

KAMM & McCONNELL, L.L.C.

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ADMITTED IN NEW MEXICO

ATTORNEYS AT LAW

STEVEN L. McCONNELL  
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HAND DELIVERED

August 21, 2015

City of Raton  
Scott Berry, City Manager  
224 Savage Ave.  
Raton, NM 87740

**Re: Sands Manor Motel, Inc.  
Proposed Grant and Dedication of 20' Utility Easement  
and Application to Vacate 20' Alley**

Dear Mr. Berry:

This is the Sands Manor Motel, Inc.'s application and request for the City of Raton to 1) vacate the 20 foot alley which has never been used and over which the Luxury Wing of the Motel was built years ago, and 2) vacate a 6.15 foot strip of Emerson Street into which the west side of the Motel has encroached for years.

We request that the City accept in exchange, the Grant and Dedication of a 20 foot drainage and utility easement in the location of existing electric utility poles.

Enclosed find proposed drafts of:

- \* Grant and Dedication of Easement from the Sands Manor Motel, Inc. and Worth Investments, Inc. to the City of Raton;
- \* Declaration of Vacation and Quitclaim between the City of Raton and Sands Manor Motel, Inc.

Also enclosed for reference find copies of the following:

- \* Shields Survey, Ltd. Co. Easement Survey Plat, Survey No. JN15042;
- \* Deed of Declaration from Loyd J. Wilkins, Sr. and Grace G. Wilkins to the City of Raton, recorded May 13, 1959, Book 98, Page 263;

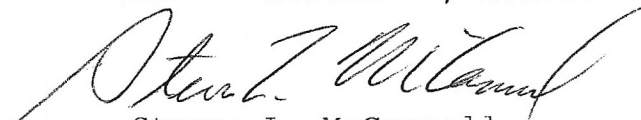
\* Quitclaim Deed from Worth Investments, Inc. to Sands Manor Motel, Inc., recorded August 11, 2014, Doc# 201402219.

Please see that this is placed on the agenda for the Meeting of the City Commissioners on Tuesday, August 25, 2015.

I will be at the meeting to answer any questions.

Yours very truly,

KAMM & McCONNELL, L.L.C.



Steven L. McConnell

*SLM:km*

*enc: copies/as noted above  
cc: Sands Manor Motel, Inc.  
Worth Investments, Inc.  
Mauricio Lemus*

GRANT AND DEDICATION OF EASEMENT

For consideration paid, the Sands Manor Motel, Inc., a New Mexico corporation whose address is 112 East 4<sup>th</sup>, Portales, New Mexico and Worth Investments, Inc., a New Mexico corporation, whose address is P.O. Box 1601, Raton, New Mexico, herewith grant, convey and dedicate to the City of Raton, New Mexico, a municipal corporation, whose address is 224 Savage Ave., Raton, New Mexico 87740, a non-exclusive easement for drainage and the construction, installation, of and maintenance of utilities upon the following described land:

20 FOOT EASEMENT

An easement within Lots 11 and 26 in Block 1 of the Amended Orris Subdivision, City of Raton, Colfax County, New Mexico being more particularly described as follows:

Commencing at the southwest corner of Lot 26, Thence N 00°01'45" W 15.00 with the west line of Lot 26 to the point and place of beginning,

THENCE N 00°01'45" W a distance of 20.00 Feet with the west line of Lot 26 to a point;

THENCE N 89°58'15" E a distance of 153.49 Feet to a point;

THENCE N 00°01'45" W a distance of 5.20 Feet to a point;

THENCE N 89°57'55" E a distance of 10.00 Feet to a point;

THENCE S 00°01'45" E a distance of 5.20 Feet to a point;

THENCE N 89°58'15" E a distance of 136.51 Feet to a point on the east line of Lot 11;

THENCE S 00°01'45" E a distance of 20.00 Feet with the east line of Lot 11 to a point;

THENCE S 89°58'15" W a distance of 300.00 Feet to the point and place of beginning.

