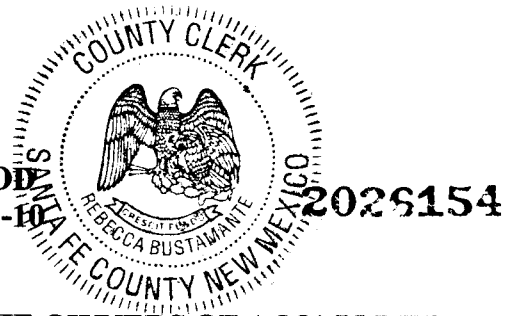


COUNTY OF SANTA FE
STATE OF NEW MEXICO
I hereby certify that this instrument was filed for
record on the 01 day of 11 19 A.D. 2001
at 1:19 o'clock P.M. and
was duly recorded in book 154 page 2026
of the records of Santa Fe County.
Witness my Hand and Seal of Office
Rebecca Bustamante
County Clerk, Santa Fe County, N.M.

**TOWN OF EDGEWOOD
ORDINANCE NO. 2001-10**



AN ORDINANCE GRANTING THE PETITION BY THE OWNERS OF A MAJORITY OF APPROXIMATELY 2.39 ACRES OF TERRITORY CONTIGUOUS TO THE WEST BOUNDARY OF THE TOWN OF EDGEWOOD, NEW MEXICO TO ANNEX THE TERRITORY.

WHEREAS; THE TOWN OF EDGEWOOD owners of a majority of 2.39 acres of territory contiguous to the west boundary 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:

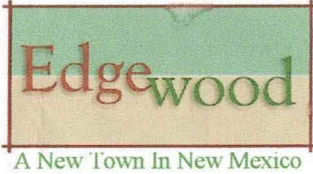
The territory described and defined in the maps attached hereto as Exhibits "A" and "B" is hereby annexed to the Town of Edgewood and is hereby made subject to all of the laws and ordinances which shall now or hereafter apply to land within the Town limits. Further, the Council hereby directs the Town 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





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): SCOTT + LESLIE SWEENEY Telephone: 505-896-2197
(Attach proof of ownership: If not owner, must also provide notarized statement of authorization from owner.)

Mailing Address: PO Box 44656
87174-4656

Signature: [Signature] Date: 7/26/01

Signature: [Signature] Date: 7/26/01

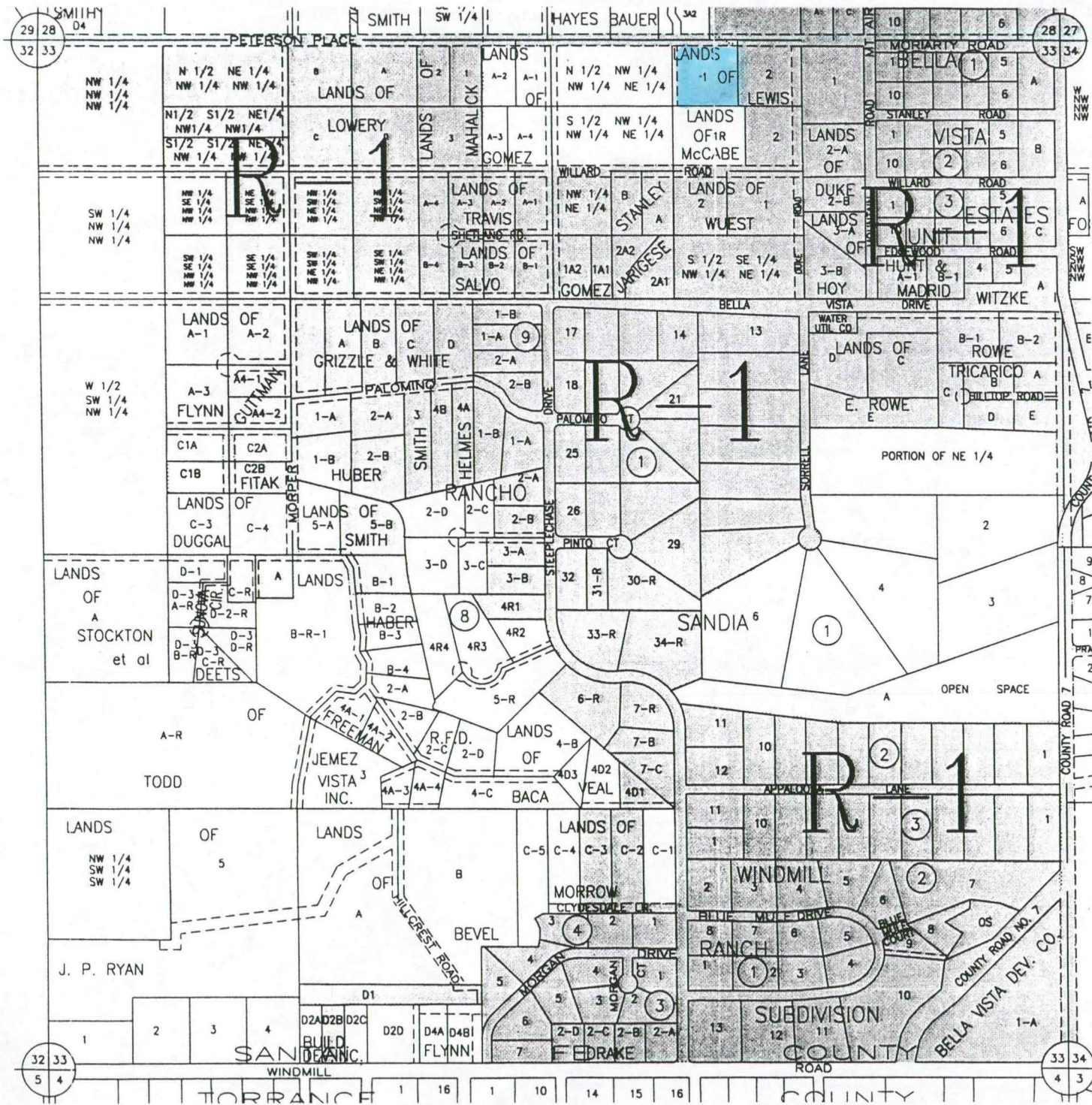
LEGAL DESCRIPTION OF PROPERTY: (Attach additional sheets as necessary.)
TRACT 1

