



LGLG BY-LAWS

"greatest purpose
of life is to live it for something that last longer
than you"

Unknown





Est. 1952 by: Fidel Ortega, and Felipe Blea

***LOWER GALLINAS LAND GRANT
LA SIERRITA-MERCED BYLAWS
P.O.BOX 102
MONTEZUMA, NM 87731***



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BYLAWS

Accepted signed March 22nd, 2026

LOWER GALLINAS LAND GRANT LA SIERRITA-MERCED (also known as LGLG) (Organized Under the General Provisions of Chapter 49 NMSA 1978)

ARTICLE I

Enabling Legislation and Organization

The Lower Gallinas Land Grant La Sierrita-Merced (“Organization”) is enabled as a land grant-merced, which is a political subdivision of the State of New Mexico, pursuant to the General Provisions, §§ 49-1-1 to 49-1-22, NMSA 1978.

ARTICLE II

Names, Objects, Purposes and Principal Place of Business

The objectives and purposes of the Organization shall be to identify, determine, acquire and secure the common lands and common waters of the Lower Gallinas Land Grant La Sierrita-Merced; to control, care and manage its properties and resources; to promote the economic development and local infrastructure of its communities; to conduct the comprehensive planning of its properties; to determine the land uses and zoning of the common lands in accordance with the requirements of the State of New Mexico; and to provide for the health, safety and general welfare of the members of the Organization. The principal place of business of the Land Grant-Merced will be Gallinas, Montezuma, New Mexico.

The official name of the Organization shall be the "Lower Gallinas Land Grant La Sierrita-Merced ", (also known to do business as "LGLG") The Organization became a political subdivision on July 1st, 2023.

The Organization has been organized exclusively for the following:

- a. To defend, protect, and preserve the sovereign rights of its members.
- b. To hold in trust land and water, and interest in land and water to preserve, protect, and enhance the natural and productive attributes of these natural resources, and to educate the members on matters pertaining to sound conservation practices and land use.
- c. To pursue, develop, and implement community economic development efforts for its members and their community at large that will foster sound resources management practices.
- d. The land held by the Organization shall be used solely for the benefit of its members as constituted and established now and, in the future, and they shall have the further



right to use all resources on the land for domestic use for its members or for sale on behalf of the Organization.

- e. That no part or portion of the land and real estate shall ever be held, alienated or conveyed to or used by any individual adversely or exclusively to any or all the members of the Organization as constituted and established now and in the future.

ARTICLE III

Listing of Original Grantees/Inhabitants

Below is a list of the original grantees/inhabitants of the Lower Gallinas Land Grant La Sierrita-Merced as determined on January 21st, 1952. The list of original inhabitants may be amended at a future date if proof of any additional inhabitants in the form of an authenticated document of ownership of property within the Lower Gallinas Land Grant La Sierrita-Merced is provided to the Board of Trustees (“Board”) and the general membership at a regular meeting of the Organization and the addition of the original grantee/inhabitant is approved by the Board.

The grantees of the Lower Gallinas Land Grant La Sierrita-Merced

Fidel Ortega and Felipe Blea were the selected successors trustees who would be responsible for management of the trust property consistent with all the terms and recitations contained in the granting deeds to Fidel Ortega and Felipe Blea and all the laws of the State of New Mexico.

List of the **Herederos** of the Lower Gallinas Land Grant La Sierrita-Merced, can be found on the website, lowergallinaslandgrant.com and is available to all new applicants and any member.

ARTICLE IV

Description of the Boundaries and Historic Communities

The historic boundaries of the Land Grant/Merced per the original Spanish/Mexican documentation are as follows:

The historic communities, towns, colonies, pueblos, arcadias or villas of the Land Grant-Merced established before or after the Treaty of Guadalupe Hidalgo are as follows:

The Lower Gallinas Land Grant La Sierrita-Merced runs along State Road 65 highway, and its landmark is Hermits Peak.

The boundaries of the Land Grant-Merced as patented by the U.S. Government are as follows:

The Lower Gallinas Land Grant La Sierrita-Merced, situated in San Miguel County, which was partitioned from the town of Las Vegas grant through a deed of indenture issued by the board of trustees for the Las Vegas grant in 1951 and approved by the fourth judicial district court of New Mexico, the approval of which was reaffirmed by the court in 1997, shall be governed by the provisions of Chapter 49, Article 1 NMSA 1978.

Legal Description of the real property of the Lower Gallinas Land Grant La Sierrita-Merced,



within the San Miguel County, New Mexico, as described in the deed recorded in Book 174 of Deeds, at page 223-225, recorded on the 21st day of January, 1952, was deeded to Fidel Ortega IN TRUST, for the benefit of the inhabitants of Precinct No. 35, as then constituted and established.

Legal Description of the real property transferred as it appears in the document of transfer: Tract B-1 containing 72.59 acres, more or less more or less, within the Las Vegas Land Grant, in projected Sections 27, 28, 33 and 34, Township 17 North, Range 15 East, N.M.P.M., San Miguel County, New Mexico, as shown on plat of survey by Douglas J. McFaul, dated July 18, 2006 in Plat Book 53, page 89, document no. 1058. As of October 15th, 2025, property also known as “Davis Property”.

ARTICLE V

Seal of the Land Grant-Merced

The Seal of the Organization features a stylized Hermit’s Peak, Gallinas River, and mountains. The yellow is the same as the yellow field in the flag of the State of New Mexico. The seal has the year 1952, which was the year the deed was signed and given to the town of Gallinas precinct 35, which later came to become the land grant that it is today.

ARTICLE VI

Fiscal Year

The fiscal year of the Organization shall begin on the 1st day of July of each year and end on June 30 of the following year (ex: July 1st, 2026, through June 30th, 2027 “FY27”).

ARTICLE VII

Acquisition of Common Lands

Section 1. Acquisition of Lands from within Historic Boundaries

It is the policy of the Organization to re-acquire lands that become available within its historic boundaries, and which were lost or removed from the common lands since the Treaty of Guadalupe Hidalgo for any reason whatsoever.

Section 2. Acquisition of Lands within Patented Boundaries

It is the policy of the Organization to re-acquire patented lands that become available within the patented boundaries, and which were lost or removed from the common lands since being patented by the United States Federal government for any reason whatsoever.

