

Henry P. Roybal
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4




Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

DATE: November 19, 2015

TO: County Development Review Committee

FROM: Miguel "Mike" Romero, Development Review Specialist Sr. 

VIA: Penny Ellis-Green, Growth Management Director 
Vicki Lucero, Building and Development Services Manager 
Wayne Dalton, Building and Development Services Supervisor 

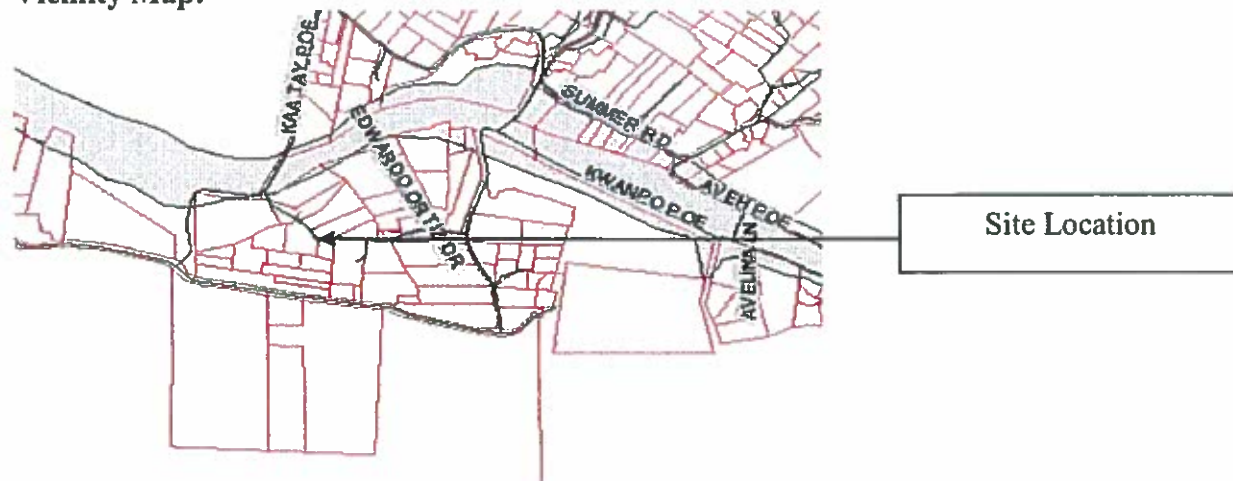
FILE REF.: CDRC CASE # 15-5300 Daniel Gallegos and Diana Gaetz Appeal.

ISSUE:

Daniel Ernest Gallegos and Diana Lynn Gaetz, Appellants, (Sommer, Karnes & Associates, LLP), Joseph M. Karnes, Agent, are appealing the Land Use Administrator's decision to deem the submittal for a Lot Line Adjustment Application (Case# 15-3016) incomplete due to the lack of proof of legal access to the subject property.

The property is located at 7 Lugar de Pacifica, within Section 9, Township 19 North, Range 9 East (Commission District 1).

Vicinity Map:



NEC-1

SUMMARY:

The Appellants, request an appeal of the Land Use Administrator's decision to deem the submittal for a Lot Line Adjustment Application (Case# 15-3016) incomplete due to the lack of proof of legal access to the subject property.

The Appellants state the access to the existing Gallegos property from CR 113S crosses a small (2700 +/- sq. ft.) area of land owned by Nambe Pueblo. They assert this the situation has existed for many years and that the pending Application for a lot line adjustment has no effect on this access. The Appellants provided multiple plats, deeds, and a letter from the United States Department of the Interior (BIA) with their Application. County staff reviewed the plats, deeds, and letter and could not find proof that the subject property has legal access across the small area of land owned by Nambe Pueblo. Further, County staff has determined that the plats, deeds, and letter do not contain language in the documents granting the Applicant legal access through tribal property.

The Appellants further state; "it is their position that these sections do not require proof of legal access for a lot line adjustment application. Article III, Section 2.4.2a(3) states that a lot line adjustment does not constitute a subdivision or division of land and is required to be prepared by a licensed surveyor. Article III, Section 2.4.2b identifies what submittals are required for such Applications. Neither of the foregoing sections contains requirements regarding access. Article III, Section 2.4.2b(3)(a)(1) states, in relevant part, "all lots created under this Section shall be provided with adequate access for ingress and egress, utility service, fire protection, and emergency services whether by a road meeting county requirements constructed within an easement and utility easement or by direct access to a public right-of-way. This section does not apply to the Application because no lot is "being created under this Section." Since no lot is being created, the requirements of the sections, by their terms, do not apply.

Staff Response: The request for a Lot Line Adjustment for Daniel Ernest Gallegos, Diana Lynn Gaetz, Aresenio Trujillo, Maryann Garcia, Manuel Garcia, Nanette Mayfield and Daniel Mayfield has been deemed incomplete for the following reasons:

Article III, Section 2.4.2b3 (a), Roads and Access-On-site and Off-site, of the Santa Fe County Land Development Code, Ordinance No. 1996-10 (Code) requires that all lots created under this Section 2.4.2 shall be provided with adequate access for ingress and egress, utility service, fire protection, and emergency services whether by a road meeting county requirements constructed within an easement and utility easement or by direct access to a public right-of-way. The lot line adjustment will create new lot boundaries.

In accordance with Article III, Section 2.4.2, a lot line adjustment is a plat review, which is subject to the submittal and review requirements of Article III, Section 2.4.2b. Article III, Section 2.4.2b states, "[t]he following submittals and review shall apply when an application for a development permit involves the types of plats listed above in Section 2.4.2a." Article III, Section 2.4.2b3 (a) are the required improvements and standards necessary under Article III, Section 2.4.2b.

The Application for the Lot Line Adjustment does not include proof that there is an existing access easement in place from County Road 113S to the subject property in order to provide access. The Applicant is required to submit proof of legal access to the subject property through Pueblo of Nambe. The Applicant has submitted no documentation from the Pueblo of Nambe indicating that the Pueblo would not negotiate an access agreement.

This Application was submitted on October 2, 2015.

Growth Management staff has reviewed the Application (Case# 15-3016), for compliance with pertinent Code requirements and found that the Application for a Lot Line Adjustment was not in compliance with Code criteria because it is incomplete due to the lack of the Applicant providing legal access to the property.

APPROVAL SOUGHT: Appeal of the Land Use Administrator's decision to deem the submittal for a Lot Line Adjustment Application (Case#15-3016) incomplete due to the lack of the Applicant providing proof of legal access to the subject property.

GROWTH MANAGEMENT AREA: El Norte, SDA-2

HYDROLOGIC ZONE: Traditional Community, minimum lot size per Article III, Section 10 of the Code is 0.75 acres per dwelling unit. Lot size can be reduced to 0.33 acres per dwelling unit with Community Water and Community Sewer.

FIRE DISTRICT: Pojoaque Volunteer Fire District.

ACCESS: Access to the proposed property is from County Road 84E to County Road 113S, crossing onto Nambe Pueblo Land onto Lugar de Pacifica.

WATER SUPPLY: Private Domestic Well

LIQUID WASTE: Conventional Septic System

STAFF RECOMMENDATION: Staff recommends that the CDRC uphold the Land Use Administrator's decision to deem the submittal for a Lot Line Adjustment Application (Case# 15-3016) incomplete, due to the lack of proof of legal access to the subject property from the Pueblo of Nambe. The Applicant will be required to provide documentation from the Pueblo of Nambe granting legal access.

EXHIBITS:

1. Letter of Appeal (Applicant)
2. County Response Letter
3. Article II, Section 2.3.4b
4. Article III, Section 2.4.2a.(3)
5. Article III, Section 2.4.2b.3(a)
6. Proposed Plat
7. Site Photographs
8. Aerial of Site and Surrounding Area
9. Recorded Survey Plats
10. Letter from Bureau of Indian Affairs

SOMMER, KARNES & ASSOCIATES, LLP

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Santa Fe, New Mexico 87501

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Of Counsel
Licensed in New Mexico and California

October 2, 2015

Penny Ellis-Green, Land Use Administrator
102 Grant Avenue
Santa Fe, NM 87501

Re: Appeal of Code Administrator Decision
Gallegos Lot Line Adjustment Application (the "Application")

Dear Ms. Ellis-Green:

On behalf of my clients Daniel Gallegos and Diane Gaetz (collectively "Gallegos"), this appeal of the decision set forth in the attached letter dated 9/29/15 is filed pursuant to County Code Article II, section 2.3.4.b.

The basis for the appeal is that the Code section referenced in the letter as the sole basis for not approving the application does not apply to the application. Article III, Section 2.4.2.b.3 applies only to "lots created under this Section." As set forth in my letter dated July 31, 2015 (attached), the lot in question pre-dates the County Code and was not "created by this Section." A lot line adjustment, by definition, does not involve creation of lots and therefore the Code section does not apply to this Application.

Please let me know when the hearing before the CDRC is scheduled.

Sincerely,


Joseph M. Karnes

Cc: Daniel Gallegos
Diane Gaetz

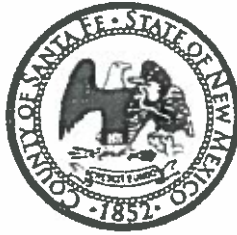


NBC-5

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Commissioner, District 5

Katherine Miller
County Manager

CERTIFIED MAIL

9/29/2015

Daniel Gallegos
808 Montclair Dr. NE
Albuquerque, NM 87110

Re: Lot Line Adjustment for Daniel Ernest Gallegos, Diana Lynn Gaetz, Aresenio Trujillo, Maryann Garcia, Manuel Garcia, Nanette Mayfield and Daniel Mayfield

Dear Mr. Gallegos:

This Correspondence is to inform you that the request for a Lot Line Adjustment for Daniel Ernest Gallegos, Diana Lynn Gaetz, Aresenio Trujillo, Maryann Garcia, Manuel Garcia, Nanette Mayfield and Daniel Mayfield has been deemed incomplete for the following reasons:

Article III Section 2.4.2b3 (a) (Roads and Access – On-site and Off-site) of the County Land Development Code Requires that all lots created under this Section shall be provided with adequate access for ingress and egress, utility service, fire protection, and emergency services whether by a road meeting county requirements constructed within an easement and utility easement or by direct access to a public right-of-way.

The application for the Lot Line Adjustment does not include proof that there are existing access easements in place from County Road 113S to the subject property in order to provide access.

You are required to submit this proof of access easement. Your application for the Lot Line Adjustment will be placed on hold until such time that you submit the required information.

If you have any further questions or concerns please contact me at 505-986-6221

Sincerely,


Penny Ellis-Green - Land Use Administrator
Santa Fe County



cc: File

102 Grant Avenue · P.O. Box 276 · Santa Fe, New Mexico 87504-0276 · 505-986-6200 · FAX:
505-995-2740 www.santafecountynm.gov

NBC-6

for compliance with the requirements of the Code, and shall make and file a report to the County Development Review Committee evaluating the application and recommending that the County Development Review Committee approve, disapprove, or approve the application with modifications and/or conditions or recommending that the County Development Review Committee recommend the same to the Board depending on which body has final authority pursuant to Section 2.3.2e.

