



# City of Santa Fe New Mexico

## Memorandum



**Date:** April 18, 2024

**To:** John Blair, City Manager

**Via:** *Regina Wheeler*  
Regina Wheeler, Public Works

**From:** Romella Glorioso-Moss, Complete Streets Capital Projects Manager RGM

**RE:** Approval of Purchase Contract – Public Utility Easement

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**Action:**

Request for Approval of a Purchase Contract in the Amount of \$3,550.00 for the Acquisition of a Public Utility Easement from Lino A. Garcia for the Construction of Agua Fria-South Meadows Intersection Improvements Project.

**BACKGROUND AND SUMMARY:**

The attached Purchase Contract expresses the terms and conditions of an Offer Letter to Lino A. Garcia (Property Owner) signed by the City Manager on March 14, 2024.

Mr. Garcia signed the Purchase Contract on March 25, 2024, which Senior Assistant City Attorney Marcos Martinez approved on April 14, 2024. The Contract is conveying the sale of 131.8 ft of land for \$3,550 for public utility easement to complete the construction of Agua Fria-South Meadows Intersection Improvement Project. The fully executed Purchase Contract will release the Southwestern Title Company to prepare a warranty deed for the transfer of ownership to the City upon payment of the purchase amount.

This acquisition will be the first of four needed to complete the project.

**PROCUREMENT METHOD:**

This Public Utility Easement to purchase is per Sections 42A-1-3 through 42A-1-4 of the New Mexico Procurement Code, NMSA 1978 and followed NMDOT's Right of Way Bureau Acquisition process.

**CONTRACT NUMBER:**

The Munis contract number is 3204680.

**FUNDING:**

**Fund Name/Number:** CIP – Streets/330  
**Munis Org Name/Number:** Streets/3309980  
**Munis Object Name/Number:** WIP Land/572940  
**Project ID:** ST18330AT

**ATTACHMENTS:**

Purchase Contract  
Offer Letter  
Summary of Contracts \ Procurement Checklist

**PURCHASE CONTRACT**

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Project: Agua Fria and South Meadows Intersection  
Improvements Project  
Parcel: PUBLIC UTILITY EASEMENT

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THIS AGREEMENT made and entered into this 21st day of May, 2024  
between **Lino A. Garcia, an unmarried man**  
whose address is **5098 A Agua Fria Road, Santa Fe, NM 87507**

Party of the First Part, and the City of Santa Fe, a political subdivision of the State of New Mexico, hereinafter referred to as the City. For the purposes of this contract, Party shall be deemed to be either singular or plural as the context requires.

**WITNESSETH:** For good and valuable consideration, receipt of which is hereby acknowledged, the Party of the First Part hereby delivers to the City, one (1) Public Utility Easement for the public improvement known as: Agua Fria and South Meadows Intersection Improvements Project situated in Santa Fe County, State of New Mexico, and subject to the following terms and conditions:

**CONDITIONS:**

1. Taxes and Special Assessments, if any, delinquent from former years, and Taxes and Special Assessments for the current year, if due and/or payable, shall be paid by the Party of the First Part.
2. THIS CONTRACT embodies the whole Agreement between the parties hereto, and there are no promises, terms, conditions, or obligations referring to the subject matter hereof, other than as contained herein.
3. The Party of the First Part hereby agrees that the compensation herein provided to be paid includes full compensation for their interests, and the interests of their life tenants, remaindermen, reversioners, lienors and lessees, and any and all other legal and equitable interests which are or may be outstanding and said Party of the First Part agrees to discharge the same.
4. THIS CONTRACT shall be binding upon the parties hereto and upon the respective heirs, devisees, executors, administrators, legal representatives, successors and assigns of the parties, only when the same shall have been approved by the City Manager or his/her authorized representative.
5. The terms of this Agreement are understood and assented to by us and payment is to be made in accordance with the above. It is further understood and agreed that, except as noted or specified above, IMMEDIATE POSSESSION of said premises, and the right to enter thereon, is HEREBY GRANTED to the City, its duly authorized Agents and Contractors, upon receipt of payment by First Party.
6. The terms and conditions of this contract have been fully explained and are understood by the undersigned, and payment is to be made in accordance with the above conditions.
7. The consideration as set forth in the contract shall constitute full payment for the premises and all damages, of whatever nature, arising out of or by reason of the use of said premises for utility purposes.
8. Party of the First Part will hold the City harmless for any and all claims, demands or causes of action arising out of or as a result of the transactions as described herein.