Section 3. Promotion, Re-establishment and Protection of Historic Land Grant Communities



It is the policy of the Organization to promote and protect existing and historic land grant communities within the historic and/or patented boundaries.

Section 4. Authority for Board of Trustees to Acquire Real Property

The Board shall have the authority to acquire real property through purchase, exchange or donation. When necessary, the Board may utilize debt service and pledge the revenues of the Organization for the payment of loans or other debt necessary for the acquisition of real property. The Organization may also utilize its revenues matching funds for any loan/grant programs for the acquisition of real property. All real property acquired by the Organization shall become part of the common lands of the land grant and shall be subject to management and protection by the Board of Trustees.

ARTICLE VIII

Control, Care and Management of the Common Lands and Common Waters

Section 1. Sustainable Management and Uses of Common Lands and Common Waters

It is the policy of the Organization to control, care and manage the common lands and water in a sustainable manner so that future generations of land grant members can enjoy, use and protect these lands and waters in perpetuity.

The use of common lands and waters of the Lower Gallinas Land Grant- Merced include those historic, traditional and customary uses of land and waters allowed by the laws of the State of New Mexico, including those identified in the Kearny Code and subject to the protection of the Constitution of the State of New Mexico, Article II, Bill of Rights, Section 5, “Rights under Treaty of Guadalupe Hidalgo preserved”.

Section 2. Conveyance of Common Lands

Common lands generally cannot be conveyed except for emergency, critical or vital purposes that directly benefit the health, welfare or safety of the residents and members of the Land Grant-Merced. Conveyances of any type for the limited purpose of benefiting the health, welfare and safety of the residents and members of the Organization must be approved by a 3/4ths majority vote of a quorum of Organization members that are present at a properly advertised meeting, in accordance with §49-1-9 NMSA 1978 and the Open Meetings Act, regular, special or annual meeting where such an action item appears on both the ten (10) day advance meeting notice and the seventy-two (72) hour advance meeting agenda. Alternatively, a vote for the conveyance of the common lands may also be placed as a ballot question during a regular or special election of the Organization. Any conveyance of the common land thereby approved shall follow the provisions prescribed in Land Grant General Provisions § 49-1-11 NMSA 1978.



Section 3. Mortgage of Common Lands

Common lands generally cannot be mortgaged except for emergency, critical or vital purposes that directly benefit the health, welfare or safety of the residents of the Lower Gallinas Land Grant La Sierrita-Merced and the members of the Organization. Mortgages, liens or encumbrances of any type for the limited purpose of benefiting the health, welfare and safety of the residents and members of the Lower Gallinas Land Grant La Sierrita-Merced must be approved by a 3/4ths majority, vote of a quorum of Organization members that is present at a properly advertised meeting, in accordance with §49-1-9 NMSA 1978 and the Open Meetings Act, regular, special or annual meeting where such an action item appears on both the ten (10) day advance meeting notice and the seventy-two (72) hour advance meeting agenda. Alternatively, a vote for the conveyance of the common lands may also be placed as a ballot question during a regular meeting of the Organization. Any mortgage of the common land thereby approved shall follow the provisions prescribed in Land Grant General Provisions § 49-1-11 NMSA 1978.

Section 4. Lease of Common Lands

Leasing of the common lands to non-members of the Organization is not allowed.

Section 5. Common Lands Not Alienable by Individual Members of the Lower Gallinas Land Grant La Sierrita-Merced

The common lands of the Lower Gallinas Land Grant La Sierrita-Merced shall not be alienable by any individual member or heir of the Lower Gallinas Land Grant La Sierrita-Merced. Individual heirs/members of the Lower Gallinas Land Grant La Sierrita-Merced have no divisible interest in the common lands of the Lower Gallinas Land Grant La Sierrita-Merced and only have use rights to the common lands subject to the Organization bylaws, rules and regulations for such use unless otherwise approved by a majority of the Board.

ARTICLE IX

Membership

Section 1. Heredero/Heir

An heredero/heir of the Lower Gallinas Land Grant La Sierrita-Merced shall meet the requirements established in §49-1-1.1 NMSA 1978 and shall be recognized by the Board as a descendent of an individual who is listed in Article III of these bylaws **or** a descendent of a heredero/heir who is listed on the **Heredero List**. An heir must have an interest in the common land of the Lower Gallinas Land Grant La Sierrita-Merced through bloodline inheritance, as further defined by these Bylaws.

- a. An heredero/heir in the Lower Gallinas Land Grant La Sierrita-Merced is defined:
 - i. a person who is recognized by the Board, and in the sole discretion of the Board, as a descendant of the original grantees and has an interest in the



- common land of the Lower Gallinas-Mered through inheritance.
- ii. Bloodline heir shall be defined as a legal son, daughter, grandson, granddaughter, great grandson or great granddaughter as recognized by the Board.
- b. If a child is adopted legally by an heir before the age of 18, he or she qualifies to apply to become a member upon attaining the age of 18. Legally adopted children to any heir of the Lower Gallinas Land Grant La Sierrita-Merced shall be considered an heredero/heir.
 - c. Documentation of heredero/heir and/or bloodline must be submitted with the application.
 - i. New Members must document bloodline from the **Herederos** list of the Organization.
 - d. An heredero/heir must be 18 years of age to apply to become a member.
 - e. An heir must present one consecutive bloodline to become a member. If a member has no children, the membership ends with that member.
 - f. Beginning 2025-2026 FY26 (Fiscal) the membership will be capped at 72 members.
 - i. Starting on July 1st, Fiscal Year 2027 membership will be capped at **100 members**.
 - g. Bequeathing of membership to be eligible for membership:
 - i. A member can bequeath their membership to a legal son, daughter, grandson, granddaughter, great grandson or great granddaughter who are blood heirs. A stepbrother, stepsister, step-grandchild or step-great-grandchild, a half-brother, half-sister, boyfriend, girlfriend or other such partner does not qualify to apply as an heredero/heir of a member.
 - ii. A bequeath request must take place within 365 days of the passing of an active member, a notarized or legal form must be presented to the Board by the executor of the deceased active member's estate.
 - iii. If a member who is ill and or no longer able to attend meetings or be able to take part in the Organization can bequeath their membership to a legal son, daughter, grandson, granddaughter, great grandson or great granddaughter.
 - iv. Expectation: An heir who has no children of their own can bequeath their membership to their legal niece or nephew (step-nieces and step-nephews shall not qualify), who are herederos/heirs and are members of the **Organization**. Legal nieces and nephews must be eligible through a member's bloodline.

