

**2743, 2745 BOYLAN CIRCLE
AND 1372 BOYLAN LANE**

**GENERAL PLAN AMENDMENT / REZONING
DEVELOPMENT REPORT**

PREPARED FOR:

MR. LARRY BOYLAN

PREPARED BY:

NM LAND SOLUTIONS LLC



NOVEMBER 2024

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FIGURES

Figure 1: Vicinity Map

PROPERTY LOCATION AND SUMMARY DESCRIPTION

There are four (4) legal lots of record associated with the request for General Plan Amendment and Rezoning.

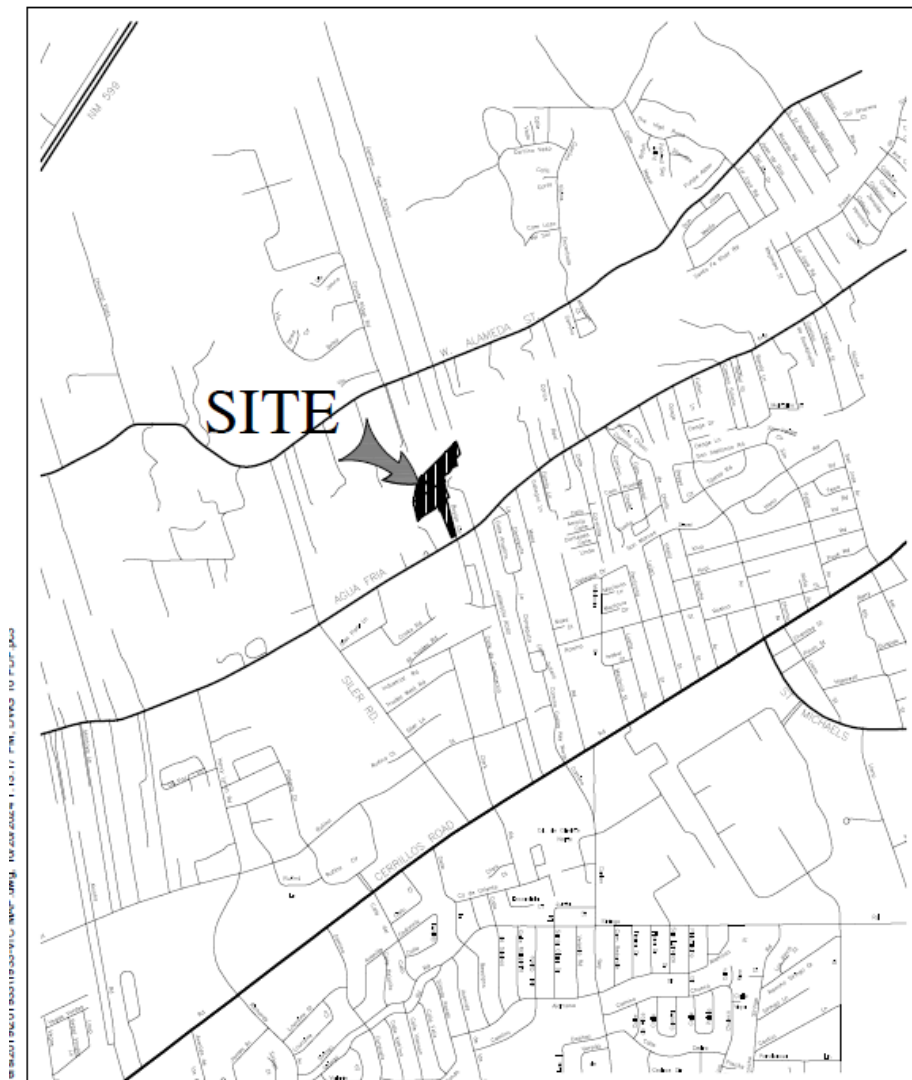
The lot fronting Agua Fria Street is located at 2745 Boylan Circle, consists of 1.08± acres and is vacant. The remaining three (3) legal lots of record encompass a legal non-conforming mobile home park addressed as 2743 Boylan Circle and 1372 Boylan Lane. 2743 Boylan Lane is assigned to two (2) lots.

The total combined acreage of the four (4) subject lots equals 5.96 (±) acres.

In addition, a separate lot consolidation plat to combine all four (4) lots into one (1) lot will be submitted to staff for administrative review upon approval of the proposed general plan amendment and rezoning request.

Figure 1 is a vicinity map indicating the location of the subject property relative to the city street system and other known landmarks in the area.

Figure 1:



OWNERSHIP AND LEGAL LOT OF RECORD

The four (4) subject lots are owned by Mr. Larry Boylan. The legal lot of record for the Lot 1 (2745 Agua Fria St.) is established by a plat entitled Haile Subdivision, which was approved by the Extraterritorial Zoning Commission on February 13, 1986, and recorded in the Office of the County Clerk in Book 238 Page 12 and is located in *Appendix A* of this report.

The legal lot of record for Tract E1 (2743 Boylan Lane) immediately north of Lot 1 and Tract A1 (1372 Boylan Lane) is established by a lot line adjustment plat prepared for the Estate of Tom and Larry Boylan administratively approved by City Land Use Planning staff, recorded in the Office of the Santa Fe County Clerk in Book 687 page 39 and is located in *Appendix B* of this report.

The legal lot of record for remaining lot adjoining the Santa Fe County River Greenway trail is established by a certificate of compliance based on the condemnation and purchase of property by Santa Fe County for its construction and maintenance of the Santa Fe River Greenway trail. The certificate of compliance was approved by the city of Santa Fe planning staff on November 5, 2019, and recorded in the office of the County Clerk as instrument #1901539.

The subject Certificate of compliance is located in *Appendix C* of this report.

Proof of ownership warranty deeds for the subject four lots are located in *Appendix D* of this report.

EXISTING CONDITIONS & ADJOINING LAND USES

As stated, three (3) of the four (4) subject lots are encompassed by a legal non-conforming mobile home park which was developed prior to the adoption of the County Extraterritorial Zoning Ordinance and Land Development Code.

The vacant tract fronting Agua Fria contains a large stockpile of dirt which will be used as fill dirt for future construction of utilities and or roads.

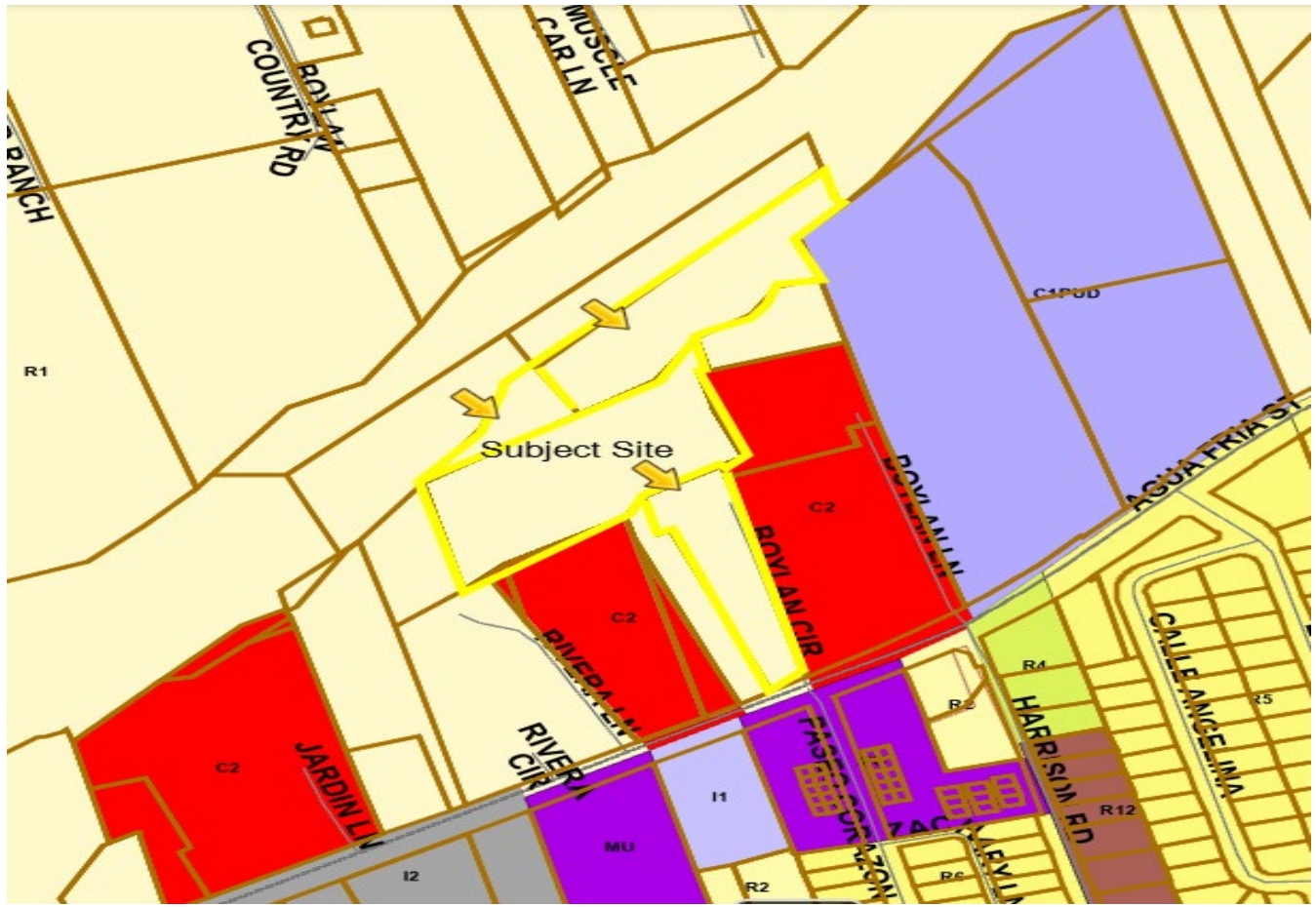
The subject lots also contain several PNM power poles which will be removed and relocated underground at the time of future development.

The lot immediately east has been rezoned to C-2 as well as development plan approval to allow for an apartment complex which has started construction.

The property northwest of the mobile home park has also been rezoned to C-2 and is used as a plumbing and Heating business.

