

TOWN OF EDGEWOOD
ORDINANCE NO. 2000-32

COUNTY OF SANTA FE 1128 } SS 979
STATE OF NEW MEXICO

I hereby certify that this instrument was filed for
record on the 6 day of Sept A.D.
2000 at 10:49 o'clock P.M. and
was duly recorded in book 1805
page 329-309 of the records of Santa Fe County.

Witness my Hand and Seal of Office

Rebecca Bustamante
County Clerk, Santa Fe County, N.M.

[Signature]
Deputy

AN ORDINANCE GRANTING THE PETITION BY OWNERS OF A MAJORITY OF 23.3 ACRES OF TERRITORY CONTIGUOUS TO THE SOUTHEAST BOUNDARIES OF THE TOWN OF EDGEWOOD, NEW MEXICO TO ANNEX THE TERRITORY.

WHEREAS; THE TOWN OF EDGEWOOD owners of a majority of 23.3 acres of territory contiguous to the current southeast boundaries of the Town of Edgewood petition the Town to annex the territory; and zone C-B (Commercial Business). 1805323

WHEREAS, the annexation petition delivered to the Town Clerk complies with the requirements of NMSA 1978, S3-7-17 (Repl. Pamp 1987) and was, prior to signature by petitioners, duly approved by the Town Clerk, pursuant to NMSA 1978, S3-1-5 (Repl. Pamp. 1987) and

WHEREAS, in particular, the annexation petition is accompanied by two maps labeled Exhibits "A" and "B" showing respectively the external boundary of the territory proposed to be annexed and the relationship of such territory to the existing Town boundary; and

WHEREAS, the Governing Body of the Town of Edgewood has determined that the Town is capable of providing municipal services to the territory proposed to be annexed within a reasonable time and that the annexation is in the best interests of the Town as a whole.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF EDGEWOOD THAT:

The territory described and defined in the maps attached hereto as Exhibits "A" and "B" is hereby annexed to the Town of Edgewood and is hereby made subject to all of the laws and ordinances which shall now or hereafter apply to land within the Town limits. Further, the Council hereby directs the Town Clerk to file a copy of the map of the annexed territory in the office of the Clerk of Santa Fe County and of any other County in the event the annexed territory extends into another County and to send copies of the ordinance and of the maps of the territory so annexed to the Secretary of Finance and Administration and to the Secretary of Taxation and Revenue.

APPROVED, PASSED AND ADOPTED this 6th day of September, 2000 at an open meeting held at the Edgewood Community Center, Town of Edgewood, New Mexico.

ATTEST:

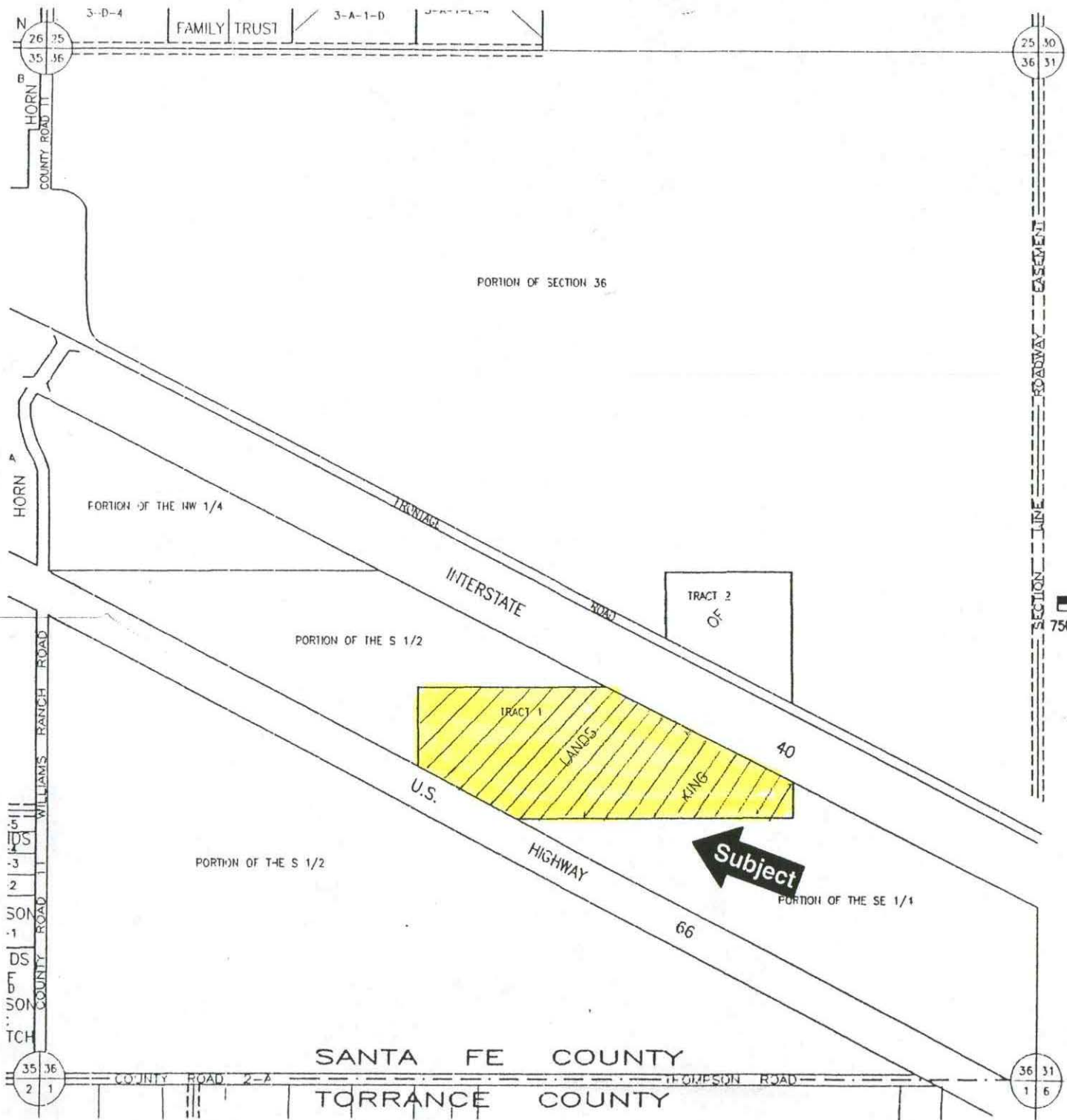
[Signature]

Mayor Pro-Tem / Chuck Ring

[Signature]

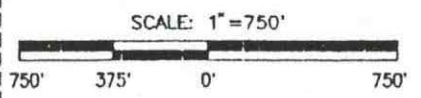
Clerk-Treasurer / Karen Alarid





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ASSOCIATED
DEVELOPMENT INC.



LEGAL DESCRIPTION
T 10 N
R 7 E
SEC 36

UNIFORM PROPERTY CODE
1048054

MAP AMENDED THROUGH
JULY 1, 1997

M 42

1805324
7608

SANTA FE COUNTY
TORRANCE COUNTY

PETITION REQUESTING THE TOWN OF EDGEWOOD TO ANNEX A CERTAIN TERRITORY

Received 8/11

Pursuant to NMSA 1978,3-7-17 the undersigned petitioners request that the Town of Edgewood, by ordinance, grant this petition and annex approximately 23.3 acres of territory contiguous to its current West, North & South boundary. Attached to this Petition as Exhibits "A" and "B", are two maps, the first being a map showing the external boundaries of the territory proposed to be annexed and the relationship of this area to the existing Town boundaries and the second being a map showin the boundaries of the territory proposed to be annexed. The undersigned petitoners own a majority of the number of acres in the area proposed for annexation.

