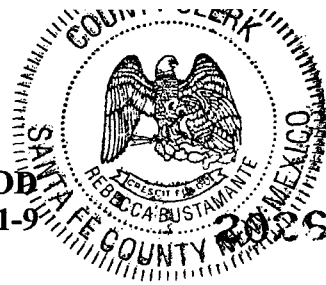


COUNTY OF SANTA FE
STATE OF NEW MEXICO
I hereby certify that this instrument was filed for
record on the 11 day of NOV A.D.
20 01 at 1:18 o'clock PM and
was duly recorded in book 2026 page
152 - of the records of Santa Fe County.
153 Witness my Hand and Seal of Office
Rebecca Bustamante
County Clerk, Santa Fe County, N.M.
Rebecca Bustamante
Deputy

**TOWN OF EDGEWOOD
ORDINANCE NO. 2001-9**



AN ORDINANCE GRANTING THE PETITION BY THE OWNERS OF A MAJORITY OF APPROXIMATELY ¾ OF AN ACRE OF TERRITORY CONTIGUOUS TO OLD HIGHWAY 66 (WEST OF CR7 AND SR 333) BOUNDARY OF THE TOWN OF EDGEWOOD, NEW MEXICO TO ANNEX THE TERRITORY.

WHEREAS; THE TOWN OF EDGEWOOD owners of a majority of ¾ of an acre of territory contiguous to Old Highway 66 (West of CR7 and SR 333) boundary of the Town of Edgewood petition the Town to annex the territory; and zone C-B.

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.

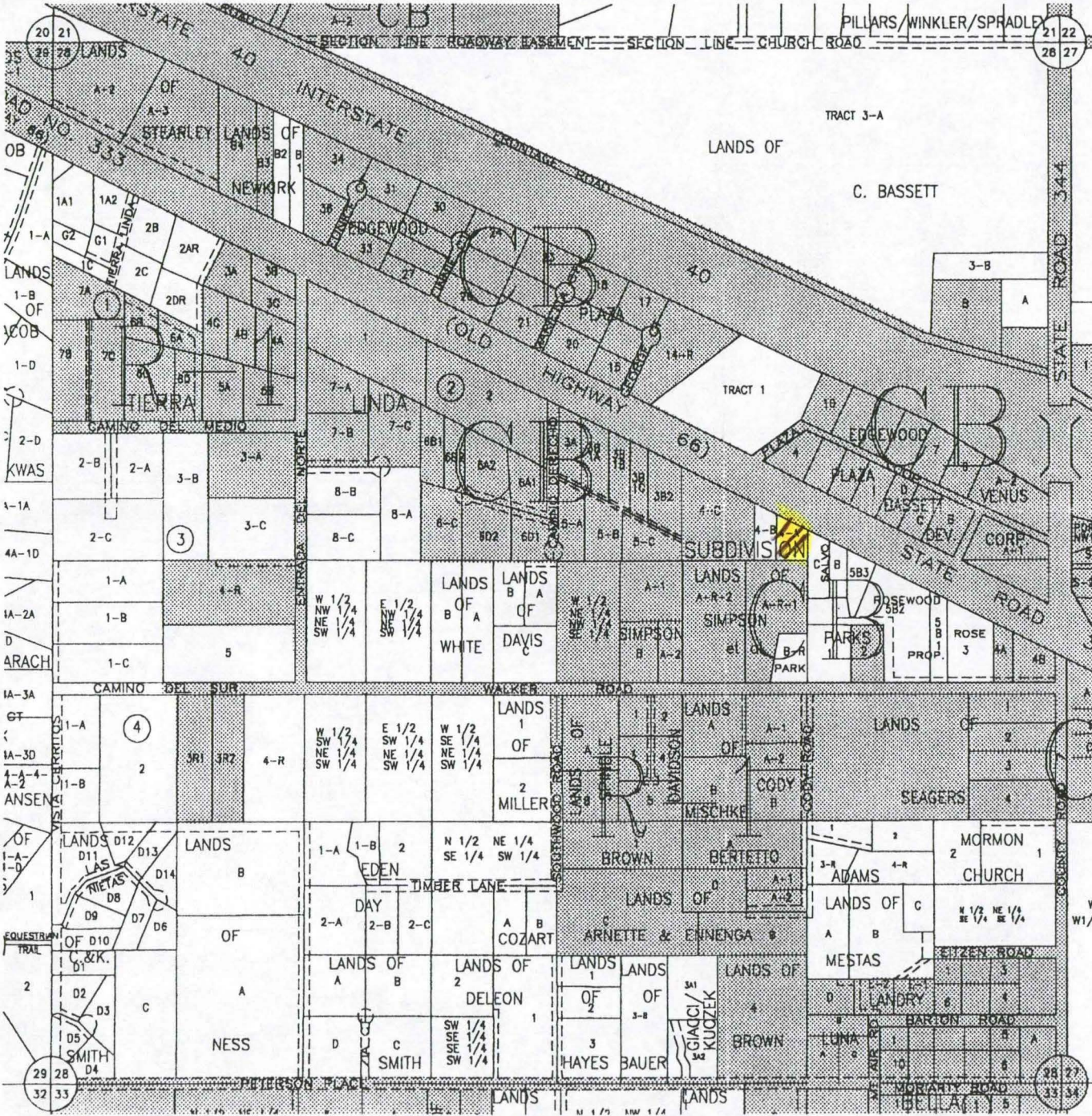
APPROVED, PASSED AND ADOPTED this 7th day of November, 2001 at an open meeting held at the Edgewood Community Center, Town of Edgewood, New Mexico.