TOTAL ACREAGE OF PROPERTY: 2.39 acres

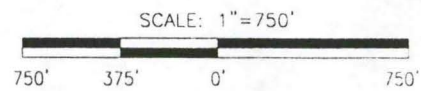
REQUESTED ZONING DESIGNATION FOR PROPERTY: R-1
(Please note that the final zoning designation by City Council may differ from the requested designation.)

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.



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 ASSOCIATED
 DEVELOPMENT, INC.

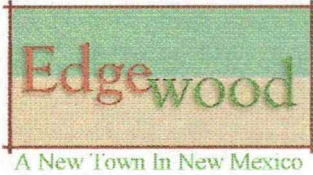


LEGAL DESCRIPTION
 T 10 N
 R 7 E
 SEC 33

UNIFORM PROPERTY CODE
 1042055

MAP AMENDED THROUGH
 JULY 1, 1999

M 39



Nov-7

2001-10

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): SCOTT M SWEENEY Telephone: 896-2197
(Attach proof of ownership: If not owner, must also provide notarized statement of authorization from owner.)
Mailing Address: PO 44656 Rio Rancho NM 87174

Signature: [Signature] Date: 9-18-01
Signature: [Signature] Date: 9-19-01

LEGAL DESCRIPTION OF PROPERTY: *(Attach additional sheets as necessary.)*
TRACT 1 OF LANDS OF LEWIS
MORIAITY ~~RD~~ RD

