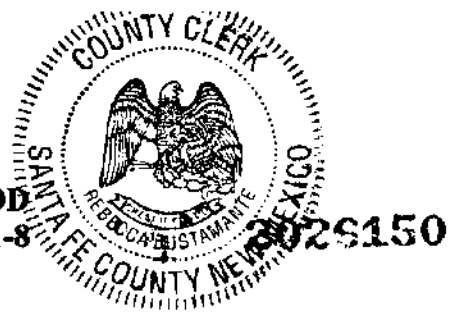


1183-907

COUNTY OF SANTA FE  
STATE OF NEW MEXICO  
I hereby certify that this instrument was filed for  
recording on the 7th day of November, A.D. 2001  
at 1:50 p.m. at 1:50 p.m. on page 151  
of the records of Santa Fe County.  
Witness my Hand and Seal of Office  
Rebecca Bostamante  
County Clerk, Santa Fe County, N.M.  
Deputy



**TOWN OF EDGEWOOD  
ORDINANCE NO. 2001-8**

**AN ORDINANCE GRANTING THE PETITION BY THE OWNERS OF A MAJORITY OF APPROXIMATELY 1.0 ACRES OF TERRITORY CONTIGUOUS TO THE NORTHEAST BOUNDARY OF THE TOWN OF EDGEWOOD, NEW MEXICO TO ANNEX THE TERRITORY.**

WHEREAS; THE TOWN OF EDGEWOOD owners of a majority of 1.0 acre of territory contiguous to the current northeast boundaries of the Town of Edgewood petition the Town to annex the territory; and zone R-1.

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 7th day of November, 2001 at an open meeting held at the Edgewood Community Center, Town of Edgewood, New Mexico.

Howard Calkins  
Mayor / Howard Calkins

ATTEST:  
Karen Alarid  
Clerk-Treasurer / Karen Alarid

2001-8



PETITION FOR ANNEXATION

Pursuant to NMSA 1978, 3-7-17, the undersigned petitioner(s) requests that the Town of Edgewood, by ordinance, grant this petition for annexation of land(s) contiguous to the municipal limits.

Petitioner(s): Matthew Acine Telephone: 286-8450
(Attach proof of ownership: If not owner, must also provide notarized statement of authorization from owner.)
Mailing Address: P.O. Box 3791 Edgewood N.M. 87015

Signature: Math Acine Date: 10-11-01
Signature: Christine A. Acine Date: 10-11-01

LEGAL DESCRIPTION OF PROPERTY: (Attach additional sheets as necessary.)
01 Acre run west
Lot 1 of Del Norte Sub - Edgewood (Lot 1, Block 'A')
TION RTE Sec 22 NMPM, Santa Fe County

TOTAL ACREAGE OF PROPERTY: 1 acre

REQUESTED ZONING DESIGNATION FOR PROPERTY: R-1
(Please note that the final zoning designation by City Council may differ from the requested designation.)

INSTRUCTIONS: Type or print clearly on this form and attach a map showing the external boundary of the territory proposed for ANNEXATION, and its relationship to the existing boundary of the TOWN of EDGEWOOD. Territory proposed for annexation must be contiguous to the existing limits of the TOWN.

NOTE: Although deemed effective at the time of filing with the County Clerk, annexations do not become complete until 30 days (thirty) after such filing, being subject to public appeal in District Court during said period.

WE HEREBY CERTIFY THE FOREGOING IS A TRUE COPY OF THE ORIGINAL THEREOF. FIDELITY NATIONAL TITLE

**WARRANTY DEED**  
(Joint Tenants)

Joe Quinonez, a single man, for consideration paid, grant to **Matthew G. Heine and Christine D. Heine, husband and wife as Joint Tenants** whose address is **01 Quail Run, Edgewood, NM 87015**

as joint tenants the following described real estate in Santa Fe County, New Mexico:

Lot 1 Block A as Shown and Delineated on "Plat Phase 2, Block A, DEL NORTE SUBDIVISION", filed January 23, 1992, as Document No. 761,080 and Recorded in Plat Book 231, Page 041, in the Office of the County Clerk of Santa Fe County, New Mexico.

with warranty covenants.

**SUBJECT TO** Patent, reservations, restrictions, and easements of record and to taxes for the year 2001, and subsequent years.