Containing 6,052 square feet more or less

In witness hereof the parties have set their hands and seals this \_\_\_\_\_ day of August, 2015.

SANDS MANOR MOTEL, INC.

WORTH INVESTMENTS, INC.

By: \_\_\_\_\_  
DONNA HILLIARD, President

By: \_\_\_\_\_  
KENT D. WILKINS, President

The foregoing grant and dedication of easement is hereby accepted this \_\_\_\_ day of August, 2015 by the City of Raton, New Mexico.

CITY OF RATON, NEW MEXICO

By: \_\_\_\_\_  
SANDRA MANTZ, Mayor

Attest:

\_\_\_\_\_  
TRICIA GARCIA, City Clerk

STATE OF NEW MEXICO     )  
  ) ss  
COUNTY OF ROOSEVELT    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of August, 2015 by DONNA HILLIARD as President of Sands Manor Motel, Inc.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

STATE OF NEW MEXICO     )  
  ) ss  
COUNTY OF COLFAX        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of August, 2015 by KENT D. WILKINS as President of Worth Investment, Inc.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

**DECLARATION OF VACATION AND QUITCLAIM**

This Declaration of Vacation and Quitclaim is made by an between the City of Raton, New Mexico, a municipal corporation, whose address is 224 Savage Avenue, Raton, New Mexico 87740 and Sands Manor Motel, Inc., a New Mexico corporation, whose address is 112 East 4<sup>th</sup>, Portales, New Mexico 88130.

The City of Raton hereby vacates, and quitclaims to the Sands Manor Motel, Inc. that certain alley dedicated to the City of Raton by that Deed of Dedication between Loyd J. Wilkins, Sr. and Grace G. Wilkins to the City of Raton, recorded in the records of Colfax County, New Mexico on May 13, 1959, in Deed Book 98, Page 263, which is particularly described as follows:

Beginning at a point on the east property line of Lot 10, Amended Block One of The Orris Subdivision of the City of Raton, New Mexico, which point lies 17.5 feet northerly from the southeast corner of the said Lot 10; thence northerly along the east line of the said Lot 10 for a distance of 20 feet; thence westerly on a line parallel with and 12.5 feet south of the north line of Lots 10 and 27 for a distance of 300 feet to a point on the west line of Lot 27 in said Amended Block One; thence southerly along the west line of the said Lot 27 for a distance of 20 feet; thence easterly on a line parallel with and 17.5 feet north of the south line of Lots 27 and 10 for a distance of 300 feet to the point of beginning.

The City of Raton also vacates, and quitclaims to the Sands Manor Motel, Inc., that portion of Emerson Street particularly described as follows:

A 6.15 foot wide and 260.00 feet long strip of Emerson Street adjacent to Block 1 of the Amended Orris Subdivision, City of Raton, Colfax County, New Mexico being more particularly described as follows:

Beginning at the Southwest corner of Lot 1 of Block 1,

Thence N 00°01'45" W a distance of 260.00 Feet with the west line of Block 1 to a point;

THENCE S 89°58'15"W a distance of 6.15 Feet to a point;

Thence S 00°01'45" E a distance of 260.00 Feet parallel with the west line of Block 1 to a point;

THENCE N 89°58'15"E a distance of 6.15 Feet to the point and place of beginning.

Containing 1599 square feet more or less ,

Witness the hand of the Mayor and seal of the City of Raton, New Mexico this \_\_\_\_\_ day of August, 2015.