The property located west is zoned R-1, which is the designation assigned to all properties without prior zoning entitlements prior to the city/county annexation.

The Santa Fe County River Greenway trail is north of the existing mobile home park and consists of land that was part of a condemnation of the subject lots by Santa Fe County to allow for the restoration of the river as well as continuation of the trail. Directly across Agua Fria Street, there is a mix of zoning designations which includes MU (Mixed Use) and I-1 (Light Industrial) zoning districts.



GENERAL PLAN AMENDMENT & REZONING REQUEST

The future land use designation assigned to the subject lots requesting General Plan Amendment & Zoning is “*Transitional Mixed-Use*” while the zoning designation is R-1 (1 dwelling unit/acre).

The R-1 zoning designation was assigned to the subject lots during the city/county-initiated annexation. Since the city/county annexation, there has been several approved general plan amendments and rezonings requests within the surrounding area.

At this time the property owner is proposing General Plan Amendment from Transitional Mixed Use (TMXU) to Community Commercial (CCOM) and Rezoning from R-1 (1/dwelling/acre) to C-2 (General Commercial).

A development plan is not proposed in conjunction with the subject request, as it has become evident with the recently approved rezonings in the area that the R-1 zoning designation is not consistent with the surrounding area.

Furthermore, the 1999 General Plan promotes higher density development in urban infill properties which includes the greater Agua Fria area.

Once a determination has been made on how the property will be redeveloped, the existing legal non-conforming mobile home park will be removed.

The owner / applicant anticipates a future multifamily development, possibly a small-scale apartment complex to replace the current mobile home park, as Mr. Boylan is aware of the need to provide housing for the community.

The property fronting Agua Fria Street would seem more appropriate to develop small-scale stand-alone retail / commercial use(s) that can be enjoyed by the new residents of the area.

ACCESS

Access to the subject lots is off of Boylan Circle via Agua Fria Street. Boylan Circle is a dirt road with an approximate width of twenty (20') feet.

Within the past several years, the City has completed street improvements and widening of Agua Fria adjacent to the subject property including upgrades to the Agua Fria and Siler Road intersection.

Once the property is redeveloped, the existing access will be required to be upgraded to city standards based off the traffic / use of any future development.

ARCHAEOLOGY

The consolidated acreage of the subject lots is over 2.00-acres in size and is within the *River and Trails Archaeological Review District*, which requires an archaeological clearance at the time of development plan or final plat.

Since there is not a development plan or plat associated with the request, an archaeological clearance is not required at this time.

WATER & WASTEWATER

Water

The existing mobile home park is served by an on-site domestic well. There is a 12-inch waterline in Agua Fria Street that would need to be extended into the subject lots at the time of redevelopment of the property.

Utilization and or transfer of water rights associated with the well will be determined upon redevelopment of the property as a future connection to City water will be required at the time of new development.

Sewer

The existing mobile home park is served by a private 8-inch sewer line that connects to the city trunk line across the Santa Fe River which eventually flows into the city wastewater treatment plant.

At the time of redevelopment of the property, a new sewer line will be designed and constructed to city standards at which time the sewer line will be dedicated to the city for public use.

Dry Utilities

Electric, telephone and gas are available to this property with adequate capacity to serve future development.

EARLY NEIGHBORHOOD NOTIFICATION (ENN)

An ENN meeting was held on September 26th, 2024, with city staff, along with the property owner, and agent NM Land Solutions LLC were present. In addition, an unidentified participant that was having technical difficulties later called via phone to inquire about process and other unrelated questions regarding his prior approved rezoning located at 2749 B Agua Fria St.

Also, a phone call was received prior to the ENN meeting from a property Adjoiner that was in favor of the project and agreed that obtaining general plan amendment and rezoning seemed like the proper path forward for the lots in question.

RESPONSE TO GENERAL PLAN AMENDMENT

(1) Criteria for All Amendments to the General Plan

The planning commission and the governing body shall review all general plan amendment proposals on the basis of the following criteria, and shall make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any amendment to the general plan :

- (a) consistency with growth projections for Santa Fe, economic development goals as set forth in a comprehensive economic development plan for Santa Fe and existing land use conditions such as access and availability of infrastructure ;

Response: *Santa Fe is currently experiencing a steady growth rate of 0.54% annually, with the population having increased by 1.4%.* The proposed general plan amendment to community commercial zoning will allow for a mix of commercial and high-density residential uses, providing flexibility in development without the rigid residential-to-commercial ratio specified in the transitional mixed-use future land use designation. This flexibility supports the City's economic development goals by allowing for both affordable housing options and commercial development that complements surrounding uses.

Higher-density residential development will contribute to the availability of affordable housing through the City of Santa Fe Affordable Housing Program, addressing the ongoing need for affordable units. This development approach also supports the local economy by facilitating the potential for employment opportunities tied to the proposed commercial uses.

The amendment is consistent with the guiding policies within Chapter 4 of the 1999 General Plan, specifically regarding the promotion of infill development, efficient use of existing infrastructure, and recognition of water demand and conservation. By aligning with these policies, the amendment contributes to the balanced growth of Santa Fe, promoting both residential development and new employment opportunities in a sustainable manner.

Additionally, the proposal is designed with consideration of existing land use conditions, including the availability of access and infrastructure, ensuring that development occurs in a manner that makes efficient use of resources while accommodating future growth.

(b) consistency with other parts of the general plan ;

Response:

The proposed General Plan Amendment is consistent with several key elements of the Santa Fe General Plan, particularly those related to housing, economic development, transportation, and infrastructure.

- **Affordable Housing and Quality of Life:** *The amendment is in alignment with the General Plan’s goals of providing more affordable housing options, which directly supports the city’s efforts to meet the growing demand for safe, secure, and affordable living spaces. The potential for high-density residential development will increase the availability of the affordable housing stock, improving the quality of life for residents in line with the General Plan’s housing policies.*
- **Job Creation and Economic Development:** *The proposed amendment facilitates the creation of both construction-related jobs and long-term employment opportunities through the development of commercial spaces. This is consistent with the General Plan’s economic development objectives, which emphasize creating jobs and promoting balanced economic growth within the city.*
- **Transportation and Mobility:** *The proposed development also aligns with the General Plan’s transportation goals by enhancing connectivity and providing alternative transportation options. The property’s adjacency to the Santa Fe River Greenway Trail, which accommodates both pedestrians and cyclists, supports the General Plan’s vision for expanding and improving the city’s pedestrian and bike infrastructure. The Greenway Trail connects key parts of the city, contributing to the city’s transportation and mobility policies.*
- **Infrastructure and Public Services:** *The proposed amendment is consistent with the General Plan’s goals related to infrastructure and public services. Although the existing mobile home park is currently served by a domestic well, redevelopment of the property will require connection to city water, ensuring that the development aligns with the city’s water infrastructure policies.*

The new sewer system, which will be installed to meet city standards and maintained by the city after one year, is also consistent with the General Plan’s commitment to ensuring adequate, sustainable public services and infrastructure to support growth.

(c) the amendment does not:

- (i) allow uses or a change that is significantly different from or inconsistent with the prevailing use and character in the area; or

Response: *The proposed amendment does not introduce uses or changes that are significantly different from or inconsistent with the prevailing use and character of the surrounding area. Over time, particularly following the city/county annexation, the area has undergone significant changes, allowing for the development of infill properties with access to city utilities. Many of the surrounding properties have been rezoned within the past fifteen years to accommodate higher-density residential uses, including multifamily apartment buildings, reflecting the city's growth and evolving urban landscape.*

Currently, the area includes a mix of residential and commercial uses. Some commercial properties are legal non-conforming, while others were established through previous general plan amendments and rezonings. The proposed general plan amendment is consistent with this pattern of development, as it allows for a combination of residential and commercial uses that align with the existing mix of land uses in the area. The amendment would further complement the surrounding developments by providing additional opportunities for both residential and commercial growth, without significantly altering the established character of the neighborhood.

Thus, the amendment is in keeping with the area's ongoing transition and growth, and it aligns with the existing mix of residential and commercial uses that have developed over time. The proposed change is not a dramatic departure from the current land use pattern but rather a continuation of the evolving character of the area.

- (ii) affect an area of less than two acres, except when adjusting boundaries between districts; or

Response: *There are four adjoining legal lots of record with a total of 5.96 acres.*

- (iii) benefit one or a few landowners at the expense of the surrounding landowners or the general public;

Response: *The proposed amendment will provide benefits not only to the applicant but also to the surrounding landowners and the broader community. The property in question is currently occupied by an aging mobile home park that has been in place for over forty years, predating the County Code established prior to being annexed into the City of Santa Fe.*

This property is in need of redevelopment to address current deficiencies and enhance the area's overall character. The existing site is encumbered by several electric power poles and a large stockpile of dirt along the Agua Fria Street frontage, both of which negatively impact the aesthetics and functionality of the area.

The proposed amendment will facilitate a sustainable and diverse redevelopment that connects the property to city utilities, addressing key infrastructure challenges. Specifically, the redevelopment will allow for the relocation and undergrounding of electric services, improving both the visual appeal and safety of the area. These infrastructure improvements will directly benefit the surrounding landowners by reducing existing eyesores and enhancing the overall neighborhood environment.

Additionally, by redeveloping the site, the amendment creates the potential for a more vibrant and well-integrated community with better access to essential services. The redevelopment is designed to integrate seamlessly with surrounding properties, offering opportunities for both residential and commercial growth that will benefit the area as a whole, not just a select few.

This approach ensures that the amendment does not disproportionately benefit one landowner at the expense of others but instead supports the broader public interest by improving infrastructure, enhancing the built environment, and contributing to the neighborhood's long-term sustainability and growth.

- (c) an amendment is not required to conform with Subsection 14-3.2(E)(1)(c) if it promotes the general welfare or has other adequate public advantage or justification.

