



# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Council Meeting Staff Report

October 18, 2022

---

<b>Agenda No.:</b>	B.
<b>Indexes (Council Goals):</b>	* 2022 Council Goal - Enhancing Support and Opportunities for the Local Business Environment
<b>Presenters:</b>	Daniel Ungerleider
<b>Legislative File:</b>	OR0957-22b

---

### Title

Incorporated County of Los Alamos Ordinance No. 719 An Ordinance Authorizing The Sale Of An Easement To UbiQD, LLC, A New Mexico Limited Liability Corporation

### Recommended Action

**I move that Council adopt Incorporated County of Los Alamos Ordinance No. 719; An Ordinance Authorizing the Sale Of An Easement To UbiQD, LLC, A New Mexico Limited Liability Corporation; I further move that, upon passage, the Ordinance be published in summary form.**

### County Manager's Recommendation

The County Manager recommends that Council adopt Incorporated County of Los Alamos Ordinance No. 719.

### Body

In the late summer of 2021, the CDD/Economic Development Division began working with UbiQD, LLC to address their expansion needs and challenges at 134 East Gate Drive. UbiQD, a former and successful LEDA project for the County, expressed they were planning to expand their laboratory facilities into the lower level of their building, and that they needed to gain access to the lower level from the rear, or east side of the building. This need posed several challenges: access would be needed between their building and one of their neighboring buildings, and access across County-owned property would be needed to gain access to a new overhead door on the east side of their building. To make things more complicated, the piece of County-owned property is located within the jurisdiction of Santa Fe County.

During the following months, CDD/Economic Development Division and the County Attorney's office supported and facilitated: 1) the creation of a permanent access agreement between UbiQD and its neighbor to the north to allow for driveway access to the east side of the UbiQD building; 2) the creation of a temporary access easement on the County-owned property within Santa Fe County to allow for permitting and construction; and 3) the negotiation and development of the subject ordinance and purchase and sales agreement for a permanent easement to UbiQD, LLC.

Included with this report are three documents which will be approved as part of the overall approval of the ordinance. These include Attachment A- the public notice for this action; Attachment B- the proposed ordinance with the permanent easement; and Attachment C - a termination agreement for prior temporary easements granted and recorded. If this action is approved, the County Manager will concurrently record, after closing, the permanent easement and the termination agreement in Santa Fe County.

Council is authorized to sell county-owned real property and interests in real property pursuant to Section 3-54-1 NMSA 1978. The attached appraisal dated February 23, 2022, estimated the market value of the parcel at \$19,160.00.

---

The key terms of the subject Purchase and Sales Agreement are:

- Purchase price will be \$19,160.00.
- Buyer agrees that the Property will be a permanent easement to install an access drive and ramp from ground level to the back of its building basement, which would allow greater storage and use of the basement level of the business.
- Closing to be scheduled within 30 days of adoption.

#### **Alternatives**

Council may deny the recommendation and the temporary easement will still be in effect.

#### **Fiscal and Staff Impact/Planned Item**

There should be minimal staff impact as a result of the sale of these parcels.

#### **Attachments**

A - Publication Notice

B - Incorporated County of Los Alamos Ordinance No. 719 and Purchase Sale Agreement

C - Termination of Temporary Easements to UbiQD to be Recorded