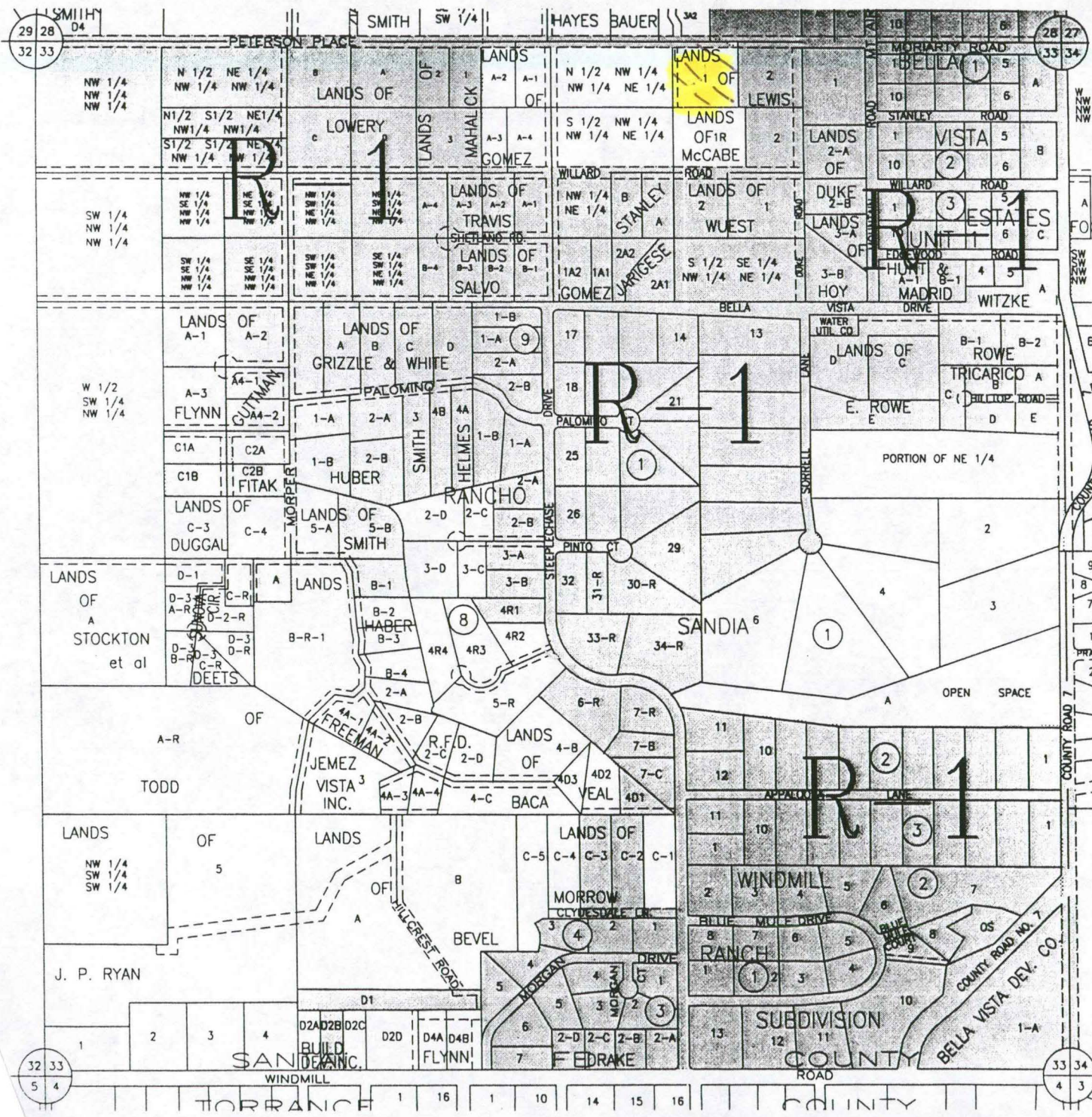
TOTAL ACREAGE OF PROPERTY: 2.39 ACRES

REQUESTED ZONING DESIGNATION FOR PROPERTY: R1
(Please note that the final zoning designation by City Council may differ from the requested designation.)

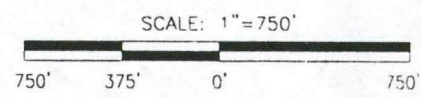
INSTRUCTIONS: Type or print clearly on this form and *attach a map* showing the external boundary of the territory proposed for ANNEXATION, and its relationship to the existing boundary of the TOWN of EDGEWOOD. Territory proposed for annexation must be contiguous to the existing limits of the TOWN.

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.

I UNDERSTAND THAT THE TOWN OF EDGEWOOD WILL NOT TAKE RESPONSIBILITY FOR MORIAITY RD IN FRONT OF PROPERTY. FIRE ACCESS WILL BE FROM WESTSIDE OF PROPERTY. OWNER WILL HAVE FIRE DEPARTMENT OK ACCESS.
Scott M Sweeney 9-18-01



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 ASSOCIATED
 DEVELOPMENT, INC.



LEGAL DESCRIPTION
 T 10 N
 R 7 E
 SEC 33

UNIFORM PROPERTY CODE
 1042055

MAP AMENDED THROUGH
 JULY 1, 1999

M 39

2025155

200110

Santa Fe County Fire Department

Fire Prevention Division

Planning/Development Review Unit

November 30, 2001

Karen Alarid
Town of Edgewood
P.O. Box 3610
Edgewood, New Mexico 87015

Re: Scott and Leslie Sweeny

Dear Karen;

The Fire Prevention Division of the Santa Fe County Fire Department has reviewed the Road access to Lewis Track 1 from Steeplechase to Moriarty road. The improvements were made by the Bassett E.C. Construction Company. This office has reviewed the driveway improvements and it now meets the approval of this office.

Should you have any further questions, please do not hesitate to contact this office at 992-3070. If I may be of further assistance, please call 992-3084.