Section 2. Membership, Duties, Responsibilities & Privileges.

- a) An heir of the Lower Gallinas Land Grant La Sierrita-Merced shall meet the requirements outlined in Section 1 of Article IX and may be eligible to become a qualified voting member of the Organization in accordance with these bylaws.
- b) Qualified voting members shall: strive to have a full understanding of the Organization and its bylaws; be loyal and committed to its objectives, aims and purposes; share the work, responsibilities and risks; recognize and be bound by the decisions of the Board and abide by all the Organization's rules, regulations, ordinances and by-laws.



c) Qualified-voting members shall be entitled to all rights and privileges established in the bylaws and by the Board including the right to vote in all elections as prescribed in these bylaws and the right to use the common lands and common waters in accordance with prescribed rules and regulations.

d) Qualified-voting members shall be required to be in good standing, including without limitation:

1. Keep current on all annual membership dues as set by the Board. Failure to keep current on annual dues shall result in qualified-voting members being automatically and immediately reclassified as inactive, although the Board may not validate such inactive reclassification until a later date. Dues, in an amount to be determined by the Board, are due at the beginning of each fiscal year (July) and a member shall be delinquent if dues are not paid in full by June 30th (the last day of each fiscal year). (example: 2026-2027 FY27, a payment needs to be made during July 1st, through June 30th of the fiscal year to not be delinquent).
2. Attend a minimum of two meetings (regular, annual or special meeting) of the Board per year. Any qualified voting member who fails to meet the minimum requirement shall be confirmed by the Board to be reclassified as an inactive member at least five (5) days prior to every election.
 - i. If a meeting is canceled for an unforeseen reason, the two-meeting requirement will be excused for all members for that particular fiscal year only. **THE MEMBER MUST STILL ATTEND ONE MEETING WITHIN THAT FISCAL YEAR.** In general, there will be four meetings a year, a meeting may need to be rescheduled due to unforeseen reasons, and the Board will attempt to reschedule the meeting within the 30 days.
3. The Board shall review the qualified voting member rolls and meeting sign in sheets to determine if any members shall be classified as inactive. Qualified voting members who are on Active Military Duty or enrolled in an out-of-state institution of higher education located at least 300 miles away, shall be exempt from the meeting attendance requirement. A qualified voting member who has not met the meeting attendance requirement may petition the Board for an exemption of the attendance requirement for the current fiscal year. The Board can grant attendance exemptions for petitioning heirs on a case-by-case basis.
4. Participate in all mandatory work projects as set by the Board. The Board will determine the hours of each project. Annual projects approved by the Board, which may include without limitation: work on common lands and/or community facilities, wood projects, cleaning and maintenance, and other projects as determined by the Board. If unable to attend a mandatory work project or provide the minimum number of annual work hours the qualified-voting member shall be required to pay a minimum work absence fee as established by the board of trustees



and approved by the membership. If a qualified-voting member does not pay the required minimum work absence fee they shall be automatically and immediately reclassified as inactive. At least five (5) days prior to every election the Board shall review the qualified voting member rolls and to determine if any qualified-voting members have become classified as inactive for not meeting the minimum mandatory work requirements. All qualified voting members that are disabled or have a medical exemption written by a doctor or that are over the age of 70 are exempt from the mandatory work project requirements including absence fees.

5. Attend all Annual Meetings of the board of trustees as prescribed in Section 1 of Article XIII. Any qualified-voting member that cannot attend an annual meeting may request an excused absence from the board of trustees as set forth in Section 7 of this Article. Any qualified-voting member that fails to attend two (2) meetings in one year, both of which are unexcused, shall be automatically and immediately reclassified as inactive. Qualified-voting members that are on active military duty or that are enrolled in an institution of higher education located out of state or more than 300 miles away shall be exempt from the meeting attendance requirement but must attend one annual, regular, or special meeting a year.

Section 3. Membership Application and Process

Prospective members of the Organization must comply, at the minimum, with the § 49-1-1.1 NMSA 1978 definition of "heir" and as further defined in these bylaws. The Board shall adopt an official membership application that will be provided to perspective members. The membership application must include sufficient information clearly determine the applicant's identity and heirship genealogy. Membership applications must be complete and are subject to review and final approval in accordance with:

- a. An "applicant member" of the Organization shall meet the requirements outlined in Sections 1 and 2 of this Article and may be eligible to become a qualified voting member of the Organization in accordance with these bylaws.
- b. The "applicant member" must be at least eighteen (18) years of age and shall submit an Applicant Member Packet and follow the process. The Membership Application includes an Affidavit of Heirship, a family genealogy and any other supporting documentation establishing their heirship and/or blood or adoption relationship to any **ONE** original grantee/inhabitant, by name, listed in Article III of these bylaws, or the **Heredero** list that is posted on the website and or in the Applicant Member Packet.
- c. Steps to becoming an Heir Member.
 - a. The "applicant member" shall submit the "Application Member Packet" to the Board. Application forms will be accepted by the Board no later than June 1st of the fiscal year.
 - b. The Board will review all new application packets.



- c. During the first quarterly or annual meetings of the fiscal year, any new applicants who have been reviewed by the Board and have been determined in the sole discretion of the Board to be heirs will be asked by the Board to attend the meeting.
 - i. During this meeting, the proposed members will read their letters to the Organization members.
 - ii. Organization members shall confirm the membership of each proposed member with a 3/4th majority of members present at the meeting.
 - iii. An official motion will be made by the Board and voted on by the Board.
 - iv. Once a proposed member has been confirmed by a 3/4th majority vote of present members and the Board's motion has passed, the proposed member shall be on a probationary status.
- d. Each new member shall pay a fee in an amount set by the Board and shall be paid within 30 calendar days of said confirmation.

