

GRANT COUNTY ORDINANCE

AN ORDINANCE DEFINING AND DECLARING HIGHWAYS

WHEREAS, 43 USC 932 (RS 2477) provides that (t)he right of way for the construction of highways over public land, not reserved for public uses, is hereby granted, and

WHEREAS, although RS 2477 was repealed with passage of the 1976 Federal Land Policy and Management Act, existing rights under the old Statute were preserved, and

WHEREAS, Section 67-2-1, NMSA, 1978 declares "(a)ll roads and highways, except private roads, established in pursuance of any law of New Mexico, and roads dedicated to public use, that have not been vacated or abandoned, and such other roads as are recognized and maintained by the corporate authorities of any county in New Mexico, are hereby declared to be public highways," and

WHEREAS, the Grant County Commission wishes to assert rights of way on all its roads created by public use,

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF GRANT COUNTY, NEW MEXICO:

Section 1. All roads in Grant County on Federal Lands Created prior to the U.S. Forest reservation, or Bureau of Land Management creation are defined and declared public roads by Section 47-2-1, NMSA, 1978.

Section 2. This Ordinance shall be recorded in the book kept for that purpose and shall be authenticated by the signature of the County Clerk and shall take effect in accordance with law.

PASSED, APPROVED AND ADOPTED, this 3rd day of December, 1992.

BOARD OF COMMISSIONERS OF
GRANT COUNTY

Manuel T. Serna
MANUEL T. SERNA, CHAIRMAN

David D. Diaz
DAVID D. DIAZ, MEMBER

STATE OF NEW MEXICO
County of Grant

I hereby certify that this instrument

was filed for record on the 4th

day of December, A.D., 1992

at 10:55 o'clock A. M. and duly

recorded in book 204 of the records

of Ordinances

at page 1055

Mary Ann C. Carrillo
COUNTY CLERK, GRANT CO., N.M.

Angela Pena
Deputy

ATTEST:

Mary Ann C. Carrillo
GRANT COUNTY CLERK