Sincerely,


Buster Paity, Lieutenant

Through: Hank Blackwell, Fire Marshal
Cc: Edgewood District Chief

File: rin/devrev/sweenyED

11/30/01

Minutes
Edgewood Planning & Zoning
Commission
Regular Meeting
August 6, 2001

Call to order	Meeting was called to order @ 6:01 pm
Members present	Ed Whitworth, Tony Anaya and Eldy Gillmer
Members Absent	Karen Mahalick
Approve agenda	A motion was made by Tony Anaya that with a change of item #5 to be a sign variance discussion (not an action item) That the agenda be approved. Jerry Miller made a second. The motion passed.
Approve the minutes of 6/2 & 6/25/01 meetings	A motion was made by Tony Anaya that approval of the minutes be tabled until Ms. Mahalick could be present. Eldy Gillmer made a second. The motion passed. Mr. Kelly Moe indicated that there were no critical items within these minutes, which required the commission's immediate action.
Ex-officio Commission member consideration	<p>The Chamber of Commerce requested at a recent Council meeting that a Chamber member have an ex-officio seat on the P&Z Commission. This would require an addition of statement in the membership section of the ordinance, which would allow for one non-voting ex-official member. The opinion was expressed by members that could set a precedent for any local group or organization to want a likewise ex-official member. It was further stated that all P&Z meetings are open to anyone and that there is no special need for an ex-official status. Opinions and suggestions of anyone who attends meetings are welcomed and considered.</p> <p>Tony Anaya made a motion that the commission recommends to council the lack of need for ex-official commission member from other boards and commission given the fact that all P&Z meetings are open to the public. Jerry Miller made a second to the motion. The motion passed.</p>
Discussion of sign variance	<p>Kelly Moe briefly described the Town's current sign variance.</p> <ol style="list-style-type: none">a. There is no sign variance statement within our ordinance.b. The Town's attorney's initial interpretation of Edgewood's sign ordinance was somewhat restrictive not allowing petition for variance.

- c. The Town Attorney referenced state law in greater depth and discovered a zoning section, which would allow the council to grant a variance.
- d. Given this state statutory ruling the logical process of a right of appeal for a variance would first be addressed by the P&Z commission.
- e. The current specific variance request by Rich Ford will be addressed by Council.

Town Map

Associated Development has prepared an up-dated map indicating all annexed lands to the Town of Edgewood. Kelly Moe presented the mylar of this map to the commission for review and comment. It was noted that zoning designations were not indicated. No further action by the commission was necessary.

Zoning for annexation of 2.39 acres

This request relates to 2.39 acres of Lands of Lewis Tract 1 on Moriarty Rd. just west of Duke Rd. The concern was that this property is on unimproved road providing inadequate emergency access. If annexed this request would include an R-1 zone designation.

Jerry Miller made a motion that on the condition that the road be brought up to Town standards then the commission recommend to council the approval of this annexation as an R-1 property. Tony Anaya made a second to the motion, the motion passed.

Cell Tower Ordinance Discussion

Discussion of Wireless Communication Facilities to be added to Conditional Use section of Zoning ordinance.

- a. Greater emphasis on architectural integration or aesthetic issues.
- b. Conformity of design guidelines.
- c. Ground equipment to be hidden behind solid fencing.
- d. Landscaping requirements as it would relate to a conditional Use permit.
- e. Would this ordinance also apply to government facilities?
- f. Should not be included under permissive uses (section 7. R-1, B.8)
- g. Possible elimination of allowing commercial cell towers in residential areas.
- h. How would a conditional use apply to a SU zoning designation?
- i. Where would the requirement for a public hearing concerning Wireless Communication Facilities be noted since a Conditional Use permit does not require such?
- j. Fall line and set back requirements need greater definition

and clarification. Conditions vary due to type of tower construction and confines of area where the potential tower might sit. Public safety issues need to be addressed.

k. There is a need for design standards and regulations.

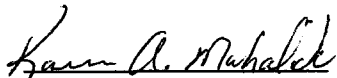
l. Is there a need for a granted easement to the tower site?

It was agreed that no action is needed at this time and that further study and discussion relating to Wireless Communication Facilities be conducted.

Adjourn

Meeting adjourned @ 7:33 P.M.

Signed,



Ed Whitworth
Vice-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 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.

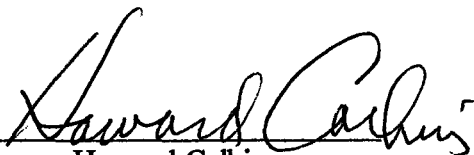
RECORD ACTION
RE: CLOSED
SESSION

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