



August 6, 2014

Katherine Miller
Santa Fe County Manager
Santa Fe County
102 Grant Avenue
P.O. Box 276
Santa Fe, New Mexico 87504-0276

RE: Signal and Lighting Maintenance Agreements: D08946, D08947, D12757
and D13723

Dear Ms. Miller:

Santa Fe County and the New Mexico Department of Transportation have long worked together in highway reconstruction and maintenance of signals and roadway lighting. The County and the Department entered into several maintenance agreements for locations on NM 599 between NM 14 and Camino La Tierra, as identified above.

As we understand, the locations covered by these maintenance agreements have been annexed by the City of Santa Fe and the County wants to terminate these maintenance agreements.

Contracts D08946 and D08947 contain the following language in the last section entitled "The Department and Public Entity Agree," Paragraph 2: "Any alteration or revision of this Agreement must be in writing and must have the written approval of the Secretary of the State Highway & Transportation Department of New Mexico in order to be effective."

Contracts D12757 and D13723 at Section XIII entitled "Amendment" reads: "This AGREEMENT shall not be altered, modified, or amended except by an instrument in writing and executed by the parties hereto."

In addition, Contracts No. D12757 and D13723 contain pertinent language in Section XIV, "Term," which states in pertinent part: "This agreement may be terminated upon 60 days written notice by the Public Entity. The Public Entity anticipates that the property at issue with this project will be annexed by the City of Santa Fe, which will require termination of the agreement."

Susana Martinez
Governor

Tom Church
Cabinet Secretary

Commissioners

Pete K. Rahn
Chairman
District 3

Ronald Schmeits
Vice Chairman
District 4

Dr. Kenneth White
Secretary
District 1

David Sepich
Commissioner
District 2

Butch Mathews
Commissioner
District 5

Jackson Gibson
Commissioner
District 6

Contract Nos: D08946, D08947, D12757 and D13723
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Based on the above language and that the locations covered by these Agreements have been annexed by the City of Santa Fe, the Department and the County agrees to amend the Agreements listed above to terminate them effective on July 30, 2014.

As I understand, Afshin Jian, the Department's State Traffic Engineer, has discussed this with Johnny Baca, the County's Traffic Manager. In order to document our concurrence with this effort, please have the appropriate person(s) sign the attached document on behalf of the County and return two signed copies to Afshin Jian, State Traffic Engineer, P.O. Box 1149, Santa Fe New Mexico 87504-1149.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Church', written in a cursive style.

Tom Church
Cabinet Secretary

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By signing this document, the County of Santa Fe and the New Mexico Department of Transportation agree that Contracts D08946, D08947, D12757 and D 13723 are amended to terminate on July 30, 2014. The parties will comply with, observe, and respect any tasks, duties, obligations, and responsibilities that were incurred and still exist under the Agreements up to the date of termination.

NEW MEXICO DEPARTMENT OF TRANSPORTATION

By: 
Tom Church, Cabinet Secretary or Designee

Date: 8/13/14

Reviewed and Approved as to Form and Legal Sufficiency by the New Mexico Department of Transportation's Office of General Counsel

By: 
Assistant General Counsel

Date: 8-6-14

COUNTY OF SANTA FE

By: 
Katherine Miller, Santa Fe County Manager

Date: 9.11.14

Approved as to form by the County Attorney

By: 
Greg Shaffer
Santa Fe County Attorney

Date: 9/9/14