



**GRANT COUNTY
RESOLUTION NO. R-18-40**

**A RESOLUTION DECLARING THE VACATION AND ABANDONMENT OF ALLENS LOTS
5,6 AND 7 (ROAD EASEMENT ONLY) AND AUTHORIZING THE SALE THEREOF**

WHEREAS, Keith Kartchner petitioned for the county to vacate certain property described on the attached plat (hereinafter referred to as the "Property");

WHEREAS, although public records identify the Road Easement through Allens Lots 5, 6 and 7 as part of a Grant County right-of-way, the Property is not being used as part of the right-of-way, but instead is being used as a drive way for the abutting property owned by Kartchner;

WHEREAS, the Grant County Road Superintendent has no objection to the County vacating the Property;

WHEREAS, the Grant County Board of Commissioners appointed a road review committee pursuant to NMSA (1978) § 67-5-4, the members of which reviewed the Property and recommend that the Property is not needed and that the County vacate such Property; and

WHEREAS, the Grant County Board of Commissioners desires to vacate, abandon, and sell the Property.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

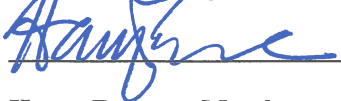
The Grant County Board of Commissioners hereby vacates and abandons the Property, as described on the attached plat.

The Board of Commissioners further authorizes the sale of the Property to Keith Kartchner for the appraised amount of \$400.00, and authorizes County Administration to take the necessary steps to implement such sale.

A copy of this Resolution shall be recorded in the Clerk's Office along with the attached plat.

Passed, Approved and Adopted by the Board of Grant County Commissioners this 18th day of October 2018.

Gerald W Billings, Jr., Chair



Harry Browne, Member



Brett Kasten, Member

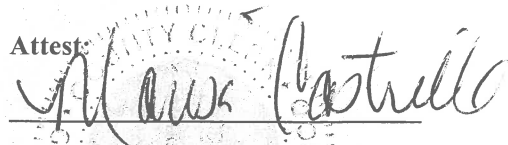
Alicia Edwards, Vice Chair



Gabriel Ramos, Member

[SEAL]

Attest:



Marisa Castrillo, Clerk

QUITCLAIM DEED

THE COUNTY OF GRANT, NEW MEXICO, whose address is 1400 Highway 180 East, Silver City, New Mexico 88061, hereby quitclaims to Clell Kartchner, Keith Kartchner and Rosene Kartchner whose address is 18390 County Rd 27 Doloras CO 81323, all of its right, title, and interest in the following described real estate located in Grant County, New Mexico:

Legal Description:

A tract of land being part of Windy Flat Road, Allen Subdivision, situate in the SE1/4NE1/4 and NE1/4SE1/4 of Section 14, T. 17S., R. 11W., N.M.P.M., Grant County, New Mexico, being described more particularly as follows:

Beginning at Corner No. 1, a point identical with the Northeast Corner of Lot 6 of Allen Subdivision, from whence the East Quarter Corner of said Section 14 bears S00° 23' 37"E, 32.82 ft. distant;
thence, along the Northerly line of Lot 6, S57° 09' 40"W for 280.78 ft. to Corner No. 2, a point identical with the Northwest Corner of Lot 6;
thence, leaving the Northerly line of Lot 6, N32° 31' 40"W for 45.97 ft. to Corner No. 3, a point identical with the Southerly Corner of Lot 5;
thence, along the Southerly lines of Lots 5 and 7, N57° 09' 40"E for 309.75 ft. to Corner No. 4, a point identical with the Southeast Corner of Lot 7;
thence, leaving the Southerly line of Lot 7 and along the East line of Allen Subdivision, S00° 23' 37"E for 54.47 ft., to the Point of Beginning.

Containing 0.312 acres, more or less.

Subject to easements, reservations, and restrictions of record, and such easements as may exist on the ground.

WITNESS by my hand and seal this 18 day of October, 2018.

Board of Grant County Commissioners:

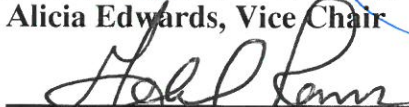
Gerald W Billings, Jr., Chair



Harry Browne, Member

[SEAL]

Attest:


Marisa Castrillo, Clerk
Alicia Edwards, Vice Chair
Gabriel Ramos, Member
Brett Kasten, Member

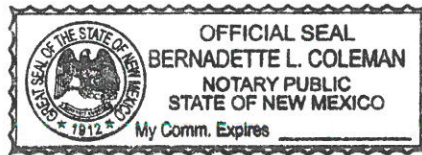
ACKNOWLEDGMENT

State of New Mexico)
) ss.
County of Grant)

This instrument was acknowledged before me on this 18 day of October, 2018,
by the three members of the Board of Grant County Commissioners.