Response: *The proposed amendment is in conformance with Subsection 14-3.2(E)(1)(c) as stated in the above responses (c) i,ii,iii.*

- (d) compliance with extraterritorial zoning ordinances and extraterritorial plans;

Response: *This criterion is no longer relevant since the adoption of Subdivision Platting and Planning Zoning Ordinance (SPPaZO), and the relinquishment of the land use regulatory authority outside the city limits and the transfer of authority from extraterritorial jurisdiction to the City.*

- (e) contribution to a coordinated, adjusted and harmonious development of Santa Fe that in accordance with existing and future needs best promotes health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development ; and

Response: *The proposed amendment will contribute to the coordinated, harmonious development of Santa Fe by addressing both current and future needs, and it will promote the health, safety, and general welfare of the community. The existing mobile home park, currently designated as transitional mixed-use, does not comply with the current land use regulations and is limited in its ability to undergo meaningful upgrades or redevelopment due to its non-conforming status. This limitation restricts opportunities for investment, which in turn can lead to deterioration and neglect of the site.*

By encouraging the redevelopment of this property, the amendment will not only provide an opportunity to modernize the site but also help prevent blight and disrepair, thereby improving the overall quality of life for residents and the surrounding community.

Redevelopment will ensure that the site is brought into compliance with modern land use standards, improving both the physical and environmental aspects of the area. These improvements will enhance public safety, aesthetics, and infrastructure, contributing to the general welfare of the neighborhood.

The amendment also aligns with the City of Santa Fe's long-term growth goals by supporting infill development and more efficient use of land. The proposed redevelopment is consistent with the city's vision of creating sustainable, vibrant, and diverse neighborhoods that meet the needs of

both current and future residents. By facilitating development that connects to city utilities and enhances the surrounding infrastructure, the amendment helps promote efficiency and economy in the development process, aligning with the city's broader planning objectives for growth and sustainability.

In summary, the proposed amendment will foster a coordinated and harmonious development that supports Santa Fe's growth objectives, improves public health and safety, and contributes to the economic and social well-being of the community.

- (f) consideration of conformity with other city policies, including land use policies, ordinances, regulations and plans.

Response: *The City has a policy of promoting a mix of land uses, this property is located within an area where there is a mix of residential, retail and entertainment. The recent changes to the City code now permit residential uses within a C-2 commercial district.*

(2) Additional Criteria for Amendments to Land Use Policies

In addition to complying with the general criteria set forth in Subsection 14-3.2(E)(1), amendments to the land use policies section of the general plan shall be made only if evidence shows that the effect of the proposed change in land use shown on the future land use map of the general plan will not have a negative impact on the surrounding properties . The proposed change in land use must be related to the character of the surrounding area or a provision must be made to separate the proposed change in use from adjacent properties by a setback , landscaping or other means, and a finding must be made that:

- (a) the growth and economic projections contained within the general plan are erroneous or have changed;

Response: *When the existing General Plan was adopted in 1999 it seems that the General Plan failed to recognize the land use complexity of this part of the urban area. It is not a matter of the growth and economic projections being in error as it is the failure to observe the variety of existing land uses and assign a zoning district that best fit those land uses.*

Land use patterns in this area have changed over time especially with the city/county annexation recognizing infill development that can provide greater housing densities and or a variety of commercial uses that are consistent with the current land use patterns.

- (b) no reasonable locations have been provided for certain land uses for which there is a demonstrated need; or

Response: *There are other locations in Santa Fe where general commercial is available, however the current zoning does not allow for the existing residential density associated with the existing mobile home park. The intent of the property owner is to maintain a higher density residential component while having an option to develop both commercial and residential uses on the subject lot.*

- (c) conditions affecting the location or land area requirements of the proposed land use have changed, for example, the cost of land space requirements, consumer acceptance, market or building technology.

Response: *While the City continues to recognize the existing mobile home park as a legal non-conforming use, this grandfathered status is contingent upon no substantial improvements, expansion, or damage beyond repair. Should such circumstances arise, the property would revert to its R-1 zoning with a transitional mixed-use land use designation, which allows for only one (1) dwelling unit per acre, a density that no longer aligns with the area's evolving development patterns.*

Over the past fifteen years, since the annexation of this property into the city, significant changes in land use patterns and zoning have occurred. The recent rezonings in the area, which have permitted higher-density multifamily residential and commercial uses, have notably increased the cost of land and shifted the market dynamics. These changes have rendered the existing mobile home park site less viable for long-term use under its current configuration, especially as surrounding properties have transitioned to more intensive uses.

Additionally, advances in building technology and changes in consumer preferences have further driven demand for higher-density housing and more diverse land uses. The costs associated with maintaining the existing mobile home park, particularly given the high land value in this growing area, make it increasingly difficult to sustain its non-conforming use. Redeveloping the property in accordance with the proposed general plan amendment will not only accommodate the evolving market but also provide a more efficient and sustainable use of the land, aligning with the city's current zoning and development goals.

This amendment is therefore a response to the changing land use patterns, market conditions, and technological advancements that have altered the feasibility of the existing mobile home park and support the need for a more appropriate and compatible development for this location.

RESPONSE TO REZONING APPROVAL CRITERIA

The planning commission and the governing body shall review all rezoning proposals on the basis of the criteria provided in this section, and the reviewing entities must make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any rezoning:

(a) one or more of the following conditions exist:

(i) there was a mistake in the original zoning.

Response: *Since the Annexation of this property, the City has used R-1 zoning designation for annexed areas where it serves as a holding zone until another use is proposed for the land. R-1 is the lowest density zoning district designated in the Land Development Code and the designation of this district is inconsistent with the policies of the General Plan.*

(ii) there has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning; or

Response: *With the city/county annexation that occurred approximately fifteen years ago, the surrounding area has changed significantly where there have been at least four rezoning approvals which includes nine tracts of land all within less than 1,000 feet of the subject property(s) that have been redeveloped as mostly apartments. Prior to the city annexing the area north of Agua Fria Road there was little development activity.*

With the City commitment of utilities and provision of City services, this area is now experiencing requests for development or re-development.

(iii) a different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans;

Response: *The City General Plan shows this property and other properties between Agua Fria and the Santa Fe River as “Community Commercial or Transitional Mixed Use”. The predominate land use for this area is a mix of commercial and single family and rental housing. From the time that this area was brought into the “Presumptive City Limits” and zoned R-1, single family residential, one (1) dwelling per acre, many of the existing uses have become non-conforming.*

The landowners are now limited in the expansion of the existing structures on the property and given the inconsistency between the zoning and the actual land use it would be more advantageous to recognize the existing land use pattern for the area. It does not make planning sense to create non-conformity out of 70 to 80 percent (70% - 80%) of the ownership in the vicinity of this request. Such non-conformities discourages investment in the property and can lead to inconsistent development in the subject area.

(b) all the rezoning requirements of Chapter 14 have been met;

Response: *Currently the existing zoning is R-1, Single Family Residential, one dwelling per acre, which creates a non-conforming status for this property. Rezoning of the property to C-2 uses would bring this property into conformance with the historic uses that have taken place on this property.*

(c) the rezoning is consistent with the applicable policies of the general plan, including the future land use map;

Response: *Rezoning to C-2 (General Commercial) is consistent with the policies of the general plan as it aims to recognize the development of infill properties where city infrastructure is available furthermore rezoning of the property is consistent with the transitional mixed-use designation in that it offers the property the ability to development both a mix of residential and commercial uses.*

(d) the amount of land proposed for rezoning and the proposed use for the land is consistent with city policies regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the growth of the city; and

Response: *There are four (4) adjoining legal lots of record with a combined total of 5.96 acres which will be consolidated upon approval of the rezoning request. The proposed C-2 use for the land is consistent with city policies as it continues to recognize development of infill property and is consistent with the current land use patterns that have developed for a mix of uses from commercial to medium to high density residential.*

(e) the existing and proposed infrastructure , such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development .

Response: *Public utilities are available on Agua Fria, including water, gas and electric lines, cable and telephone lines.*

The City has completed street improvements and widening of Agua Fria adjacent to the subject property including upgrades to the Agua Fria and Siler Road intersection. Siler Road has been completed from Agua Fria to West Alameda providing alternative routes to Agua Fria.

In fact, the traffic volumes on Agua Fria have declined with the extension of Siler to West Alameda. the Santa Fe River Greenway trail which can accommodate both pedestrian and bicyclist. The Santa Fe River Greenway pedestrian and bicycle trail has recently been completed and is located north of the subject parcels,

The closest Fire Station to this site is located on Cerrillos Road near Third Street within a five-minute service radius to this property.

(2) Unless the proposed change is consistent with applicable general plan policies, the planning commission and the governing body shall not recommend or approve any rezoning, the practical effect of which is to:

(a) allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;

Response: *The proposed C-2 zoning request, the character of the neighborhood will remain unchanged from the current mixed use and high-density multi-family residential that has been approved within the past fifteen (15) years with the annexation area of the subject property(s).*

(b) affect an area of less than two acres, unless adjusting boundaries between districts; or

Response: *The combined total of acreage included with the request consist of 5.96 acres, additionally the subject property immediately adjoins a tract of land that was approved to be rezoned in 2014, and was officially adopted via Ordinance 2014-32*

(c) benefit one or a few landowners at the expense of the surrounding

Response: *The proposed amendment will benefit the surrounding landowners as the property is in need of redevelopment. The existing mobile home park has been in existence for over forty (40) years prior to the County Code taking effect.*

The property fronting Agua Fria Street is encroached by several electric power poles as well as a large stockpile of dirt. The amendment will allow for a sustainable and diverse development with connection to city utilities, relocating and undergrounding electric services.

APPENDIX A

**LOT 1 (2745 AGUA FRIA)
LEGAL LOT OF RECORD PLAT**

Note All arroyos shall remain unobstructed and are designated as natural drainage easements.
 All private road maintenance shall be the responsibility of the users
 Original points set before BLM survey of 1980
 Any development of Lot 1 shall require the use of city water or city sewer.

DESCRIPTION:

Beginning at the N.W. corner of Lot 2 from which the N 1/4 corner of Section 33, T.17N, R.9E, N.M.P.M. bears S. 70°43'W, 76.4 feet; thence from said point of beginning N. 50°18'E, 153.2 feet; thence N. 76°48'E, 67.4 feet; thence S. 17°50'E, 84.25 feet; thence S. 58°01'S, 29.7 feet; thence S. 17°45'E, 392.85 feet; thence S. 58°20'W, 119.15 feet; thence S. 64°59'W, 167.0 feet; thence S. 62°33'W, 40.0 feet; thence N. 22°21'W, 405.7 feet; thence S. 62°10'W, 13.1 feet; thence N. 14°45'W, 91.0 feet; thence N. 58°34'E, 129.3 feet to the point of beginning. All within the SE 1/4 Section 20, T.17N, R.9E, and the NE 1/4 Section 33, T.17N, R.9E, N.M.P.M. Santa Fe County, N.M. and containing 3.94 acres, more or less.

