



VILLAGE OF CORRALES

ORDINANCE NO. 14-03

AN ORDINANCE AMENDING SUBSECTION 18-79(e)(3) OF THE CODE OF ORDINANCES OF THE VILLAGE OF CORRALES, BEING A PART OF ORDINANCE NO. 63, ADOPTED JANUARY 13, 1976, AS SUBSEQUENTLY AMENDED; REFLECTING THE STATUTORY REQUIREMENT THAT PROPERTY TAXES FOR THE CURRENT YEAR BE PAID BEFORE FILING OF A FINAL PLAT FOR SUBDIVIDED OR COMBINED PROPERTY.

WHEREAS, Section 3-20-7(C), NMSA 1978 (adopted 1965) requires that, for a subdivision within the planning and platting jurisdiction of a municipality, “The person submitting the plat shall pay the necessary filing fee to the municipality, and the planning authority, after approval and endorsement, shall file the plat with the county clerk”; and

WHEREAS, Senate Bill 406 of the 2013 New Mexico legislative session, chaptered as ch. 119 of the 2013 Laws of New Mexico, provides: “A taxpayer shall pay the taxes, penalties, interest and fees due on real property divided or combined through the taxable year in which the property is divided or combined prior to filing a plat”; and

WHEREAS, the Village Council, the governing body of the Village of Corrales (“Governing Body”), finds that the applicable provisions of the Village’s Code of Ordinances, being specifically Subsection 18-79(e)(3) of Chapter 18 thereof, should be amended to reflect that the final plat of a subdivision will not be filed for recordation in the office of the county clerk if the taxes for the subdivided property have not been paid in full; and

WHEREAS, the Planning & Zoning Commission of the Village of Corrales has recommended the adoption of this Ordinance to the Governing Body.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Village of Corrales, New Mexico, that Subsection 18-79(e)(3) of Chapter 18, of the Code of Ordinances of the Village, being a portion of Ordinance No. 63, adopted January 13, 1976, as subsequently amended, shall be amended to read as follows:

- (3) *Recording of final plat.* Upon approval of the final plat by the commission, a full-size mylar containing the signatures as required shall be submitted to the administrator by the applicant.
 - a. Submittal of the final plat for recording is the responsibility of the Village. Payment of all outstanding property taxes on the subdivided property prior to submittal of the plat for recording, including property taxes due for the current tax year, is the responsibility of the applicant or property owner.
 - b. Within sixty (60) days following approval of the final plat by the commission and endorsement of the final plat by the chairman and secretary of the commission, the Mayor and the Village clerk, the applicant shall submit payment of the filing fee for recordation of the plat along with documentation

that all property taxes due on the property, including those for the current tax year, have been paid. The Village shall promptly record the plat in the office of the county clerk. The Village shall retain two (2) copies of the final plat as recorded and file them in the office of the Village clerk.

- c. The final plat shall be effective only upon its recordation in the office of the county clerk. Approval of the final plat by the Village shall be null and void if the filing fee and a sufficient number of copies of the final plat are not presented to the Village for recordation, along with documentation that all property taxes on the property have been paid, within sixty (60) days following endorsement of the final plat by all Village officials whose signatures are required thereon, unless an extension of time is granted by the administrator for good cause shown. The total of all such extensions of time granted by the administrator shall not exceed one hundred twenty (120) days.

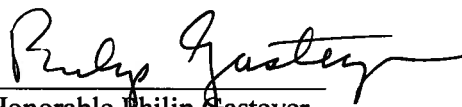
SEVERABILITY CLAUSE: Should any section, paragraph, clause or provision of this Ordinance be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. The Governing Body of the Village of Corrales hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, word or phrase thereof irrespective of any one or more sections, subsections, sentences, clauses, words or phrases being declared unconstitutional or otherwise invalid.

COMPILING CLAUSE: The amended sections of the Village Code adopted pursuant to this Ordinance shall be compiled as a part of the Code of Ordinances of the Village of Corrales, as provided herein.

EFFECTIVE DATE AND PUBLICATION: This Ordinance shall become effective and be in full force and effect from and after its passage, publication and posting, according to law.

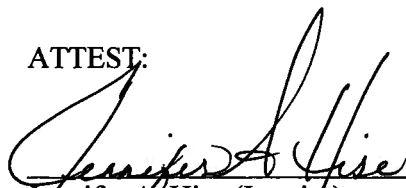
PASSED, APPROVED AND ADOPTED by the Governing Body of the Village of Corrales, New Mexico, this 11th day of February, 2014.

APPROVED:



The Honorable Philip Gasteyer
Mayor

ATTEST:



Jennifer A. Hise (Interim)
Village Clerk

AFFIDAVIT OF PUBLICATION

THE VILLAGE OF CORRALES,
NEW MEXICO
NOTICE OF PUBLIC HEARINGS
AND CONSIDERATION OF
ORDINANCE 14-03

Notice is hereby given that the Village Council, the Governing Body of the Village of Corrales, New Mexico, will hold public hearings and consider the adoption of Ordinance 14-03,

AN ORDINANCE AMENDING SUBSECTION 18-79(e)(3) OF THE CODE OF ORDINANCES OF THE VILLAGE OF CORRALES, BEING A PART OF ORDINANCE NO. 63, ADOPTED JANUARY 13 1976, AS SUBSEQUENTLY AMENDED; REFLECTING THE STATUTORY REQUIREMENT THAT PROPERTY TAXES FOR THE CURRENT YEAR BE PAID BEFORE FILING OF A FINAL PLAT FOR SUBDIVIDED OR COMBINED PROPERTY.

The Village Council will hold two public hearings on the proposed Ordinance at the Council/Court Chambers and will consider whether to adopt the proposed Ordinance upon the completion of the second hearing.

Copies of the proposed Ordinance are available for inspection at the office of the Municipal Clerk, 4324 Corrales Road, Corrales, New Mexico
Journal: January 18, 2014

STATE OF NEW MEXICO
County of Bernalillo SS

Linda MacEachen, being duly sworn, declares and says that she is Classified Advertising Manager of The Albuquerque Journal, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 1 times, the first publication being on the 15th day of January, 2014, and the subsequent consecutive publications on _____, 20____.

Linda MacEachen

Sworn and subscribed before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 20th day of January of 2014.

PRICE \$ 39.10

Statement to come at end of month.

ACCOUNT NUMBER 1009952

OFFICIAL SEAL
Sandra B. Gutierrez
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 2-18-17

Sandra B Gutierrez