Witness my hand and seal this 17th day of November, 2000

\_\_\_\_\_  
Joe Quinonez

**ACKNOWLEDGMENT FOR NATURAL PERSONS**

STATE OF NEW MEXICO

COUNTY OF Bernalillo

This instrument was acknowledged before me on November 17, 2000  
by Joe Quinonez

(Name or Names of Person or Persons Acknowledging)



OFFICIAL SEAL  
**JANICE METZ**

NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: \_\_\_\_\_

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

**ACKNOWLEDGMENT FOR CORPORATION**

STATE OF NEW MEXICO

COUNTY OF Santa Fe

**FOR RECORDER'S USE ONLY**

This instrument was acknowledged before me \_\_\_\_\_

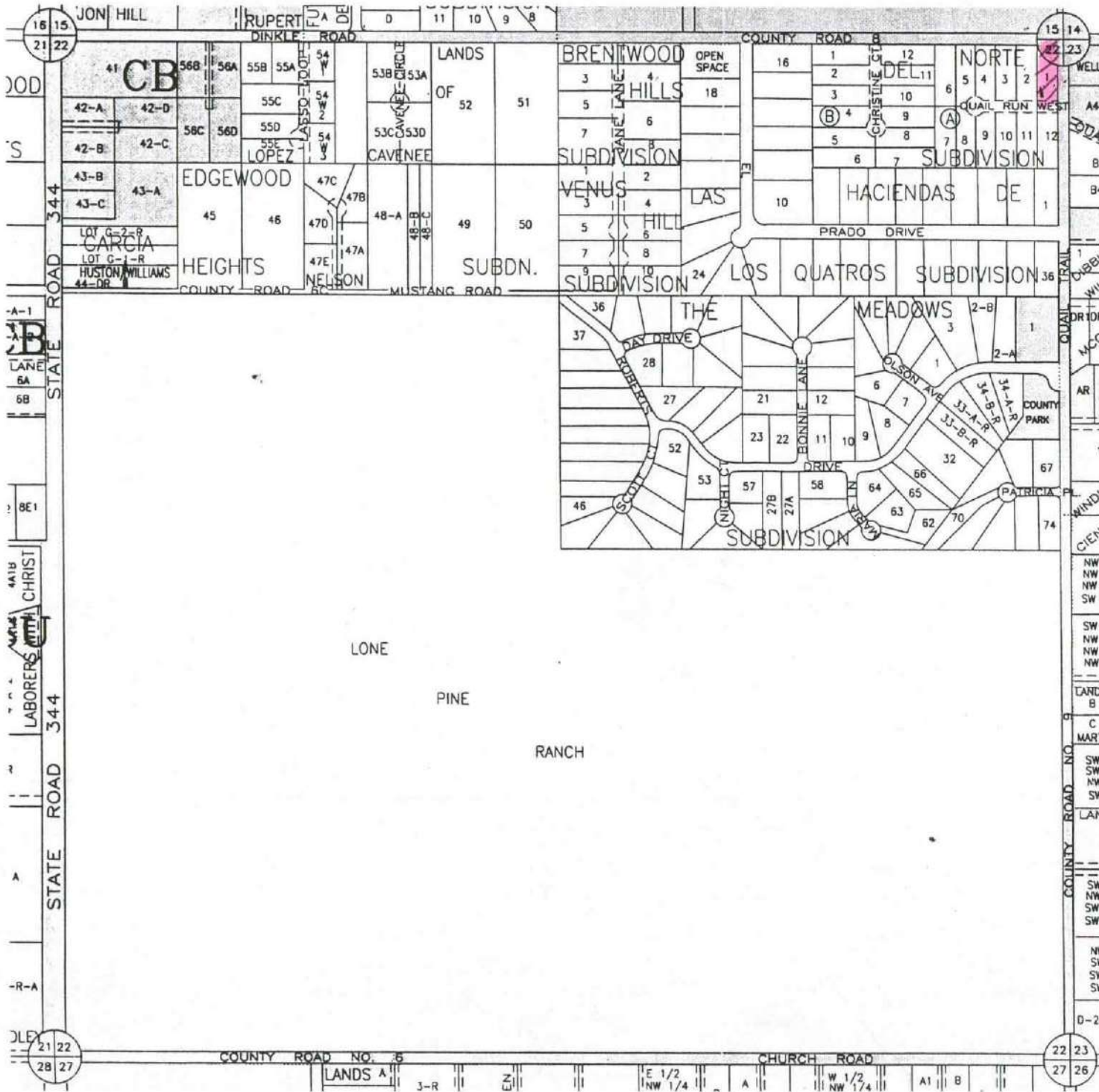
by \_\_\_\_\_  
(Name of Officer)

\_\_\_\_\_ of \_\_\_\_\_  
(Title of Officer) (Name of Corporation Acknowledging)

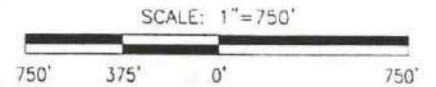
a \_\_\_\_\_ corporation, on behalf of said corporation.  
(State of Incorporation)

My commission expires: \_\_\_\_\_  
(Seal)

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



COPYRIGHT 1999  
 ALL RIGHTS RESERVED  
 ASSOCIATED  
 DEVELOPMENT, INC.