Lower Gallinas Land Grant

“Applicant Member” Process for Potential New Members

1. Request a packet from the Secretary at lglgsecretary@gmail.com.
2. New Applicant Members must include:
 - a. Information about bloodline of at least **ONE** generation of an heredero/heir member.
 - i. Applicant Members can Reference Heredero lists that can be found in the following locations:
 - a. Website: Lowergallinaslandgrant.com
 - b. New member packet
 - b. A typed or legible handwritten letter, that includes information about the blood lineage and the herederos/heirs.
 - i. The letter must also include the history of the Land Grant and of the individual's family history that connects them to the Land Grant herederos/heirs.
3. Once the packet has been completed, it can be mail to: LGLG P.O. Box 102, Montezuma, 87731. The applicant will be notified when the packet is received.
4. The Board will review the, Applicant Heredero/Heir Packet, and request documents or information if needed.
5. Once the Board has reviewed the Applicant Heredero/Heir Packet, the applicant will be notified via certified letter regarding next steps.
6. The Organization secretary will reach out to the applicant and give them the date and time of the Annual meeting where they will read aloud their letters to the Organization members.
7. After the applicant has read their letter to the members, the members will vote and the Board will make the vote official.
 - a. New Applicants require a 3/4ths of the votes of the members present at the meeting to become a member.
- h. If the applicant is accepted as a member of the Organization, they must:
 - a. Sign a liability disclaimer which must be notarized.



- b. Pay the new member fee plus \$35 for the annual membership fee within 30 days of becoming a recognized member.
- c. Sign a notarized form stating that the new member is not entitled to any Hermits Peak Café Canyon 2023 FEMA money or funds that were given to previous members.
- d. A notarized form that verifies the new member received a copy of the current by-laws and agrees to be bound by them and the decisions of the Board.

Section 4. Probationary Membership.

- a. Probationary membership status will last one-year until ratification as a full qualified-voting member of the Organization during a quarterly or annual meeting of the Organization which is normally held in July of each year.
- b. Probationary members shall have the right to vote in Organization elections on matters brought before the qualified-voting members for approval. They can voice their opinion on any matters that are brought up during a meeting on the condition they follow all rules for such opinions as set by the Board.
- c. Probationary members shall have the right to use the common lands and common waters of the Organization, which includes permission to hunt, use firewood, camp and enjoy the land grant.
- d. Probationary members shall be required to:
 1. Keep current on all annual membership dues as set by the Board.
 2. Attend a minimum of at least two meetings (Annual, Regular or Special meeting) of the Board per year. Any probationary member who fails to meet the minimum requirement shall not be eligible for ratification as a qualified-voting member at the end of their probationary period. At least five (5) days prior to an annual meeting the Board shall review the meeting sign in sheets to determine whether each probationary member qualifies for ratification as a voting member by fulfilling the meeting attendance requirement. Probationary members who are on Active Military Duty or enrolled in an institution of higher education located at least 300 miles away shall be exempt from the meeting attendance requirement. A probationary member who has not met the annual meeting attendance requirement may petition the Board for an exemption of the attendance requirement for the current fiscal year. The Board has authority in its sole discretion to grant one-year meeting attendance exemptions for petitioning probationary members on a case-by-case basis.
 3. Participate in all mandatory work projects as set by the Board or provide at least 10 hours of work annually on projects approved by the Board, which may include



without limitation: work on common lands and/or community facilities, wood projects, cleaning and maintenance, and other projects as determined by the Board. If unable to attend a mandatory work project or provide the minimum number of annual work hours the member shall be required to pay a minimum work absence fee as established by the Board and approved by the members. If a member does not pay the required minimum work absence fee they shall be, without further notice, be automatically and immediately reclassified as inactive. At least five (5) days prior to every election the Board shall review the qualified voting member rolls and to confirm which members shall be classified as inactive for failing to meet the requirements in this paragraph. All members that are disabled or that are over the age of 70 are exempt from the mandatory work project requirements, including absence fees.

e) All probationary members accepted by the Board throughout the year prior to the annual meeting shall be presented for ratification as full qualified voting members as prescribed in Section 5 below.

Section 5. Ratification of Qualified-Voting Membership.

a) All probationary members accepted by the Board throughout the year prior to the annual meeting shall have their qualified-voting membership ratified at an annual meeting by a 3/4ths majority vote of the Board.

b) Qualified-Voting Membership will not be denied because of the applicant's race, color, creed, national origin or sex.

c) The Board shall then issue a certificate of membership to those whose qualified-voting membership has been ratified. The membership certificate shall be signed by the Chairperson and his/her signature attested by the Secretary, who shall impress thereon the Seal of the Organization, provided that the form of certificate, in addition to any other matters required by the Board to appear therein, shall contain any statements required by the laws of the State of New Mexico.

d) The names of the newly ratified qualified voting members shall then be entered into the official membership book of the Organization established in Article XIV, Section 2, of these bylaws.

Section 6. Membership Dues.

a) Membership dues for all qualified voting members shall be due on an annual basis and are required to be paid in full by the annual meeting which shall be held in accordance with Article XIII, Section 1 of these bylaws.

b) The cost of membership dues may be set by the Board on an annual basis. Members who are delinquent may receive a letter from the collector as a reminder of annual dues. However, it is the responsibility of each member to remain current with the payment of any dues or amount



contained in the Bylaws. Annual dues are to be paid in July at the beginning of the Fiscal Year. Annual dues, in an amount to be determined by the Board, shall be paid by each member in the exact amount by cashier's check or money order payable to the Organization. Members whose dues are delinquent more than 365 days shall not be eligible to vote.

Section 7. Excused absences.

a) Any qualified-voting or probationary member who is unable to attend two meetings per year may request an excused absence from the Board. The Board shall determine if the reason for the absence merits an excused absence. Medical or family emergencies may be excused. There shall be no absentee or early voting.

b) An excused absence shall not count against a qualified-voting or probationary member for the annual meeting requirements as set forth in sub-sections d (4). of Sections 2 and 4 of this Article.