Bernadette L. Coleman
NOTARY PUBLIC

My commission expires: October 3, 2020



GRANT COUNTY

GABRIEL J. RAMOS
Commissioner, District 1

BRETT A. KASTEN
Commissioner, District 2

ALICIA EDWARDS
Commissioner, District 3



BILLY BILLINGS
Commissioner, District 4

HARRY BROWNE
Commissioner, District 5

CHARLENE WEBB
County Manager

September 17, 2018


Grant County Board of Commissioners
Grant County Admin Center
PO Box 898
Silver City, NM 88062


Re: Wind Flat Road-Kartchner Properties


Dear Commissioners:

We have reviewed Wind Flat Road located near Mimbres NM, as identified on the attached map. We find that the road is not needed by Grant County and recommend that the Board of Commissioners abandon and vacate the property.

Sincerely,



Ty Bays

Debbie Rogers

Loren Frost

Office Of The Grant County Commissioners

1400 Highway 180 East, Silver City, NM 88061-7837 • P. O. Box 898, Silver City, NM 88062-0898
Telephone: (575) 574-0008 Fax (575) 574-0073



SILVER CITY

Earl Moore:
Grant County Road Superintendent

September 10, 2018

Keith Kartchner on behalf of the Kartchner heirs, ("Petitioners") respectfully petition the Grant County Commission to assent to the vacation and closing by such Petitioners as abutting property owners of the following described public street, highway, alley or portion thereof situated in Grant County, New Mexico and being more particularly described as follows: 10 Windy Flat, Mimbres, NM 88049, legally described as: Allen's Lot: 7 Approx .81 Acres, Lot: 6 Approx 1.17 Acres, Lot: 5 Approx 1.0 Acres.

Petitioners currently have a prospective buyer for said property, and have entered into a purchase agreement to sell what is commonly known as 10 Windy Flat Road and request to have the roadway between parcels vacated in order to proceed with the sale of such.

Petitioners show that the property herein described is a public road, located in the County of Grant, State of New Mexico, outside of any municipalities; that your Petitioners comprise all of the abutting landowners; that the vacation of such public road will not deny other property owners of such right as they may have to reasonable means of ingress and egress, and that it would be to the best interests of the Grant County Commission to vacate the same.

Sincerely,

A handwritten signature in cursive script that reads "Keith Kartchner".