LEGAL DESCRIPTION  
 T 10 N  
 R 7 E  
 SEC 22

UNIFORM PROPERTY CODE  
 1042057

MAP AMENDED THROUGH  
 JULY 1, 1999

K 40

2026151

2001-5

**Edgewood Planning & Zoning  
Commission  
Regular Meeting  
10/15/01**

- Call to Order**           The meeting was called to order at 6:00 P.M.
- Members Present**       Eldy Gillmer, Karen Mahalick, and Jerry Miller.
- Members Absent**       Ray Seagers, Ed Whitworth
- Approve Agenda**       Kelly Moe requested the following changes to the agenda.  
                          a. Item #6 change the Lands of Garrett to Lands of Gary Lowry  
                          b. Addition of item review and discussion of the subdivision plat of  
                              Section 16 including Tract "C", the future development by the  
                              Town of Edgewood for the municipal center.  
The motion was made by Jerry Miller that these changes be made to the  
agenda. Eldy Gillmer made a second. The motion passed.
- Swearing in of  
Commissioner  
Brad Hill**               Judge Apple swore in new member Brad Hill replacing Anthony Anaya.
- Approve minutes  
of 10/01/01**             Eldy Gillmer made the motion that the 10/01/01 meeting minutes be  
approved. Jerry Miller seconded the motion. The motion passed.
- Hearing date for  
sign setback for  
the Church of the  
Holy Cross**             This request is for a variance hearing on the 15-foot setback for the  
entry of the Church sign on Hill Ranch Road. The motion was made by  
Jerry that a public hearing be scheduled to hear this request. Eldy  
Gillmer seconded the motion. The motion passed.
- Preliminary  
review of the  
Lands of Gary  
Lowry  
Subdivision**           This preliminary request is for the minor subdivision of the Lands of  
Lowry located on Kennedy Rd. Tract 1-R-3 SE SE1/4 of Section 35,  
T10N,R7E, NMPM to consist of four (4) lots. Tim Oden of Associated  
Development, representing the developer, addressed concerns from the  
10-01-01 meeting. Previous concerns were:  
                          a. Current taxes paid.  
                          b. Confusion concerning names of Beverly Garrett and Gary Lowry  
                              concerning ownership.  
                          c. Proper signature lines on the plat.  
All concerns were met, it was further requested that indication of a  
culvert be noted at the entry of Kennedy Rd. Mr. Oden stated he would  
add this to the plat drawing.  
Jerry Miller made the motion that the Commission recommend to  
Council an approval of this minor subdivision. Eldy Gillmer seconded  
the motion, the motion passed.

Preliminary review of minor Subdivision for Lands of Pitts

This request refers to tracts 1,2, & 3 Lands of Pitts, Section 35, T10N, R7E, NMPM Commission concerns relating to this minor subdivision included:

- a. Availability of water and sewer.
- b. Access to each lot even though a state highway permit has been issued for Tract 3.
- c. Inclusion of a Santa Fe county Treasurers signature line indicating that current taxes are paid.
- d. Fire Marshall review and recommendations
- e. Site surface drainage issues and indications of required culverts
- f. Any road easements if so required.
- g. All necessary signature lines.

Jerry Miller made the motion that this request be tabled until the commission concerns could be addressed. A second was made by Brad Hill. The motion passed.

Zoning designation of R-1 for Lands of Matthew Heine for potential annexation

This zoning request is for Lot 1, Blk. A, Del Norte Subdivision, Section 22 at the corner of Dinkle and Quail Rds.

Eldy Gillmer made the motion that the Commission recommend R-1 for this property being presented to Council for annexation. A second was made by Jerry Miller, the motion passed.

Preview of Airport Site Development Plan

Tim Oden of Associated Development, the designated agent for the eastern part of this development presented booklets which describes the proposed full development of Sandia Airpark Estates and Aero Monte Vista located within the N ½ of Section 14 and within the N ½ of Section 13 T10N, R7E, NMPM

Mr. Oden related that the Airport Park property owners feel they have met all of their portion of the overall development. Owners of the east properties, known as Aero Monte Vista would like to move ahead with the whole development plan. Mr. Oden indicated that the plan is now ready for formal public hearing presentation which would include a request for SU-1 zoning designation. Mr Moe stated that there are pending subdivision requests being held up until the overall development plan has been agreed upon and approved by the Town. He does plan to meet with property owners within this development in order to address their concerns.