CITY OF RATON, NEW MEXICO

By: \_\_\_\_\_  
SANDRA MANTZ, Mayor

Attest:

\_\_\_\_\_  
Tricia Garcia, City Clerk

STATE OF NEW MEXICO     )  
  ) ss  
COUNTY OF COLFAX        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of August, 2015 by SANDRA MANTZ as Mayor of the City of Raton.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

DEED OF DEDICATION

THIS DEED made this 12<sup>th</sup> day of ~~April~~<sup>May</sup>, 1959, by and between  
LOYD J. WILKINS, Sr. and GRACE G. WILKINS, his wife, parties of the first  
part, and CITY OF RATON, NEW MEXICO, a municipal corporation, party of the  
second part,

WITNESSETH that the parties of the first part do hereby grant and  
dedicate unto the party of the second part the following described land  
and real estate in Colfax County, New Mexico, to-wit:

Beginning at a point on the east property line of Lot 10,  
Amended Block One of The Orris Subdivision of the City of Raton,  
New Mexico, which point lies 17.5 feet northerly from the south-  
east corner of the said Lot 10; thence northerly along the east  
line of the said Lot 10 for a distance of 20 feet; thence west-  
erly on a line parallel with and 12.5 feet south of the north  
line of Lots 10 and 27 for a distance of 300 feet to a point on  
the west line of Lot 27 in said Amended Block One; thence  
southerly along the west line of the said Lot 27 for a distance  
of 20 feet; thence easterly on a line parallel with and 17.5  
feet north of the south line of Lots 27 and 10 for a distance  
of 300 feet to the point of beginning,

for use as a public alley. This dedication is intended by the parties here-  
to to have the same legal effect as though it had been accomplished by means  
of a map or plat.

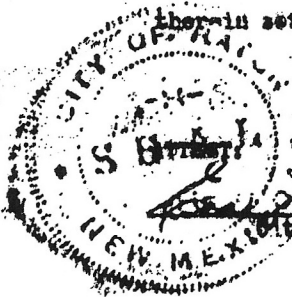
IN WITNESS WHEREOF the parties of the first part have hereunto set  
their hands and seals this the day and year first above written.

Loyd J. Wilkins Sr. (SEAL)  
Grace G. Wilkins (SEAL)

The foregoing grant and dedication is hereby accepted this 12<sup>th</sup>  
day of ~~April~~<sup>May</sup>, 1959, by the party of the second part for the uses and purposes  
therein set forth.

CITY OF RATON, NEW MEXICO

By [Signature]  
Its Mayor



[Signature]  
City Clerk

DB 98-263

264

STATE OF NEW MEXICO }  
COUNTY OF GOLFAX } ss.

The foregoing instrument was acknowledged before me this 12<sup>th</sup>  
day of <sup>May</sup> ~~April~~, 1959, by Loyd J. Wilkins, Sr. and Grace G. Wilkins, his wife.



William H. Dondore  
Notary Public

My commission expires  
29 December 1960

STATE OF NEW MEXICO }  
COUNTY OF GOLFAX } ss.

The foregoing instrument was acknowledged before me this 12<sup>th</sup>  
day of <sup>May</sup> ~~April~~, 1959, by Chas. Teller, Mayor of the City of Raton, New Mexico,  
a municipal corporation, on behalf of said corporation.

William H. Dondore  
Notary Public

My commission expires  
27 Dec 1960



Filed for Record May 12, 1959 at 10:15 A.M. Emma W. Aronson, Recorder

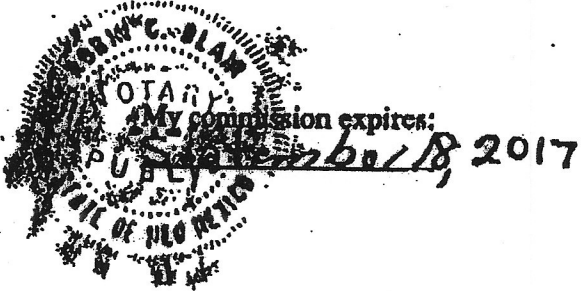




STATE OF NEW MEXICO )  
 ) ss.  
COUNTY OF COLFAX )

This instrument was acknowledged before me on August 6, 2014, by Kent Wilkins, as President of Worth Investments, Inc., a New Mexico corporation, on behalf of said corporation.

*Alvin C. Oliver*  
Notary Public



REC DATE: 08/11/14 REC TIME: 03:08 PM  
COLFAX COUNTY, NM FRED L BRAD-COUNTY CLERK DOC# 201402218 PAGE: 2