Howard Calkins
Mayor / Howard Calkins

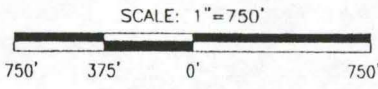
ATTEST:
Karen Alarid
Clerk-Treasurer / Karen Alarid



2025153



COPYRIGHT 1999
 ALL RIGHTS RESERVED
 ASSOCIATED
 DEVELOPMENT, INC.



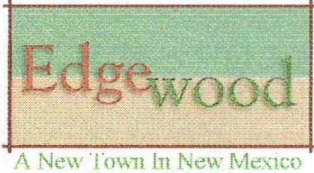
LEGAL DESCRIPTION
 T 10 N
 R 7 E
 SEC 28

UNIFORM PROPERTY CODE
 1042058

MAP AMENDED THROUGH
 JULY 1, 1999

L 39

2001-9



2001-9

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): Thomas M HEINE Telephone: 281 1098
(Attach proof of ownership. If not owner, must also provide notarized statement of authorization from owner.)

Mailing Address: PO Box 934 PO Box 110
Edgewood, New Mex 87015

Signature: Thomas M Heine Date: Oct. 17, 2001

Signature: Esther E. Heine Date: Oct 17, 2001

LEGAL DESCRIPTION OF PROPERTY: (Attach additional sheets as necessary.)
Tract 4A of Lot 4 Block 2 Tierra Linda Sub. Section
2 B, T10B, RTE, N.M. p.m. Santa Fe County, N.M

TOTAL ACREAGE OF PROPERTY: Approx 3/4 ac.

REQUESTED ZONING DESIGNATION FOR PROPERTY: CB
(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.

REAL ESTATE CONTRACT

This form does not comply with the Federal Reserve Regulation Z and Consumer Protection Act... Form in Lending... Use with... in accordance with similar instrument incorporating the terms of document 1 or for transactions exempt from said Act

Return to 878743

Western Title Company

WTI 28650

THIS CONTRACT IS MADE in triplicate this 18th day of April 19 90

by and between BOB SALVO and JUDY SALVO, husband and wife

whose address is

hereinafter called the Seller, and WILLIAM H. THOMAS and wife BETTY R. THOMAS AND

WILLIAM TROY THOMAS, a single person

whose address is

hereinafter called the Purchaser. Whenever a masculine pronoun is used, it shall also be considered as referring to the female gender and plural pronouns, whichever is proper.

1. SALE: The Seller, in consideration of the promises and agreements herein made by the Purchaser, agrees to sell and convey to

the Purchaser the following described real estate, hereinafter called the Property, in the County of Santa Fe and State of New Mexico:

Tract 4-A of the land division of A portion of Lot 4, Block 2, TIERRA LINDA SUBDIVISION, LOCATED IN SECTION 2B, T10N, R7E, N.M.P.M., Santa Fe County, New Mexico, filed in the Office of the County Clerk of Santa Fe County, New Mexico April 16, 1990, as Document No. 704,487, Book 208, page 052.

SUBJECT to patent reservations, restrictions, easements of record and taxes for the year 1990 and subsequent years.

The Seller agrees, upon completion of all terms and conditions of this contract by the Purchaser, that the Purchaser shall then receive the Warranty Deed and related documents placed in escrow with this Contract.

2. PRICE AND PAYMENT: The Purchaser agrees to buy the above-described Property and to pay Seller therefor the total sum of

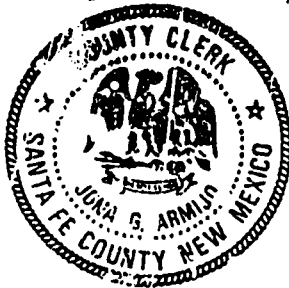
Forty thousand Dollars (\$ 40,000.00) payable

as follows: Five thousand Dollars (\$ 5,000.00),

cash down payment, the receipt of which is hereby acknowledged, and the balance of Thirty-five thousand--

Dollars (\$ 35,000.00), payable as follows:

\$35,000.00, to be paid by the execution of this Contract which Purchasers agree to pay in monthly installments of \$398.00 each or more at Purchasers' option including interest from April 18, 1990 at the rate of eleven percent per annum on the unpaid principal balance commencing thirty days from this date and on the 18th day of each and every successive month thereafter until paid in full.



704 722
COUNTY OF SANTA FE
STATE OF NEW MEXICO
I hereby certify that this instrument was for record on the 19 day of April 19 90 at 2:22 o'clock PM and was duly recorded in book 628 page 704 of the records of Santa Fe County. Witness my Hand and Seal of Office Jona G. Armijo County Clerk, Santa Fe County, N.M.

[Signature] Deputy

The payments as above provided shall be made to the escrow agent and continue until the entire unpaid balance of the purchase price (exclusive of any prior lien or obligation being assumed) plus any accrued interest due to the seller is fully paid. Said unpaid

balance shall bear interest at the rate of 11 percentum (11 %) per annum from the effective date

April 18, 1990

APPLICATION OF PAYMENTS: Check and initial only one of the following two paragraphs.

(1) (a) Initials Payments, excepting prepayments, shall be applied to regularly scheduled installments in the order in which the same were due and shall be credited as though the payments were made on their respective due dates.

(1) (b) Initials Payments shall be applied as of the date of receipt by Escrow Agent first to accrued interest then to principal balance of this Contract.

WTI 28650

**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 15th 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 20th, 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 14th. 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 27th 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 31st. 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 21st 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.

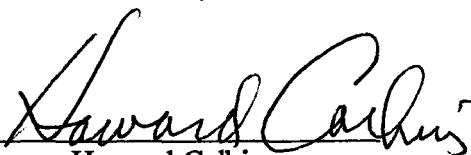
RECORD ACTION
RE: CLOSED
SESSION

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