Section 8. Inactive Qualified Voting Member.

a) Any qualified-voting member that does not meet all the requirements as set forth in Section 2 of this Article shall automatically and immediately be reclassified as inactive. To be an inactive member, the member has not paid dues and has not attended The membership of any member who fails to attend at least two of the required yearly meetings, fails to make payment of any amounts due pursuant to the Bylaws, or otherwise fails to meet any obligation of member shall, without further notice, be automatically and immediately inactive.

b) Inactive qualified-voting members shall not be entitled to any rights and/or privileges established in these bylaws or by the Board for active qualified-voting members, including the right to vote in elections and the use of the common lands and common waters, until such time that they have their qualified-voting membership status reinstated as prescribed in subsection c) of this Section.

c) Inactive qualified voting members may regain active membership status by becoming current on all dues and fees owed and/or complying with all meeting attendance and/or minimum work requirements set forth in these by Bylaws. Outstanding dues and fees shall include any original delinquencies which caused their membership status to be inactive as well as any additional dues or fees that may have been required for all active qualified voting members during the period for which they were inactive. Upon receipt of all outstanding dues and fees and/or fulfillment of meeting attendance and or minimum work requirements the Board shall reclassify the inactive qualified-voting member to active status. The Board may establish through official action the imposition of reactivation fees to be paid by an inactive member seeking to regain active status. If such reactivation fees are adopted the Board shall have the authority to impose or waive any reactivation fees on a case-by-case basis.

Section 9. Expulsion of Qualified-Voting Members.



- a) A Qualified-voting Member who fails to cooperate in the purposes and objects of the Organization, or who acts in contrary to the best interests of the Organization and its members, may be expelled by a simple majority vote of the Board at any meeting, if:
 - i. Recommendation for expulsion is made by the Board at a properly advertised meeting.
 - ii. The Board provides the member in question, with-in thirty (30) days written notice by certified mail of the charges for which expulsion is being recommended.
 - iii. The member is given an opportunity to appear in their own defense. Failure of the member to appear at the expulsion meeting will automatically and immediately result in the member's expulsion from the Organization; and
 - iv. The vote for expulsion by the Board appears as an action item on the ten (10) day meeting notice and seventy-two hour (72) advanced meeting agenda for the meeting in which the vote is to take place.

b) If a simple majority of the Board **votes** to expel a qualified-voting member in accordance with subsection (a) of this section then that qualified voting member's name shall be stricken from the land grant registration books and shall not be allowed any of the privileges granted to the qualified voting members of the Organization. Membership book shall reflect the date of expulsion.

c) A qualified-voting member who is expelled may petition, in writing, the board of trustees for reinstatement after a period of 730 days from the date in which their expulsion was ratified by the Board. Upon receipt of a petition for reinstatement the Board shall present the petition to the members, at its next regular meeting to either consider a recommendation for reinstatement or to deny. The vote for reinstatement must be passed by a 3/4ths majority of the Board during any meeting in which the reinstatement vote appears on the meeting agenda. Upon receiving an affirmative vote for reinstatement, the expelled member must pay their membership dues and any and all other delinquent amounts in full and complete any other requirements for probationary members as set forth in Section 4 of this Article, prior to being granted qualified-voting membership status.

d) Causes for Suspension or Termination. The occurrence of any of the following events shall constitute grounds for suspension or termination of membership:

- i. Conduct by a member or agents/representatives of a member which, in the sole discretion of a majority vote by the Board, is seriously detrimental to the purposes and goals of the Organization, or in violation of the rules and documented procedures of the Organization, including but not limited to a violation of these Bylaws.
- ii. Conduct by a member of a physical, verbal, written, electronic transmission or sexual nature that intimidates, threatens or harasses an organization member or Board member.



- iii. Suing the Organization for any reason.
- iv. Violation of State or Federal laws – criminal offense.

Section 10. Membership Voting.

All qualified voting members shall be eligible to vote in all Organization elections and shall be entitled to one vote per election. All voting in Organizational elections shall be conducted in accordance with the requirements set forth in Article X of these Bylaws and in the General Provisions, §§ 49-1-1 to 49-1-22, NMSA 1978, and no voting shall be by proxy or by mail.

Section 11. Spousal Rights.

The spouse of a qualified-voting member, who themselves is neither a qualified voting member nor an heir, has the right to attend all meetings of the Organization but shall not hold the right to vote. A spouse or a non-member who is causing an issue during any meeting and or is disruptive to the meeting process will be removed the meeting.

ARTICLE X

Elections of the Lower Galinas Land Grant

Section 1. Date.

The election for Board members shall be held in even numbered years on the first Saturday of the week in May every **TWO** years.

Section 2. Election Proclamation & Notice.

At least two months prior to the election the Board of Trustees shall by resolution issue an Election Proclamation, which shall include the following eight elements and serve as the official notice of the election:

- (1) the date on which the election will be held;
- (2) the purpose for which the election is held;
- (3) if positions on the board of trustees are to be filled, the date and time by which declarations of candidacy are to be filed;
- (4) if a question is to be voted upon, the text of that question;
- (5) the location of each polling place in the land grant-merced;
- (6) the hours that each polling place will be open; and
- (7) the date and time of the closing of registration books;
- (8) the date and time of the meeting to finalize the registration books.

The election proclamation and notice shall be given, in Spanish and English, by publication in a



newspaper of general circulation within the city limits of Las Vegas, New Mexico and by posting of notice in at least 5 public places within the Land Grant-Merced. The Election notice shall be published and posted no more than 45 days and no less than 30 days prior to the election date as designated in the election proclamation.

Section 3. Declaration of Candidacy.

Declarations of Candidacy shall be accepted for a period of 10 calendar days after the Election Proclamation has been published and posted. All declarations must be submitted on the eleventh day following the publication of the Election Proclamation to the Secretary of the Board. The Board shall establish the exact location and times when declarations are to be submitted. Declarations of Candidacy must be made on the form prescribed below in Section 4. Candidacy Forms. Once the period for declaration of candidacy ends the Board must review all declarations submitted and verify which of those candidates are eligible to be placed on the ballot. Any candidate wishing to withdraw their candidacy must do so on or before four days prior to the date of the election and through use of the Withdrawal of Candidacy Form as prescribed in Section 4. Candidacy Forms.

Section 4. Candidacy Forms.

The following 3 pages of these Bylaws contain the forms required for Declaration and Withdrawal of Candidacy for the Board of Trustees.



**LOWER GALLINAS LAND GRANT LA SIERRITA-MERCED
DECLARATION OF CANDIDACY**

I, _____, being first duly sworn upon my oath do hereby state for my affidavit that:

I, _____, hereby declare that I am a candidate for the office of Trustee for a four-year term to be elected at the regular election of the Lower Gallinas Land Grant-La Sierrita-Merced _____ to be held on _____ (insert date).

I affirm that I currently reside at _____ (Address including city, state and zip code).