Keith Kartchner

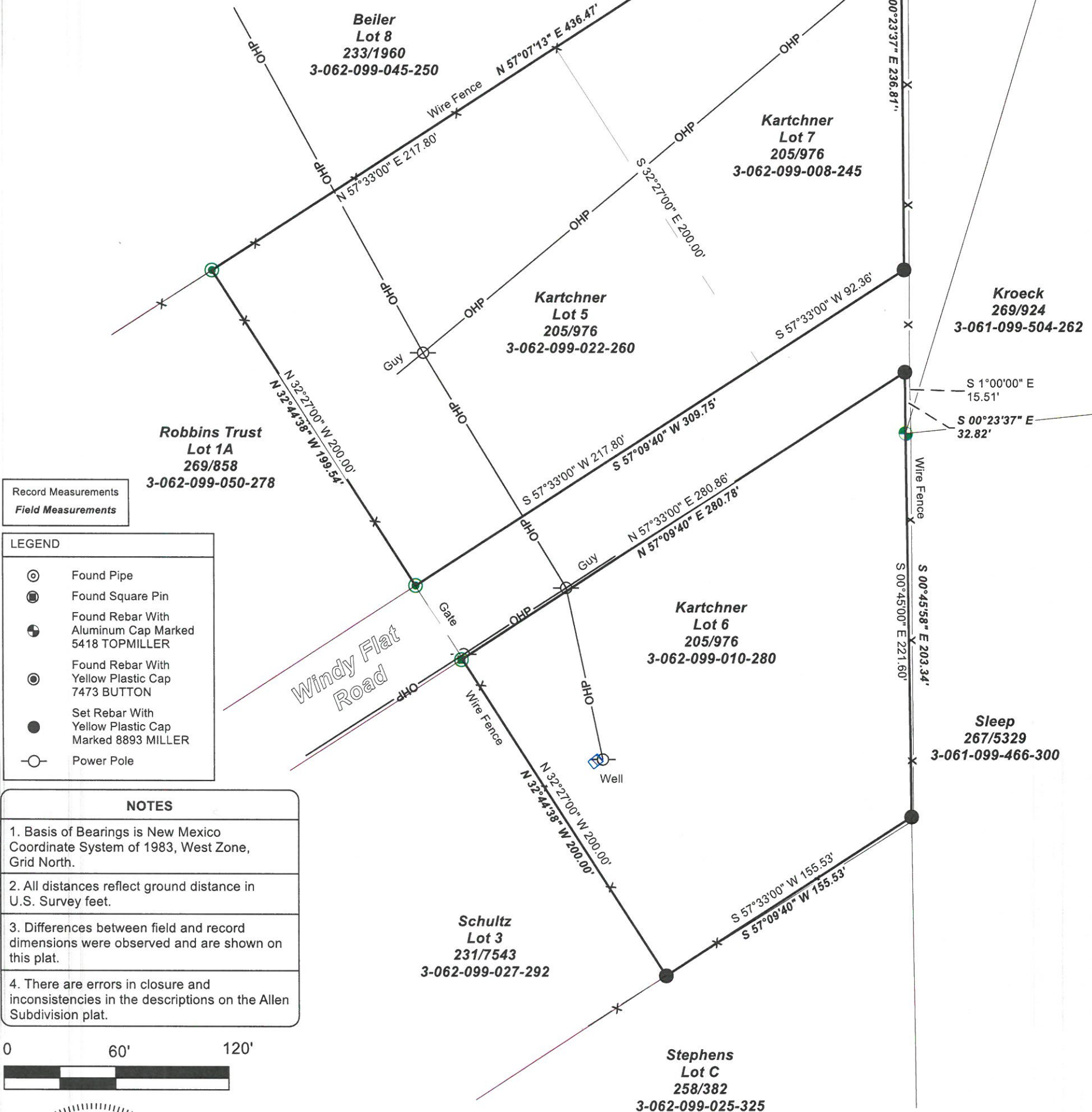
Windy Flat



PLAT OF SURVEY

of

LOTS 5, 6, AND 7, OF ALLEN SUBDIVISION OF A TRACT IN SECTION 14, T. 17S., R. 11W., N.M.P.M., IN THE MIMBRES VALLEY, GRANT COUNTY, NEW MEXICO, ACCORDING TO THE SURVEY AND PLAT THEREOF BY L.E. FOSTER, P.E. & L.S. NO. 242, MADE IN MARCH 1962 AND FILED IN THE OFFICE OF THE COUNTY CLERK OF GRANT COUNTY, NEW MEXICO ON APRIL 5, 1962



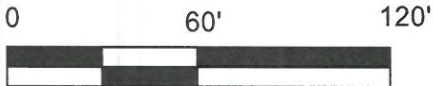
Record Measurements
Field Measurements

LEGEND

- Found Pipe
- Found Square Pin
- Found Rebar With Aluminum Cap Marked 5418 TOPMILLER
- Found Rebar With Yellow Plastic Cap 7473 BUTTON
- Set Rebar With Yellow Plastic Cap Marked 8893 MILLER
- Power Pole

NOTES

1. Basis of Bearings is New Mexico Coordinate System of 1983, West Zone, Grid North.
2. All distances reflect ground distance in U.S. Survey feet.
3. Differences between field and record dimensions were observed and are shown on this plat.
4. There are errors in closure and inconsistencies in the descriptions on the Allen Subdivision plat.



DOCUMENTS USED IN THIS SURVEY
Survey Plat Allen Subdivision, Plat Book 1, Page 1 1/2
Survey Plat Allen Subdivision, Plat Book 3, Page 10

SURVEYOR'S CERTIFICATE:

I, William Ulric Miller, New Mexico Registered Professional Surveyor License No. 8893, do hereby certify that this boundary survey plat and the actual survey on the ground upon which it is based was performed by me or under my direct supervision; that I am responsible for this survey; that this survey meets the minimum standards for surveying in New Mexico in effect at the time which it was performed; and the same is true and correct to the best of my knowledge and belief. I further certify that this survey is not a land division or subdivision as defined in the New Mexico Subdivision Act and that this instrument is a Boundary Survey Plat of an existing tract or tracts.

William Ulric Miller, L.S. 8893 Date

FILE NAME		
18-282 Kartchner Allen L 5 7.TRV		
SCALE	DATE	DRAWN BY
60 Ft/In	9-4-2018	Bill Miller
JOB	REVISION	SHEET
18-282	1/1	1/1

INDEXING INFO. FOR COUNTY CLERK
Township: 17 South
Range: 11 West
Section: 14
Subdivision: Allen
Owner: Clell Kartchner, Et. Al.
UPC: 3-062-099-008-245

Z3 Planners & Surveyors L.L.C.
3435 Highway 180 East • (575) 388-2252
Silver City, New Mexico 88061