



Town of Mesilla, New Mexico

REVISED

**THE BOARD OF TRUSTEES (BOT) OF THE TOWN OF MESILLA
REGULAR MEETING AT THE MESILLA TOWN HALL,
2231 AVENIDA DE MESILLA**

Tuesday, November 12, 2024 – 6:00 P.M.

MINUTES

TRUSTEES: Russell Hernandez, Mayor
Adrianna Merrick, Mayor Pro Tem
Biviana Cadena, Trustee (ABSENT)
Stephanie Johnson-Burick, Trustee
Gerard Nevarez, Trustee

STAFF: Lorenzo Astorga, Public Works Director
Ben Azcarate, Marshal
Gloria S Maya, Town Clerk/Recorder
Edward Salazar, Economic & Community Development Director
Greg Whited, Fire Chief

PUBLIC:

Catharine Walkinshaw	Eric Walkinshaw
Felix Armijo	Crystal Whited
Lori Miller	Susan Krueger
Cole Morris	Richard W
Adel B	Terry Melendrez
Andrea Bryan	Greg Lester
Pat Taylor	Mary H Ratje
Dosa	

1. PLEDGE OF ALLEGIANCE

Mayor Hernandez led the Pledge of Allegiance.

2. ROLL CALL & DETERMINATION OF A QUORUM

Roll Call.

Present: Mayor Hernandez, Trustee Johnson-Burick, Mayor Pro Tem Merrick, Trustee Nevarez

3. CHANGES TO THE AGENDA & APPROVAL

Trustee Johnson-Burick expressed her concerns regarding items 6 a. and 6 h.

Mayor Hernandez reviewed the process that was followed.

Motion: To approve agenda, Moved by Mayor Pro Tem Merrick, Seconded by Trustee Nevarez.

Roll Call Vote: Motion passed (summary: Yes-3)

Mayor Pro Tem Merrick Yes
Trustee Johnson-Burick Yes
Trustee Nevarez Yes

4. **APPROVAL OF CONSENT AGENDA:** (The Board will be asked to approve by one motion the following items of recurring or routine business. The Consent Agenda is marked with an asterisk *)
- a) **APPROVAL: BOT MINUTES** – Minutes of BOT Meeting – 10.30.2024
 - b) **APPROVAL: PZHAC STR BUSINESS #1282** – 2551 Calle de Parian, submitted by Melanie Goodman. Requesting approval to operate short-term rental. ZONE: Historical Residential (HR).

Motion: To approve consent agenda, Moved by Trustee Nevarez, Seconded by Mayor Pro Tem Merrick.

Motion passed unanimously.

5. **PUBLIC INPUT ON CASES – The public is invited to address the Board as allowed by the chair.**

Mayor Hernandez stated he received two (2) emails that will be included in the minutes.

Trustees stated that they received an email that needs to be included in the minutes.

Ms. Walkinshaw commented on the STR and on item 6 b.

Ms. Krueger commented on item 6 b.

6. **ACTION AND CONSIDERATION**
NEW BUSINESS

- a. **APPROVAL: PZHAC CASE #061823 with Condition** – 2450 Calle de Principal, submitted by Felix Armijo. Requesting approval to construct a 30’ x 36’ structure on the property for the purpose of operating 2 short-term rental units. This case decision by PZHAC appealed to BOT. BOT decision was to have case reheard by PZHAC and have full commission vote as to avoid having a 2-2 vote. ZONE: Historical Commercial (HC).

Mayor Pro Tem Merrick recused herself.

Mr. Salazar gave an update.

Motion: To postpone the approval of PZHAC Case #06182 – 2450 Calle de Principal, submitted by Felix Armijo. Requesting approval to construct a 30’ x 36’ structure on the property for the purpose of operating two (2) short-term rental units. This case decision by PZHAC appealed to BOT. BOT decision was to have case reheard by PZHAC and have full commission vote as to avoid have a 2-2 vote. ZONE: Historical Commercial (HC), Moved by Trustee Nevarez, Seconded by Trustee Johnson-Burick.

