



The Legislature  
of the  
State of New Mexico

49th Legislature, Second Session

LAWS 2010

CHAPTER 6

SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR

SENATE BILL 41

Introduced by



# Chapter 6

## AN ACT

RELATING TO LAND GRANTS; REQUIRING NOTICE TO THE BOARDS OF TRUSTEES OF CERTAIN COMMUNITY LAND GRANTS BEFORE CONDUCTING BOUNDARY SURVEYS OF LANDS WITHIN OR BORDERING THE LAND GRANT; REQUIRING THE FILING OF PROOF OF NOTICE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Engineering and Surveying Practice Act is enacted to read:

### "NOTICE OF BOUNDARY SURVEY--CERTAIN LAND GRANTS.--

A. If a boundary survey of property is conducted within or bordering the common lands of a community land grant governed and operating pursuant to Chapter 49, Article 6, 7, 8 or 10 NMSA 1978, the surveyor shall give written notice by certified mail to the board of trustees or commissioners of the affected land grant prior to recording the boundary survey or plat with the county clerk. The notice shall indicate where and when the boundary survey will be or was conducted.

B. The board of trustees or commissioners of a community land grant governed and operating pursuant to Chapter 49, Article 6, 7, 8 or 10 NMSA 1978 shall record with the county clerk of the county within which the land grant is located the address and contact information of the appropriate officer of the board or commission to which

1 notice shall be given pursuant to Subsection A of this  
2 section. Any change in address or contact information shall  
3 be updated and recorded as soon as practicable to ensure that  
4 timely notice may be accomplished by certified mail.

5 C. A surveyor shall give proof of the notice  
6 required by Subsection A of this section by having the  
7 tracking number of the certified mailing and the address of  
8 the land grant as recorded with the county clerk acknowledged  
9 and recorded on the boundary survey or plat. A boundary  
10 survey or plat recorded pursuant to Section 61-23-28.2 NMSA  
11 1978 without proof of the notice required by Subsection A of  
12 this section shall not be considered a valid filing or  
13 recording of the boundary survey or plat." \_\_\_\_\_

Diane D. Denish

Diane D. Denish, President  
Senate

Lenore M. Naranjo  
Lenore M. Naranjo, Chief Clerk  
Senate

Ben Lujan

Ben Lujan, Speaker  
House of Representatives

Stephen R. Arias  
Stephen R. Arias, Chief Clerk  
House of Representatives

Approved by me this 26 day of February, 2010

Bill Richardson

Governor Bill Richardson  
State of New Mexico

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