x Laura L King for Charles L. King x 7/28/00
Signature Signature Date
Signed under Power of attorney

x Laura King for Charles King
Print Name Print Name

Legal Description: TRACT 1, LANDS OF CHARLES L. + HELEN ELLEN KING
Owner of approximately 23.3 acres in the area proposed for annexation

Signature Signature Date

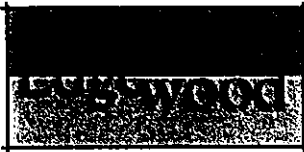
Print Name Print Name

Legal Description:
Owner of approximately _____ acres in the area proposed for annexation

Signature Signature Date

Print Name Print Name

Legal Description:
Owner of approximately _____ acres in the area proposed for annexation



A New Town In New Mexico

Mayor:
Larry Keaty

City Council:
Howard Calkins
Chuck Ring
Gary Chemistruck
Robert Stearley

**Planning & Zoning
Commission:**
Norm Benson
Anthony Anaya
Karen Mahalick
Ed Whitworth

Clerk-Treasurer:
Karen Alarid

Assistant:
Christine Perea

Municipal Judge:
Carole Apple

**Planner &
Code Enforcer:**
Kelly Moe

August 10, 2000

Jeanie Rathbun
Rathbun Realty

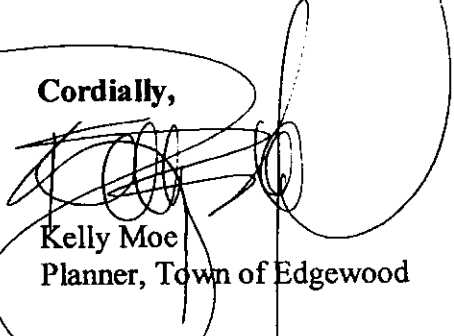
Re: Planning/Zoning Considerations for proposed annexation

Ms. Rathbun :

In my estimation, the property in question formerly Tract 1, Lands of King, TION R7E SEC 36 lies within the *proposed* primary commercial corridor of the Town of Edgewood, and therefore, will be zoned CB (Commercial Business) if annexed. No special permits are currently required in a CB zone for a general contracting business, unless on-site materials processing or manufacturing is involved. Unless any such special permit is required, there will be no other impediments to obtaining a business license for a general contracting operation. Also, there are no lot-size requirements or limitations in a CB zone.

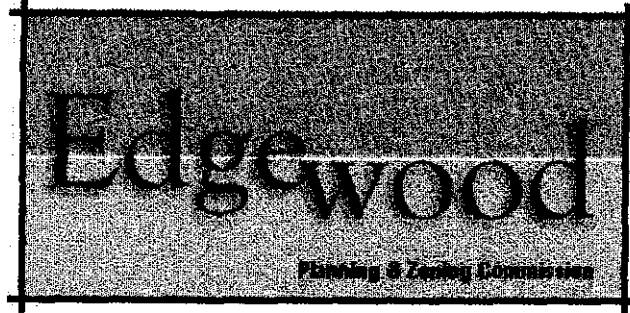
I hope this information is useful. Please don't hesitate to contact me, if you have any other questions.