APPROVALS

COUNTY OF SANTA FE

By the EXTRA TERRITORIAL ZONING COMMISSION
 at its meeting of February 13th 1986

[Signature]
 Chairman

[Signature]
 Secretary

Silbert A. Chang 6/25/1992
 S.F. County Land Use Zoning Adm Date

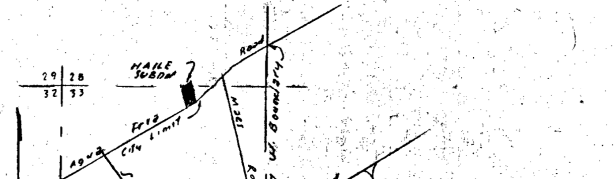
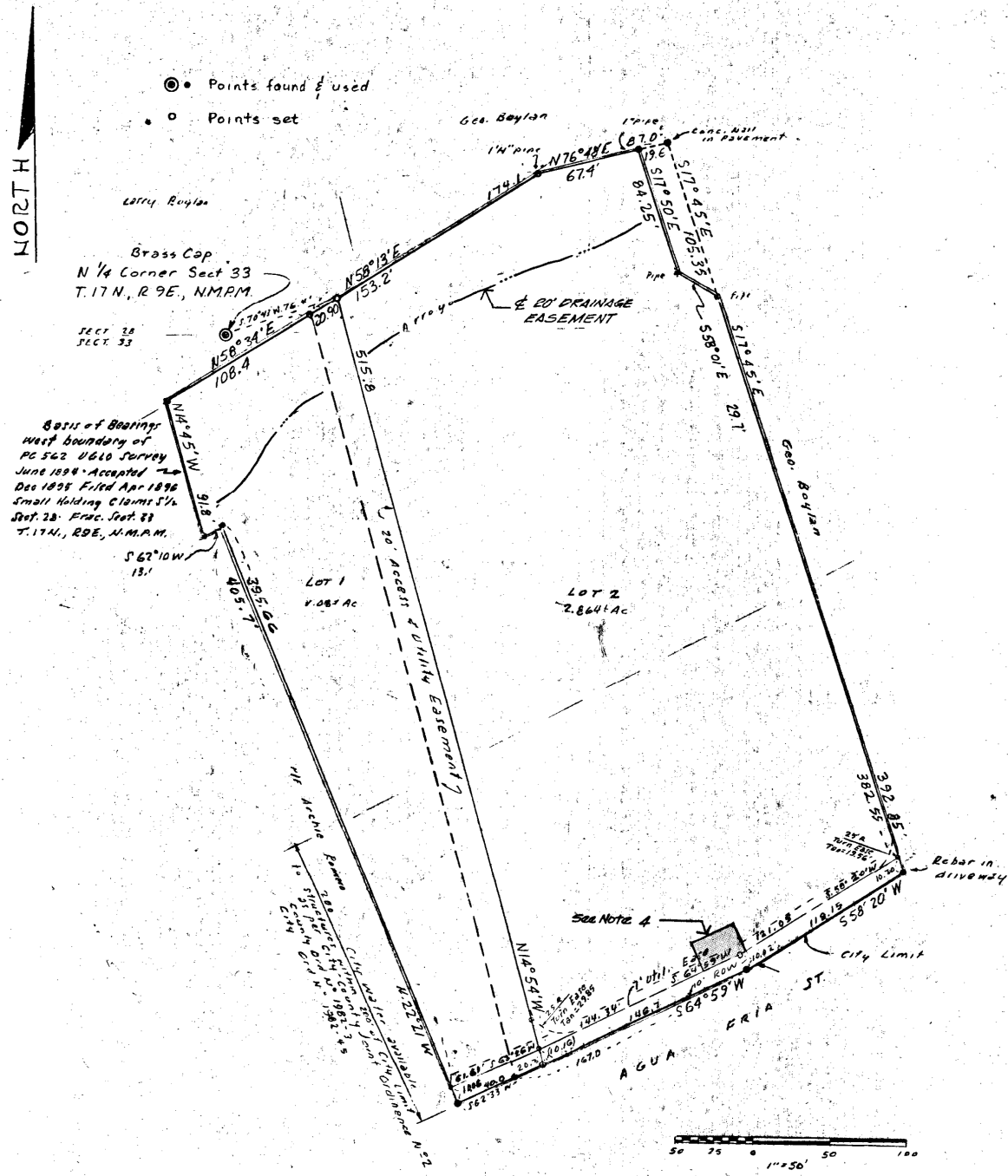
S.F. County Development Permit No. EZ 1986-6

Mountain Bell *[Signature]*

Public Service Co. of N.M. *[Signature]*
 Electric

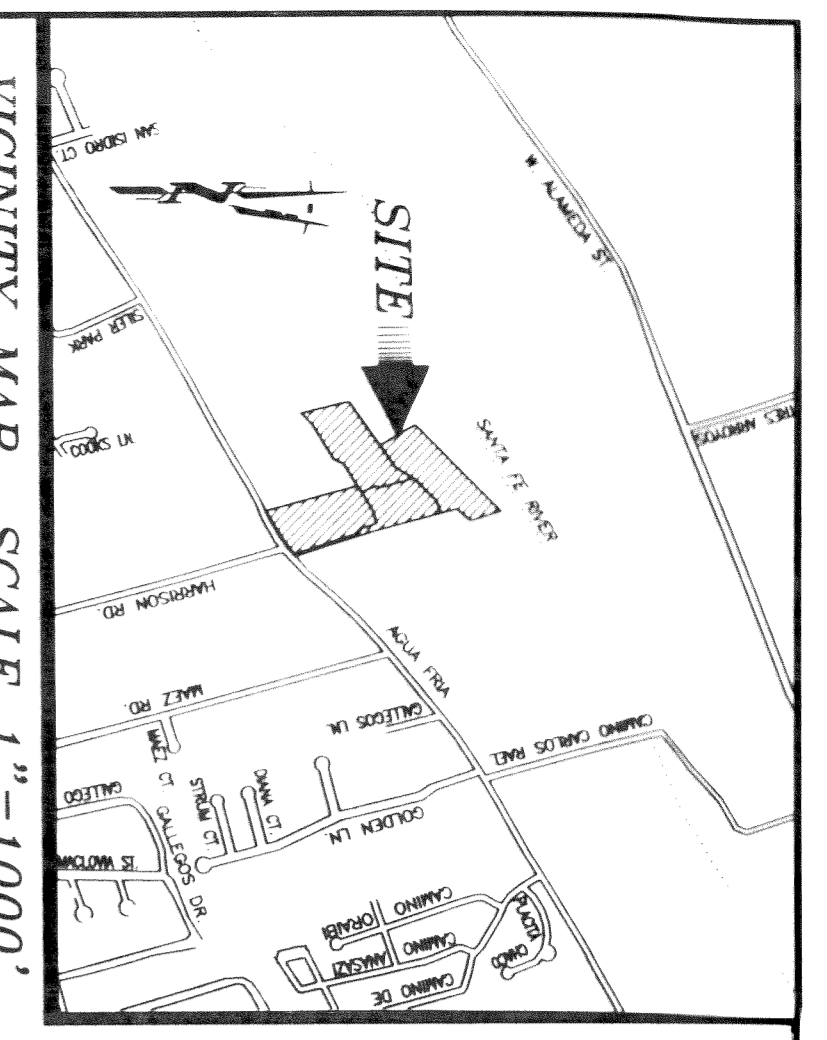
Gas Co. of N.M. *[Signature]* 10/1/85

Sangre de Cristo H₂O Fact. of Bldg 10-7-85

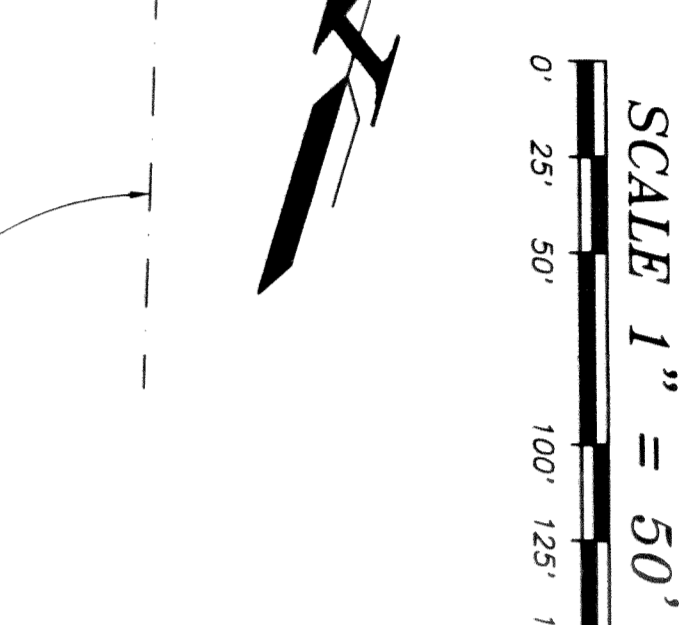


APPENDIX B

**TRACT E 1 (2743 AGUA FRIA) & A-1 (1372 BOYLAN LN.)
LEGAL LOT OF RECORD PLAT**



VICINITY MAP SCALE 1" = 1000'



SCALE 1" = 50'

SURVEYORS NOTES

FLOOD ZONE AE AS PER FEMA MAP PANEL NO. 350069 DATED NOVEMBER 4, 1988. AREAS OF 100-YEAR FLOOD, BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS DETERMINED.

FLOOD ZONE X AS PER FEMA MAP PANEL NO. 350069 DATED NOVEMBER 4, 1988. AREAS OF MINIMAL FLOODING.

INDICATES THAT AREA AS DESCRIBED IN WARRANTY DEED FROM THE ESTATE OF FERN M. BOYLAN AND TOM BOYLAN SR. TO LARRY BOYLAN, RECORDED IN BOOK 2496 PAGE 705, AS RECEPTION NO. 1260,315, IN THE OFFICE OF THE SANTA FE COUNTY CLERK, NEW MEXICO.