Trustees commented on the case and the process.

Roll Call Vote: Motion passed (summary: Yes-2)

Trustee Johnson-Burick Yes
Trustee Nevarez Yes

- b. **APPROVAL: PZHAC SUP CASE #061909** – 320 W University, submitted by Sylvia D’Andrea. Requesting approval to operate a winery/wine tasting/social gathering hall. ZONE: Rural Farm (RF).

Mr. Salazar gave an update.

Motion: To approve PZHAC SUP Case #061909 – 320 W University, submitted by Sylvia D’Andrea. Requesting approval to operate a winery/wine tasting/social gathering hall. ZONE: Rural Farm (RF), Moved by Mayor Pro Tem Merrick, Seconded by Trustee Nevarez.

Trustees commented on the case and the process.

Motion: To postpone PZHAC SUP Case #061909 – 320 W University, submitted by Sylvia D’Andrea. Requesting approval to operate a winery/wine tasting/social gathering hall. ZONE: Rural Farm (RF), Moved by Mayor Pro Tem Merrick, Seconded by Trustee Nevarez.

Roll Call Vote: Motion passed (summary: Yes-2; No-1)

Mayor Pro Tem Merrick Yes
Trustee Johnson-Burick No
Trustee Nevarez Yes

- c. **APPROVAL: PZHAC CASE #061913 with Condition** – 2342 Calle de Arroyo, submitted by Julie Fitzsimmons. Requesting approval to restore structure on property. A work session was scheduled according to MTC 18.33-Historic Preservation requirements. ZONE: Historical Residential (HR).

Mr. Salazar gave an update.

Motion: To approve PZHAC Case #061913 with Condition – 2342 Calle de Arroyo, submitted by Julie Fitzsimmons. Requesting approval to restore structure on property. A work session was scheduled according to MTC 18.33-Historic Preservation requirements. ZONE: Historical Residential (HR), Moved by Mayor Pro Tem Merrick, Seconded by Trustee Nevarez.

Trustee Nevarez commented on the case.

Roll Call Vote: Motion passed (summary: Yes-3)

Mayor Pro Tem Merrick Yes
Trustee Johnson-Burick Yes
Trustee Nevarez Yes

- d. **APPROVAL: Resolution 2025-10 FY2024-2025 Budget Adjustment #1**

Motion: To approve Resolution 2025-10 FY2024-2025 Budget Adjustment #1, Moved by Mayor Pro Tem Merrick, Seconded by Trustee Nevarez.

Roll Call Vote: Motion passed (summary: Yes-3)

Mayor Pro Tem Merrick Yes
Trustee Johnson-Burick Yes
Trustee Nevarez Yes

- e. **APPROVAL: Resolution 2025-11 Public Auction of Equipment**

Motion: To approve Resolution 2025-11 Public Auction of Equipment, Moved by Mayor Pro Tem Merrick, Seconded by Trustee Johnson-Burick.

Roll Call Vote: Motion passed (summary: Yes-3)

Mayor Pro Tem Merrick Yes
Trustee Johnson-Burick Yes
Trustee Nevarez Yes

- f. **APPROVAL: Resolution 2025-12 Capital Asset Inventory Certification**

Motion: To approve Resolution 2025-12 Capital Asset Inventory Certification, Moved by Mayor Pro Tem Merrick, Seconded by Trustee Johnson-Burick.

Roll Call Vote: Motion passed (summary: Yes-3)

Mayor Pro Tem Merrick Yes
Trustee Johnson-Burick Yes
Trustee Nevarez Yes

g. APPROVAL: Resolution 2025-13 FF/EMS Recruitment Agreement 24-ZI5036-34
Motion: To approve Resolution 2025-12 FF/EMS Recruitment Agreement 24-ZI5036-34, Moved by Mayor Pro Tem Merrick, Seconded by Trustee Johnson-Burick.