The City agrees to purchase the above described real estate, or interest therein, and to pay upon delivery of one (1) good and sufficient Public Utility Easement therefore, as follows:

Parcel	Sq. Ft.	\$ / Unit	% Fee	Land	Improvements	Net Damages	Total
Public Utility Easement	131.8	\$4.00/sq. ft.	100%	\$527.20	N/A	N/A	\$527.20
Rounded							\$550.00
Signing Bonus							\$3,000.00

**Total Compensation \$ 3,550.00**

**CITY OF SANTA FE**

By: John Blair Date: May 21, 2024  
John Blair (May 21, 2024 11:32 MDT)  
John Blair, City Manager

ATTEST: [Signature] Date: May 21, 2024  
Geraldyn F. Cardenas, Interim City Clerk *XIV*

**CITY ATTORNEY'S OFFICE:**

Marcos Martinez Date: Apr 14, 2024  
Marcos Martinez (Apr 14, 2024 13:00 MDT)  
Marcos Martinez, Senior Assistant City Attorney

**APPROVED FOR FINANCES:**

Emily K. Oster Date: May 21, 2024  
Emily Oster, Finance Director

Org/Obj  
3309980/572940

Party of the First Part: **Lino A. Garcia, an unmarried man**

By: [Signature] Date: 3-25-2024  
Lino A. Garcia

Title: Property Owner



# City of Santa Fe

## Summary of Contract, Agreement, Amendment & Lease

All applicable fields to be completed by department (complete 1.b only if you are processing an amendment):

1.a Munis Contract: 3204680 Procurement # (RFP/ITB# If any): \_\_\_\_\_

Contractor: Lino A. Garcia

Procurement Method: Small Purchase  RFP  ITB  Sole Source  GSA  Cooperative  Exempt

Description/Title: Purchase Contract for Public Utility Easement for Agua Fria-South Meadows Intersection Improvements Project.

Contract:  Agreement:  Lease/Rent:  Amendment:

Term Start Date: 04/01/2024 Term End Date: \_\_\_\_\_ Total Contract Amount: \$3,550.00

Approved by Council (If over the City Manager's approval threshold, you must go through GB) \_\_\_\_\_

Contract / Lease:

1.b Amendment #: \_\_\_\_\_ to the Original Contract/Lease # \_\_\_\_\_

Increase/(Decrease) Amount \$: \_\_\_\_\_

Extend Expiration Date to: \_\_\_\_\_

Approved by Council (If the original went through GB, all amendments must go through GB regardless of the amendment reason) Date: \_\_\_\_\_

Amendment is for: \_\_\_\_\_

2. **HISTORY of Contract, Amendments & Lease / Rent - Please Elaborate** (option: attach spreadsheet if multiple amendments)

3. **Procurement History:** Public Utility Easement Acquisition- no procurement

Purchasing Officer Review: \_\_\_\_\_ Date: \_\_\_\_\_

Comment & Exceptions: \_\_\_\_\_

4. **Funding Source:** CIP Streets WIP Land **Org / Object:** 3309980/572940

Andy Hopkins

Apr 19, 2024

Budget Officer Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Comment & Exceptions: \_\_\_\_\_

5. **Grant History (if applicable):** N/A

Grants Administrator Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Staff Contact who Completed This Form: Amanda Archuleta Phone #: 505-955-6631

To be recorded by City Clerk: \_\_\_\_\_ Email: ajarchuleta@santafenm.gov

Clerk #: \_\_\_\_\_

Date of Execution: \_\_\_\_\_

ITT Representative (attesting that all information is reviewed)

Title

Date














# 24-0332 Lino A. Garcia

Final Audit Report

2024-05-21

Created:	2024-05-14
By:	Xavier Vigil (xivigil@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAA0huNWMP6G5Fvfej0q4n2btE1yy0XStk

## "24-0332 Lino A. Garcia" History

-  Document created by Xavier Vigil (xivigil@ci.santa-fe.nm.us)  
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Signature Date: 2024-05-21 - 5:26:21 PM GMT - Time Source: server- IP address: 63.232.20.2
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2024-05-21 - 5:31:30 PM GMT- IP address: 216.207.130.218
-  Signer jwblair@santafenm.gov entered name at signing as John Blair  
2024-05-21 - 5:32:00 PM GMT- IP address: 216.207.130.218
-  Document e-signed by John Blair (jwblair@santafenm.gov)  
Signature Date: 2024-05-21 - 5:32:02 PM GMT - Time Source: server- IP address: 216.207.130.218
-  Document emailed to GERALYN CARDENAS (gfcardenas@santafenm.gov) for signature  
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Signature Date: 2024-05-21 - 5:38:25 PM GMT - Time Source: server- IP address: 63.232.20.2

✔ Agreement completed.

2024-05-21 - 5:38:25 PM GMT