- 2.3.2b The Code Administrator may hold an informal conference with the applicant and any interested person at any time prior to the making of his recommendation. The Code Administrator shall give at least three (3) working days' notice, either orally or in writing, to the applicant or any interested person who has requested in writing that he receive notice of any informal conference held under this Subsection b.
- 2.3.2c At least twenty one (21) calendar days prior to any public meeting at which an application will be heard, the applicant shall post notice of the filing of the application prominently on the land, building, or other structure which is the subject of the application in such a way as to give reasonable notice to persons interested in the application and shall provide written verification of the posting of the notice to the Code Administrator.
- 2.3.2d For development other than subdivisions under the New Mexico Subdivision Act (which shall comply with the public agency review process as set forth in Article V, Section 5.3.3d.), the Code Administrator may refer an application to an appropriate agency or official of the State of New Mexico for an opinion concerning whether the application would be disapproved or approved with conditions or modifications. Unless otherwise required by law, the opinion of the state agency or official shall be advisory. The Code Administrator may delay the making and filing of his recommendation for up to sixty (60) calendar days to await the opinion if he believes that such a delay is in the public interest.
- 2.3.2e The County Development Review Committee has final approval authority on preliminary and final development plans and on appeals of the Code Administrator's decisions and has recommendation authority on variances, preliminary and final plats, and all master plans, including zoning, for which the Board shall have final approval authority. Plats for Type V subdivisions containing six (6) or more parcels go directly to the Board for review and approval, in accordance with Article V, Section 5.5.4b.

2.3.4 Appeals

2.3.4a Filing an Appeal

All appeals under the Code shall be filed in writing with the Code Administrator.

2.3.4b Appeal of Code Administrator Decision under Section 2.3.1 to the County Development Review Committee

- i. Any person aggrieved by a decision of the Code Administrator under Section 2.3.1 may file an appeal to the County Development Review Committee within five (5) working days of the date of the Code Administrator's decision. The County Development Review Committee shall hear the appeal within sixty (60) calendar days of the date the appeal is filed. The County



Development Review Committee shall make and file its decision approving or disapproving the application or approving the application with conditions or modifications.

- ii. A decision of the County Development Review Committee on an appeal shall become final thirty (30) calendar days after the decision is filed, unless within that month an appeal of the decision has been filed by an interested person including the Code Administrator, pursuant to Section 2.3.4c of this Article or the Board on its own initiative has decided to review the decision.

2.3.4.c Appeal of Development Review Committee Decisions to the Board

- i. Any person aggrieved by a decision of a Development Review Committee may file an appeal in writing to the Code Administrator within thirty (30) calendar days of the date of the decision of the Development Review Committee. The Board shall hear the appeal within sixty (60) calendar days after the date the appeal is filed. The Board shall timely make and file its decision approving or disapproving the application or approving the application with conditions or modifications.
- ii. The decision of the Board shall become final on the date when the decision is filed.

2.4 Notice and Conduct of Public Hearing

2.4.1 Notice by County

Notice of a public hearing to be held by a Development Review Committee or the Board, shall be given as provided by resolution of the Board and as otherwise required by law. Copies of the public notice policies shall be posted in the Code Administrator's office. Public hearings shall be conducted as provided by policies established by the body holding the hearing or as required by law. All interested persons shall be allowed a reasonable opportunity to be heard at a public hearing held under the Code.

2.4.2 Notice by Applicant

2.4.2a For all zoning cases, master plans, development plans, variances, preliminary and final subdivision plats, Type V subdivisions containing six (6) or more parcels and appeals of these matters, the following public notice requirements shall be completed by the applicant at least twenty one (21) calendar days prior to the public meeting:

- i. A notice shall be published in the legal section of the daily newspaper which covers the area in which the project is located;
- ii. Certified letters, prepared by the Code Administrator, shall be mailed return receipt requested to all property owners within one hundred (100) feet (excluding rights-of-way) of the subject property;
- iii. The subject property shall be posted, in the manner outlined in Section 2.3.2c of this Article II.

2.4.2b For all summary review subdivisions containing five (5) or fewer parcels. Sections 2.4.2a.ii. and iii. Shall be completed by the applicant at least fifteen (15) calendar days prior to the administrative decision.

History. Section 2.4 was amended by Ordinance 1996-8 to include notice requirements for most projects.

(g) Commencement of Development

Construction must begin within one (1) year of the date of issuance of development permit, or the development permit is void and a new application shall be made prior to any development. The work described in any development permit shall be substantially completed within two (2) years from the date it is issued, unless an extension is granted by the Code Administrator. Extensions of up to two (2) years may be granted by the Code Administrator pursuant to a review of the site and the original conditions of the Development Permit. Any permit not extended shall expire and be canceled by the Code Administrator. Written notice will be sent to the applicant that further work as described in the canceled permit shall not proceed unless and until the development permit has been reissued.

2.4.2. Division of a Parcel of Land, Summary Review Subdivisions and Other Plat Reviews**2.4.2a. Types of Plats. All plats are to be prepared by a licensed surveyor.**

1. Division of Land Plat is a graphic representation and legal description of the separation, splitting, or dividing of a lot, parcel, or tract of land into more than one lot, parcel, or tract of land for any of the purposes listed under Article II, Section 2.3.1.a.ii. (a) through (h).
2. Boundary Plat is the graphic representation and legal description of property ownership of a parcel, lot, or tract of land.
3. Lot line adjustment is the graphic representation and legal description of an adjustment, alignment, or movement of a parcel, lot, or tract boundary, which does not constitute a subdivision or division of land.
4. Consolidation Plat is the graphic representation and legal description of a merger, incorporation or consolidation of two or more parcels, lots, or tracts of land.
5. Easement Plat is the graphic representation and legal description of a public/private easement, but does not constitute a boundary plat.
6. Plat amendment is a minor change or correction to a plat, prepared by a licensed surveyor or engineer, which does not constitute a division of land, lot line adjustment, family transfer, or consolidation.
7. Summary Review Subdivision Plat is the graphic representation and legal description of the Type III subdivisions listed in Article II, Section 2.3.1a.vii and all Type V subdivisions.

2.4.2b Submittals and Reviews.

The following submittals and review shall apply when an application for a development permit involves the types of plats listed above in Section 2.4.2a. Type III and Type V subdivisions subject to summary review shall follow all requirements of Article V, Section 5.5 in addition to the applicable provisions of this Section. Small Lot Inheritance Transfers and Small Lot Family Transfers shall meet all the requirements of Article II, Section 4.3 in addition to the applicable provisions of this Section. The Code Administrator will review proposed applications to determine whether there is a common promotional plan to subdivide a property. If it is determined that the land division does constitute a common promotional plan, the project shall comply with the procedures provided for in Article V of the Code.



which cannot meet the terrain management performance standards shall not be further subdivided or replatted in a manner which creates an additional number of non-conforming lots or parcels. Additionally, lot line adjustments shall not result in a conforming lot becoming non-conforming based on terrain management performance standards.

2. Reviews

(a) Lot Size Requirement Review

The Code Administrator shall review the application for compliance with the density regulations in Article III, Section 10 of the Code. If the application is for a Small Lot Inheritance Transfer or a Small Lot Family Transfer, the lot size standards in Article II, Section 4 shall apply.

(b) Special District Review

The Code Administrator shall review the location of the lots indicated on the plat and, if a lot is located in a Special Review District, pursuant to Article VI of the Code, will inform the applicant of any additional submittals or reviews required and make the applicable review.

(c) Environmental Review

The Code Administrator shall inform the applicant of any additional submittals and make the reviews required under Article VII, Environmental Requirements.

(d) Other Reviews

For summary review subdivisions, the Code Administrator shall review the disclosure statement to determine whether the subdivider can fulfill the proposals contained therein, and whether the disclosure statement is consistent with this Code.

3. Required Improvements and Standards

(a) Roads and Access - On-site and Off-site

(1) Except as provided below in paragraphs (6) - (9) of this Subsection, all lots created under this Section shall be provided with adequate access for ingress and egress, utility service, fire protection, and emergency services whether by a road meeting county requirements constructed within an easement and utility easement or by direct access to a public right-of-way. All on and off-site roads shall meet the design standards for a local road as set forth in Appendix 5.B.3, except that the minimum width of any easement created for access purposes shall be no less than twenty (20) feet for access to two (2) lots and no less than thirty-eight (38) feet for access to three (3) or more lots. However, for off-site roads the Code Administrator may reduce the road easement width to no less than twenty (20) feet if adequate drainage control is provided and may allow the road surface to be hard packed dirt with a compaction of ninety-five percent (95%) of the maximum density. All roadways and access shall be subject to the provisions of Section 10.207 of the Uniform Fire Code and to the policy established by the County Fire Marshal regarding fire apparatus access roads under Section 10.207. Provision of easements may also be accomplished by contiguous access easements



along property line of adjacent parcels or lots which, when added together, provide the total required width.

- (2) Roads serving two (2) or fewer lots may be treated as driveways and do not have to be constructed until the time of building construction. The number of driveways accessing a public road shall be minimized. The use of shared driveways is encouraged
- (3) When a tract to be developed borders an existing road having a right-of-way insufficient to conform to the minimum standards required by these regulations, which right-of-way will be used by the proposed development, sufficient right-of-way shall be platted, and dedicated or reserved in such a way as would make the resulting right-of-way or road conform with Code requirements.
- (4) The maximum grade of built roads shall be eleven percent (11%). Installation of culverts, where applicable, shall be required at intersections of driveways with County roads.
- (5) Road Construction and/or Road Cut Permits must be obtained if road or driveway construction is to precede any other development on any lot.
- (6) Divisions of land for grazing or farming as identified in Article II, Section 2.3.1.a.ii(c) are exempt from on-site and off-site road requirements.
- (7) Divisions of land that create no parcel smaller than one hundred forty (140) acres as identified in Article II, Section 2.3.1.a.ii(e) are exempt from on-site and off-site road requirements, except when more than one (1) such parcel is created in an area of land, the Code Administrator may require on and off-site road improvements.
- (8) Other land divisions as listed in Article II, Section 2.3.1.a.ii. (a) through (h) may be exempt from road construction standards at the discretion of the Code Administrator.
- (9) In addition to the requirements of this Section, summary review subdivisions shall meet the road improvements of Article V, Section 5.5.6.

(b) Other Off-Site Improvements

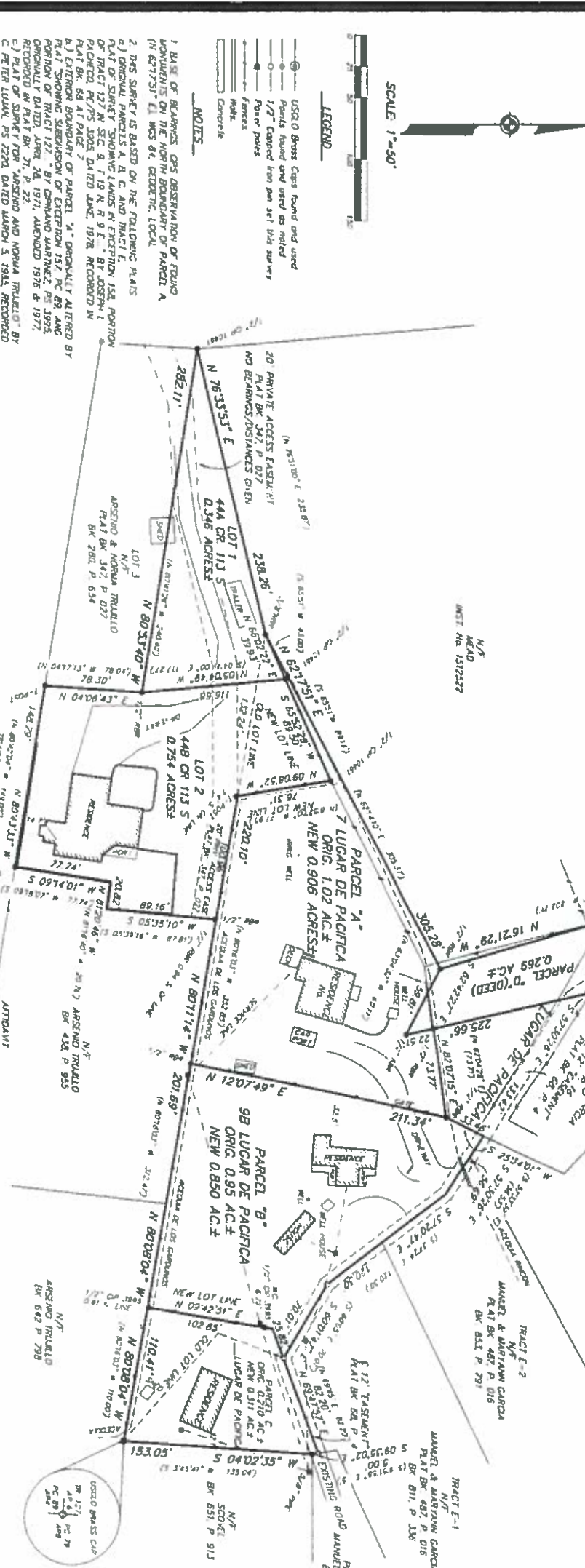
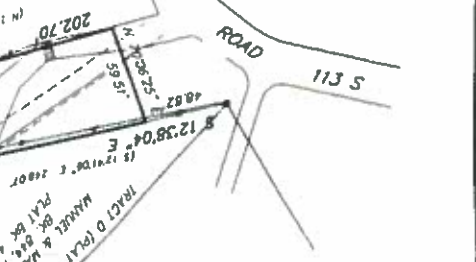
If the Code Administrator determines that it is necessary for health, safety, or welfare reasons, the applicant may be required to construct improvements to existing off-site facilities or to construct planned facilities or portions of planned facilities which can provide relief to existing facilities. The purpose of requiring such improvements is to assure that such facilities which may be negatively impacted, either individually or cumulatively, by the addition of new development, will function efficiently. For the purposes of this Section, off-site facilities include but are not limited to, water systems and sewer systems.

