



CITY OF LAS VEGAS ANNEXATION APPLICATION PACKET

**Annexation in New Mexico Is Governed by NMSA
(1998supp.) Sections 3-7-let. Seq. “Annexation of Territory”
and Sections 3-57-1 et. Seq. “Metropolitan Boundary Act for
Class A Counties”**

ANNEXATION AND PROCESS PROCEDURE

Annexation

Annexation is the process of adding real property located in the unincorporated parts of the county into the boundaries of the City of Las Vegas. Once annexed, the property becomes fully a part of the City and realizes all benefits and services thereof. The general statute sets out three methods of annexation: Arbitration, Municipal Boundary Commission, and the Petition Method.

1. **Arbitration Method:** Under this method the governing body declares by resolution, that the benefits of municipal government are or can be made available within a reasonable period of time to the territory proposed to be annexed, and that the governing body proposes to annex such territory. A copy of the resolution with a plat of the territory proposed to be annexed is filed with the county clerk. Thereafter, a seven-member board of arbitration is created. Three members are elected from the territory proposed to be annexed; three members, who must be landowners in the municipality, are appointed by the municipality; and one member is selected by the six already elected or appointed. The board then decides whether the territory should be annexed.
2. **Municipal Boundary Commission Method:** This second method involves the Municipal Boundary Commission. The Commission's three members are appointed by the governor; one must be a New Mexico attorney and no more than two may be of the same political party. A petition may be presented by either the municipality or a majority of land owners of the territory proposed to be annexed. NMSA 1978, Section 3-7-15 provides that the Commission is to determine if the territory may be provided with municipal services by the municipality. If these conditions are met, the Commission shall order the annexation. The commission is to order annexation for only a portion of the proposed territory if the conditions are met only for that portion.

Petition Method: The third method of annexation set out in the general statute, appears to be the most frequently used method. Presentation of a petition requesting annexation of territory contiguous to a municipality signed by the owners of a majority of the number acres in the contiguous territory and accompanied by a map shown in the area to be annexed and the relationship to the municipality's existing boundaries. A landlord owning a territory in the annexed area may appeal by filing in the district court within 30 days after the decision to approve or reject the annexation

ANNEXATION PROCESS (PETITION METHOD)

- **Contact the City of Las Vegas Community Development Department 1700 N Grande Avenue at (505) 454-1401 to inquire about policy, petition and application forms. In order to be considered for annexation the subject property must be contiguous to the municipality. City staff will determine whether the property to be annexed is contiguous to the current boundaries of the City of Las Vegas.**
- **If it is determined that the area to be annexed is contiguous, city staff will commence the processing of the petition and the annexation application. This application requires that additional documents as indicated on said application accompany the request.**
- **Upon the petition and application found to be complete, Community Development staff will then provide an informational package on the request to the Development Review Team (e.g. water, waste water, gas, solid waste, clerk, finance, streets, police, fire and judicial departments etc.) for a comprehensive review and a feasibility analysis, which will include department impacts showing estimated future impact costs.**
- **A meeting before the Development Review Team to discuss and review the application will then be held. The applicant will be required to make a presentation regarding the request.**
- **The annexation petition shall then be presented to the Planning & Zoning Commission for a recommendation of approval or denial. The commission will also recommend the appropriate zoning at this time. The meetings are subject to a 15 day notification period and assessed filing fees. The commission's regular schedule meetings are held on the last Monday of each month.**
- **Upon receipt of the recommendation(s) from P&Z the request shall than be submitted to the City Council for acceptance of the petition and introduction of the annexation and rezoning ordinance and authorizing staff to publish such ordinance(s). City Council may at the fallowing meeting adopt the ordinance(s) and set the effective date of the annexation and rezoning. Council meetings are subject to a 15 day public notification period(s).**
- **If the ordinance consents to the annexation of the contiguous territory, a copy of the ordinance, with a copy of the plat of the territory so annexed shall be filed in the office of the county clerk, filing fees is the responsibility of the applicant. After the filing, the contiguous territory is part of the municipality. The clerk of the municipality shall also send copies of the ordinance annexing the territory and of the plat of the territory so annexed to the secretary of finance and administration and to the secretary of taxation and revenue.**

- **Within thirty days after the filing of the copy of the ordinance in the office of the county clerk, any person owning land within the territory annexed to the municipality may appeal to the district court questioning the validity of the annexation proceedings. If no appeal to the district court is filed within thirty days after the filing of the ordinance in the office of the county clerk of it (or if) the court renders judgment in favor of the municipality, the annexation shall be deemed complete.**
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This information is provided for general review purposes only and is not intended to be a comprehensive guide. Annexation may be subject to further conditions as warranted by the Planning & Zoning Commission and the Las Vegas City Council