INDICATES 20.00' EGRESS, EGRESS AND UTILITY EASEMENT PERPETUAL EASEMENT FOR ACCESS TO AND USE OF WELL FROM LARRY BOYLAN TO THE BANKRUPTCY ESTATE AS PER THAT COURT ORDER No. 7-98-17174 WS (PAGE 2)

LEGEND

- INDICATES POINT FOUND AND USED AS NOTED.
- ⊙ INDICATES BRASS CAP MONUMENT FOUND.
- INDICATES SET REBAR WITH CAP, I.S. No. 13839.
- INDICATES CALCULATED POINT NOT SET.
- INDICATES UTILITY POLE, OVERHEAD UTILITY LINES, AND POLE GUY ANCHOR WHERE APPLICABLE.
- ▲ INDICATES ELECTRIC METER.
- INDICATES UTILITY RISER.
- INDICATES 3"x3" UTILITY BOX.
- x— INDICATES FENCE LINE.
- ⊕ INDICATES LPG TANK.
- ⊙ INDICATES WATER VALVE.
- ⊙ INDICATES WATER WELL CAP.
- ⊙ INDICATES CLEANOUT.
- ⊙ INDICATES WATER SPROUT.
- ⊙ INDICATES GAS VALVE.

DEEDICATION / AFFIDAVIT

KNOW ALL PERSONS BY THESE PRESENTS, THAT THE UNDERSIGNED OWNER(S) AND PROPEROR(S) HAS CAUSED SITUATE HEREIN THE LANDS SHOWN HEREON, LYING AND BEING APPEAR ON THIS PLAT, MADE SANTA FE, NEW MEXICO, ALL THAT APPEAR ON THIS PLAT, MADE SANTA FE, NEW MEXICO, AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED(S) AND IN AND PROPROR(S), THESE LANDS LIE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE COUNTY OF SANTA FE, NEW MEXICO, AND THE UNDERSIGNED(S) HEREBY GRANT, CONVEY AND HEREBY GRANTED FOR ALL EXISTING UTILITIES.

LARRY BOYLAN
Barbara Boylan
 BARBARA BOYLAN
 Personal Representative for the Estate of Tom Boylan

DATE: 08/05/08

DEDICATION / AFFIDAVIT

ON THIS 05 DAY OF AUGUST, 2008, THE FOREGOING INSTRUMENT WAS KNOWLEDGED BEFORE ME BY THE PERSON(S) WHOSE NAME(S) APPEAR HEREON:

Paul A. Rodriguez
 Paul A. Rodriguez
 Notary Public

DATE: 8/5/08

SANTA FE COUNTY APPROVAL

APPROVED BY: *Paul A. Rodriguez*
 COUNTY CLERK

DATE: 8/5/08

COUNTY NOTES AND CONDITIONS

ACCORDING TO FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 0148-B, FLOOD HAZARD AREAS WITHIN DESIGNATED FLOOD ZONE AE SPECIAL FLOOD ELEVATION DETERMINED AND FLOOD ZONE X AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN.

WATER WELL WITHDRAWAL ON THESE TRACTS ARE RESTRICTED BY COVENANTS AS FILED IN THE OFFICE OF THE COUNTY CLERK, AS INSTRUMENT NO. N/A

PURSUANT TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE, THE SOILS RATING ON THIS PROPERTY IS DESIGNATED AS BEING MODERATE TO SEVERE REGARDING LIMITATIONS TO SEPTIC TANKS, POTENTIAL NITRIFICATION CAPACITY, AND THE PROPERTY SHOULD INQUIRE WITH THE SANTA FE COUNTY PLANNING AND DEVELOPMENT DEPARTMENT FOR THE SUITABLE FOR A CONVENTIONAL SEPTIC SYSTEM OR IF AN ALTERNATIVE SYSTEM IS REQUIRED.

SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE PRIVATE EASEMENTS (S) OR RIGHTS (S) AS SHOWN, PRIOR TO THE CONSTRUCTION OF SAID PRIVATE DEVELOPMENT PERMITS (S), APPLICABLE, REQUIRED THAT AN ADDITIONAL INSTRUMENT BE FILED WITH THE COUNTY CLERK'S OFFICE APPROVED BY THE SANTA FE COUNTY LAND USE ADMINISTRATOR.

THIS PROPERTY IS SUBJECT TO ALL RESTRICTIONS, RESERVATIONS, AND EASEMENTS OF RECORD WHICH PERTAIN.

THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT, INCLUDING BUILDING PERMITS. THE PARCELS AS PLATTED HEREON ARE SUBJECT TO SECTIONS 12.1 OF THE EZO TERRAIN MANAGEMENT REGULATIONS AT THE TIME OF ANY DEVELOPMENT.

MAINTENANCE OF ACCESS ROADS AND UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE LAND OWNER, USER, UNLESS CURRENTLY NAMED IN THE SANTA FE COUNTY PUBLIC WORKS DEPARTMENT OR THE CITY OF SANTA FE.

EXISTING NATURAL DRAINAGE WAYS WILL NOT BE MODIFIED OR IMPEDED WITHOUT THE WRITTEN APPROVAL OF THE LAND USE ADMINISTRATOR OR COUNTY HYDROLOGIST. DEVELOPMENT SHALL NOT IMPERE HISTORIC FLOW RATES OR PATTERNS TO OR FROM THESE LOTS.

THESE LOTS ARE SUBJECT TO THE SANTA FE COUNTY FIRE AND RESCUE IMPACT FEES AT THE TIME OF APPLICATION OF BUILDING PERMITS. ALL DEVELOPMENT SHALL OCCUR WITHIN BUILDABLE AREAS IN ACCORDANCE WITH THE SANTA FE COUNTY LAND DEVELOPMENT CODE.

THESE TRACTS ARE SUBJECT TO THE REQUIREMENTS OF THE FIRE MARSHAL AFFIDAVIT FILED IN THE OFFICE OF THE COUNTY CLERK AND RECORDED AS INSTRUMENT NO. 1534341

MINIMUM FLOOR ELEVATIONS FOR ALL STRUCTURES SHALL BE AT LEAST ONE FOOT ABOVE THE 100-YEAR FLOOD ELEVATION. FLOOD ELEVATIONS SHOWN ARE APPROXIMATE AND SHALL BE VERIFIED BY A PROFESSIONAL ENGINEER.



PLAT REFERENCES

BEARINGS BASED ON THAT PLAT TITLED "BOUNDARY SURVEY PREPARED FOR LARRY BOYLAN TRACT D & TRACT E..." BY PAUL A. RODRIGUEZ, N.M.P.S. NO. 13839, DATED MARCH 28, 2003, RECORDED IN BOOK 527 PAGE 031, AS RECEPTION NO. 1256845, IN THE SANTA FE COUNTY CLERK'S OFFICE, NEW MEXICO.

REFERENCE ALSO THAT PLAT TITLED "BOUNDARY SURVEY PREPARED FOR LARRY BOYLAN AND BOYLAN DRILLING & SUPPLY, INC. LOT 1 and LOT 2..." BY PAUL A. RODRIGUEZ, N.M.P.S. NO. 13839, DATED JAN. 22, 2004, RECORDED IN BOOK 551 PAGE 027, AS RECEPTION NO. 1311184, IN THE SANTA FE COUNTY CLERK'S OFFICE, NEW MEXICO.

REFERENCE ALSO THAT PLAT TITLED "MALE SUBDIVISION" BY JACK O'CONNOR, N.M.P.S. NO. 889, DATED FEBRUARY 18, 1986, RECORDED IN BOOK 218 PAGE 012, AS RECEPTION NO. 751,440, IN THE SANTA FE COUNTY CLERK'S OFFICE, NEW MEXICO. (DATA AS SHOWN)

REFERENCE ALSO THAT PLAT TITLED "PLAT OF SURVEY FOR GEORGE BOYLAN" BY SALVADOR E. VIGIL, N.M.P.S. NO. 4403, DATED MAY 14-29, 1991, SAID PLAT BEARS PROJECT NO. C1-373 AND IS NOT RECORDED IN THE SANTA FE COUNTY CLERK'S OFFICE, NEW MEXICO. (DATA AS SHOWN)

REFERENCE ALSO THAT PLAT TITLED "NEW MEXICO STATE HIGHWAY COMMISSION RIGHT OF WAY MAP NEW MEXICO PROJECT NO. HES-3 M-4796(2) C.I.P. 853 SANTA FE COUNTY SCALE 1"=50' SHEET 3 OF 6, BY JAMES J. MEDRANO, N.M.P.S. NO. 5217, DATED DEC. 10, 1990. (DATA AS SHOWN)

CURVE DATA

CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING / DISTANCE
C1	00°36'40"	14.86	1393.00	S52°45'12"W 14.86
RECORD	[003640]	[14.86]	[1393.00]	[S524512W 14.86]
C2	06°09'23"	149.68	1393.00	S55°08'14"W 149.61
RECORD	[060923]	[149.68]	[1393.00]	[S550814W 149.61]

LINE DATA

LINE	BEARING	DISTANCE
L1	N88°15'58"E	20.84
L2	S55°17'20"W	23.78

UNIFORM PARCEL CODE NUMBERS

1-051-097-278-034	N/F TORRES
1-051-097-285-019	N/F TORRES
1-051-097-279-013	N/F TORRES
1-051-098-277-015	N/F TORRES
1-051-098-263-048	N/F TORRES

SPECIAL BUILDING PERMIT CONDITIONS

DEVELOPMENT PERMITS FOR BUILDING CONSTRUCTION WILL NOT BE ISSUED UNTIL REQUIRED IMPROVEMENTS FOR ROADS, FIRE PROTECTION AND DRAINAGE ARE COMPLETED AS APPROVED BY STAFF.

INDEXING INFORMATION FOR COUNTY CLERK

BOOK & PAGE	INSTRUMENT NO.	DATE
N/F RIVERA		
BOOK & PAGE N/A		
AT S.F. CO. ASSESSOR'S OFFICE		

PARALLEL SURVEYS, INC.