I affirm that my name and resident address as stated in this Declaration of Candidacy are identical to my name and resident address as stated in my registration on file with the Lower Gallina Land Grant La Sierrita-Merced _____.

I affirm that I am eligible and legally qualified to hold the office for which I have declared my candidacy.

I affirm that I have not been convicted of a felony.
-OR-

I affirm that I have been convicted of a felony, and that my elective franchise has been restored, and, I have been granted a pardon or a certificate by the Governor restoring my full rights of citizenship.

I affirm that I, or my authorized representative, can be reached at the following telephone number(s) for purposes receiving telephone notice: _____ or _____.

I affirm that this declaration of candidacy is an affidavit under oath and that any false statement knowingly made herein constitutes a fourth-degree felony under the laws of New Mexico.

Signature of Candidate

Subscribed and sworn to before me this _____ day of _____, 20_____.

My Commission Expires:

Notary Public



Received by the Secretary of the Board of Trustees at _____ (A.M. /P.M.) on the
_____ day of _____, 20_____.

Secretary of the Board of Trustees



LOWER GALLINAS LAND GRANT LA SIERRITA-MERCED

AFFIDAVIT OF WITHDRAWAL OF CANDIDACY

I, _____, being first duly sworn upon my oath do hereby state for my affidavit that:

I, _____, hereby withdraw as a candidate for the office of Trustee for a four-year term in the election scheduled for _____ (insert date), and that I hereby irrevocably revoke my Declaration of Candidacy filed with the Land Grant Board of Trustees on _____ (insert date).

Signed _____

Subscribed and sworn to before me this _____ day of _____, 20 ____.

Notary Public

My Commission Expires:

Received by the Secretary of the Board of Trustees at _____ (A.M. /P.M.) on the _____ day of _____, 20 ____.

Signed _____
Secretary of the Board of Trustees

Official Land Grant Seal:



Section 5. Closing of Registration & Preparation of Registration Books & Voting Roster

Fifteen (15) days prior to the election all registration of new members to the Organization must cease. The registration must remain closed until the Monday following the election in accordance with General Provisions § 49-1-5(C) NMSA 1978. After the close of the registration and at least five (5) days before the date set for an election, the Board shall meet to finalize prepare the registration book to be used on the day of the election. The Board shall adopt the finalized registration book by resolution. Only those individuals whose name appears in the official registration book shall be allowed to cast a ballot on election day and no ballot cast from anyone not listed in the registration book shall be counted or canvassed [49-1-5 (D) NMSA 1978]. At least one copy of the registration book shall be placed at each polling location on the day of the election. The Board shall also prepare a voting roster listing by name all current eligible voters contained in the official registration book for use during the election. All eligible qualified voting members shall sign voter roster prior to receiving a ballot.

Section 6. Ballots.

Ballots must include the names of all eligible candidates as well as any questions to be voted on. Candidates will be elected at large and presented on the ballot in the order determined by a drawing of lots. The drawing of lots shall take place immediately following the close of candidacy declaration as called for in Section 3. Declaration of Candidacy. If any candidate is declared ineligible after the drawing of lots, they will not be placed on the ballot, and the ballot position of all subsequent candidates will be reordered sequentially according to their original order. All ballots shall be of the same size and weight of paper so that one cannot easily be distinguished from next. The total number of ballots produced shall be equal to total number of qualified voting members.

Section 7. Use of Provisional Ballots.

a) Provisional ballots shall be prepared every election of the Organization. Provisional ballots shall be used by any voter that shows up to the polls to vote but does not appear in the official Registration Book kept for the election.

b) Prior to receiving a ballot provisional voters must provide proof to the election judge(s) and clerk(s) that they meet the criteria to be a qualified voting member as per the Bylaws.

c) Provisional voters must also execute a statement swearing or affirming that they: 1) are a qualified voting member of the Organization; 2) are currently registered and eligible to vote in the Organization election; and 3) have not yet cast a ballot or voted in the election. The election judge or clerk will add the provisional voter's name to the end of the official voting roster and the provisional voter must sign the roster next to their name. They may then be given a ballot, an inner envelope and an outer envelope.

d) The voter shall vote on the provisional paper ballot in secrecy and, when done, place the



ballot in the official inner envelope and seal it. They will then place the official inner envelope in the outer envelope.

e) The outer envelope shall contain the following information to be filled out by the provisional voter: 1) the name and signature of the provisional voter; 2) the provisional voter's registered address (both present and former, if applicable); 3) the provisional voter's date of birth.

The election judge or clerk shall also place on the outer envelope 4) the reason for using the provisional ballot, and 5) what proof was given to assert qualified voting member status. The outer envelope will also contain sufficient space to list the disposition of the ballot after review by the canvassing board.

f) The outer envelope shall be sealed, and the Election Judge or Clerk shall ensure that the required information is completed on the outer envelope and will place the envelope in a container designated for provisional paper ballots.

g) At the close of the election the unopened outer envelopes containing the provisional ballots shall be placed in a secure location along with the regular ballots until the canvassing of the votes by the Election Judge(s) and the Canvassing Board. The Election Judge, Canvassing Board and members of the Board of Trustees that are not candidates up for election shall investigate and determine whether or not the individual has timely registered to vote in the current election. If an individual provisional voter is determined to be eligible to vote their ballot shall be removed from the envelope, placed with other ballots cast and counted. The envelope shall be discarded. If an individual provisional voter is determined to be ineligible to vote the envelope containing their ballot shall not be opened and shall be discarded.

Section 8. Write-in Candidates.

Only candidates that declare their candidacy in accordance with section 3 of this article shall be considered official valid candidates for an election to the Board. There is no process for write-in candidates. Any votes cast for individuals that are not official valid candidates shall be discarded and shall not be counted.

Section 9. Ballot Box.

The ballot box to be used for elections held by the Organization shall be of sufficient size to hold the expected number of votes to be cast and it shall be locked or closed in a manner that will not allow for any tampering or removal of ballots until the ballots are to be counted.

Section 10. Election Judge & Clerk.

The Board shall appoint one election judge and at least two election clerks for each polling place. The election judge shall also be present for the canvass of the vote. No person shall be qualified for appointment or service as an election clerk or judge who is a spouse, parent, child, brother or sister of any candidate to be voted for at the election.