CITY OF LAS VEGAS
ANNEXATION APPLICATION

PROPERTY OWNER *

Primary Petitioner _____

Address _____

Phone: (home) _____ (work) _____ (fax) _____

Signature of Primary Petitioner _____ DATE _____

GENERAL INFORMATION * (attach additional information to this section if necessary)

Project Name _____

Property Location or Address; said area to be a parcel of land of the New Mexico Behavioral Health Institute compromised of approximately 230.241 acres, more or less. The parcel is bounded, in part, by Gallegos Road on the south and Hot Springs Blvd on the east. _____

Legal Description or Name of Subdivision _____

Lot # _____ Block _____ Township _____ Range _____ Section _____

Is subject area contiguous to the current boundaries of the City of Las Vegas, _____

Current Use of Land: Undeveloped _____ Developed _____

Site Acreage _____ Number of Parcels _____ Number of Existing Dwelling Units _____
Number of Commercial Land Uses _____

Present County Zoning _____ Proposed City Zoning _____

***All property owners of a majority of the number of acres in the contiguous territory petitioning annexation requires their endorsement signature on the attached Petition. (Annexation requires a Separate Rezoning Application and processing fees.)**

Please include with the application the following:

1. Executed "Petition for Annexation" into the Corporate Limits of the City of Las Vegas", herein attached.
2. Proof of ownership (deed) and copy of latest tax statement
3. A complete narrative legal description and total acreage of the area proposed for annexation prepared by a licensed land surveyor.
4. A copy of the Annexation Survey Plat. The boundary survey shall be prepared by a New Mexico registered licensed Land Surveyor. (two mylar originals and six copies)
5. If a development is proposed, please attach a site plan of the proposed development: including, but not limited to the following:
 - a. number of proposed lots, phases and/or units
 - b. size and type of existing and proposed structures to be built
 - c. any special land uses, i.e.: parks, buffer areas, etc.
 - d. the course, distance, and description of all street, all necessary easements, lot lines, and utilities, both proposed and existing.
6. A detailed statement describing the proposed development and schedule for development of the project
7. Names of all developers, engineers, and surveyors.

The statement should identify any factors that could influence water and sewer uses,

WATER:

Total anticipated water demand: Residential use _____ gallons per day

Industrial/commercial use _____ gallons per day

Agriculture use _____ gallons per day

Distance and location for connection to City Main Water Line _____

SEWER:

Total estimated flows from anticipated development or demand: _____ gallons per day

Distance and location for connection to City Main Sewer Line. _____

PETITION FOR ANNEXATION

I (We), the undersigned, being the owner(s) of a majority of the number of the following described contiguous property, hereby petition the City of Las Vegas to annex the following described property into the corporate limits of the City of Las Vegas:

This petition is pursuant to Section 3-7-17, NMSA 1978 (1985 Repl.). The undersigned are the owner(s) of a majority of the number of acres of the above described property, and said property is contiguous to the municipal boundaries of the City of Las Vegas, San Miguel County, New Mexico.

Attached, is a map showing the external boundaries of the territory proposed for annexation and the relationship of the said territory to the existing boundaries of the City of Las Vegas.

The undersigned understand and agree that the annexation shall include dedication of required easements and rights-of-way located within the area proposed for annexation. The undersigned further agree to provide a survey plat of the proposed territory of annexation is approved.

PETITIONERS

Name (s) (print): _____
(second owner if applicable)

Address: _____

Phone: _____

Estimated # of acres: _____

County Assessors
Property Code No. _____

Lot# _____ Block _____ Township _____ Range _____ Section _____

Deed Book _____ Page _____, (Please provide copy of said Deed)

Signature (s): _____
(second owner if applicable)

Name (s) (print) : _____
_____ (second owner if applicable)

Address: _____

Phone: _____

Estimated # of acres: _____

County Assessors
Property Code No. _____

Lot# _____ Block _____ Township _____ Range _____ Section _____

Deed Book _____ Page _____, (Please provide copy of said Deed)

Signature (s): _____
_____ (second owner if applicable)

Name (s) (print): _____

(second owner if applicable)

Address: _____

Phone: _____

Estimated # of acres: _____

County Assessors
Property Code No. _____

Lot# _____ Block _____ Township _____ Range _____ Section _____

Deed Book _____ Page _____, (Please provide copy of said Deed)

Signature (s): _____
_____ (second owner if applicable)

Name (s) (print) : _____
_____ (second owner if applicable)

Address: _____

Phone: _____

Estimated # of acres: _____

County Assessors
Property Code No. _____

Lot# _____ Block _____ Township _____ Range _____ Section _____

Deed Book _____ Page _____, (Please provide copy of said Deed)

Signature (s): _____
_____ (second owner if applicable)