

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2010-71**

3 **INTRODUCED BY:**

4
5 **Mayor Coss**

6 **Councilor Calvert**

7 **Councilor Bushee**

8 **Councilor Wurzbarger**

9 **Councilor Trujillo**

10 **Councilor Romero**

11 **A RESOLUTION**

12 **REPEALING RESOLUTION NO. 2009-31; AND DIRECTING STAFF TO PREPARE**
13 **THE NECESSARY DOCUMENTS TO COMPLETE THE DONATION OF 5.7 ACRES**
14 **OF VACANT CITY OWNED LAND LOCATED ADJACENT TO THE SANTA FE**
15 **NATIONAL CEMETERY TO THE NATIONAL CEMETERY ADMINISTRATION,**
16 **DEPARTMENT OF VETERAN'S AFFAIRS.**

17 **WHEREAS**, on February 25, 2009, the Governing Body adopted Resolution No. 2009-
18 31 directing staff to prepare the necessary documents to complete the donation of approximately
19 five acres of vacant city owned land located adjacent to the Santa Fe National Cemetery to the
20 National Cemetery Administration, Department of Veterans Affairs; and

21 **WHEREAS**, Resolution No. 2009-31 excluded from the donation approximately 0.7
22 acres of the city's parcel that includes the ridgeline which serves as a sound barrier to U.S.
23 Highway 285 for adjacent residential areas as well as an existing trail; and

24 **WHEREAS**, excluding the 0.7 acres does not meet the Department of Veterans Affairs
25 long term needs for possible expansion to the south onto undeveloped land of the St. Catherine's

1 Indian School; and

2 **WHEREAS**, keeping the trail along the southern edge of what would be the National
3 Cemetery's boundary and having the ridgeline trail intruding between two sections of the
4 cemetery would encourage dog walking and recreational activities that are incompatible with the
5 cemetery and prohibited by federal regulations; and

6 **WHEREAS**, the National Cemetery is unable to accept the city's offer to donate the five
7 acres; however, the National Cemetery has indicated its continued interest in the city's donation
8 of the full 5.7 acres; and

9 **WHEREAS**, Section 3-54-2(D) NMSA 1978 provides in part that "[a] municipality
10 may...sell or ...donate real...property to...the federal government if such...gift is in the best
11 interests of the public and is approved by the local government division of the department of
12 finance and administration".

13 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
14 **CITY OF SANTA FE that:**

- 15 1. Resolution No. 2009-31 is repealed.
- 16 2. The city agrees to donate 5.7 acres adjacent to the Santa Fe National Cemetery to
17 the National Cemetery Administration, Department of Veterans Affairs, with the understanding
18 that the National Cemetery will work with the city to preserve the topography of the ridgeline as
19 much as possible when designing the cemetery expansion.
- 20 3. Staff is directed to prepare the necessary documents to complete the donation
21 including, but not limited to, rescinding the prior quitclaim deed, consolidating the 0.7 acre parcel
22 with the five acre parcel, and preparing a new deed acceptable to the City Attorney and the
23 Department of Veterans Affairs.

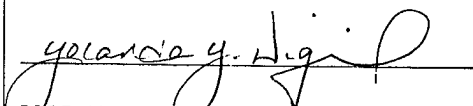
24 **PASSED, APPROVED, and ADOPTED** this 25th day of August, 2010.

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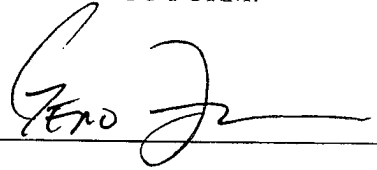
DAVID COSS, MAYOR

ATTEST:



YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:



GENO ZAMORA, CITY ATTORNEY