Section 11. Conduct of Election.

All elections held by the Organization shall be conducted in the following manner:

1. Opening the polls: The polls shall be opened for voters at the time and location(s) designated in the election proclamation. Election judges, clerks, the Secretary and the President shall arrive at least 15 minutes prior to opening of the polls.

2. Checking in Voters: Voters shall be checked in before they are given a ballot. Voters shall present their name to the clerk so that they may be in the official registration book. The voter shall sign next to their name in the registration book. Voter shall then be given a ballot. No person shall vote at the election unless duly registered in the books, and no ballot of any unregistered person shall be counted or canvassed. If a voter does not appear in the official registration book they shall be given a provisional ballot in accordance with Article X, Section 7 of these Bylaws.

3. Casting of ballots: Voters shall place their completed ballot in the ballot box. No person shall vote at the election unless duly registered in the books, and no ballot of any unregistered person shall be counted or canvassed.

4. Closing of the polls: Polls shall be closed at the time designated in the election proclamation. Only voters in line at the time of the closing of the polls shall be allowed to vote after the polls are closed.

5. Counting of Votes: The Election Judge and Clerks shall begin counting votes immediately after the polls have been closed. Prior to counting the ballots in the ballot box, the clerks shall count the total number of voters that signed the registration book. Any provisional voters whose vote is determined allowable should be added to the total voters that signed the registration. The election judge shall verify the total number of voters that signed in. Next the total number of ballots cast shall be counted, including eligible provisional ballots. The total number of ballots cast shall be equal to the total number of voters that signed the official registration plus the total number of any eligible provisional voters. The election judge shall verify the total number of voters cast. Upon verification of ballots cast, votes shall be tabulated. The election judge shall verify the tabulation results. An affidavit of election results shall be produced which includes total number of eligible voters checked in, total number of ballots cast, and tabulation results. The election judge and clerk(s) shall verify and sign the affidavit of election results. The election judge shall deliver the affidavit of election, plus all the ballots counted, and the signed registration book to the board of trustees.

Section 12. Affidavit of Election Results Form.

The following page contains the affidavit of elections results form to be used for tabulation of election results.



LGLG AFFIDAVIT OF ELECTION RESULTS FORM

Number of voters verified at polls on election day: _____

Number of qualified provisional voters: _____

Number of early voters: _____

Number of absentee voters: _____

Total number of voters: _____

Number of regular ballots casts at polls on election day: _____

Number of qualified provisional ballots cast: _____

Number of early voter ballots: _____

Number of absentee ballots: _____

Total number of ballots cast: _____

Tabulation of votes:

Total votes for _____ : _____
(insert candidate's name)

Total votes for _____ : _____
(insert candidate's name)

Total votes for _____ : _____
(insert candidate's name)

Total votes for _____ : _____
(insert candidate's name)

Total votes for _____ : _____
(insert candidate's name)

Results for any questions being voted on (insert text of question):

For: _____ Against: _____

By signing below, I hereby certify that the above voter count, ballot count and tabulation of election results have been verified and are true and correct.

Election Clerk

Election Clerk

Election Judge



Section 13. Canvassing the Votes.

The election judge(s) and Board of Trustees shall meet not later than seven days following the election and canvass the votes cast. The Board of Trustees shall certify the canvassing of votes in writing using the Canvassing of Votes Certification Form.

Section 14. Canvassing of Votes Certification Form.

The following page contains the Canvassing of Votes Certification Form.



LGLG CANVASSING OF VOTES CERTIFICATION FORM

Number of voters verified at polls on election day: _____

Number of qualified provisional voters: _____

Number of early voters: _____

Number of absentee voters: _____

Total number of voters: _____

Number of regular ballots casts at polls on election day: _____

Number of qualified provisional ballots cast: _____

Number of early voter ballots: _____

Number of absentee ballots: _____

Total number of ballots cast: _____

Tabulation of votes:

Total votes for _____ : _____
(insert candidate's name)

Total votes for _____ : _____
(insert candidate's name)

Total votes for _____ : _____
(insert candidate's name)

Total votes for _____ : _____
(insert candidate's name)

Total votes for _____ : _____
(insert candidate's name)

Results for any questions being voted on (insert text of question):

For: _____ Against: _____

By signing below, I hereby certify that the above voter count, ballot count and tabulation of election results have been verified and are true and correct.

Trustees: _____

Election Judge



Section 15. Service on the Board of Trustees Relationship Restrictions

No two individuals that are related in the following manner may serve concurrently on the Board: Immediate members of the heir: such as spouse, brother, sister, grandparent, grandchild, partner, boyfriend, girlfriend, husband and wife. If and, any of the eligible candidates for the Board are related as prescribed above than only the candidate that receives the highest number of votes among the related candidates shall be eligible to serve on the board of trustees. All other related candidates regardless of the number of votes received shall not be eligible for service on the board of trustees. Additional open Board of Trustees position(s) will go to the next candidate(s), that is (are) not related, receiving the highest number of votes.

Section 16. Procedure for Resolving a Tie Vote

In the event that two or more candidates receive an equal number of votes resulting in a tie for one of the vacant board positions, the determination as to which of the candidates shall be declared to have been nominated or elected shall be decided by “lot”. The method of determining by lot shall be agreed upon by a majority of a committee consisting of the tied candidates and the members of the board of trustees whose board position is not included as part of the election. The Board of Trustees shall issue the certificate of election to the candidate chosen by lot.

Section 17. Issuance of Certificates of Election.

Upon completion of canvassing the votes and verifying the election results the Board shall issue certificates to the persons receiving the highest number of votes, provided that the Board adheres to the relationship restrictions established in Section 15 of this Article, certifying that those individuals have been duly elected. The number of certificates issued shall be equal to the number of board positions up for election.

Section 18. Certificate of Election Form.

The following page contains the Certificate of Election Form to be issued to the persons receiving the highest number of votes meeting all relationship restriction requirements.



**LOWER GALLINAS LAND GRANT LA SIERRITA-MERCED CERTIFICATE OF
ELECTION TO THE BOARD OF TRUSTEES**

The Board of Trustees of the Lower Gallinas Land Grant La Sierrita-Merced on this _____ (insert day) day of _____ (insert month), 20____ (insert year) does hereby certify that _____ (insert name of candidate), a candidate for the position of member of the Board of Trustees, whose address is _____, having received the necessary amount of votes in the election held on _____ (insert date), has been duly elected to the Board of Trustees of the Lower Gallinas Land Grant La Sierrita-Merced . The term of office for the position is for 4 years and service on the board shall begin on _____ (insert date must be within 7 days of issuing canvassing the votes).