(c) Special Provisions for Family Transfer Improvements.

Off-site improvement requirements do not apply to lots created by Family Transfer for the first lot per immediate family member, Small Lot Family Transfer, or Small Lot Inheritance Transfer provided that the recipient does not sell or transfer such lot for three years from the time the plat is recorded. For second and subsequent lots and for lots sold or transferred by the recipient prior to such three year period off-site improvement requirements of this Code shall be met at the time of sale. For Family Transfers to be exempt

PLAT OF LOT LINE ADJUSTMENT
FOR
DANIEL E. GALLEGOS
&
DIANA L. GAETZ
&
DANIEL & NANETTE MAYFIELD
&
ARSENIO TRULLILLO

ADJUSTING BOUNDARY LINES OF
 PARCEL A & PARCEL B & PARCEL C,
 PORTION OF EXCEPTION 158, TRACT 127,
 TO CONCUR WITH LINES OF LOT 1 & LOT 2,
 PORTIONS OF EXCEPTION 157, P.C. 89, P. 1,
 NABBE PUEBLO GRANT, SANTA FE COUNTY,
 NEW MEXICO.



NOTES:

1. BASE OF BEARINGS: GPS OBSERVATION OF FIELD MONUMENTS ON THE NORTH BOUNDARY OF PARCEL A (N 87°13'31" E) WAS ON, GROUND, LOCAL.
2. THIS SURVEY IS BASED ON THE FOLLOWING PLATS:
 - a.) ORIGINAL PARCELS A, B, C AND TRACT E, PLAT OF SURVEY SHOWING LANDS IN EXCEPTION 158, PORTION OF TRACT 127, N.M.S.C. 9, 119 N. 9° E, BY JOSEPH L. PARRON, RECORDED IN PLAT BK. 200, P. 654.
 - b.) EXTERIOR BOUNDARY OF PARCEL "A" ORIGINALLY ALIENED BY PLAT SHOWING SUBDIVISION OF EXCEPTION 157, P.C. 89 AND PORTION OF TRACT 127, BY CERNANO MARTINEZ, P.C. 1995, ORIGINALLY DATED, APRIL 24, 1971, AMENDED 1976 & 1977, RECORDED IN PLAT BK. 21, P. 22.
 - c.) PLAT OF SURVEY FOR ARSENIO AND NORMA TRULLILLO, BY C. PETER BLANK, P.C. 1970, DATED JANUARY 13, 1970, RECORDED IN PLAT BK. 200, P. 654.
 - d.) LOT LINE ADJUSTMENT AND CONSOLIDATION PLAT BY LORENZO DOMINGUEZ, P.C. 1946, DATED 7/21/96, RECORDED IN PLAT BK. 347 AT PAGE 27, CONTAINING LAND USE APPROVAL.
 - e.) ORIGINAL PARCEL C, ORIGINALLY ALIENED BY BOUNDARY SURVEY FOR MANUEL & MARIYANN GARCIA, BY CERNANO MARTINEZ, P.C. 1995, DATED 6/15/95, RECORDED IN PLAT BK. 311, P. 611, NO LAND USE APPROVAL NOTE W/D. FROM PASCUAL GARCIA TO MANUEL & MARIYANN GARCIA RECORDED FEB. 2, 1992, IN BK. 124, P. 668, REPRESENTS THIS TRACT.
 - f.) CERNANO MARTINEZ, P.C. 1995, DATED 7/21/96, RECORDED WITH LAND USE APPROVAL, IS AUGUST 1992, AMENDED TO CHANGE BOUNDARY ON PARCEL C, 7/20/98, RECORDED IN PLAT BK. 419, P. 640, WITHOUT LAND USE APPROVAL.
 - g.) TRACT D (TRACT D) DEED FROM PABLO OF NABBE TO MARIYANN GARCIA, DATED 19 AUGUST 1992, RECORDED IN BK. 857 AT PAGE 627-628, TRACT D INQUIRED HERETO TO ESTABLISH LEGAL LOT OF RECORD ONLY. NO ADJUSTMENT HAS BEEN MADE TO THIS TRACT.

APPROVANT

THE FOREGOING SURVEY AND LOT LINE ADJUSTMENT WERE MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF ALL THE UNDERSIGNED OWNERS, WHOSE NAMES ARE HEREBY THIS INSTRUMENT AS SET FORTH HEREIN, WHERE Labeled THEREIN HAS PLANNING AND PLATTING JURISDICTION OF SANTA FE COUNTY.

DANIEL E. GALLEGOS	DATE
DIANA L. GAETZ	DATE
MANUEL GARCIA	DATE
MARIYANN GARCIA	DATE
DANIEL MAYFIELD (MAYFIELD TRUST)	DATE
LOT 2	
NANETTE MAYFIELD (MAYFIELD TRUST)	DATE
LOT 2	
ARSENIO TRULLILLO	DATE
LOT 1	

STATE OF NEW MEXICO
 COUNTY OF SANTA FE
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE
 ME THIS _____ DAY OF _____, 2015
 NOTARY PUBLIC _____ BY COMMISSION EXPIRES _____

SANTA FE COUNTY APPROVAL NOTES AND CONDITIONS

APPROVAL IS _____ DATE _____

COUNTY LAND USE ADMINISTRATION DATE _____

PLAT ADDRESSING DATE _____ COUNTY RESEARCHER DATE _____

DEVELOPMENT PERMIT NO. _____ DATE _____

THE LANDS SHOWN HEREON LE WORN BE PLANNING AND PLATTING JURISDICTION OF SANTA FE COUNTY.

THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT INCLUDING BUILDING PERMITS ALL STANDARD COUNTY PERMITS AND FEES MUST BE IN PLACE PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITY OF ANY KIND. APPROVED FOR PLATTING PURPOSES ONLY. APPROVAL DOES NOT GUARANTEE THAT APPROPRIATE FIRE PROTECTION, THROUGH MANAGEMENT, AND DRAINAGE ARE COMPLETED AND APPROVED.

ACCORDING TO THE REAL FLOOD RISK MAP (FRM) COMMUNITY PLANNING DEPARTMENT DATED JUNE 17, 2008, THIS PROPERTY LIES OUTSIDE THE BOUNDS OF THE 100 YEAR (1%) FLOODPLAIN, IN ZONE X. THIS DESIGNATION DOES NOT GUARANTEE THAT THE PROPERTY WILL BE FREE FROM FLOODING OR FLOOD RELATED DAMAGES. BARRIAGE AREAS ARE DEPICTED HEREON. THE BARRIAGE AREAS INDICATED HAVE SLOPES OF LESS THAN 15%.

THE TRACT, PARCELS AND/OR LOTS SHOWN HEREON LE OUTSIDE THE URBAN WEDLAND INTERVIEW ZONE AS DETERMINED BY THE SANTA FE COUNTY FIRE DEPARTMENT. FIRE SHORTERS AND/OR FIRE STORAGE MAY BE REQUIRED.

SPECIAL BUILDING PERMIT CONDITIONS

THE INSTALLATION OF AN AUTOMATIC FIRE SUPPRESSION SYSTEM IS MORE RECOMMENDED FOR ALL HOMES ON ALL LOTS.

THE TRACT, PARCELS OR LOTS PLATTED HEREON ARE SUBJECT TO ARTICLE 18, SECTION 1 AND ORDINANCE 2008-10, AS WELL AS ALL PERTINENT COUNTY CODE AND ORDINANCES AT THE TIME OF DEVELOPMENT.

THESE LOTS ARE SUBJECT TO SANTA FE COUNTY FIRE AND RESCUE IMPACT FEES AT THE TIME OF APPLICATION FOR DEVELOPMENT PERMIT.

NEW URBAN / ROADWAY ACCESS FROM STATE ROAD 501 IS SUBJECT TO APPROVAL FROM THE STATE HIGHWAY AND TRANSPORTATION DEPARTMENT.

CERTIFICATE

I, Philip B. Wright, a duly registered Professional Surveyor in the State of New Mexico hereby certify that I conducted and am responsible for this survey, that this survey and plat represent an actual survey made in the field by me or under my direction, that it meets the Minimum Standards for Surveys in New Mexico and that the information contained herein is true and correct to the best of my knowledge, information and belief.

FOR REVIEW

Philip B. Wright
 P.S. No. 9758
 P.O. Box 22721
 Santa Fe, NM



REFERENCE INFORMATION FOR COUNTY CLERK
 THE ADJUSTMENT SURVEY
 WAS FILED WITH THE COUNTY CLERK, SANTA FE COUNTY, NEW MEXICO, ON _____ 2015.
 BY _____