Roll Call Vote: Motion passed (summary: Yes-3)

Mayor Pro Tem Merrick Yes
Trustee Johnson-Burick Yes
Trustee Nevarez Yes

h. APPROVAL: Resolution 2025-14 Rezone Case #61870
Motion: To approve Resolution 2025-14 Rezone Case #061870, Moved by Mayor Pro Tem Merrick, Seconded by Trustee Johnson-Burick.

Trustees commented on the case and the process.

Roll Call Vote: Motion passed (summary: Yes-2; No-1)

Mayor Pro Tem Merrick Yes
Trustee Johnson-Burick No
Trustee Nevarez Yes

7. PUBLIC INPUT – The public is invited to address the Board as allowed by the chair.
Mr. Taylor commented on Don Felix and Comprehensive Plan.

8. BOARD OF TRUSTEE COMMITTEE REPORTS
Trustee Johnson-Burick: MPO Wednesday, 1:00 p.m.

Mayor Pro Tem Merrick: MPO Wednesday, 1:00 p.m.

Mayor Hernandez: Friends of the Taylor Family Monument Wednesday, Ad Hoc Meeting

9. BOARD OF TRUSTEE/STAFF COMMENTS
(WRITTEN STAFF REPORTS INCLUDED IN PACKETS)

Marshal Azcarate gave a department update.

Mr. Astorga gave a department (Public Works) update.

Mayor Hernandez gave an update on the Ave de Mesilla road work.

Mr. Salazar gave a department (Economic & Community Development) update.

Ms. Maya gave a department (Finance) update.

Trustee Nevarez asked about crosswalks on Ave de Mesilla.

Trustee Johnson-Burick stated her concerns and questions.

Mayor Pro Tem Merrick commented on events and things happening around town.

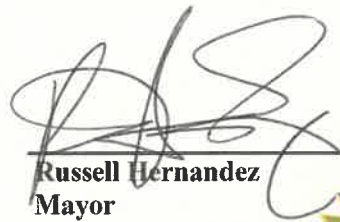
Mayor Hernandez gave an update.

11. ADJOURNMENT

The Town of Mesilla Trustees unanimously agreed to adjourn the meeting. (Summary: Yes-3).

MEETING ADJOURNED AT 8:11 P.M.

APPROVED THIS 25th DAY OF NOVEMBER, 2024



Russell Hernandez
Mayor



ATTEST:



Gloria S. Maya
Town Clerk/Treasurer

****BOT MEETINGS ARE AVAILABLE ON TOWN OF MESILLA'S YOUTUBE PAGE****

**BOARD OF TRUSTEES
PUBLIC HEARINGS/MEETING/WORKSESSION
SIGN UP SHEET
NOVEMBER 25, 2024**

NAME	ADDRESS
Catherine Wallanshaw	2134 Calle de Principal
Eric Wallanshaw	" "
Kerinda Allen	2460 Calle De Santiago
TAT TAYLOR	MESILLA
Tina Witter	Mesilla
Greg Lester	Mesilla
Andrea Bryan	
Dasso	- 11 -
TERREY MELENDEZ	2171 CALLE DE GUADALUPE
THOMAS TRUENEN	mesilla
Mary H. Rattie	11
SYLVIA DANDREA	1321 Avenida de Mesilla
Barb Denton	6400 Vista de Oro Dona Ana County
DONALD E BLACK	16 LAS CASITAS, LC 88007
MARY-CLAIRE BLACK	16 LAS CASITAS, LC 88007
Martha Muffel	2690 Boldt ST, 88005
Edward Martiny	2680
Lucy Alvarado	
Londes Fulton	
Philip Fulton	
Robert Dora Volpato	4223 Santa Lucia Ave
JEFF JANSEN	2720 BOLDT ST 88005
Bill & Joyce Cook	Mesilla
Ruane Ruby Vasquez	Santa Lucia Arcade
Marianne D'Andrea	Santa Lucia Arcade 4102
VANESSA GOMEZ	8205 PISGAMO DR 88007
CHARLES BOYD	912 STE FANCE AT 88005
Bernice Boyd	" " "
DENYNA NANEZ	Lolal Wendy Jr ✓

