

**STATE OF NEW MEXICO  
CITY OF RIO COMMUNITIES  
RESOLUTION 2017-109**

**A RESOLUTION ACCEPTING RGEFD STATION #2 REAL PROPERTY**

- WHEREAS,** The Governing Body in and for the City of Rio Communities, State of New Mexico is duly authorized and
- WHEREAS,** The Governing Body has determined that the health, safety and welfare of the citizens of Rio Communities would best be served by accepting ownership of the real property as described in the attached QUITCLAIM DEED and
- WHEREAS,** The RGEFD will continue to serve the outlying areas of Fire District # 1 and respond to all calls and request for mutual aid assistance and all automatic aid assistance agreements and
- WHEREAS,** Tierra Grande Improvement Association, Inc. and the City of Rio Communities jointly agree to the terms and restrictions transferring Real Property at no cost, as described by QUITCLAIM DEED from Tierra Grande Improvement Association Inc. to the City of Rio Communities
- NOW THEREFORE, BE IT HEREBY RESOLVED** that the City of Rio Communities, State of New Mexico accepts the attached QUITCLAIM DEED as well as a recorded plat of property and easements dated May 24, 2017 with legal description attached hereto as Exhibit "A" and shall continue to operate the property for the sole purpose of RGEFD/EMS Services.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIO COMMUNITIES, NEW MEXICO, HEREBY PASSED, APPROVED AND ADOPTED THIS 14<sup>th</sup> DAY OF NOVEMBER 2017.**

**City of Rio Communities Governing Body**

\_\_\_\_\_  
Mark Gwinn,  
Mayor

\_\_\_\_\_  
Margaret (Peggy) Gutjahr,  
Councilor Mayor Pro-tem

\_\_\_\_\_  
William (Bill) Brown  
Councilor

\_\_\_\_\_  
Arturo R. Sais,  
Councilor

\_\_\_\_\_  
Thomas Scroggins  
Councilor

ATTEST:

\_\_\_\_\_  
Elizabeth (Lisa) Adair,  
Municipal Clerk

## QUITCLAIM DEED

**TIERRA GRANDE IMPROVEMENT ASSOCIATION, INC.**, a New Mexico non-profit corporation ("Grantor"), for consideration paid, grants to the **CITY OF RIO COMMUNITIES**, a New Mexico Municipality ("Grantee"), whose address is P.O. Box 565, Rio Communities, New Mexico 87002, the following described real property in Valencia County, New Mexico, to-wit:

Lot 22 in Block 1021 of Rio Grande Estates, Unit M according to the map thereof recorded in the Office of the Clerk of Valencia County, New Mexico.

Subject to patents, reservations, restrictions, easements of record, taxes for the current year and all subsequent years thereafter ("Real Property").

**The Grantor does hereby impose the following restrictions:**

The Grantor, by these presents, does hereby impose on the Real Property the reversionary provision that if the Grantee fails to maintain the Real Property as a Fire Station for the protection of the inhabitants of Valencia County, or if the City of Rio Communities should ever dissolve, the Real Property shall automatically revert to the Tierra Grande Improvement Association, Inc. In the event that the Grantee fails to maintain and operate the Real Property in accordance with these requirements, Grantor may give written notice to Grantee at P.O. Box 565, Rio Communities, New Mexico 87002 specifying the failure. Grantee shall have 60 days to correct such failure. In the event that Grantee fails to correct such failure within the time allowed, Grantor may record in the real property records of Valencia County an affidavit of such failure. Such recorded affidavit shall immediately and automatically revert title to the Real Property and all improvements thereon back to Grantor, and the affidavit shall serve as conclusive proof of such reversion.

**The Grantor reserves from this conveyance and retains the following:**

The 10' x 10' portion of the property located on the southwest side of New Mexico Hwy. 47 at coordinates 34°34'29.31"N & 106°39'51.61"W ("Tower Site") (including guy wire supports and access to such property for ongoing maintenance) is subject to an Agreement between Tierra Grande Improvement Association and TransWorld Network Corp. and all successors and assigns, dated December 15, 2011 ("Tower Lease"). The Tower Lease will remain in full effect and Grantor reserves and retains all rights to all payouts under the Tower Lease and any renewal, extension or subsequent lease or agreement pertaining to the Tower Site.