PROJECT NO. 1407089
 COUNTY NO. 22721
 PLAT NO. 200
 DATE 7/29/15

PROJECT NO. 1407089
 COUNTY NO. 22721
 PLAT NO. 200
 DATE 7/29/15

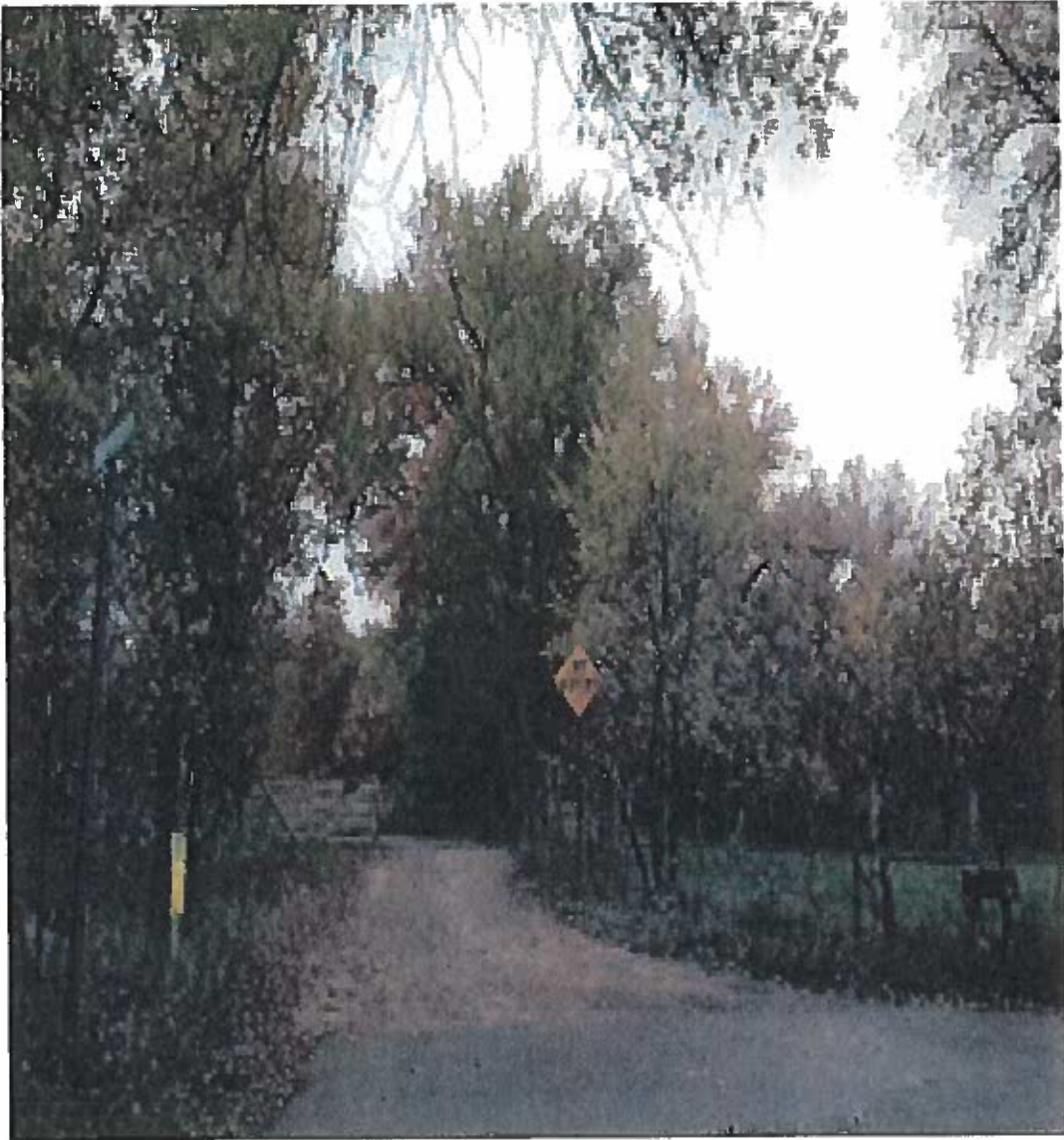
PROJECT NO. 1407089
 COUNTY NO. 22721
 PLAT NO. 200
 DATE 7/29/15

EXHIBIT

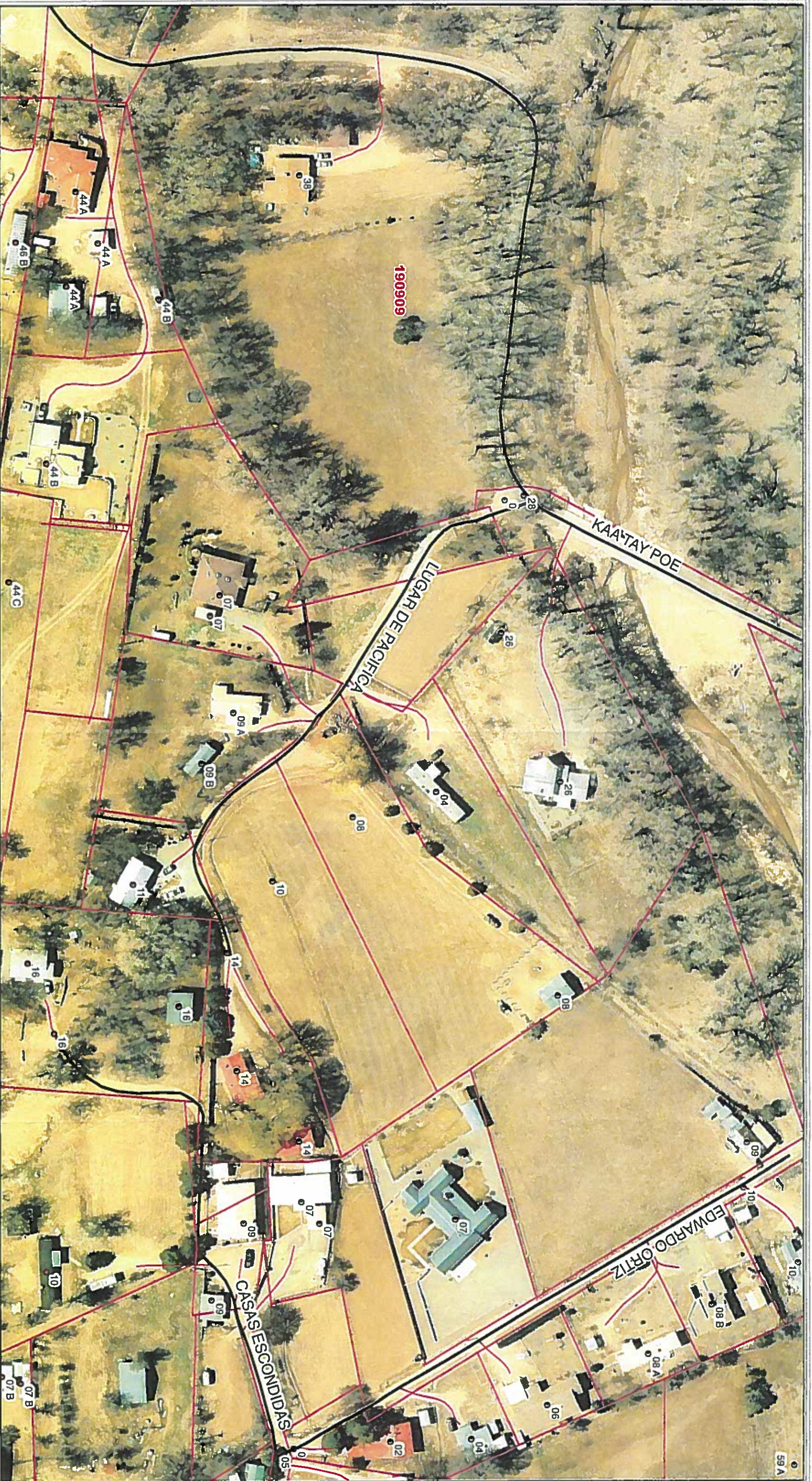
6

RIO SURVEYS, INC.
 119 N. R. 9 E. N.M.P.M.
 SANTA FE, NM 87505

NBC-12



NBC-13



Legend

-  Roads
-  DRIVEWAYS
-  PARCELS

1:1,200

1 inch represents 100 feet



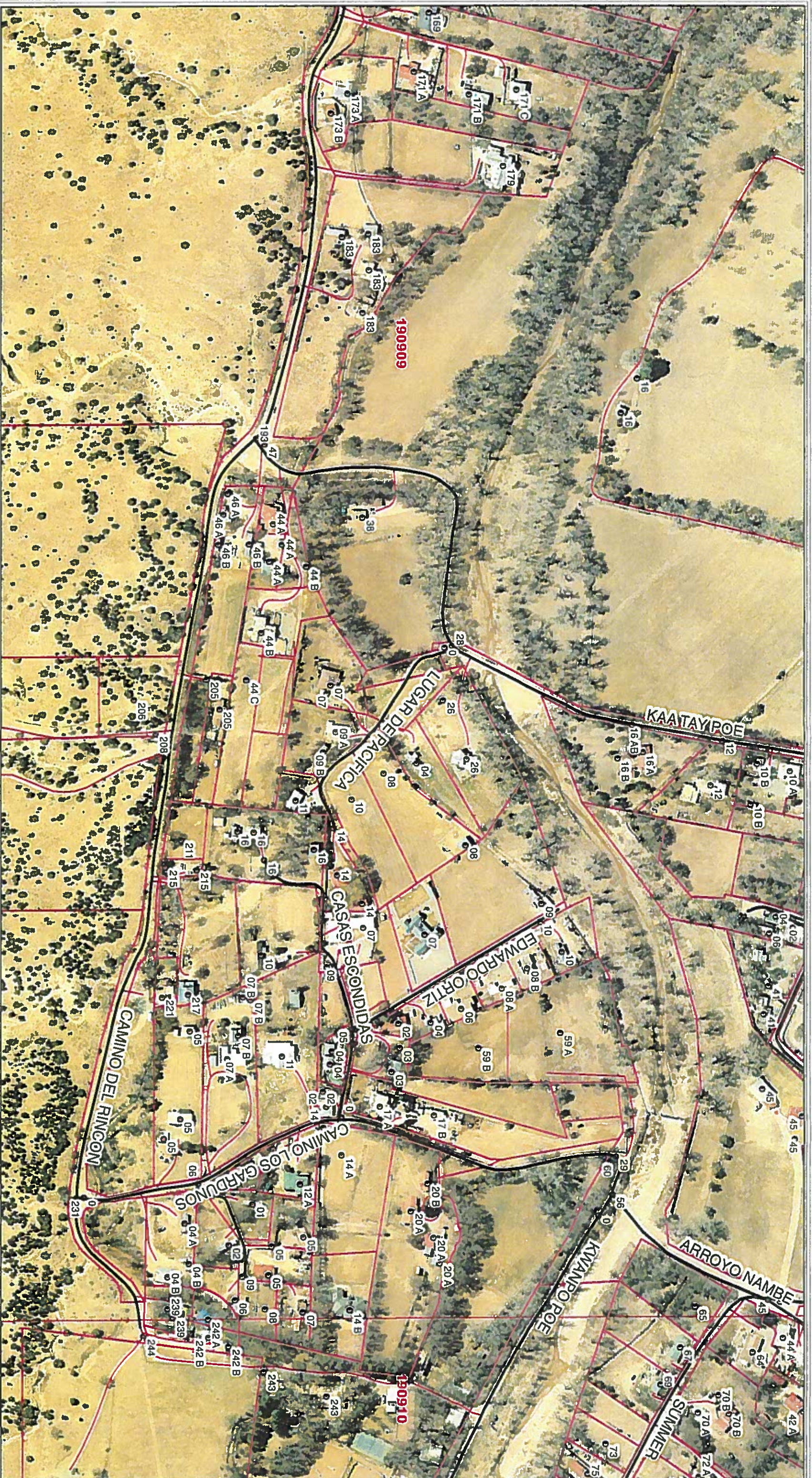
2014 Imagery
2 FOOT CONT

This information is for r
Santa Fe County assume
errors associated with the d
User are solely responsible for
confirming data accuracy.