**BOARD OF TRUSTEES
PUBLIC HEARINGS/MEETING/WORKSESSION
SIGN UP SHEET
NOVEMBER 25, 2024**

NAME	ADDRESS
<i>Keith Lyst</i>	
<i>Kathy Lyst</i>	

Town of Mesilla, BoT meeting on STR (short term rental) ordinance, comments by Dasa Bausova
November 25, 2024
Thank you

- There has been a lot of talk about facts in this process. Facts are defined as being specific, referenceable and verifiable. It is not enough to say that something is a fact, it must be proven.
- I heard our mayor say that the new administration wants Mesilla to become more small business and renovation friendly, with emphasis on managed growth. This is wonderful. However this proposed ordinance so far appears to be the 2nd most draconian ordinance in the state for no practical reason.
 - This ordinance is a modified copy of Ruidoso's ordinance. According to US census population estimates for 2023 Ruidoso has about 3,600 households plus 980 households belonging to Ruidoso Downs, totaling 4,570 households. Ruidoso had roughly 1,000 STR units or nearly 22% (or close to 28% for Ruidoso only) of the housing inventory resulting in a severe shortage of employee housing.
 - By contrast Mesilla has estimated 760 households and about 35 verifiable STR units which is about 4.6% of the housing inventory. Over the last 10 years there has been minimal growth in the number of Mesilla STR units.
 - These two municipalities are not apples to apples in terms of scale, challenges or town character.
- Let me focus on the fee structure of the proposed ordinance.
 - The business license fee of \$35, annually, paid by all businesses, is fair and practiced throughout the state and beyond.
 - STR permit application fee in Mesilla is currently \$35, one-time fee, and this is fair. The draft ordinance proposes \$100 annually instead. This is arbitrary and capricious. Direct competition to Mesilla STRs is Las Cruces which charges \$50, one-time fee, with no annual renewal. Other comparable communities are ToC that charges \$25 one-time fee, no annual fees; Roswell charges no application fee, no annual fees, and Los Lunas has no application fee, or renewal. All communities require the annual business license fee which is fair and proper.
 - Parking fee is fair for STR owners with no parking as is comparable to other Mesilla businesses.

- Late renewal fee of \$50/month is extreme, the town must notify the owners in a reasonable manner and timeline, otherwise this could be unfair, harmful and even catastrophic under certain circumstances.
- Fire inspection \$40 every 3 years is not being charged to any other business in town, and seems arbitrary and capricious.

Subject: today's STR work session input
Date: Wednesday, November 20, 2024 at 11:25:10 AM Mountain Standard Time
From: Dasa Bausova
To: Russell Hernandez
CC: Stephanie Johnson-Burick, Biviana Cadena, Adrianna Merrick, Gerard Nevarez

Dear Mayor, Mayor pro tem and Trustees,
Please accept my input for your consideration for today's work session on STR ordinance.
Thank you
Dáša Baušová

Town of Mesilla, BoT work session on STR (short term rental) ordinance, comments
by Dasa Bausova
November 20, 2024

- There has been a lot of talk about facts in this process. Facts are defined as being specific, referenceable and verifiable. It is not enough to say that something is a fact, it must be proven.
- I heard our mayor say that the new administration wants Mesilla to become more small business and renovation friendly, with emphasis on managed growth. This is wonderful. However this proposed ordinance so far appears to be the 2nd most draconian ordinance in the state of New Mexico for no practical reason.
 - This ordinance is a modified copy of Ruidoso's ordinance. According to US census population estimates for 2023 Ruidoso has about 3,600 households plus 980 households belonging to Ruidoso Downs, totaling 4,570 households. Ruidoso had roughly 1,000 STR units or nearly 22% (or close to 28% for Ruidoso only) of the housing inventory resulting in a severe shortage of employee housing.
 - By contrast Mesilla has estimated 760 households and about 35 verifiable STR units which is about 4.6% of the housing inventory. Over the last 10 years there has been minimal growth in the number of Mesilla STR units.
 - These two municipalities are not apples to apples in terms of scale, challenges or town character and therefore Ruidoso ordinance is not a good model for our ordinance.
- Let me focus on the fee structure of the proposed ordinance.
 - The business license fee of \$35, annually, paid by all businesses, is fair and