Grantee accepts the Real Property "as is."

Grantee agrees to indemnify hold Grantor harmless against any and all claims, costs, suits, damages, liabilities or injuries arising from or relating to the Real Property arising subsequent to the recording of this Deed.

WITNESS its hand this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**TIERRA GRANDE IMPROVEMENT ASSOCIATION, INC.,**  
A New Mexico Non-Profit Corporation

By: \_\_\_\_\_  
Judi Magnussen, President of Tierra Grande Improvement Association, Inc.

STATE OF NEW MEXICO        )  
   ) ss.  
COUNTY OF \_\_\_\_\_     )

This instrument was acknowledged before me on \_\_\_\_\_, 2017, by Judi Magnussen, as President of TIERRA GRANDE IMPROVEMENT ASSOCIATION, INC., a New Mexico non-profit corporation, on behalf of said corporation.

My commission  
expires \_\_\_\_\_.

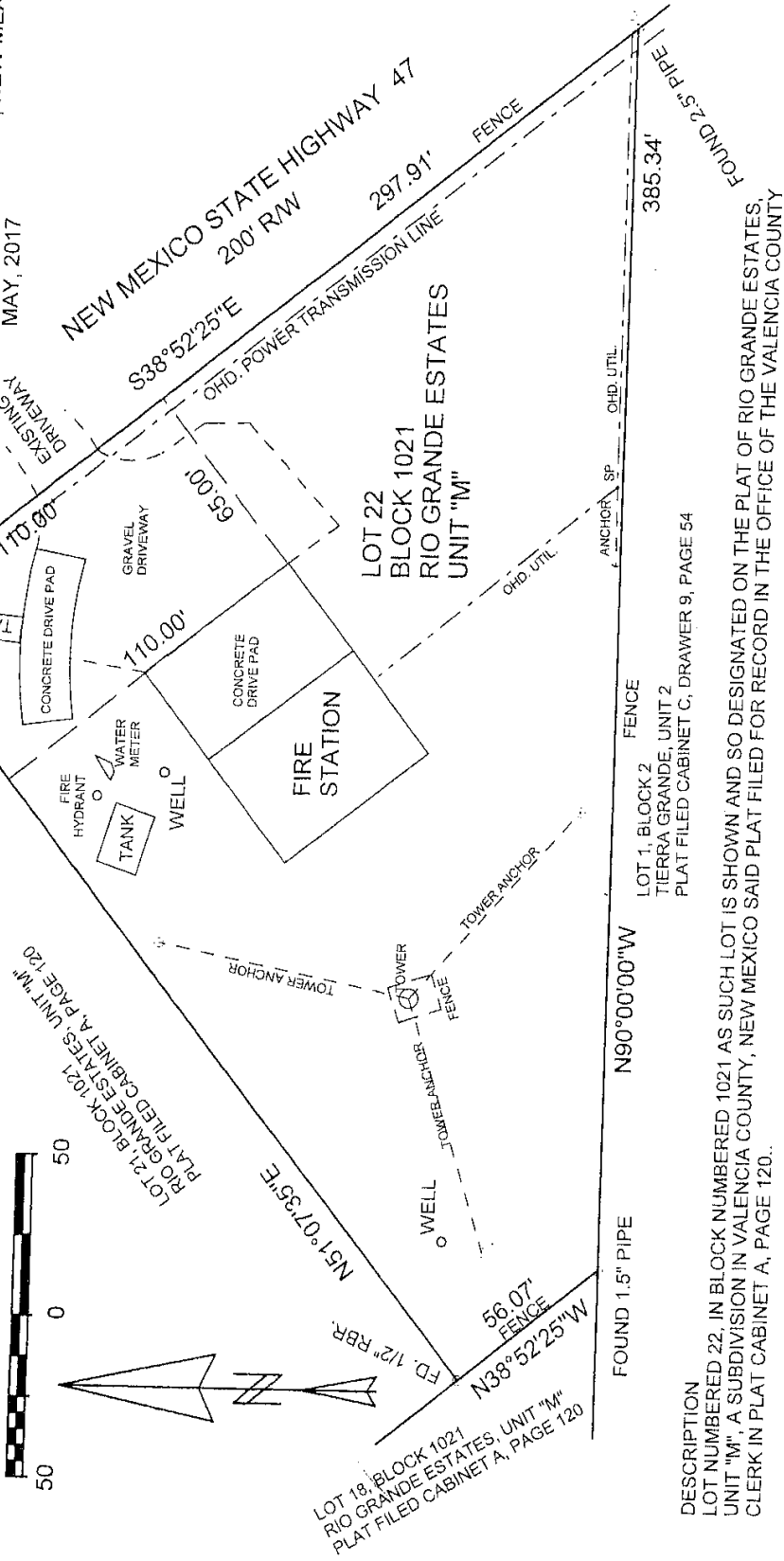
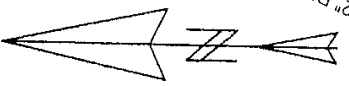
\_\_\_\_\_  
NOTARY PUBLIC