With the review of the site development plan booklet, resident comments and reference to previous meetings concerning this matter, the commission will be better ready to make further comments regarding this plan. This plan will be brought before the Commission at their next schedule meeting for more definitive recommendations.


**Section 16  
Discussion**

Kelly Moe presented the Commissioners with copies of a plat of State Land, Section 16 that includes Tract "C", the proposed Town of Edgewood development. This plat will be presented to the state in order to obtain a release of the Town's planned development. There already is an interim agreement in place. Further discussion relating to this plat with it's subsequent development will be placed on the 11/05/01 meeting agenda.

**Adjourn**

Eldy Gillmer made the motion for adjournment. Brad Hill seconded the motion, the motion passed.

**Signed,**



**Karen A. Mahalick  
Chairman**

**EDGEWOOD TOWN COUNCIL  
REGULAR MEETING**

November 07, 2001

- CALL TO ORDER** Mayor Howard Calkins called the meeting to order at about 6:30 P.M. Councilors: Ring, Lasky, Stearley and Chemistruck were in attendance. Also, in attendance were Karen Alarid, Town Clerk and Judge Carole Apple.
- APPROVE AGENDA** Gary made motion to approve amended agenda. Frank seconded the motion. All voted aye; motion carried.
- APPROVE MINUTES  
OCTOBER 17, 2001** Gary made motion to approve minutes from regular council meeting of October 17, 2001. Councilor Lasky seconded the motion. All voted aye; motion carried.
- JUDGE' REPORT** Karen Alarid read the Judge's report for the month of October as follows: 1 case pending, 0 fines, 0 fees collected. Gary made motion to acknowledge the Judge's report as read by Karen. Chuck seconded the motion. All voted aye; motion carried.
- PUBLIC HEARINGS**
- a. to annex 1.0 acres - owner-Heine** This property is located at the corner of Dinkle & Quail Trail. This request is for an ordinance to annex 1.0 acres into the town. The Mayor asked for public comment, there was none. Karen Mahalick of P & Z reported that if approved, they recommend that it be zoned R-1. Chuck made motion to approve an ordinance to annex approximately 1.0 acres of territory contiguous to the Northeast boundary of the Town, with a R-1 zoning designation. Gary seconded the motion. All voted aye; motion carried.
- b. to annex ¾ acres; owner-Heine** This property is located on Old Highway 66 west of County road 7 and State road 333. This request is for an ordinance to annex approximately ¾ acres to the Town. The mayor asked for comments from the public; there was none. He then asked the property owner, Thomas Heine, if he'd like to say a few words. Mr. Heine explained the intent use for the property is a car wash and "lube & go".



) )  
Karen Mahalick gave P & Z's recommendation for C-B designation, stating that the owner has in place, an extensive plan for filtration. Chuck made motion to approve an ordinance to annex ¾ of territory contiguous to old Highway 66 (west of CR7 and SR 333) boundary of the Town. Bob seconded the motion; all voted aye; motion carried.

**c. Amend Zoning Ordinance**

Karen Mahalick of P & Z explained the reason for the amendment to include Commercial Wireless Communication Facility is to provide service without causing a negative impact to the area. She answered a few questions from Council. She asked for input from the public; there was none. Chuck made motion to approve amending the Comprehensive Zoning Regulations for the Town to include *Commercial Wireless Communication Facility*. Gary seconded the motion; all voted aye; motion carried.

**PLANNING &  
ZONING MINUTES  
OCTOBER 15, 2001**

Gary made motion to acknowledge Planning & Zoning minutes from October 15<sup>th</sup> meeting. Frank seconded the motion. All voted aye; motion carried.

**VARIANCE:  
Church of Holy  
Cross**

This is a request from the Church of the Holy Cross for a variance on the sign ordinance. P & Z had previously reviewed the request and felt that gas utilities and easements hinder movement of sign, also, that they are within the guidelines of ordinance and have addressed safety issues. P & Z recommends approval. After a few questions from Council, Gary made motion to grant variance on sign ordinance to Church of the Holy Cross. Bob seconded the motion. Chuck voted nay; Gary, Bob and Frank voted aye; motion carried.

**EVEDA**

Myra Pancrazio, director of EVEDA, gave a quarterly report but in the future the reports will be provided by the board of EVEDA, not the director. Frank Lasky and Chuck Ring are the representatives from Edgewood on the committee. She thanked the Town for their \$25,000 contribution towards the regional efforts towards a common development. December 20<sup>th</sup>, EVEDA will have an open house in Moriarty where they currently have their offices. No action was required.