practiced throughout the state and beyond.

- STR permit application fee in Mesilla is currently \$35, one-time fee, and this is fair. The draft ordinance proposes \$100 annually instead. This is arbitrary and capricious. Direct competition to Mesilla STRs is Las Cruces which charges \$50, one-time fee, with no annual renewal. Other comparable communities are ToC that charges \$25 one-time fee, no annual fees; Roswell charges no application fee, no annual fees, and Los Lunas has no application fee, or renewal. All communities require the annual business license fee which is fair and proper.
- Parking fee is fair for STR owners with no parking as is comparable to other Mesilla businesses.
- Late renewal fee of \$50/month is extreme, the town must notify the owners in a reasonable manner and timeline, otherwise this could be unfair, harmful and even catastrophic under certain circumstances.
- Fire inspection \$40 every 3 years is not being charged to any other business in town, and seems arbitrary and capricious.

Thank you for your time and consideration.

Warm regards,
Dáša Baušová

Subject: Comments for November 25, 2024, Public Hearing and Work Session on Proposed STR Ordinance
Date: Saturday, November 23, 2024 at 4:49:51 PM Mountain Standard Time
From: Catharine Walkinshaw
To: Russell Hernandez, Biviana Cadena, Adrianna Merrick, Gerard Nevarez, Stephanie Johnson-Burick, Mesilla Town Clerk/Treasurer, Community Development
Attachments: Letter for Mesilla Planning Meeting 10-21-24 (1).pdf

Dear Mayor Hernandez, Trustees, Community Development Planner, and Mesilla Town Clerk/Treasurer,

Please include these comments in the official record for the November 25, 2024, public hearing and work session on a proposed short term rental (STR) ordinance for Mesilla.

I believe we are headed for some turbulent economic times in our country. Mesilla residents need the ability to leverage their properties to generate supplemental income. While I was a member of the nine-member ad/hoc committee that prepared this draft STR ordinance for your consideration and I generally support most of its provisions, there are some that significantly restrict the ability of Mesilla residents to use their property as they wish. I have attached a letter sent to the Planning, Zoning, and Historical Appropriateness Commission (PZHAC) from Ms. Kris Leslie-Curis, President of the New Mexico Short Term Rental Association (NMSTRA), commenting on these restrictions. Please read her letter prior to the public hearing and work session on this important ordinance scheduled for this Monday (November 25, 2024).

In addition, I offer my comments for your consideration below:

Mesilla has had little growth in the number of STRs in the 10 years that I've lived and worked here. In contrast to other communities in New Mexico and across the United States, there has not been a significant increase in the number of STRs within Mesilla and that is primarily due to market forces. When I moved to Mesilla 10 years ago in 2014, the former Community Development Planner told us there were about 26 STRs within Mesilla at that time. After research done in our ad/hoc committee, in 2024, there are now 35 STRs within Mesilla. That is not a significant increase in over 10 years (about 9-10 total). The market has been regulating the number of STRs within Mesilla. None of us are making a lot of money and it is a lot of work to manage and operate a STR. Thus some decide to stop renting short term and others do it for a few years and then stop. In addition, there is not a large inventory of available homes/properties for sale to purchase, construct/renovate, and turn into STRs. With low inventory and low potential earnings, STRs have remained a relatively small percentage of all household units within Mesilla (about 4%).