NEW WATER TANK ACCESS EASEMENT  
EXHIBIT "A", PAGE 1 OF 2

NEW 65'X110' WATER TANK  
ACCESS EASEMENT

NEW WATER TANK ACCESS EASEMENT  
WITHIN LOT 22, BLOCK 1021  
RIO GRANDE ESTATES, UNIT "M"

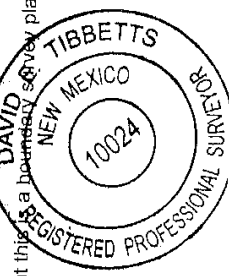
SCALE 1" = 50'



DESCRIPTION  
LOT NUMBERED 22, IN BLOCK NUMBERED 1021 AS SUCH LOT IS SHOWN AND SO DESIGNATED ON THE PLAT OF RIO GRANDE ESTATES, UNIT "M", A SUBDIVISION IN VALENCIA COUNTY, NEW MEXICO SAID PLAT FILED FOR RECORD IN THE OFFICE OF THE VALENCIA COUNTY CLERK IN PLAT CABINET A, PAGE 120.

SURVEYOR'S CERTIFICATE

I, David E. Tibbetts, a New Mexico registered Professional Land Surveyor, certify that I conducted and am responsible for this survey, that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in New Mexico. I further certify that this survey is not a land division or subdivision as defined in the New Mexico Subdivision Act and that this is a boundary survey plat of an existing tract or tracts.



David E. Tibbetts, P.S. 10024  
Date 5/24/2017

Survey Notes:

1. All corners found as shown.
2. Date of field survey May 16, 2017.
3. Basis of bearings is plat of record.

**Description of 65' X 110' water tank access easement at Tierra Grande Fire Station**

A certain tract of land situate within Lot 22, Block 1021, Rio Grande Estates Unit "M", as such lot is shown and so designated on the plat thereof, filed in the office of the Valencia County Clerk in plat cabinet A, page 120, being more particularly described as follows:

Beginning at the northeast corner of the easement tract herein described, said point being a found half inch rebar stake at the northeast corner of the aforementioned Lot 22, Block 1021, Rio Grande Estates, Unit "M", and running; thence as the limits of an easement, along the westerly right-of-way of New Mexico State Highway 47,

S 38°52'25" E, 110.00 feet to the southeast corner of the easement tract herein described; thence, leaving said right-of-way,

S 51°07'35" W, 65.00 feet to the southwest corner of the easement tract herein described; thence,

N 38°52'25" W, 110.00 feet to the northwest corner of the easement tract herein described; thence,

N 51°07'35" E, 65.00 feet to the northeast corner and point of beginning of the easement tract herein described.

**SURVEYOR'S CERTIFICATE**

I, David E. Tibbetts, a New Mexico registered Professional Land Surveyor, certify that I conducted and am responsible for this survey, that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in New Mexico.

I further certify that this survey is not a land division or subdivision as defined in the New Mexico Subdivision Act and that this is a boundary survey plat of an existing tract or tracts.

*David E. Tibbetts*

*MAY 24, 2017*

David E. Tibbetts, P.S. 10024

Date