November 5, 2015

NBC-14



Legend

- Roads
- DRIVeways
- PARCELS

1:3,000
1 inch represents 250 feet

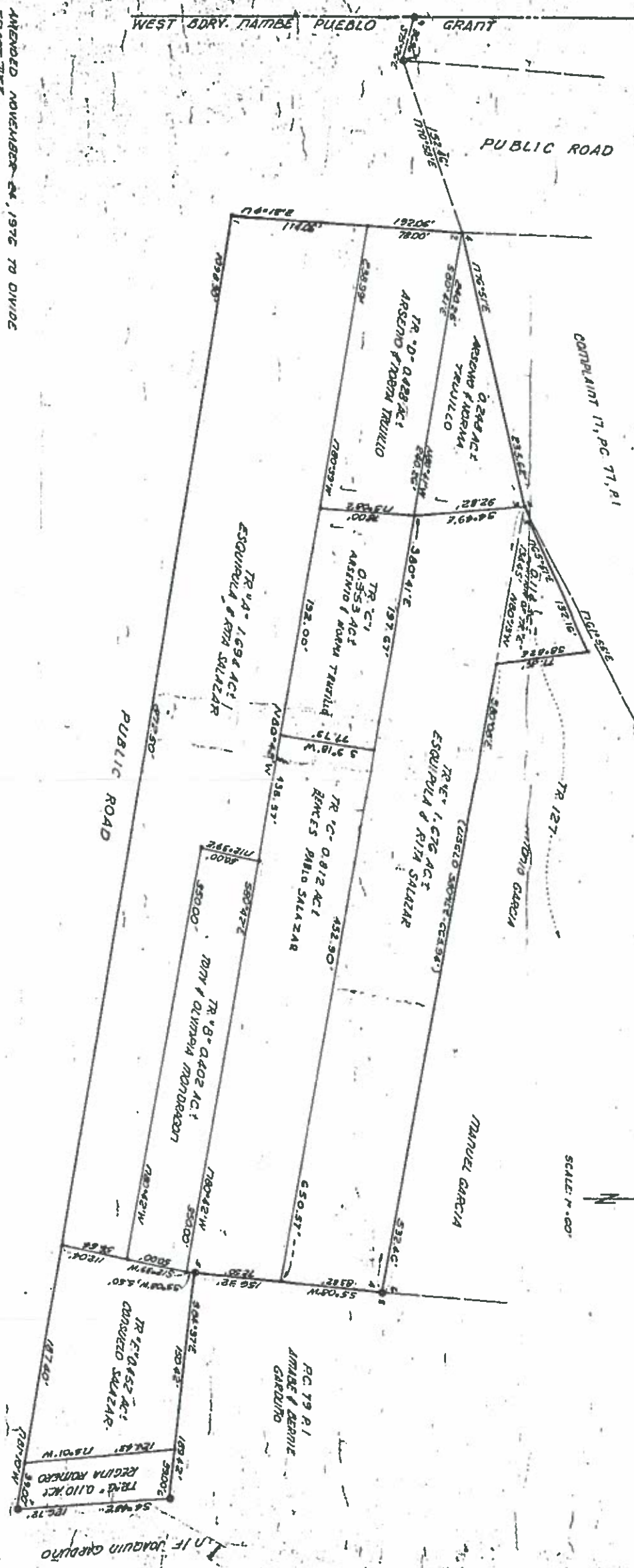


2014 Imagery
2 FOOT CONTOURS

This information is for reference only.
Santa Fe County assumes no liability for
errors associated with the use of these data.
User are solely responsible for
confirming data accuracy.



November 5, 2015



AMENDED NOVEMBER 24, 1976 TO DIVIDE TRACT "E"

AMENDED JANUARY 11, 1977 TO DIVIDE TRACT "C"

Ernesto Mestas

Christian Mestas

I HEREBY CERTIFY THAT THIS PLAT IS AN ACCURATE DETERMINATION OF NOTES OF A FIELD SURVEY COMPLETED BY ME ON APRIL 28, 1977 AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Ernesto Mestas
 REGISTRAR GENERAL
 SANTA FE COUNTY, NEW MEXICO
 (27N L.S. N° 5995)



445-532

COUNTY OF SANTA FE, N.M.
 DEPT. OF NEW MEXICO
 I hereby certify that the foregoing plat was filed on this 16th day of August, 1977, and was duly recorded in book 211, page 32 of the records of Santa Fe County, New Mexico, and that the same is a true and correct copy of the original filed in my office.

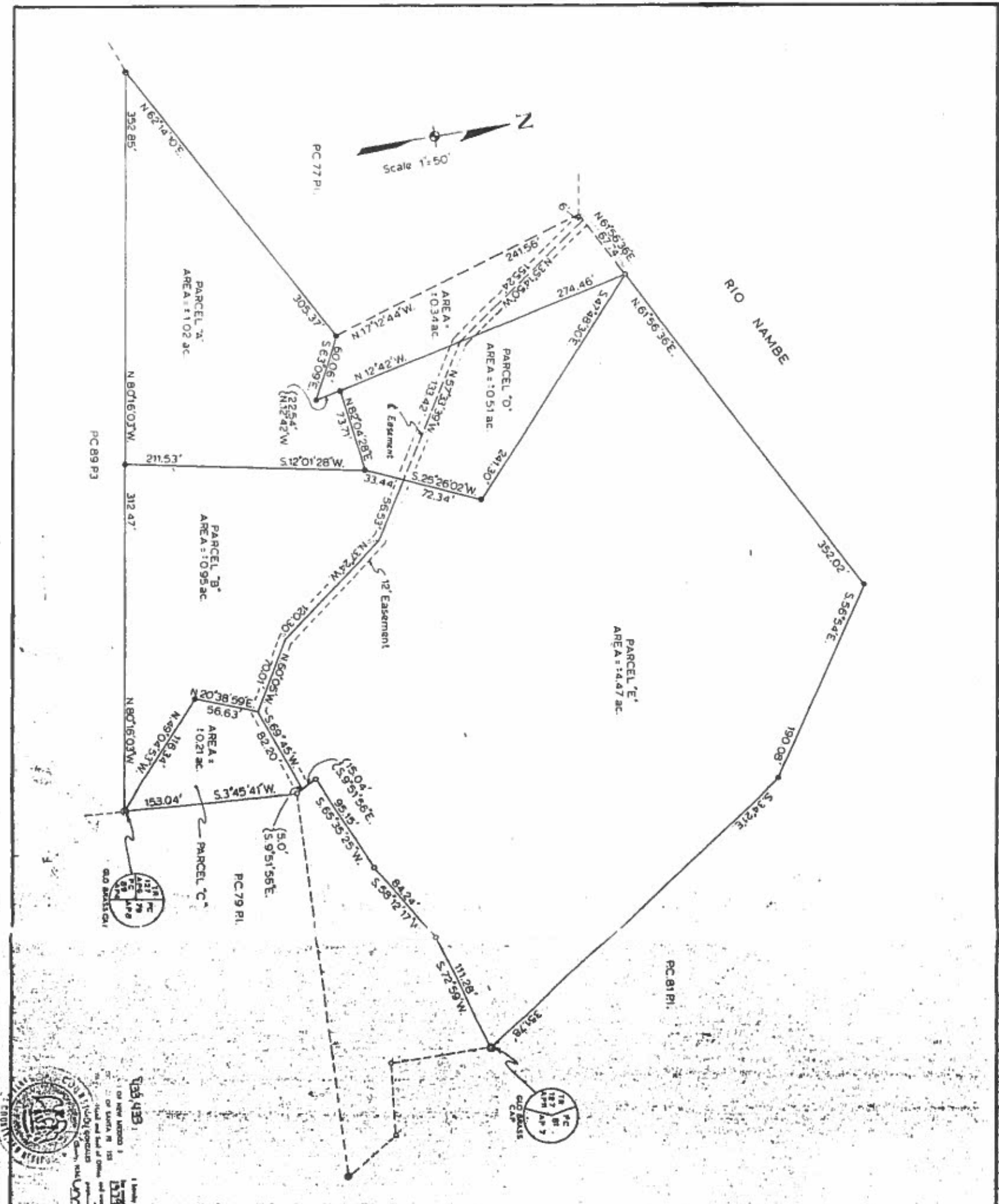
Ernesto Mestas
 REGISTRAR GENERAL
 SANTA FE COUNTY, NEW MEXICO

PLAT OF SURVEY SHOWING SUBDIVISION OF EXC 1ST, 69, PA & PORTION OF TR 127, SEC 9, T19N, R9E, N1M PM, SANTA FE COUNTY, NEW MEXICO



68/4

PLAT OF SURVEY
 SHOWING LANDS IN
 EXCEPTION 158
 PORTION OF TRACT 127 IN SEC. 9, T19N, R9E.
 NAMBE PUEBLO GRANT
 SANTA FE COUNTY, NEW MEXICO



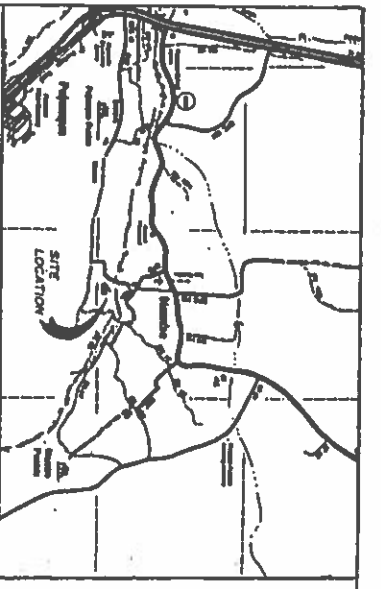
158 483
 I HEREBY CERTIFY THAT THIS PLAT IS A TRUE DELINEATION OF THE LANDS SHOWN THEREON AND THAT THE SAME ARE THE PROPERTY OF THE STATE OF NEW MEXICO.
 DATED AT SANTA FE, N.M., THIS 15th DAY OF JUNE, 1978.
 JOSEPH L. PUGH, REGISTERED PROFESSIONAL SURVEYOR, No. 3905

NOTES

- INDICATES 1/2 REBAR SET
- INDICATES G.L.O. MARKERS FOUND
- INDICATES IRON PIPE FOUND
- INDICATES REBAR FOUND

CERTIFICATE
 I HEREBY CERTIFY THAT THIS PLAT IS A TRUE DELINEATION OF A FIELD SURVEY COMPLETED BY ME ON JUNE, 1978.
 JOSEPH L. PUGH, REGISTERED PROFESSIONAL SURVEYOR, No. 3905

NBC-17



PROPERTY DESCRIPTION
 A PARCEL OF LAND LYING AND BEING SITUATE IN SECTION 9, T.19N., R.9E., N.M.P.M., BEING A PORTION OF EXCEPTION 157, P.C. 89, P.3, AND A PORTION OF TR. 127, WITHIN THE NAMBE PUEBLO GRANT, SANTA FE COUNTY, NEW MEXICO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEGINNING AT A U.S.G.L. BRASS CAP MARKED A 4 9, P.C. 79 P.1 THENCE FROM SAID POINT N80°08'49"W - 431.51' TO THE POINT AND PLACE OF BEGINNING, THENCE S00°39'16"W - 87.81', THENCE N81°16'40"W - 23.78', THENCE S09°09'07"W - 77.74', THENCE N80°42'04"W - 192.00', THENCE N80°38'59"W - 238.13', THENCE N04°12'00"E - 78.00', THENCE N78°51'00"E - 253.67', THENCE N89°51'00"E - 133.18', THENCE S08°02'00"E - 77.88', THENCE S80°04'23"E - 103.95' TO SAID POINT OF BEGINNING CONTAINING 1,600 A.C.

FREE CONSENT
 THE UNDERSIGNED OWNERS DO HEREBY CERTIFY THAT THE PLAT AS SHOWN WITH THEIR FREE CONSENT AND IN ACCORDANCE WITH THE STATUTES AND ORDINANCES OF THE COUNTY OF SANTA FE AND UTILITY EASEMENTS SHOULD BE GRANTED TO THE OWNERS OF THE TRACTS SERVED. MAINTENANCE OF THE UTILITY EASEMENTS SHALL BE THE RESPONSIBILITY OF THE OWNERS OF THE TRACTS SHOWN, UNLESS CURRENTLY MAINTAINED BY THE SANTA FE COUNTY PUBLIC WORKS DEPARTMENT.

