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SENATE JOINT RESOLUTION 15

50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012

INTRODUCED BY

Michael S. Sanchez

A JOINT RESOLUTION

PROPOSING THE TRANSFER OF STATE-OWNED REAL PROPERTY AT THE LOS LUNAS STATE CAMPUS, OLD HOSPITAL SITE, LOS LUNAS, NEW MEXICO, FROM THE STATE TO THE LOS LUNAS PUBLIC SCHOOL DISTRICT.

WHEREAS, Section 13-6-2 NMSA 1978 provides that a state agency may sell or otherwise dispose of real property by negotiated sale or donation to a school district; and

WHEREAS, Section 13-6-3 NMSA 1978 provides that any sale, trade or lease for a period exceeding twenty-five years in duration of real property belonging to any state agency, which sale, trade or lease shall be for a consideration of one hundred thousand dollars (\$100,000) or more, shall be subject to the ratification and approval of the state legislature prior to the sale, trade or lease becoming effective; and

WHEREAS, the property control division of the general

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1 services department owns real property located at the Los Lunas
2 state campus, old hospital site, Los Lunas, New Mexico, more
3 particularly described as certain state-owned tracts of land in
4 Valencia county, New Mexico, located in areas surrounding the
5 Los Lunas state campus, old hospital site, 1000 West Main
6 street, Los Lunas, New Mexico and comprising approximately
7 seventy-one and six-tenths acres in four distinct parcels, one
8 being an orchard of approximately four acres located on the
9 northeast of the old hospital site, a second being
10 approximately fifty-nine and one-tenth acres of rangeland to
11 the west of the old hospital site, a third being approximately
12 four and seven-tenths acres located to the southwest of the old
13 hospital site and a fourth being approximately three and eight-
14 tenths acres located to the south of the old hospital site, as
15 shall be more particularly described in a survey to be
16 completed by the Los Lunas school district prior to the title
17 of the property passing to the Los Lunas school district, and
18 the transfer does not include water rights; and

19 WHEREAS, it may be determined that the property is not
20 needed by the state for any purpose and that it may be
21 transferred; and

22 WHEREAS, the state shall retain appropriate rights of way
23 and easements, and the transfer shall be subject to
24 reservations, restrictions or easements of record; and

25 WHEREAS, the Los Lunas public school district currently

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1 leases portions of the real property for student agricultural
2 and science purposes; and

3 WHEREAS, the real property has a value in excess of one
4 hundred thousand dollars (\$100,000);

5 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
6 STATE OF NEW MEXICO that the proposed transfer of the real
7 property at the Los Lunas state campus, old hospital site, Los
8 Lunas, New Mexico, from the state to the Los Lunas public
9 school district be hereby ratified and approved by the
10 legislature; and

11 BE IT FURTHER RESOLVED that the authorization be
12 contingent upon a determination by the property control
13 division of the general services department that the property
14 is not needed by the state for any purpose; and

15 BE IT FURTHER RESOLVED that the authorization be
16 contingent upon agreement by the parties in the conveyance
17 document that if the Los Lunas public school district no longer
18 needs or uses the property for student agricultural and science
19 purposes, then at the option of the state and at no cost to the
20 state, the property shall be reconveyed by the Los Lunas public
21 school district to the state; and

22 BE IT FURTHER RESOLVED that if the property control
23 division of the general services department determines that a
24 community land grant has the right of first refusal to purchase
25 the property pursuant to Section 13-6-5 NMSA 1978, no transfer

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1 of the property shall be made until the division complies with
2 the requirements of that section; and

3 BE IT FURTHER RESOLVED that the property shall not be
4 transferred until it has been reviewed by the capitol buildings
5 planning commission; and

6 BE IT FURTHER RESOLVED that copies of this resolution
7 be transmitted to the secretary of general services, the
8 capitol buildings planning commission and the superintendent
9 of the Los Lunas public school district.