Cordially,



Kelly Moe
Planner, Town of Edgewood

File path c:\plan zone\annexations\charles king\letter-Rathbun-081000



REGULAR MEETING

AUGUST 26, 2000,

Members Present: Tony Anaya, Norman Bentzen, Gerald Miller, Karen Mahalick

Members Absent: Ed Whitworth

1. Call to order
2. Approve agenda-Add to agenda- Discussion items only.
 - Motion to add:
 - the Swearing in of Gerald Miller
 - Discussion on the pending zoning request from George L. Bassett re: 4 tracts on Section 35 W ¼ Corner T10N R 7E.
 - Comments on the draft of the Comprehensive Plan
 - Idea of monthly meetings vs. biweekly
 - Action passed
3. Swearing in of Gerald Miller by Judge Apple.
4. Approval of the minutes from August 12, 2000
 - Action passed
5. Preliminary Application for a minor Subdivision to create 4-1.25 acre lots in Section 35, T10N, R7E, Beverly Garrett, Applicant:
 - Motion as this minor subdivision fulfills all requirements motion by Norman Bentzen to accept.
 - Action passed
6. Discussion: Zoning of land to be annexed at the September 6, 2000 Council meeting:
 - Comments: all zoning was done in accordance with the precedents previously set by the zoning commission, the expressed inclinations of the Town Council and residents. Commercial zoning was directed to 2000-31 and 2000-32 as it represents land surrounded by commercial property.

The zoning commission would like to bring it to the councilors attention that the file for 2000-33, an annexation request for 59 acres, contains a land use violation. The zoning commission recommends R-1 for this land if annexed, but the Council must understand that any prevailing land use will be grandfathered, in accordance with the Zoning Ordinance.

2000-30 R-1
2000-31 C-B
2000-32 C-B
2000-33 R-1
2000-34 R-1
2000-35 R-1
2000-36 R-1

7. Discussion of the Comprehensive Draft:
 - A. Mr. Steve Alejarando had some questions of statements in the comprehensive draft referencing animal control and a concern that the future impact of growth on landowners with large domestic farm animals. Persons owning burros, horses, llamas, etc. are concerned that there is not a statement in the plan protecting their way of life and impacting their ability to sell their land as a result.
 - B. The Commission unanimously requests a statement referencing the desire for future placement of utility services be underground as are the services for Section 16. This request is specifically directed toward the northernmost sections of Edgewood which comprise a great deal of flat land.
8. The commission is debating the idea of going back to the original monthly meetings as the development requests are slowing. Feedback is requested from Staff and Council.
9. In review of the zoning change request made by the Bassett/King entity the commission would like to find out more about the proposed land sale and to get feedback from neighboring residents about the idea of the Lafarge Corporation extending its operations. This matter will be set-up for a public hearing as soon as possible.
10. Adjourn

Norman Bentzen President

**EDGEWOOD TOWN COUNCIL
REGULAR MEETING
SEPTEMBER 06, 2000**

CALL TO ORDER Mayor Pro Tem, Chuck Ring called the meeting to order at 6:35 PM. Those present were: Councilors; Chemistruck, Calkins, Stearley. Also, in attendance were Kelly Moe, Planner, Karen Alarid, Clerk and Judge Apple.

APPROVE AGENDA Motion was made by Councilor Chemistruck to approve agenda as submitted; seconded by Howard Calkins. All voted aye. Motion carried.

APPROVE MINUTES Motion was made by Gary Chemistruck to accept minutes from regular meeting of August 16, 2000. Howard Calkins seconded. All voted aye. Motion carried.

JUDGE'S REPORT Town Clerk, Karen Alarid read the report as follows:
0 Cases, 0 Fines, 0 Fees for Month of August.

PUBLIC HEARINGS A map was presented to Council and the public showing the areas being considered for annexation. Comments were welcomed on each subject.

2000-30 Gary made motion to adopt ordinance 2000-30 reference annexation of 158 acres. Bob Stearley seconded motion. All voted aye; motion carried. (Zoned R-1)

2000-31 Howard made motion to adopt ordinance 2000-31 reference annexation of 41.35 acres. Bob seconded motion. All voted aye; motion carried.(Zoned CB)

2000-32 Gary made motion to adopt ordinance 2000-32 reference annexation of 23.3 acres. Bob seconded motion. All voted aye; motion carried. (Zoned CB)

2000-33 After some discussion regarding this request; (to annex 59 acres), motion was made by Councilor Stearley, to table this ordinance. There are some issues still being decided by Santa Fe County in regard to some violations not yet resolved. Motion was seconded by Howard. All voted aye; motion to table was carried. (Zoned R-1)