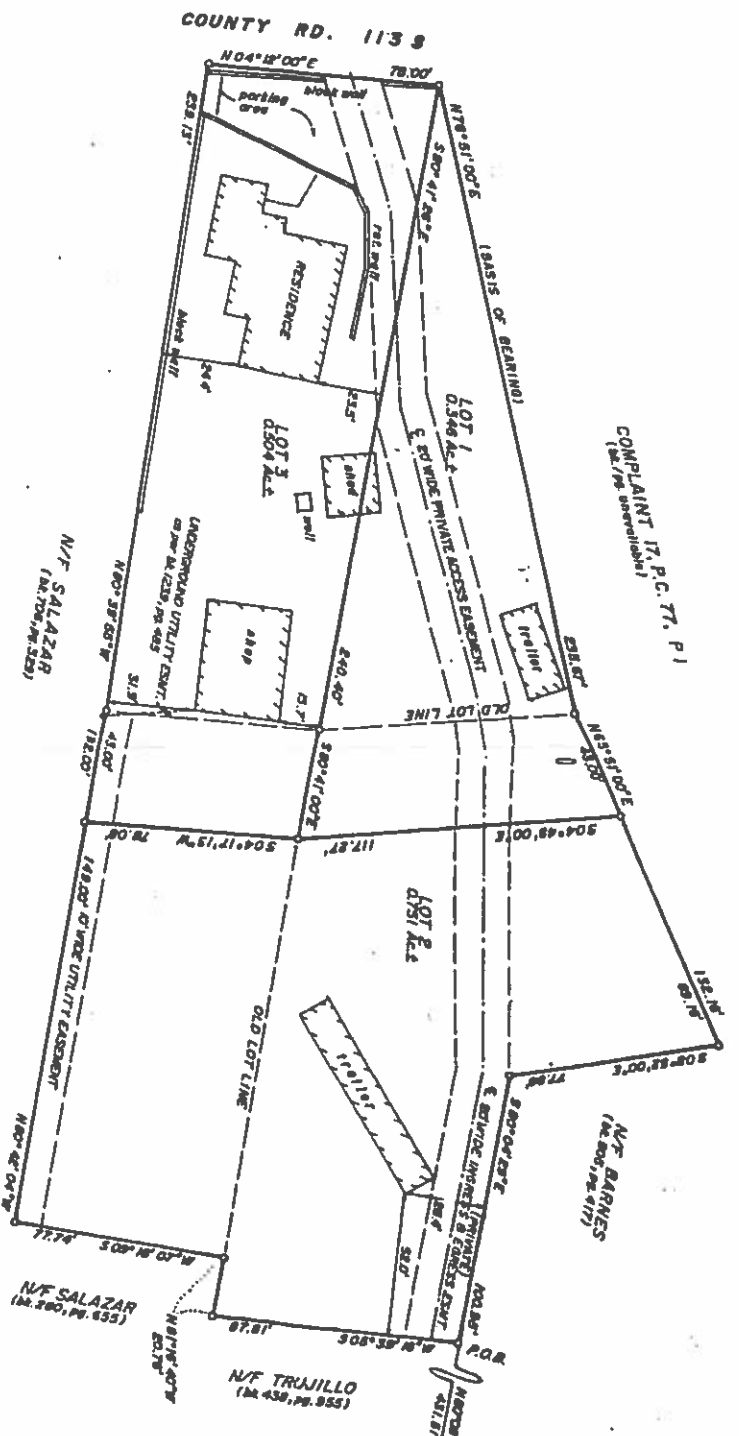
Donna Pardo Salazar
 DONNA PARDO SALAZAR
 ARSENIO TRUJILLO
 NORMA TRUJILLO

ACKNOWLEDGEMENT
 STATE OF NEW MEXICO } SS
 COUNTY OF SANTA FE }
 ON THIS 20th DAY OF MARCH, 19 96,
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY THE PERSONS WHOSE NAMES APPEAR ABOVE.

Robert J. Jones
 ROBERT JONES
 NOTARY PUBLIC
 MY COMMISSION EXPIRES 8-18-97

SURVEYORS CERTIFICATE
 LORENZO E. DOMINGUEZ HEREBY CERTIFY THAT THIS PLAT IS AN ACCURATE DELINEATION OF A SURVEY PERFORMED BY ME OR UNDER MY PERSONAL DIRECTION, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I ALSO CERTIFY THAT THIS PLAT MEETS OR EXCEEDS THE MINIMUM REQUIREMENTS FOR LAND SURVEYS IN NEW MEXICO.

Lorenzo E. Dominguez
 LORENZO E. DOMINGUEZ, R.P.L.S. NO. 10461



SCALE: 1" = 30'



- LEGEND**
- U.S.G.L. BRASS CAP FOUND
 - INDICATES POINTS FOUND
 - INDICATES POINTS SET
 - FENCE LINE

REFERENCE PLATS

PLAT OF SURVEY SHOWING SUBDIVISION OF SEC. 127, P.C. 89, P.3, A PORTION OF TR. 127, BY CARRINO MARTINEZ N.M.L.S. NO. 3993, DATED APRIL 28, 1971.
 PLAT OF SURVEY FOR ARSENIO & NORMA TRUJILLO, BY CARRINO MARTINEZ N.M.L.S. NO. 3993, DATED APRIL 28, 1971, RECORDED IN BOOK 154, PAGE 637 SANTA FE COUNTY CLERK OFFICE.
 PLAT OF SURVEY FOR ARSENIO & NORMA TRUJILLO, BY PETER LULAH N.M.L.S. NO. 2220, DATED 1988, RECORDED IN BOOK 154, PAGE 638 SANTA FE COUNTY CLERK OFFICE.

SANTA FE COUNTY APPROVAL

NOTES AND CONDITIONS
 Santa Fe County
 COUNTY LAND USE ADMINISTRATOR
 COUNTY DEVELOPMENT PERMIT NO. 96-3386 10-16-96
 DATE

THE LANDS SHOWN HEREON ARE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE COUNTY OF SANTA FE. THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT, INCLUDING BUILDING PERMITS. THESE LANDS, AS PLATTED HEREON, MAY BE SUBJECT TO FUTURE TERRAIN MANAGEMENT REGULATIONS AS ADOPTED BY SANTA FE COUNTY. NOTICE: THESE LOTS ARE SUBJECT TO SANTA FE COUNTY FEE AND RESOLVE IMPACT FEES AT THE TIME OF APPLICATION FOR BUILDING PERMITS. LANDS SHOWN HEREON ARE OUTSIDE THE 100 YEAR FLOODPLAIN IN ZONE "X" ACCORDING TO THE FEDERAL FLOOD INSURANCE RATE MAP R-1-NL NO. 500089 (0200). PLANNING TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE. THE SOILS RATING ON THIS SURVEY IS DESIGNATED AS BEING "UNSATURATED" OR "MODERATELY SATURATED" TO BEYOND. POTENTIAL BUYERS/SELLERS OF THESE LOTS SHOULD CONSULT WITH THE SANTA FE COUNTY LAND DEPARTMENT WHETHER THESE SOILS ARE SUITABLE FOR A CONVENTIONAL SEPTIC SYSTEM OR AN ALTERNATIVE SYSTEM IS REQUIRED. SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF THE PRIVATE ROAD EASEMENTS OR ROADS AS SHOWN HEREON. THE CONSTRUCTION OF SAID PRIVATE EASEMENTS OR ROADS SHALL BE THE RESPONSIBILITY OF THE OWNERS OF THE TRACTS SHOWN AND SHALL BE APPLIED FOR AND THEN APPROVED BY THE SANTA FE COUNTY LAND USE ADMINISTRATOR. NEW DRIVE/RAMP ACCESS FROM COUNTY ROAD NO. 113 S IS SUBJECT TO APPROVAL BY THE SANTA FE COUNTY LAND DEPARTMENT. PERMITS ISSUED BY SANTA FE COUNTY FROM TO ISSUING A PERMIT FOR CONSTRUCTION. ALL LANDS SHOWN HEREON HAVE SLOPES OF LESS THAN 15%.

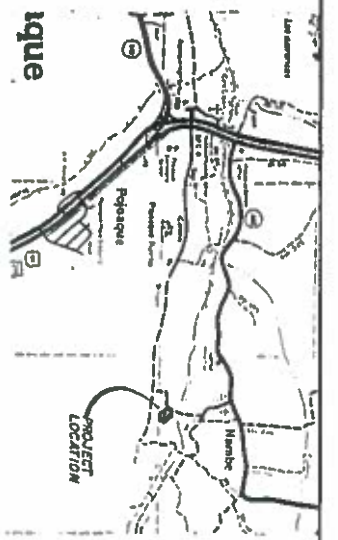
LOT LINE ADJUSTMENT & LOT CONSOLIDATION PLAT

FOR
ARSENIO & NORMA TRUJILLO/BENCKES P. SALAZAR
 WITHIN SECTION 9, T.19N., R.9E., N.M.P.M., BEING A PORTION OF EXCEPTION 157, P.C. 89, P.3, AND A PORTION OF TR. 127, WITHIN THE NAMBE PUEBLO GRANT, SANTA FE COUNTY, NEW MEXICO

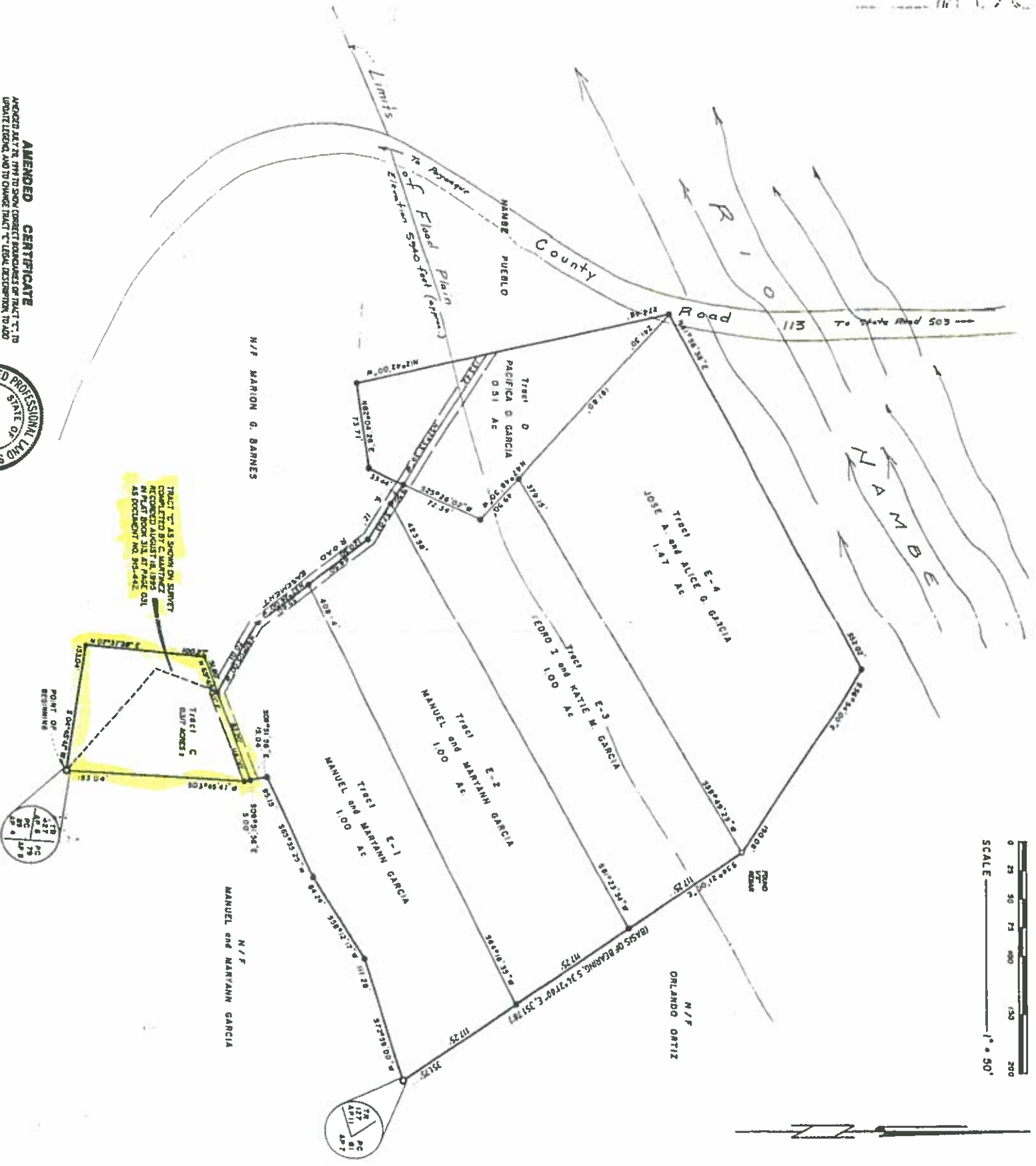
COUNTY OF SANTA FE } SS
 STATE OF NEW MEXICO }
 I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THE 17 DAY OF Oct 19 96 A.D. AT 10:02 O'CLOCK P.M. AND WAS DULY RECORDED IN BOOK 387 PAGE 37 OF THE RECORDS OF SANTA FE COUNTY.
 WITNESS MY HAND AND SEAL OF OFFICE
 JONIA G. ABRAJO
 COUNTY CLERK OF SANTA FE COUNTY, NEW MEXICO
Vicki Blaylock
 DEPUTY