1926 A9501 DRIVE, SUITE 800-B, SANTA FE, NM 87505
 Phone: 505-820-2340 Fax: 505-986-2012

LOT LINE ADJUSTMENT SURVEY PREPARED FOR

THE ESTATE OF TOM BOYLAN and LARRY BOYLAN

SECTIONS 28 & 33, T17N, R9E, N.M.P.M., BOYLAN LAKE & BOYLAN CIRCLE, COUNTY OF SANTA FE, NEW MEXICO

SCALE: 1" = 50'
 DATE: Aug., 2008
 PROJECT NO.: 1400-LL4

PURPOSE: THIS PLATTING ADJUSTS EXISTING BOUNDARIES

PAUL A. RODRIGUEZ, N.M.P.S. NO. 13839
Paul A. Rodriguez
 DATE: 08.05.08



INDEXING INFORMATION FOR COUNTY CLERK

BOOK & PAGE	INSTRUMENT NO.	DATE
N/F RIVERA		
BOOK & PAGE N/A		
AT S.F. CO. ASSESSOR'S OFFICE		

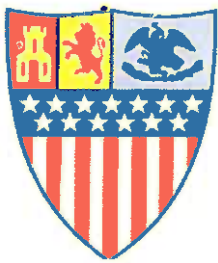
PARALLEL SURVEYS, INC.

1926 A9501 DRIVE, SUITE 800-B, SANTA FE, NM 87505
 Phone: 505-820-2340 Fax: 505-986-2012

PURPOSE: THIS PLATTING ADJUSTS EXISTING BOUNDARIES

APPENDIX C

**TRACT D
CERTIFICATE OF COMPLIANCE**



City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, NM 87504-0909

www.santafenm.gov

Alan Webber, Mayor

Councilors:

- Signe J. Lindell, Mayor Pro Tem, District 1
- Renee Villarreal, District 1
- Peter N. Ives, District 2
- Carol Romero-Wirth, District 2
- Roman "Tiger" Abeyta, District 3
- Chris Rivera, District 3
- Mike Harris, District 4
- JoAnne Vigil Coppler, District 4

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

CERTIFICATE
PAGES: 7

I Hereby Certify That This Instrument Was Filed for
Record On The 12TH Day Of November, 2019 at 11:23:26 AM
And Was Duly Recorded as Instrument # 1901539
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar

Deputy Dorothy Romero County Clerk Santa Fe, NM



CERTIFICATE OF COMPLIANCE AS LEGAL LOT OF RECORD

RE: Legal Lot of Record status for piece of property identified as "Remainder" on a Warranty Deed from Larry Boylan, ("Grantor") to Santa Fe County Board of County Commissioners ("Grantee"). The Warranty Deed was e-recorded on September 21, 2016 in the Office of the Santa Fe County Clerk as Instrument Number 1805051.

In compliance with Subsection 14-3.7(A)(7)(a) City of Santa Fe Land Development Code (SFCC 1987) this Certificate of Compliance documents status as a legal lot of record for the property referenced above.

This determination is based on review of the following documents:

1. Warranty Deed e-recorded on September 21, 2016 in the Office of the Santa Fe County Clerk as Instrument Number 1805051 (attached as Exhibit A),
2. Plat of survey entitled "Lot Line Adjustment Survey Prepared for The Estate Of Tom Boylan and Larry Boylan", Recorded August 06, 2008, in the Office of the Santa Fe County Clerk as instrument number 1534340 (attached as Exhibit B)", and
3. Final Right-Of-Way Map Dated September 02, 2019 entitled "Santa Fe County Open Space & Trails Division Right Of Way Map 1-E Santa Fe River Greenway Frenchy's Field to Siler Road Project No, 7708 (attached as Exhibit C)."

Approval of this Certificate of Compliance makes no determination regarding the conformity or lack thereof to the City's Land Development Code for development or structures on the property.

Noah Berke
Noah Berke, Planner Manager

11/5/19
Date

REC'D CLERK RECORDED 11/12/19

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

SUBSCRIBED AND SWORN to before me this 5 day of November 2019.

By Victoria E. Trujillo

[Signature]

Notary Public

My Commission Expires:

6-19-23



OFFICIAL SEAL
Victoria E. Trujillo
NOTARY PUBLIC - STATE OF NEW MEXICO

My Commission Expires: 6-19-23

Senior

REC CLERK RECORDED 11/12/2019

"EXHIBIT D"

PORTION OF TRACT D DESCRIPTION

ALL THAT PORTION OF TRACT D AS DESCRIBED BY WARRANTY DEED RECORDED AS BOOK 854 PAGE 605 AND SHOWN ON PLAT OF SURVEY FOR LARRY BOYLAN RECORDED AS PLAT BOOK 272 PAGE 24, AND SHOWN ON BOUNDARY SURVEY PREPARED FOR LARRY BOYLAN TRACT D & TRACT E RECORDED AS BOOK 527 PAGE 31, AS SHOWN MORE RECENTLY ON BOUNDARY SURVEY PREPARED FOR SANTA FE COUNTY OPEN SPACE & TRAILS DIVISION SANTA FE RIVER TRAIL PROJECT RECORDED BOOK 749 PAGE 15-17, ALL IN THE OFFICE OF THE SANTA FE COUNTY CLERK. SAID PARCEL LYING WITHIN SECTIONS 28 & 33 TOWNSHIP 17 NORTH, RANGE 9 EAST, N.M.P.M., CITY AND COUNTY OF SANTA FE, NEW MEXICO, WHICH PORTION MAY BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PORTION OF LAND, WHICH LIES N64°38'56"W 248.92 FEET FROM A USGLO BRASS CAP MARKING THE CORNER OF LOTS 9, 12, AND SHC 437-2, SECTION 28, T17N, R9E, NMPM

- THENCE S29°48'12"E, 83.60 FEET;
- THENCE S42°23'52"W, 59.07 FEET;
- THENCE S19°38'45"W, 114.60 FEET;
- THENCE S33°09'37"W, 152.94 FEET;
- THENCE S35°15'41"W, 166.41 FEET;
- THENCE S39°25'10"W, 6.65 FEET;
- THENCE N14°59'00"W, 3.95 FEET;
- THENCE S43°52'18"W, 35.00 FEET;
- THENCE N23°46'48"W, 195.56 FEET;
- THENCE N44°04'13"E, 467.10 FEET;

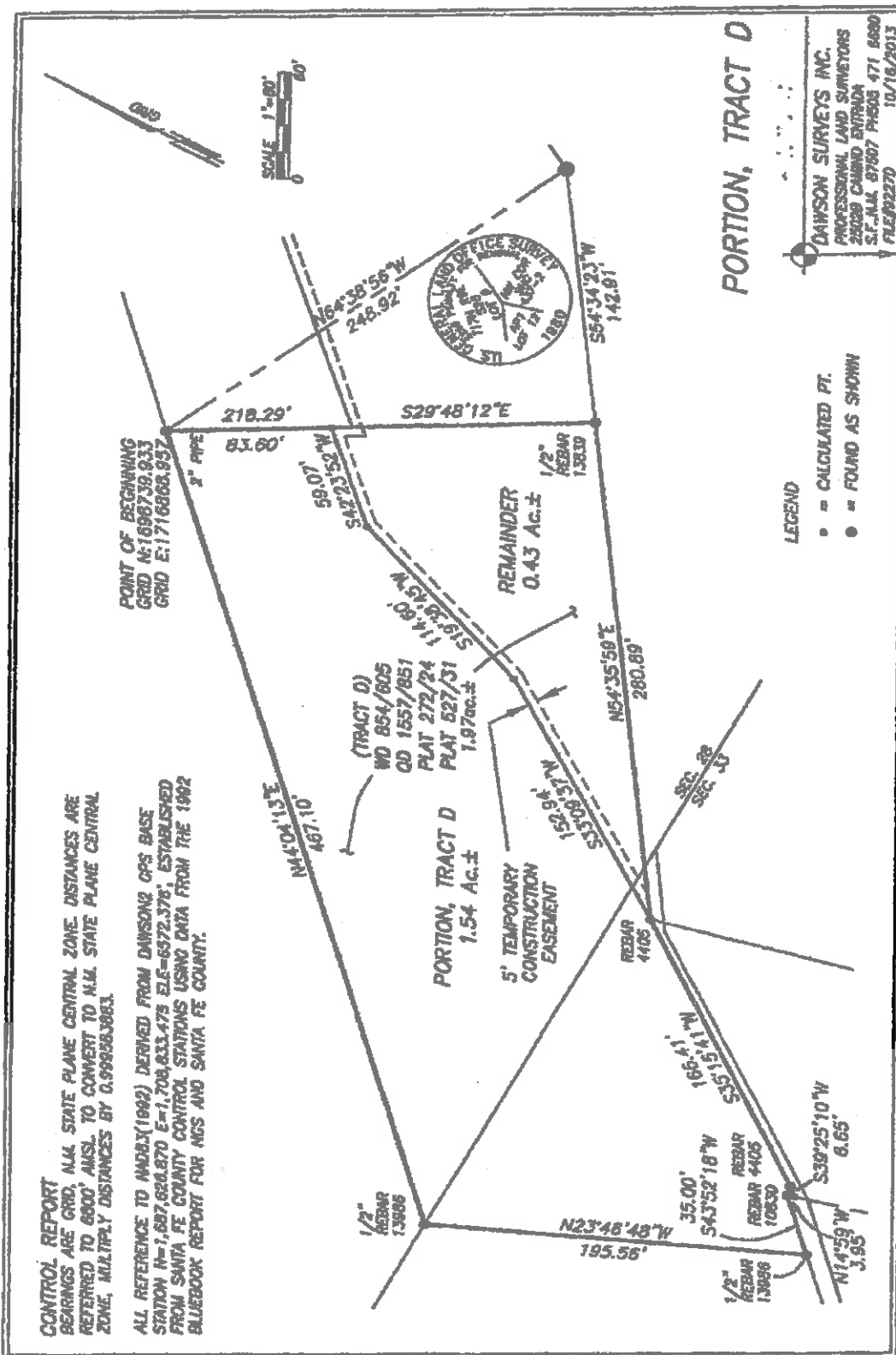
MORE OR LESS TO THE POINT OF BEGINNING, CONTAINING 1.54 Ac., MORE OR LESS, AS SHOWN MORE COMPLETELY ON EXHIBIT B ATTACHED HERETO.

