

Application  
For Vacation of  
Utility

**EASEMENTS**

\$50.00 Fee

*Be it remembered that at a regular meeting of the Luna County Board of County Commissioners in Deming, New Mexico on the 9<sup>th</sup> day of July, 1998, the following among the proceedings were had and entered of record.*

RESOLUTION #98-46

ESTABLISHMENT OF PROCEDURES FOR VACATION OF UTILITY EASEMENT REQUESTS

WHEREAS, the Luna County Board of County Commissioners realizes the need for establishing procedures to allow for the vacation of unused utility easements subject to the jurisdiction of Luna County, and its Board of County Commissioners;

NOW, THEREFORE, be it resolved that property owners seeking to vacate such utility easements on their property shall submit to the County;


1. Proof of applicant's ownership of subject property upon which the unused utility easement is located;
2. A proper form of declaration or statement from adjoining property owners who may be affected by this action, consenting to the vacation of the easement;
3. A proper form of declaration or statement from utility companies currently servicing the Luna County area indicating whether they have present or future use for said utility easement;
4. A current survey or plat map detailing the utility easement(s) involved by legal description;
5. A detailed explanation for the request to vacate the utility easement;
6. Pay the required application fee;

NOW, THEREFORE BE IT ALSO RESOLVED THAT, the Luna County Commission may review this resolution annually to make necessary revisions.

Done at Deming New Mexico this 9<sup>th</sup> day of July, 1998  
LUNA COUNTY BOARD OF COUNTY COMMISSIONERS

*Ruth S. Coleman*      *Marilyn S. Offutt*      *Dennis Armijo*  
 Ruth S Coleman, Member      Marilyn S Offutt, Chair      Dennis Armijo, Member

ATTEST:  
*Natalie Pacheco*  
 Natalie Pacheco, County Clerk



**UTILITY EASEMENT VACATIONS  
WAIVER AND RELEASE OF EASEMENTS**

At a minimum, letters from the following Utility Companies currently servicing the Luna County area must be included in the request for utility easement vacation.

1. Century Link                     1-505-245-7199 (requires a \$100.00 fee)  
  Attn: Greg Hunt  
  4301 Bogan NE  
  Albuquerque, NM 87102
  
2. Valley Telephone               1-800-421-5711  
  Attn: Nancy Nevins  
  Right of Way Agent  
  PO Box 970  
  Wilcox, Arizona 85644-0970
  
3. PNM (Electric & Gas)       1-505-241-4437 (requires a \$100.00 fee)  
  Land Services Department  
  Attn: Dan Aragon  
  2401 Aztec Rd NE/Mail Stop 205  
  Albuquerque, NM 87107
  
4. Columbus Electric Coop.    1-575-546-8838  
  Administrative Manager  
  PO Box 631  
  Deming, NM 88031

If service to the area in question is not provided by any of the above utility companies they should so state in letter form.

To expedite your request, please submit the following to the above agencies:

1. Letter of Intent stating reasons and purpose for requesting the easement vacation. This letter shall include legal description and/or address of property along with contract information for party requisition release of easement.
2. Current Property Survey by a registered licensed surveyor describing the proposed easement vacation.
3. Copy of the Subdivision Plat Dedication where the easements were first dedicated. (Located in the Office of the County Clerk)

**LUNA COUNTY**  
**APPLICATION FOR VACATION OF**  
**UTILITY EASEMENT**

**INSTRUCTIONS**

Print or type clearly. Use additional sheets if necessary. All required attachments and supporting documentation shall be submitted with this application form. Incomplete or inaccurate applications may delay review and final action. The completed application package must be submitted to the County Planning Office by the property owner or a designated agent and shall be in compliance with the requirements of the County Resolution or Ordinance. Each application must be accompanied by the administrative fee.

**APPLICANT INFORMATION**

1. Owner or Agent Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Street Address or P O Box  
\_\_\_\_\_  
City State Zip Code  
Telephone Number(s): \_\_\_\_\_  
Signature \_\_\_\_\_ Date \_\_\_\_\_

2. Engineer/Surveyor Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Street Address or P O Box  
\_\_\_\_\_  
City State Zip Code  
Telephone Number(s): \_\_\_\_\_  
Signature \_\_\_\_\_ Date \_\_\_\_\_

**SUBDIVISION INFORMATION**

3. Name of Subdivision: \_\_\_\_\_

4. Reason for Utility Easement Vacation (brief description) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**INFORMATION PROCEDURAL**

5. Date application received by County Planning Department \_\_\_\_\_

6. Reviewing Officers' Signature: \_\_\_\_\_