MOCKING FOR COUNTY CLERK
 For Arsenio & Norma Trujillo/Benckes P. Salazar
 10/17/96



Point 1: A line of land being a portion of Tract 127, within the Pueblo Public Grant, in Santa Fe, N.M., T. 19N., R. 9E., S. 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



SCALE 1" = 50'

REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 3995
CO. NEW MEXICO
GONZALO MARTINEZ, N.M.P.L.S. NO. 3995
1221/4 ST. FRANCIS DR., SANTA FE, N.M.
(505) 982-8942

REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 3995
CO. NEW MEXICO
AMENDED CERTIFICATE
APPROVED JULY 2, 1999 TO SHOW NEW LEGAL DESCRIPTIONS, CHANGE TITLE TO SHOW CORRECT BASIS OF BEARING
GONZALO MARTINEZ, N.M.P.L.S. NO. 3995
DATE 7/16/99

REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 3995
CO. NEW MEXICO

LEGEND
○ OPERATES UTILITY SHARED ROAD AND USED
○ OPERATES PRIVATE ROAD AND USED
○ OPERATES UTILITY ROAD WITH SURVEY CAP SET THIS SURVEY
NOTE: GRANTEE'S & DISTRICTS TAKE FROM A PLAT BUILT BY
PLAT OF SURVEY SHOWING LOTS IN PORTION OF TRACT 127
IN SECTION 9, T. 19N., R. 9E., N.M.P.M., COUNTY OF SANTA FE,
NEW MEXICO, DATED APR. 1978 BY GONZALO MARTINEZ, N.M.P.L.S. NO. 3995
NOTE: PORTION OF THIS PROPERTY, S.E. 1/4, SECTION 9, T. 19N., R. 9E., N.M.P.M., AS PER
A, EFFECTIVE DATE, JULY 2, 1980, SURVEY MADE BY 510088 0000
MAINTENANCE OF PRIVATE ROADS AND EASEMENTS IS THE RESPONSIBILITY
OF THE LAND OWNERS.

REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 3995
CO. NEW MEXICO

STATE OF NEW MEXICO ISS 1082 913
COUNTY OF SANTA FE
GONZALO MARTINEZ, N.M.P.L.S. NO. 3995
DATE 7/16/99

PLAT OF SURVEY
SHOWING LANDS IN A PORTION OF TRACT 127,
WITHIN THE NAMBE PUEBLO GRANT,
SECTION 9, T. 19N., R. 9E., N.M.P.M.,
COUNTY OF SANTA FE, STATE OF NEW MEXICO

REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 3995
CO. NEW MEXICO

THE UNDERSIGNED OPERATOR DO HEREBY CERTIFY THAT THE LAND
SHOWN HEREON IS THE PROPERTY OF THE COUNTY OF SANTA FE,
NEW MEXICO, AND IS NOT SUBJECT TO ANY OTHER CLAIM OR
INTEREST AS SHOWN HEREON.
THE LAND SHOWN LIES WITHIN THE NAMBE AND PUEBLO
MUNICIPALITY OF THE COUNTY OF SANTA FE.
GONZALO MARTINEZ
COUNTY CLERK
DATE 7/16/99

STATE OF NEW MEXICO
COUNTY OF SANTA FE
BY COMMISSIONER
DATE 7/16/99
NOTARY PUBLIC

APPROVALS
COUNTY LAND USE ADMINISTRATOR
COUNTY DEVELOPMENT PERMIT NO. 21932
COUNTY LAND USE ADMINISTRATOR
DATE 7/16/99

STATE OF NEW MEXICO
COUNTY OF SANTA FE
I HEREBY CERTIFY THAT THIS INSTRUMENT HAS FILED FOR
RECORD ON THE 16th day of July 1999 AS PER
AT 2:35 PM AND WAS FILED IN BOOK 238 PAGE 678 OF THE RECORDS OF SANTA FE
COUNTY, NEW MEXICO.

WITNESSES BY HAND AND SEAL OF OFFICE
JOHN S. ARRIAS
COUNTY CLERK, SANTA FE COUNTY, NEW MEXICO
DATE 7/16/99

STATE OF NEW MEXICO
COUNTY OF SANTA FE
I HEREBY CERTIFY THAT THIS INSTRUMENT HAS FILED FOR
RECORD ON THE 16th day of July 1999 AS PER
AT 2:35 PM AND WAS FILED IN BOOK 238 PAGE 678 OF THE RECORDS OF SANTA FE
COUNTY, NEW MEXICO.

REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 3995
CO. NEW MEXICO



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

ALBUQUERQUE AREA OFFICE

P.O. BOX 26567

ALBUQUERQUE, NEW MEXICO 87125-6567

IN REPLY REFER TO:

320 - Branch of Real
Estate Services

SEP 01 1992

Memorandum

To: Superintendent, Northern Pueblos Agency
Attention: Real Property Management

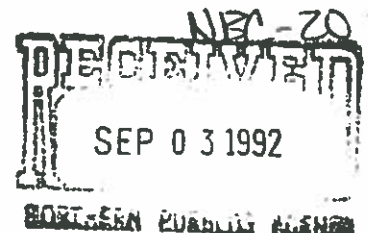
From: Area Director

Subject: Approval of Land Sale - Pueblo of Nambe to Marian G. Barnes

Your August 26, 1992, memorandum submitted for review and approval an Agreement for the Sale of Real Estate and a Deed to convey the property. This is a proposed sale by the Pueblo of Nambe of 0.257 acre of tribally-owned land to Marian G. Barnes to settle a trespass. You did not request the Field Solicitor's review of this transaction since he has already reviewed the Pueblo's Land Consolidation Plan on a previous sale.

Land holdings within the Nambe Pueblo Grant are complicated by the Pueblo Lands Act of June 7, 1924, which gave title to parcels of land within the exterior boundaries of the Pueblo to non-Indian claimants. This resulted in some small isolated tracts remaining in Pueblo ownership which were unusable or inaccessible by the Pueblo. This apparently is one of those small tracts. The Pueblo of Nambe has an approved Land Consolidation Plan and has made prior conveyances pursuant to it. This sale is in accordance with the Pueblo's Plan.

This parcel is a long and narrow strip of land and is only 0.257 acre. The parcel is bounded by a road on the north side, by Ms. Barnes' property on the east side and another private claim on the west side. Evidently Ms. Barnes has been encroaching on the property. Accordingly, the Pueblo negotiated this sale with Ms. Barnes to settle the trespass. The Pueblo feels that this particular conveyance is in its best interest since its use of the subject tract is limited or prohibited because of its location, size and shape. We agree that this conveyance falls within the scope of Nambe's Plan. Accordingly, we have approved the Agreement and the Deed. This approval removes this tract of Pueblo land from trust status. The original and one copy of the Agreement and a copy of the Deed are attached for your records along with the other supporting documents.



The original of this deed has been submitted to the Land Titles and Records Office for recording and will be mailed directly to you after they have finished their recording process.

A handwritten signature in black ink, appearing to be "D. S. [unclear]".

Acting Area Director

Attachments

NBC-21

AGREEMENT FOR THE SALE OF REAL ESTATE

THIS AGREEMENT MADE THIS 19th day of August, 1992,
by and between Marian G. Barnes, of Route 11, Box 82-D, Santa Fe, New Mexico
87501, hereinafter referred to as Party of the First Part and the Pueblo of
Nambe, a community of Pueblo Indians residing within the County of Santa Fe,
State of New Mexico, hereinafter referred to as Party of the Second Part, in
accordance with the Pueblo's Land Consolidation Plan (authorized by the Indian
Land Consolidation Act of January 12, 1959, Public Law 86-419, 90 Stat. 2519,
as amended) and subject to approval by the U.S. Department of the Interior,
Bureau of Indian Affairs.

WITNESSETH:

1. In consideration of the premises, the Party of the Second Part hereby
represents that it is the owner of the land described in this paragraph and
agrees to bargain, sell and convey by sufficient Deed to the Party of the
First Part, the following described lands situated within the County of Santa
Fe, State of New Mexico, to-wit:

See Exhibits "A" which is attached hereto and
made a part hereof. Said real property involves
a tract of land located within Section 9, Township
19 North, Range 9 East, N.M.P.M., and containing a
total of 0.257 acres, more or less.

2. In consideration for the 0.257 acres of Indian land, the Party of the
First Part will pay to: United States of America/BIA in trust for the Pueblo
of Nambe the total sum of Five Thousand, One Hundred Forty Dollars (\$5,140).

3. In consideration of said sale and transfer, the Party of the First Part
hereby agrees to accept the above-mentioned described lands.

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4. The said purchase shall be completed not later than one year from the date hereof.

5. The Party of the Second Part will furnish a Deed covering the said real property described in paragraph (1), without cost to the buyer.

6. The Party agrees that the Deed will reserve all minerals, including oil and gas, to the Party of the Second Part.

7. This Agreement shall be binding upon the heirs, executors, administrators and assigns of the Parties hereto.

IN WITNESS WHEREOF, the Parties set their hands and seals as of the day and year first written above.

Witnesses to Party of the First Part

Party of the First Part

Shelley L. Peltier
Signature

Marian G. Barnes
Marian G. Barnes

Tony R. Roman
Signature

Witnesses to Party of Second Part

Party of the Second Part

Shelley L. Peltier
Signature

Tony E. Vigil
Tony E. Vigil, Governor
Pueblo of Nambe

Tony R. Roman
Signature

THE UNITED STATES OF AMERICA
U.S. DEPARTMENT OF THE INTERIOR

Approved by: [Signature] 9-1-92
Acting Area Director Date
Albuquerque Area Office
Bureau of Indian Affairs

Authority: Indian Land Consolidation Act
January 12, 1983 (96 Stat. 2515)
209 DM 8, Secretary's Order No. 3150
and 10 BIAM Bulletin 17

DEED

The Pueblo of Nambe, whose address is Route 1, Box 117-BB, Santa Fe, New Mexico 87501, herein referred to as Grantor, for consideration paid, grants to Marian G. Barnes of Route 11, Box 82-D, Santa Fe, New Mexico 87501, hereinafter referred to as Grantee, the following described real estate located in Santa Fe County, State of New Mexico:

A tract of land lying and being situated within Section 9, Township 19 North, Range 9 East, within the Pueblo of Nambe Grant, New Mexico Principal Meridian, Santa Fe County, State of New Mexico, containing 0.257 acres, more or less, and being more particularly described on Exhibit "A" which is attached hereto and made a part hereof.

The Grantor reserves all minerals, including oil and gas. This conveyance is made pursuant to the Indian Land Consolidation Act of January 12, 1983, (Public Law No. 97-459, 96 Stat. 2515 as amended), and is subject to any prior valid existing rights-of-way.

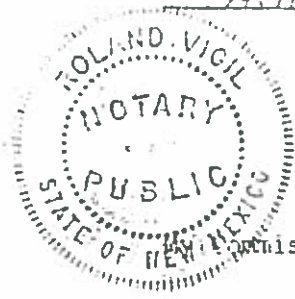
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Witness my hand and seal this 19th day of August, 1992.

Joy B. Vigil
Joy B. Vigil, Governor
People of New Mexico

STATE OF New Mexico)
COUNTY OF Santa Fe) ss.