Nor has there ever been a reported law enforcement problem or complaint with any of the existing STRs. Contrary to fears and claims by some residents, STRs do NOT bring in unsavory people and increase crime in our town. This was supported by a presentation made to the Board of Trustees by the Town Marshal's department. All short term renters are thoroughly vetted, scrutinized, rated, and reviewed by the hosting platforms. No one would commit a crime when they have had to supply reliable and vetted contact and payment information. On Airbnb,

each renter is reviewed and rated by myself and each of those renters does the same for me. Any "bad" actors are eliminated by this thorough vetting and dual rating system. It seems STRs are being unfairly singled out as needing regulation when in reality there have been no issues or problems. From the beginning, this ordinance has been a solution in search of a problem based on a perception that the problems in Mesilla are caused by STRs. This is simply untrue!

Yet the economic benefits from STRs are significant, especially to a tourist-based community that has limited lodging options such as Mesilla. STRs provide tax revenue to the town's coffers, they provide a way that families can renovate their adobe properties and supplement their income, they bring in tourists to Mesilla, and they support other Mesilla businesses. One local business told me their best customers are from Airbnbs. All my renters spend money in Mesilla's restaurants, shops, wineries, or breweries. Here is just a sample of some of the comments our renters have left on the Airbnb website about Mesilla.

"Old Mesilla is so cute. Lots to do and great places to eat."

"The whole experience in the small walkable town of Mesilla was exactly what we wanted and needed!"

"Andele's Dog House, a restaurant within walking distance, had really yummy tacos."

"The location is stellar, a short walk to the plaza and several excellent restaurants."

This is, in essence, free online marketing for Mesilla!

Where this proposed STR ordinance restricts private property rights is in the proposed 200-foot distance requirement in the Historical Residential (HR) and Residential 1 (R1) zones, detailed on page 2:

C. 1. The 200-foot distance in the Historic Residential (HR) and Single Family Residential (R1) zones is an infringement on a person's property rights and the ability for folks to rent their properties. We have only been able to renovate our adobe property by doing STRs that supplement our fixed income as retirees. Many families in Mesilla are in similar situations and having the flexibility to rent their family property actually supports a property staying within a family rather than being demolished and sold. If this restriction stays in this STR ordinance, none of my neighbors would have the ability to do this should they wish or need to. If the distance requirement does stay in, I ask that it's reduced to 100 feet and is measured from the middle of the property not property line to property line. Properties within the HR zone are such variable sizes that measuring from the middle of the property would be more consistent from block to block. I am also concerned that if this 200-foot distance restriction remains, STRs within Mesilla's HR zone will be severely restricted pushing people to stay in STRs in adjacent Las Cruces instead, driving to Mesilla thereby further creating parking congestion and giving all the tax revenue to Las Cruces.

C.2. There are about 15 existing STRs (within the current 35) that are not currently permitted within Mesilla but have been operating, many for years. Because the town has not had a specified process to handle STRs, many of these operators are unaware of Mesilla's requirements and especially this proposed ordinance. The changes proposed by the PZHAC allows a grace period for these operators to become compliant but does not exempt them from the distance requirement in the HR and R1 zones (if it remains in the STR ordinance) and from the special use permit requirement in the RA and RF zones. The Town of Mesilla should



To: Mesilla Planning and Zoning Commission

From: Kris Leslie-Curtis, President of the New Mexico Short Term Rental Association a 501c6 Trade Organization.