**FMSM  
AGREEMENT**

Kelly went over several changes that have been made to the original agreement. The Mayor had been previously authorized to negotiate the agreement with the architects (FMSM) for Section 16. Frank made motion to approve the agreement with FMSM, architects for the Health Care Facility. Gary seconded the motion. All voted aye; motion carried.

Town of Edgewood  
Tourism Grant Update  
& Run Rock & Rally

Linda Burke passed out a colored brochure that promotes the Town of Edgewood. It promotes Edgewood as "The Southern Gateway to Santa Fe County." Chuck made motion to accept the brochure as presented by Parks & Rec department. Gary seconded the motion. All voted aye; motion carried. Chuck also made motion that Run, Rally, Rock continue to be a yearly event. Gary seconded the motion. All voted aye; motion carried.

PARKS & REC  
PROJECT REPORT

Roger Alink and Rene McClure of the Parks & Recreation program gave an update of the projects that have been completed and the projects still needing to be finished. He would like to request an additional \$2,000 to complete some projects that need to be completed. Chuck made motion to approve an additional \$2,000 to complete the projects that are already started. Bob seconded the motion. All voted aye; motion carried.

HOMESTEAD  
BUILDING  
PRESERVATION

Linda Burke also reported on this project. It would be a temporary library location under the adaptive re-use program, until the library at Section 16 is built. A possible use also, would be an art gallery for local artists to display their work. She also mentioned a possible negotiation with Smiths to do a lease or purchase/option. Building could be registered as a "cultured" building. No action was required.

PROPOSED NOISE  
ORDINANCE

Chuck made motion to table this item for staff review and P & Z, if applicable. Gary seconded the motion to table. All voted aye; motion carried.

REPORT FROM  
PLANNER

a)

Town Planner Kelly Moe reported that the bid for master developer to the State Land Office had opened on October 29. Interviews are scheduled for Wednesday November 14<sup>th</sup>. Process to choose the master developer has been slower than anticipated but has fit in well with the pace.

b)

Kelly gave a brief presentation to Council and went over the handout he had given them with the most current annexation document. A public meeting has been scheduled November 27<sup>th</sup> at the Edgewood Elementary School. Mr. Robert Gately of Campbell Farming was present but did not speak. Kelly said the negotiations with Campbell Farming have taken several months longer but needed that time to secure the best benefits to the Town. Other lands have been included in the

annexation request. Kelly presented several maps showing the properties now included in the request. No action required.

**LETTER TO STATE  
HIGHWAY DEPT.**

Agreement with the State Highway Department Coop program will expire on December 31<sup>st</sup>. Karen has asked Council to authorize Mayor to ask for a six month extension. Gary made motion to authorize Mayor to ask for a six month extension on the agreement. Chuck seconded the motion. All voted aye; motion carried.

**RFP for TOWN  
ATTORNEY**

Karen reported that the office received two responses to the Request for Proposal for Town attorney. They were Dennis Wallin and Coppler & Mannick. Council will rate and rank as soon as possible and return to Karen. #1 chosen will be interviewed at November 21<sup>st</sup> closed session of regular meeting. No action required.

**SWEENEY  
ANNEXATION**

Chuck made motion to approve annexation for Mr. Sweeney contingent that Mr. Sweeney follow Fire Department requirements. Gary seconded the motion. All voted aye; motion carried.

**PAYMENT OF BILLS**

Chuck made motion to pay bills for October as submitted by Karen Alarid. Gary seconded the motion. All voted aye; motion carried.

**CLOSED SESSION**

Gary made motion to go into closed session at this time; Chuck seconded the motion. All voted aye, motion carried. Council went into closed session pursuant to State Statue 10-15-1 (H(2)) at 8:40 PM.

**RECORD ACTION  
RE: CLOSED  
SESSION**

Chuck made motion to authorize Town of Edgewood to pay Paul Linville two weeks severance pay, Gary seconded the motion. All voted aye; motion carried. Chuck made motion to authorize Mayor to hire a temporary supervisor at \$12.50 an hour and advertise for Superintendent of Public Works position immediately. Gary seconded the motion. All voted aye; motion carried.

ADJOURN

Closed session adjourned at 9:11 PM

Approved, adopted and passed this 21st day of November 2001.

  
\_\_\_\_\_  
Mayor, Howard Calkins

ATTEST:   
\_\_\_\_\_  
Clerk, Karen Alarid