeting, my normal practice is to review changes between the initial Agenda posted the previous Tuesday and the final Amended Agenda posted no later than 72 hours before the meeting for the benefit of the Board and the public, as well as items that are to be tabled and withdrawn.

6. At the beginning of the Board's regular meeting on May 10, 2016, I reviewed amendments to the agenda. The amendments I reviewed included items that had been added to the agenda the previous Friday, when I understand that the Amended Agenda for the meeting had been posted on Santa Fe County's website and at the Santa Fe County Administrative Building.

7. The additions to the meeting agenda that I described at the beginning of the meeting, including those related to the petition requesting that the City of Española portion of Santa Fe County be annexed to Rio Arriba County, were not made on the day of the Board's May 10, 2016, meeting. Rather, as noted above, the amendments were made the previous Friday, May 6, when I understand the Amended Agenda was posted as described above. The comments I made at the beginning of the meeting simply described those changes for the Board and public.

Pursuant to Rule 1-011(B) NMRA, I affirm under penalty of perjury under the laws of the State of New Mexico that the above statements are true and correct.

Kotherine Millen <u>9.1.2016</u> Date

Page 2 of 2

STATE OF NEW MEXICO COUNTY OF RIO ARRIBA FIRST JUDICIAL DISTRICT

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF RIO ARRIBA and

NO. D-117-CV-2016-00254

THE CITIZENS FOR ACCESSIBLE AND REPRESENTATIVE GOVERNMENT,

Petitioners

v.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SANTA FE,

Respondent.

DECLARATION OF KATHLEEN ORTIZ

Kathleen Ortiz declares as follows:

1. I am the Paralegal for the Santa Fe County Attorney's Office.

2. I am over the age of eighteen and have personal knowledge of the facts contained in this declaration.

3. On September 1, 2016, I searched the online business records of the New Mexico Secretary of State's Office, https://portal.sos.state.nm.us/BFS/online/CorporationBusinessSearch. There was no record of an entity named The Citizens for Accessible and Representative Government ("CARG").

4. On August 31, 2016, I searched the digital records of the Santa Fe County Clerk's Office. There was no record of CARG having filed any statement, articles of association, or rules and regulations with the Santa Fe County Clerk's Office as an unincorporated association.



On August 31, 2016, I called the Rio Arriba County Clerk's Office, which did a 5. courtesy search for me of their digital records dating back to 1997. There was no record of CARG having filed any organizational documents with the Rio Arriba County Clerk's Office.

Pursuant to Rule 1-011(B) NMRA, I affirm under penalty of perjury under the laws of the State of New Mexico that the above statements are true and correct.

U

Kathleen Ortiz

<u>9-1-16</u> Date