Dear Commissioners,

My name is Kris Leslie-Curtis, and I am President of the New Mexico Short Term Rental Association. I am writing to make you aware of our organization and to direct you to our newly published Economic Impact Study which highlights important data that you should be aware of. Visitors to Dona Ana County contributed \$21,324,139 dollars in direct spending. Many of those guests reside in short-term rental accommodations. And many of those dollars were spent right in Mesilla and in local businesses around the historic plaza. Additionally, short-term rentals in New Mexico generate a significant source of tax revenue, contributing to the financial health of cities and towns across the state such as Mesilla. In Dona Ana County alone, total tax revenue from Gross Receipts, Lodgers Tax and Hospitality Tax equaled \$2,254,846. Please find the complete economic impact study on our website at [Home - New Mexico STRA](#)

Additionally, I am writing to express my concerns about the proposed distance requirements for Short Term Rentals (STRs) in the community of Mesilla. While I understand the desire to regulate STRs to maintain the character of neighborhoods, imposing arbitrary distance restrictions between properties used for STRs undermines fundamental property rights and the generation of revenue which benefits individual owners, their families, and the community at large as mentioned above.

Property owners have the right to use and enjoy their property, including offering it for short-term rentals, as long as it complies with existing permitting, health and safety regulations. Distance requirements unfairly limit this right by imposing additional burdens that may not be applicable to other uses of residential property. It prevents owners from fully exercising their ownership rights and may reduce the potential value and use of their properties without just cause.

Such restrictions also create an unnecessary barrier for responsible homeowners who wish to participate in the STR market. Rather than imposing blanket restrictions, I encourage the commission to focus on regulations which can be managed without infringing on the rights of property owners. Implementing a distance restriction will limit the number of STR's in Mesilla and reduce the positive economic impact that it affords Mesilla families and the community.

I urge you to reconsider the distance requirement proposal in favor of a more balanced and rights-respecting approach to regulating STRs.

Thank you for your consideration,

Kris Leslie-Curtis

STATE OF NEW MEXICO DEPARTMENT OF CULTURAL AFFAIRS HISTORIC PRESERVATION DIVISION

BATAAN MEMORIAL BUILDING
407 GALISTEO STREET, SUITE 236
SANTA FE, NEW MEXICO 87501
PHONE (505) 827-6320



National Register of Historic Places: Identifying and Preserving the Cultural Heritage of New Mexico

The National Register is our country's official list of historic buildings, structures, sites, objects, and districts worthy of preservation. The Historic Preservation Division (HPD) nominates eligible properties in New Mexico to the National Register so they can receive preservation benefits and incentives. The National Register is maintained nationally by the U.S. Department of the Interior.

Being listed in the National Register helps preserve historic properties. It provides formal recognition of a property's historical, architectural, or archaeological significance based on national standards used in every state. National Register designation identifies significant historic properties that can be taken into account in a broad range of preservation and development activities. It also insures that these properties will be considered in the planning of state or federally assisted projects.

Properties listed in the National Register may qualify for specific preservation benefits and incentives, including:

- State and federal preservation grants for planning and rehabilitation
- Federal and state investment tax credits
- Preservation easements to nonprofit organizations
- Fire and life-safety code compliance alternatives

National Register listing does not place obligations on private property owners, nor does it place restrictions on the use, treatment, transfer, or disposition of private property. National Register listing does not lead to public acquisition of property nor does it require public access to property.

To be eligible for listing in the National Register, a property must meet the National Register Criteria for Evaluation. These criteria require that a property be old enough to be considered historic (generally at least 50 years of age) and that it still look much the way it was in the past. In addition, the property must be:

- associated with events, activities, or developments that were important in the past; or
- associated with the lives of people who were important in the past; or
- significant in the areas of architectural history, landscape history, or engineering; or
- have the potential to yield information through archaeological investigation that would answer questions about our past.

Certain kinds of properties, such as moved or reconstructed buildings, are generally not eligible for National Register listing; exceptions are made if these properties meet special criteria.

The National Register Does . . .

- Identify significant buildings, structures, sites, objects and districts according to the National Register Criteria.
- Encourage the preservation of historic properties by documenting their significance.
- Provide information about historic resources for planning purposes.
- Facilitate the review of federally funded, licensed, or permitted projects to determine their effects on historic properties.
- Assist state government agencies in determining whether their projects will affect historic properties.
- Make owners of historic properties eligible to apply for federal grants for historic preservation projects.
- Provide federal and state tax benefits to owners of taxable historic properties if they rehabilitate their properties according to preservation standards.
- Ensure that listed properties are considered in decisions by the State of New Mexico, counties, and municipalities (NMSA 1978, 1989, 1992).
- Allow consideration of fire and life-safety code compliance alternatives when rehabilitating historic buildings.
- List properties only if they meet the National Register Criteria for evaluation.