The foregoing instrument was acknowledged before me on this 16th day of August, 1992, by Felix B. Vigil.



Roland Vigil
Notary Public

Commission Expires: 16th Nov 1992

THE UNITED STATES OF AMERICA
U.S. DEPARTMENT OF THE INTERIOR

Approved by: [Signature]

Acting

Area Director
Albuquerque Area Office
Bureau of Indian Affairs

9-1-92

Date

Authority: Indian Land Consolidation Act
January 12, 1983 (96 Stat. 2515)
209 IM 8, Secretary's Order No. 3150
and 10 BIA Bulletin 1

Exhibit "A" to
Deed and Agreement for
the Sale of Real Estate
Nambe Pueblo and
Marian G. Barnes

MARIAN BARNES - PROPOSED LAND PURCHASE
PARCEL D

SE 1/4, Sec. 9, T. 19 N., R. 9 E., N.M.P.M.
NAMBE PUEBLO GRANT
SANTA FE COUNTY, NEW MEXICO

LEGAL DESCRIPTION

A parcel of land situate within the southeast quarter of section 9, Township 19 North, Range 9 East, New Mexico Principal Meridian, within the Nambe Pueblo Grant, within Santa Fe County, State of New Mexico; being more particularly described as follows:

Beginning at the northeast corner of the herein described parcel of land being a point on a fence line, whence a rebar with aluminum cap, being Angle Point 2 of Tract 127, Ex. 158 bears N. 12°41'06" W., 48.62 feet from whence the G.L.O. brass cap for Angle Point 4 of P.C. 77, P. 2 bears S. 51°07'12" W., 808.94 feet, whence also the east quarter corner of section 9 (calculated) bears N. 78°30'51" E., 1757.28 feet; thence from said point of beginning on the west boundary line of Tract 127, Ex. 158 ~~S. 12°41'06" E., 248.07'~~ to A.P. 3 of Tract 127; thence ~~N. 63°06'52" W., 60.11'~~ feet to A.P. 4 of Tract 127; thence ~~N. 16°16'41" W., 202.71'~~ feet to the northwest corner of the herein described parcel of land; thence ~~N. 69°46'17" E., 56.78'~~ feet to the point of beginning, containing an area of 0.257 acre.

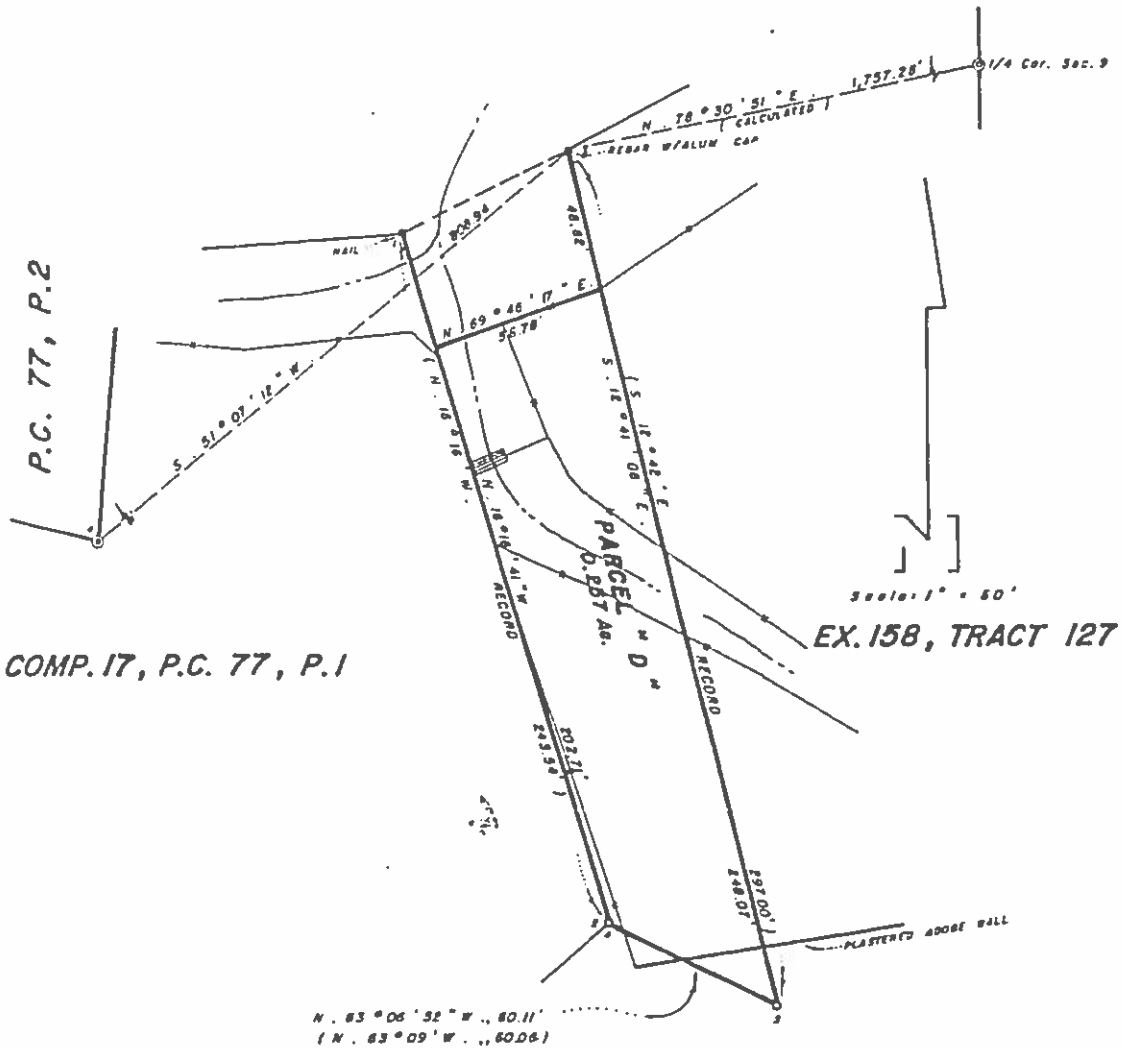
Earl P. Ortiz

Earl P. Ortiz, Land Surveyor
Real Property Management
Bureau of Indian Affairs
Southern Pueblos Agency
June 30, 1992

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MARIAN BARNES PROPOSED LAND PURCHASE

SE1/4 SEC. 9, TOWNSHIP 19 NORTH, RANGE 9 EAST, NEW MEXICO PRINCIPAL MERIDIAN
 NAMBE PUEBLO GRANT, SANTA FE COUNTY, NEW MEXICO



This plat was prepared from field notes of an actual survey made by me or under my supervision, and that all are true and correct to the best of my knowledge and belief.

E. F. Ortiz
 Earl F. Ortiz, Land Surveyor

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FINDING OF NO SIGNIFICANT IMPACT

The Bureau of Indian Affairs proposes to approve Agreements for Sale of Real Estate and Deeds, entered into between the Pueblo of Nambe and three Non-Indians. These individuals include Marian Barnes, Fred Salazar, Jr. and Jose Claudio Ortiz. There are three separate tracts of land involved in the sale. All are located in Section 9, T. 19 N., R. 9 E., N.M.P.M., within the Nambe Pueblo Grant, County of Santa Fe, State of New Mexico. The sale of these tracts of land will settle encroachments of tribal land identified under the Statute of Limitations Program. The Indian Land Consolidation Act of January 12, 1983, and the Nambe Pueblo Land Consolidation Plan will be used as authority for the sale of the land.

Finding

I have determined that the proposed action to approve the aforementioned documents does not constitute a major Federal action having a significant impact on the quality of the human environment; and therefore, an Environmental Impact Statement is not required. My reasons for this determination are based on the following:

1. The above action is categorically excluded from the preparation of either an Environmental Impact Statement or an Environmental Assessment by the Bureau of Indian Affairs at 516 Department Manual 6, Appendix 4.4.I.2.
2. No development, physical alteration, or change of land use is involved.



Superintendent
Northern Pueblos Agency
Bureau of Indian Affairs

AUG 26 1992

Date

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EXCEPTION REVIEW CHECKLIST

This checklist is used to determine whether an individual proposed action which is within a categorical exclusion (516 DM 2, Appendix 1 and 516 DM 6, Appendix 4) nevertheless requires the preparation of an EA.

1. Name and position of person completing this form:

Shirley Bellson, Realty Officer, Northern Pueblos Agency

2. Brief description of proposed action:

The proposed Federal action involves the approval of Agreements for Sale of Real Estate and Deeds executed between the Pueblo of Nambe and three non-Indians under the Indian Land Consolidation Act of January 12, 1983. These documents authorize the sale of small tracts of tribal land to settle trespasses. There are three separate tract of land involved. All are located in Section 9, T. 19 N., R. 9 E., N.M.P.M., within the Nambe Pueblo Grant, County of Santa Fe, State of New Mexico. The tracts sold to the three people contain a total of 0.527 acres, more or less (Marian Barnes 0.257 acres, Fred Salazar, Jr. 0.211 acres and Jose Claudio Ortiz 0.059 acres). Under the Statute of Limitation Program, the fence encroachments of Fred Salazar, Jr. and Jose Claudio Ortiz were identified in early 1980. The Barnes encroachment was discovered in 1990. Acting on a Tribal Council Resolution, the Governor and his staff negotiated settlements.

Background: Land holdings within the Nambe Pueblo Grant are complicated by the Act of June 7, 1924, which gave title to parcels of land within the exterior boundaries of the Pueblo to non-Indian claimants. This resulted in some small isolated tracts remaining in Pueblo ownership which were unusable or inaccessible by the Pueblo.

3. Answer the following questions "Yes" or "No."

Is the action one which may:

- (a) Have significant adverse effects on public health and safety? NO
- (b) Adversely affect such unique geographic characteristics as historic or cultural resources, park, recreation, or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks? NO
- (c) Have highly controversial environmental effects? NO
- (d) Have highly uncertain environmental effects or involve unique or unknown environmental risks? NO

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- significant environmental effects? NO
- (f) Be related to other actions with individually insignificant but cummulatively significant environmental effects? NO
- (g) Adversely affect properties listed or eligible for listing in the National Register of Historic Places? NO
- (h) Affect a species listed or proposed to be listed on the list of Endangered or Threatened Species? NO
- (i) Threaten to violate a Federal, State, local, or tribal law or requirements imposed for the protection of the environment or which require compliance with Excecutive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act? NO

If any question was answered "Yes", an EA is required.

Stanley L. Brown

3/19/92
Date

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UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS
NORTHERN PUEBLOS AGENCY
P.O. BOX 4269 - FAIRVIEW STATION
ESPANOLA, NEW MEXICO 87533

IN REPLY REFER TO:

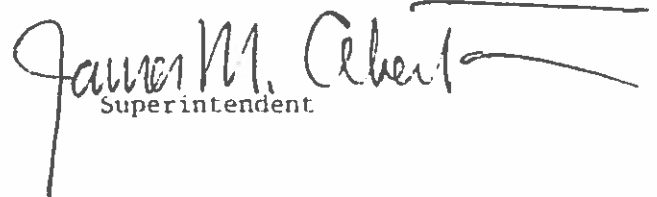
SEP 11 1992

Tony Vigil, Governor
Pueblo of Nambe
Rt. 1, Box 117-BB
Santa Fe, NM 87501

Dear Governor Vigil:

Enclosed are copies of approved land sale documents for Marian G. Barnes, Fred Salazar, Jr. and Jose Claudio Ortiz. Please note that the original deeds will be sent out after recording by the Land Titles and Records Office, which we will forward to each buyer. If you have any questions, contact the Agency Realty Office at 753-1440.

Sincerely,


Superintendent

cc Marian Barnes w/copies of enc.
Fred Salazar, Jr. w/copies of enc.
Jose Claudio Ortiz w/copies of enc.

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