

**TOWN OF EDGEWOOD
RESOLUTION NO. 2022-27**

AUTHORIZING THE EXPENDITURE OF PUBLIC FUNDS TO PRESERVE, PROTECT, ENHANCE OR PURCHASE RECENTLY DESIGNATED HISTORIC LANDMARKS AND HISTORICAL AREAS THROUGH NEGOTIATION, EMINENT DOMAIN OR PRIOR RIGHT.

WHEREAS, Ordinance 2022-07 incorporates a new Section 25 creating overlay zones and addressing overlay zones for Wellhead Protection, Flood Protection, Airport Safety and Historic Districts and Landmarks; and

WHEREAS, the intent and purpose of the Historic District and Landmark overlay zone is to preserve, protect and enhance the historic areas and landmarks lying within the jurisdiction of the Town of Edgewood as provided for under Section 3-22-1 NMSA 1978; and

WHEREAS, Ordinance No. 2022-07, Section 25, subsection 4(A) provides that the Governing Body may “designate certain areas and other structures as historical areas and historic landmarks...”; and

WHEREAS, Ordinance No. 2022-07, Section 25, subsection 4(A) further provides that the Town Manager and/or his designee are authorized to enforce requirements and prohibitions relating to the preservation, erection, alteration and destruction of those buildings designated as historic landmarks and other structures which may be so dedicated and those located in historic zones that may be established by the Governing Body; and

WHEREAS, Resolution No. 2022-26 designated certain structures and land as Historic Landmarks and Historical Areas given that such structures were constructed over forty (40) years ago and both were historically used as the elementary school by many of the former and current residents of the Town of Edgewood and as years pass, their historic significance will continue to grow as part of the historic heritage of the Town; and

WHEREAS, Section 3-22-4 NMSA 1978 provides that the Town may expend public funds for any purposes connected with the preservation, protection or enhancement of historical areas and landmarks, areas related to historical areas or areas otherwise of special architectural or visual interest, including but not limited to the purchase of any or all of such areas and landmarks, if necessary, through the use of eminent domain and as otherwise provided.

BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF EDGEWOOD, NEW MEXICO:

Section 1. Resolution 2022-26 designated as a Historical Area and certain Historic Landmarks, those structures and buildings located on the following described real property within

Section 1. Resolution 2022-26 designated as a Historical Area and certain Historic Landmarks, those structures and buildings located on the following described real property within the jurisdictional limits of the Town of Edgewood: *A parcel of land lying and being situate within the SE ¼, SE 1/4, Section 16, Township 10 North, Range 7 East, NMPM within the Vicinity of Edgewood, County of Santa Fe, State of New Mexico being more particularly described as follows:*

*Beginning at the northeast property corner **the true point and place of beginning** of the tract described along the east boundary S.00°00'23" E. a distance of 1316.711 feet to the southeast corner of the tract described;*

Thence along the south boundary and common to the north right of way of Dinkle Road N.89°52'53" W a distance of 1317.673 feet to the southwest corner of the Tract described;

Thence along the west boundary N.00°00'10" W. a distance of 1317.276 feet to the northwest corner of the tract described;

*Thence along the north boundary S.89°51'25" E. a distance of 1317.588 to the northeast corner of the tract described **the true point and place of beginning.***

Described tract contains 39.84 Acres more or less and is subject to access from Dinkle Road. All as depicted on that Plat of the Dependent Resurvey, Subdivision and Monumentation of the SE ¼, SE ¼ of S.16, T.10N., R.7E., of the New Mexico Principal Meridian. Showing Moriarty Municipal Schools. As certified by Joe M. Sisneros, NMPS 6847 with plat filed in the Office of the Santa Fe County Clerk in Book 91, Page 7. Dated December 19, 1980.

Section 2. In accordance with Section 3-22-4 NMSA 1978, the Governing Body hereby authorizes the expenditure of public funds relevant to the above-described real property and structures, for the acquisition of such property for a public purpose, in any of the following manners:

- A. the leasing or acquisition of title or interest in the property by negotiation or, if necessary, through the use of eminent domain in the manner provided by law; or
- B. authorizing the Town to negotiate or accept any prior right to acquire any interest in the property in the designated Historical Area and the Landmarks, as over any private person offering an equal price for the same interest.

PASSED, APPROVED AND ADOPTED by the governing body at its meeting of October 11, 2022.


Audrey J. Jaramillo, CMO, Mayor

ATTEST:


Nina R. McCracken, Clerk-Treasurer