The National Register Does Not . .

- Provide a marker or plaque for historic properties. Property owners may obtain markers or plaques at their own expense.
- **Restrict the rights of private property owners or require that properties be maintained, repaired or restored.**
- Automatically invoke local historic district zoning or local landmark designation.
- Stop federally assisted government projects.
- Stop state assisted development projects.
- Guarantee that grant funds will be available for all properties or projects.
- **Require property owners to follow preservation standards when working on their properties, unless they wish to qualify for tax benefits.**
- Automatically stop the permitting of surface mining activities.
- Mandate that special consideration be given to compliance with life safety and fire codes.
- List individual properties if the owner objects, or list historic districts if the majority of property owners object.

In New Mexico, properties are nominated to the National Register by HPD. HPD invites nomination proposals from property owners, historical societies, preservation organizations, civic and business associations, governmental agencies, and other individuals or groups who are interested in using the National Register to preserve historic properties. Individuals, organizations, and agencies requesting National Register nominations carry out research and provide supporting documentation meeting state and federal standards with guidance and assistance from HPD. Proposed nominations are reviewed by HPD and the Cultural Properties Review Committee. Approved nominations are listed in the State Register of Cultural Properties and submitted by HPD to the National Park Service in Washington, D.C. for final review and listing in the National Register.

For questions visit our website nmpreservation.org or contact Steven Moffson, State and National Register Coordinator at (505) 476-0444 or steven.moffson@dca.nm.gov

- 119 The Leonart-Maurin store was built in 1863 of burnt brick from a local kiln. This structure was to have a second story as evidenced by blocked up, partially completed windows above the canal level. Only about three feet of this story was completed when the project was halted. Maurin was murdered in his residence at the rear of the store in 1866. A few years later another Frenchman, Pedro Duhalde, who was a saloon keeper and merchant in Mesilla, was murdered here also. The building has since been used as a saloon, residence, town hall, and is currently housing two gift shops. The building faces the plaza and is adjacent to the Reynolds/Griggs Store to the north. The high parapet has a brick coping. The windows are fixed wood frame and have brick segmental arches. All doors and windows are protected with iron grill work. (S)
- 120 This structure was constructed shortly after World War II and was the Frontier Club Bar until the mid 1960's when it was converted into a gift shop. The building occupied the spot where part of the Demetrio Chavez store and post office was during the latter half of the 19th century. It is stuccoed adobe with a flat roof, has a parapet, chamfered corner at the main entrance, small wood frame and glass block windows and is adjacent to the building to the south. (N)
- 121 This was once part of the Demetrio Chavez store, post office and residence during the latter half of the 19th century. The portion of the building fronting Calle Principal is now being used as a gift shop. Behind this gift shop is the residence of Rosa Delphin and her three huge Saint Bernards. Some of the walls in this building probably date from the 1850's. (S)
- 122 Originally the property of Cristobal Ascarate, this site was used as the corral area for the overland livestock and wagons in the 1850's. It then became the Thomas J. Bull Store in 1874 which supplied soldiers, miners and settlers with just about anything they needed. In 1909, the present building replaced the Bull Store. This structure was built by John Bombach for his brother Otto and used as a general store. It is a tall adobe building with unplastered walls and faceted stone pilasters against the facade. The building then housed the Wells Fargo Museum in the 1950's until it burned at which time the roof collapsed and many of the museum pieces were destroyed. It is now vacant. A tall adobe barn is adjacent to this building at the rear. (S)
- 123 This is a stuccoed adobe house with metal casement windows, and an asphalt shingled hip roof. It follows a square plan. est. 1935. (N)