2000-34 Motion was made by Bob to adopt ordinance 2000-34 reference annexation of 5 acres. Motion was seconded by Gary Chemistruck. All voted aye, motion carried. (Zoned R-1)

2000-35 Motion was made by Howard that this request of 120 acres be declined because it did not meet "in fill" requirements because of its location within the desired boundaries. Gary seconded motion to decline this request. All voted aye, motion carried. (Zoned R-1)

2000-36 Motion was made by Bob to adopt ordinance 2000-36 reference annexation of 5 acres. Motion seconded by Gary. All voted aye. Motion carried. (Zoned R-1)

2000-37 Motion was made by Bob to adopt ordinance 2000-37 reference annexation of 3.5 acres. Gary seconded motion. All voted aye; motion carried. (Zoned R-1)

COMPREHENSIVE PLAN A short presentation was made by members of SMPC Architectural Firm and Consensus Planning. The final draft will be reviewed at a public hearing during the next regular scheduled meeting. Motion was made by Bob to review the final draft after the public hearing on 9/20 meeting and take action during the first regular meeting in October. Howard seconded the motion. All voted aye, motion carried.

BIDS FOR ROAD MATERIALS Motion was made by Howard to reject all bids and take new bids. Gus Garcia, head of Road Maintenance, will meet with Raymond Dennis to decide exactly what are the most suitable materials for each particular road. After they report back to Council and Staff, new requests for bids will be sent out. Bob seconded the motion to go out for new bids. All voted aye, motion carried.

BIDS ON ROLLER Only two bids were submitted by the deadline of 12:00 noon on Wednesday, September 06. These were Rust Tractor coming in at: \$55,406.00 and Tom Growney Equipment coming in at: \$49,920.00. Motion was made by Howard to Accept the low bid, seconded by Gary. All voted aye, motion carried.

**UTILITIES AT #14
CR #7**

This location is owned by Councilor Calkins. He allows the town to use this as the yard for road equipment and materials. He asked that the Town pay for utilities,(garbage, electric, water) at this location. Karen Mahalick asked what the Town is paying for rent of the property. She was advised there is no fee being paid or requested by the owner. Motion was made by Councilor Chemistruck and seconded by Councilor Stearley. All voted aye, motion carried.

**WATER SUPPLY
ORDINANCE**

Councilor Stearley drafted a proposed ordinance patterned after Santa Fe County ordinance. He asked it be reviewed by Planning and Zoning and report back to Council. Motion was made Bob and seconded by Chuck to let Planning and Zoning review the proposed ordinance. All voted aye, motion carried.

P & Z REPORT

- (a) Gary made motion to accept P&Z recommendation for minor subdivision in section 37 (Beverly Garrett.) Seconded by Howard. All voted aye, motion carried.
- (b) Motion was made by Bob to accept their zoning designation for annexed areas: 2000-30, 2000-33 through 2000-36. Gary seconded the motion. All voted aye, motion carried.
- (c) Request to annex Bassett/King property was tabled, pending more information from the adjacent property owners. Motion to table was made by Gary and seconded by Howard. All voted aye, motion carried.

LIBRARY

Motion was made by Howard to refuse the Library's request for monies to buy a portable building. Bob and Gary seconded. All voted aye, motion carried.

REPORTS

Town Planner, Kelly Moe updated the Council and audience on different subjects including: zoning ordinance, police protection, animal control and fire protection. Gus Garcia spoke briefly about the roads.

**PAYMENT OF
BILLS**

Motion was made by Gary to accept the bills as submitted by Town Clerk, Karen Alarid. Seconded by Howard. All voted aye, motion carried.

ADJOURN

Motion was made by Gary to adjourn at 8:30 PM.
Seconded by Howard.

APPROVED

Approved, adopted and passed this 06 day of Sept., 2000


Mayor, Larry Keaty

ATTEST:


Clerk, Karen Alarid