Diego J. Sisneros
DIEGO J. SISNEROS, N.M.P.L.S. 13986



10/16/2013

SFC CLERK RECORDED 11/12/2013



CONTROL REPORT
 BEARINGS ARE GRID, N.M. STATE PLANE CENTRAL ZONE. DISTANCES ARE REFERRED TO 6800' AMSL TO CONVERT TO N.M. STATE PLANE CENTRAL ZONE. MULTIPLY DISTANCES BY 0.99883883.

ALL REFERENCE TO NAD83(1992) DERIVED FROM DAWSON GPS BASE STATION N=1,697,626.870 E=1,708,833.478 ELE=6572.376', ESTABLISHED FROM SANTA FE COUNTY CONTROL STATIONS USING DATA FROM THE 1992 BLUEBOOK REPORT FOR MGS AND SANTA FE COUNTY.

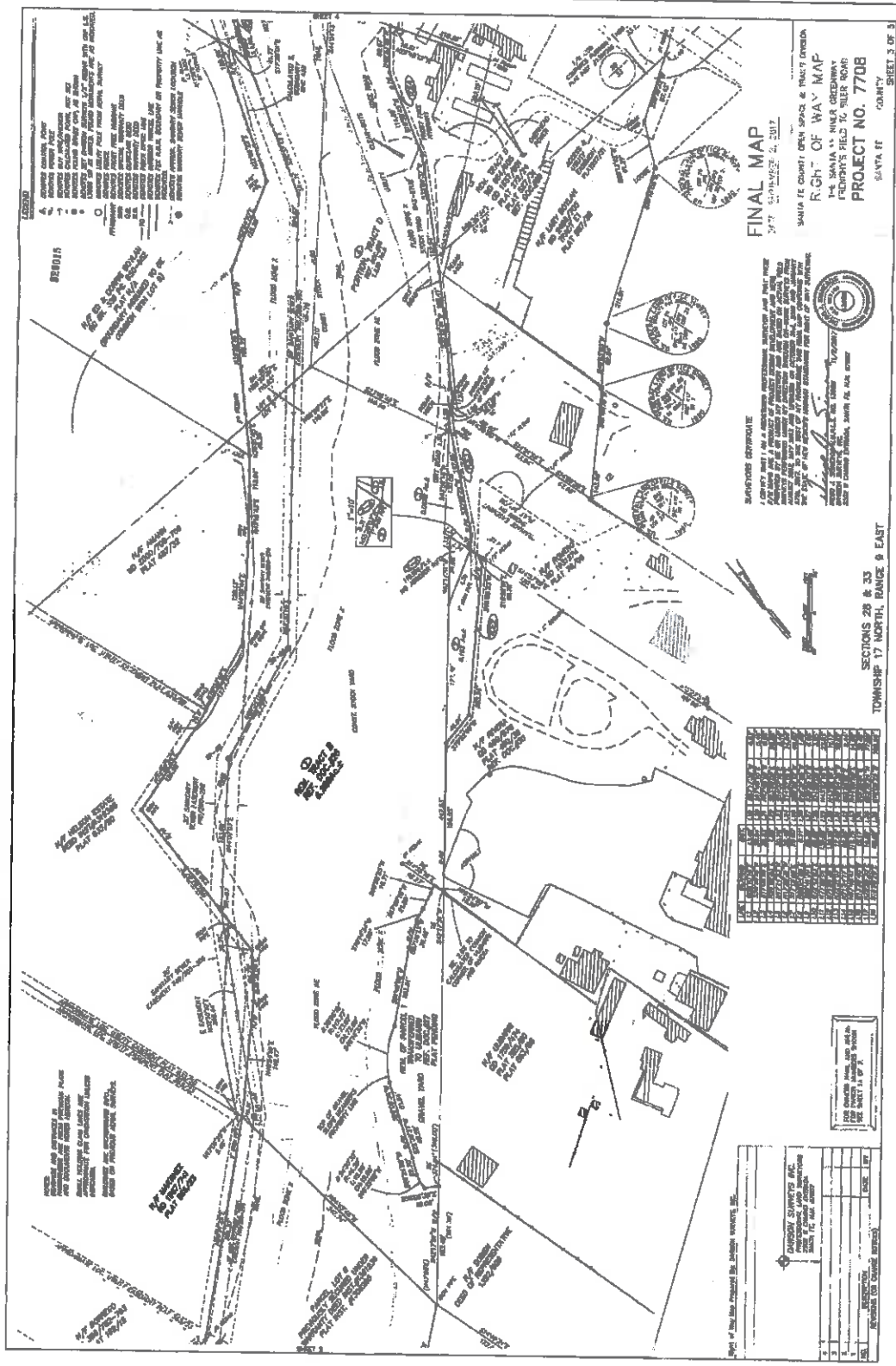
LEGEND
 • = CALCULATED PT.
 ● = FOUND AS SHOWN

DAWSON SURVEYS INC.
 PROFESSIONAL LAND SURVEYORS
 28029 CAMINO ENTRADA
 S.F. CALL 87807 PH808 471 8880
 FILE#99270 10/16/2013

"EXHIBIT D-1"

SFC CLERK RECORDED 11/17/2019

EXHIBIT C



SFC CLERK RECORDED 11/12/2019

APPENDIX D
WARRANTY DEEDS

LOT 1 (2745 BOYLAN LN.)

WARRANTY DEED

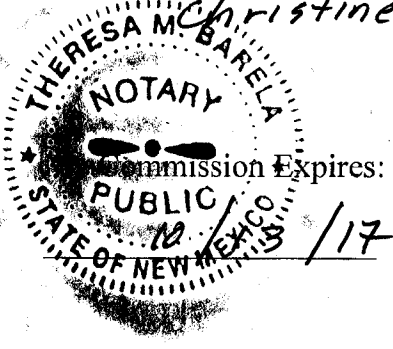
STATE OF NEW MEXICO)
)
COUNTY OF SANTA FE)

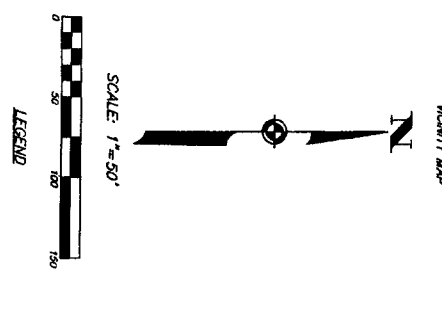
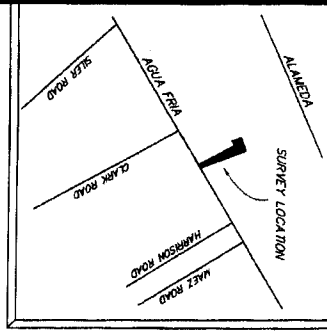
ss.

This instrument was acknowledged before me on the 10 day of November, 2015 by ~~Christina~~ *Christina* McHorse.

Theresa M. Barela

Notary Public





NOTES

1. BASE OF BEARINGS: GPS OBSERVATION OF THE WEST BOUNDARY OF SUBJECT TRACT (N 21°57'20" W) MONS 84, GEODETIC LOCAL.
2. THIS SURVEY IS BASED ON A PLAT OF SURVEY OF HALE SANITA FE COUNTY RECORDED IN PLAT BK. 238, P. 012, RECORDS OF BEARINGS AND DISTANCES IN () ARE FROM SAID PLAT. REFERENCE PLAT: PLAT OF BOUNDARY SURVEY FOR JOEL P. & CHRISTINE MCHORSE, RECORDED IN PLAT BK. 599, P. 042.
3. BOUNDARY SURVEY FOR GUADALUPE BLEA & LOUISE BLEA... AT BRUN MCCLINTOCK, P.S. 11597, RECORDED IN PLAT BK. 392 AT PAGE 032.

CERTIFICATE

I, Philip B. Weigel, a duly registered Professional Surveyor in the State of New Mexico hereby certify that I conducted and am responsible for this survey, that this survey and plat represent an actual survey made in the State of New Mexico under my direction, that it meets the Minimum Standards for Surveying as defined in the New Mexico Subdivision Act and that this is a boundary survey part of an existing tract or tracts.

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

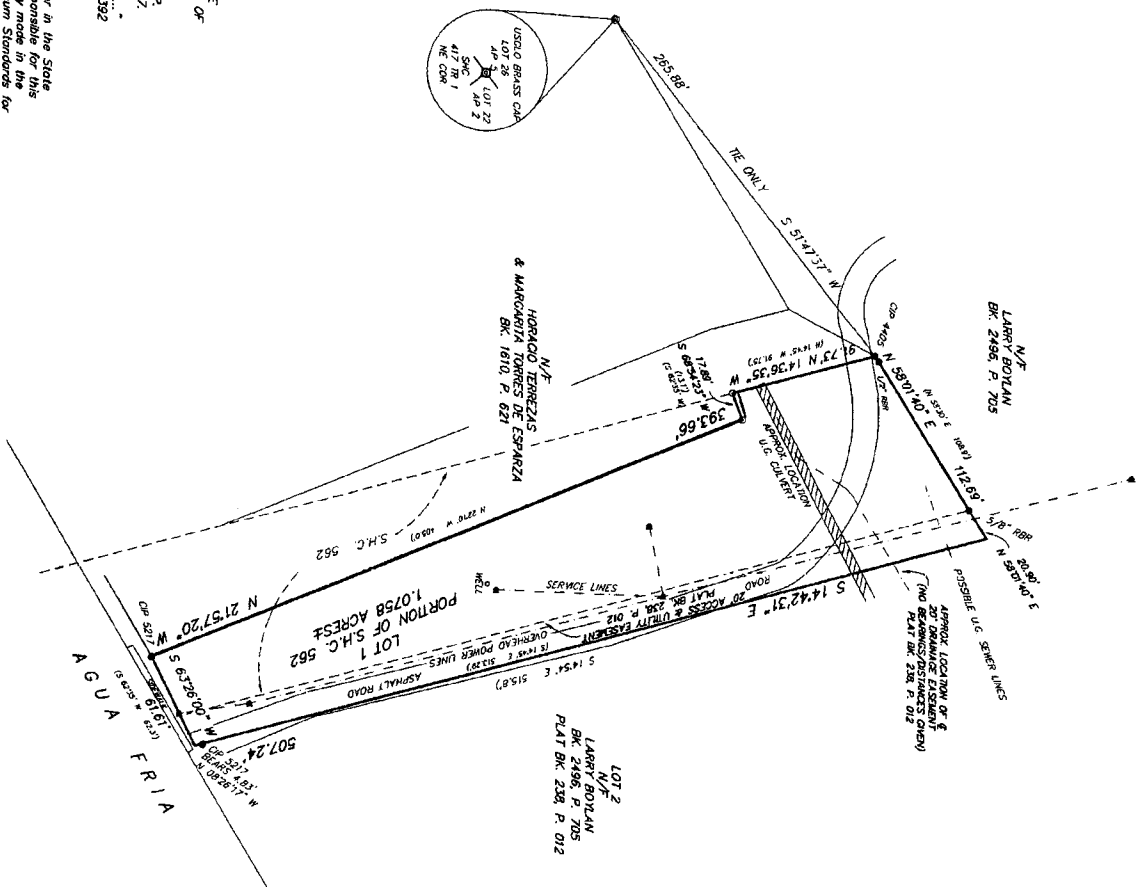
Philip B. Weigel
P.O. Box 22773
Santa Fe, NM
P.S. No. 9758



AMENDMENT

THIS SURVEY AMENDED TO REFLECT INFORMATION CONTAINED ON PLAT OF HALE SUBDIVISION, RECORDED IN PLAT BK. 238 AT PAGE 012 THAT WAS NOT KNOWN TO EXIST WHEN ORIGINAL PLAT WAS RECORDED.

Philip B. Weigel
DATE: 29 January 2005



PLAT OF BOUNDARY SURVEY
FOR
JOEL P. MCHORSE
&
CHRISTINE C. MCHORSE
T 17 N, R 9 E, N.M.P.M.,
SANTA FE COUNTY, NEW MEXICO.

R231944

WITNESSES

COUNTY OF SANTA FE
STATE OF NEW MEXICO

I, _____, County Clerk, do hereby certify that the foregoing was filed for record on this 11/13/2015 at _____ o'clock _____ and was duly recorded in Book _____ Page _____ of the records of Santa Fe County.



Witness my hand and Seal of Office
MILENE ESPINOZA
County Clerk Santa Fe County, New Mexico
Deputy

THIS SURVEY PREVIOUSLY RECORDED IN PLAT BOOK 599 AT PAGE 042

PUBLIC NOTICE

THE SANTA FE COUNTY LAND USE ADMINISTRATION HAS NOT REVIEWED THIS PLAT OF SURVEY BEFORE ITS FILING IN THE OFFICE OF THE COUNTY CLERK. THIS PLAT IS NOT BEING FILED FOR RECORD AS A MATTER OF COURSE AND DOES NOT CONSTITUTE A GUARANTEE OF ACCURACY OR VALIDITY. THE FILING OF THIS PLAT DOES NOT CONSTITUTE A GUARANTEE OF ACCURACY OR VALIDITY. THE FILING OF THIS PLAT DOES NOT IN ANYWAY REPRESENT APPROVAL OF THIS PLAT.

INDEXING INFORMATION FOR COUNTY CLERK BOUNDARY SURVEY

OWNER: MIKEY EDWIN BOTJAN, RALPH HALE
ESTATE OF MARILE HALE
LOCATION: AQUA FRIA ROAD
SECT. 33, T 17 N, R 9 E, N.M.P.M.
SANTA FE COUNTY, NM
UPC No.: 1-051-097-289-512

DEI RIO SURVEYS, INC.
P.O. BOX 22773 SANTA FE, NM 87502-9200
PROJECT No. 05040313 DATE: 8/23/2015

EXHIBIT A

TRACT E-1 (2743 BOYLAN CIR.)
WARRANTY DEED

WARRANTY DEED

698493

Ralph L. Haile and Myrtle E. Haile

, for consideration paid, grant

to Larry J. Boylan, an unmarried man

whose address is

the following described real estate in Santa Fe County, New Mexico:

Lot 12, in Section 28; and Lot 26, in Section 33, all within Township 17 N. of R. 9 E, N.M.P.M., containing 2.22 acres, more or less. Subject to the reservation contained in the Patent.

Together with an easement 20 feet wide for ingress and egress and installation of utilities over that certain land more particularly described as follows, to-wit:

EASEMENT DESCRIPTION

Beginning at a point which is the Northeast Corner of P.C. No. 562, from which beginning point a brass cap designating the North Quarter (1/4) corner of Section 33, Township 17 North, Range 9 East, N.M.P.M., bears the following courses and distances, N. 58° 34' E., 108.4 feet to the northwest corner of said P.C. No. 562 and N. 42° 02' E., 56.69 feet; thence from said point of beginning South along the line common to P.C. No. 562 and P.C. No. 437, Lot 1, to a point where the same intersects the north right-of-way line of Agua Fria Street; thence in an easterly direction 20 feet along the north right-of-way line of Agua Fria Street to a point, thence south paralleling the hereinabove mentioned common line to a point where it intersects the north boundary of P.C. 437, Lot No. 1; thence from said point of intersection westerly to the point and place of beginning.

with warranty covenants.

WITNESS OUR hand s. and seal s. this 23rd day of October, 1984.

Ralph L. Haile (Seal) Ralph L. Haile

Myrtle E. Haile (Seal) Myrtle E. Haile



ACKNOWLEDGMENT FOR NATURAL PERSONS

This foregoing instrument was acknowledged before me this 23rd day of October, 1984, by Ralph L. Haile and Myrtle E. Haile (Name or Names of Person or Persons Acknowledging)

My commission expires: Aug 22, 1984 (Seal)

John Rodriguez (Seal) Notary Public

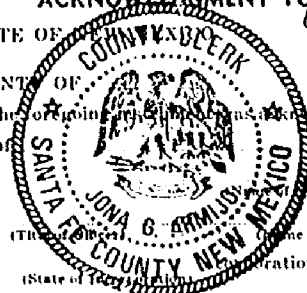
COUNTY OF SANTA FE STATE OF NEW MEXICO I hereby certify that this instrument was filed for record on the 30 day of OCTOBER, 1984 at 4:27 o'clock p.m. and was duly recorded in book 688 page 493 of the records of Santa Fe County.

Witness my Hand and Seal of Office Jona G. Armijo County Clerk, Santa Fe County, N.M.

Therese Clayton Deputy

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO COUNTY OF SANTA FE The foregoing instrument was acknowledged before me this day of 19 by



(Name of Corporation Acknowledging) a corporation, on behalf of said corporation. My commission expires: (Seal) Notary Public

TRACT D (2743 BOYLAN CIR)
WARRANTY DEED

TRACT A-1
WARRANTY DEED
(Deed for entire
property within
river prior to
condemnation

QUITCLAIM DEED

D.A.K. Partnership for consideration paid, grant to Larry J. Boylan whose address is Rte. 6 Box 156 Santa Fe, New Mexico, the following described real estate in Santa Fe County, New Mexico:

A certain tract of land, designated as Tract C, lying and being situate within a portion of Lot 7, Lot 8 and Lot 9 Section 28, T.17 N. R.9 E. N.M.P.M., County of Santa Fe, State of New Mexico, being more particularly described as follows, to wit;

Beginning at a point for AP 1 Lot 12 common to the northwest corner of S.H.C. number 437 tract 2 and an A.P. for Lot 9 Section 28, T.17 N. R.9 E. N.M.P.M., marked by a U.S.G.L.O.S. brass cap located inside a 4 inch P.V.C. pipe; thence S.54°48'34"W. a distance of 142.74 feet to a number 4 rebar with cap; thence N.29°48'46"W. a distance of 217.79 feet to the true point and place of beginning, a point on the southeastern boundary line of the tract described hereon, marked by a number 4 rebar with cap; thence S.44°20'18"W. a distance of 466.41 feet to the southeast corner of the tract described hereon, marked by a number 4 rebar with cap; thence S.89°55'24"W. a distance of 110.50 feet to the southwest corner of the tract described hereon, marked by a nail; thence N.35°35'56"E. a distance of 198.21 feet to an angle point, marked by a 1/2 inch iron pipe; thence N.63°05'21"E. a distance of 125.27 feet to an angle point, marked by a 1 inch iron pipe; thence N.22°16'58"E. a distance of 299.21 feet to an angle point, marked by a number 4 rebar with cap; thence N.50°57'32"E. a distance of 218.49 feet to an angle point, marked by a number 4 rebar with cap; thence N.38°28'19"E. a distance of 117.99 feet to an angle point, marked by a 3/4 inch iron pipe; thence N.63°24'06"E. a distance of 83.58 feet to an angle point, marked by a 3/4 inch iron pipe; thence N.44°39'06"E. a distance of 12.54 feet to an angle point, marked by a number 4 rebar with cap; thence N.45°18'06"E. a distance of 209.66 feet to an angle point, marked by a number 4 rebar with cap; thence N.39°30'06"E. a distance of 41.44 feet to an angle point, marked by a number 4 rebar with cap; thence N.33°45'06"E. a distance of 9.68 feet to an angle point, marked by a number 4 rebar with cap; thence S.89°29'54"E. a distance of 25.11 feet to an angle point, marked by a number 4 rebar with cap; thence N.34°45'06"E. a distance of 708.84 feet to the northwest corner of the tract described hereon, marked by a number 4 rebar with cap; thence S.16°44'54"E. a distance of 100.32 feet to an angle point, marked by a number 4 rebar with cap; thence N.72°45'06"E. a distance of 120.00 feet to the northeast corner of the tract described hereon, marked by a number 4 rebar with cap; thence S.10°55'00"W. a distance of 370.29 feet to an angle point, marked by a 1/2 inch iron pipe; thence S.40°21'13"W. a distance of 636.92 feet to an angle point, marked by a number 4 rebar with cap; thence N.17°00'27"W. a distance of 171.86 feet to an angle point, marked by a number 4 rebar with cap; thence S.44°20'18"W. a distance of 645.82 feet to the true point and place of beginning.

REC'D CLERK RECORDED 04/25/2005