Adopted, Approved and Certified by the Board of Trustees of the Lower Gallinas Land Grant La Sierrita-Merced _____.

By: _____
President

Attest: _____
Secretary



Section 19. Challenging Election.

In accordance with §49-1-7(D), NMSA 1978, any unsuccessful candidate for election to the Board or any qualified voting member of the Organization who believes that any portion of a land grant-merced election was conducted in violation of any requirements set forth in Chapter 49, Article 1 NMSA 1978 or the land grant-merced bylaws may contest the outcome of an election; provided that the election contest is filed with the Guadalupe Hidalgo treaty division of the office of the attorney general within thirty days from the issuance of the certificate of the election by the canvassing board. If an election is contested the individuals holding certificate of elections shall take office and assume their duties until the contest is decided.

ARTICLE XI

Board of Trustees

Section 1. Management and Powers.

The powers of management and control of the Organization and tracts of land under §§ 49-1-1 to 49-1-22, NMSA 1978 are vested in a Board, commonly known as "The Board of Trustees of the Lower Gallinas Land Grant La Sierrita-Merced". The Board has the power to control, care for and manage the Lower Gallinas Land Grant La Sierrita-Merced and real estate, prescribe the terms and conditions under which the common lands may be used and enjoyed and make all necessary and proper Bylaws, subject to the approval of the membership, and the necessary rules and regulations in substantial compliance with all applicable state law.

Section 2. Number of Trustees and Qualifications.

The Board shall consist of five members, no less than 3 members, who are qualified voting members of the Organization and who are not in default of any dues, rent or other payments for the use of the common lands of the Lower Gallinas Land Grant La Sierrita-Merced. No two individuals that are related in the following manner may serve concurrently on the Board: spouse, parent, child, brother, sister, grandparent, grandchild, boyfriend, girlfriend, partner, husband and wife.

Section 3. Terms of Service.

The members of the Board shall serve for a four-year term. Terms shall be staggered so that at each two-year election cycle there shall only be either two or three board member positions up for election. If there are no members that run during an election the current Board can be asked to stay on until the Chairmen can find members who are willing to volunteer to fill the unfilled positions on the Board.



Section 4. Vacancies.

If a vacancy occurs on the Board for any position excluding the treasurer, the remaining members shall fill the vacancy by appointment made at a regular meeting. The person appointed shall hold office until the next regular election. If the vacancy occurs as a result of the death or resignation of the treasurer, the Board shall fill the vacancy by appointing one of the members of the Board as treasurer, who shall, before entering into the performance of his duties as treasurer, execute and furnish to the Board a good and sufficient surety bond, similar to the bond entered into by his/her predecessor. The Board shall then fill the remaining vacancy as called for in the first sentence of this section.

Section 5. Board Meetings.

The Board shall meet at least once every three months at a meeting place that is available to the Organization. The Organization's first choice is to have the meetings at the La Placita Fire Station, in the event the fire station is not available or is no longer an option, the Board will seek a common place to meet. Meeting notice for all meetings of the Board shall be posted in Spanish and English in a public place within the Lower Gallinas Land Grant La Sierrita-Merced at least ten days prior to the meeting. All meeting notices must include the date, time and location of where the meeting is to take place. Also, if no agenda is posted with the notice, then information about where an agenda can be obtained must be included in the notice. Special meetings may be held at any time on call of the president, with five days' notice being given to each Board member and to the public in the same manner prescribed above. Emergency meetings may be held with 24 hours advance notice, if possible. Emergency meetings are those in which issues affecting the Lower Gallinas Land Grant La Sierrita-Merced arise that could not have been anticipated by the Board and which if not addressed immediately by the Board will threaten the health, safety or property of Organization's members or likely result in substantial financial loss to the Organization.

Section 6. Quorum.

A majority of the Board shall constitute a quorum for the transaction of business, and the Organization and its members shall be bound by the acts of the Board, pursuant to §§ 49-1-1 through 49-1-19 NMSA 1978 and these Bylaws. Quorum requirements can be met by telephone during a properly advertised public meeting under the following circumstances: 1) It is only done in limited circumstances where it is very difficult or impossible for the Board member to attend in person; 2) All Board members participating by telephone can be identified when speaking; 3) All Board members are able to hear each other at the same time, and; 4) all members of the public can hear all trustees when they speak during the meeting.

Section 7. Election of Officers of Trustees.

Within no more than fourteen (14) days after every Organizational election the Board, shall meet and elect among themselves a Chairman/Chairwoman, Vice-Chairmen/Chairwomen,



Secretary, Collector, Parliamentarian, and Treasurer. Only five members can be on the Board, the Board has discretion to decide whether they want to have a Vice-Chair or a Parliamentarian.

Section 8. Removal of Trustees and Officers.

Any Board member or officer may be removed from the office with cause, by a vote of not less than a simple majority of the qualified voting members present at any annual meeting, or at any special meeting called for the purpose, provided that a quorum of the qualified voting members is present. The Board member or officer shall be informed in writing of the charges or reasons against him/her at least ten (10) days before such meeting in person or by counsel, and to present witnesses in his/her behalf at the meeting in which the action is to be taken.

Section 9. Removal for Unauthorized Absences.

A Board member or officer who has two consecutive absences from regular meetings without prior notice to the Board shall be deemed to have resigned from the Board effective upon his/her receipt of written notice of removal due to two consecutive absences as signed by the Chairman/Chairwomen or Vice-Chairman/Chairwomen and delivered to the removed Board member or officer.

Section 10. Salaries & Compensation.

The Board members, excluding the Secretary, shall be paid a monthly salary of \$200. The Secretary of the Board shall be paid a monthly salary of \$225. The salaries as fixed shall be in full as compensation for the duties performed by the Board or the individual members within the exterior boundaries of the Lower Gallinas Land Grant La Sierrita-Merced and for attendance at regularly scheduled meetings.

Board members shall be authorized per diem and mileage pursuant to the Per Diem and Mileage Act [[10-8-1 NMSA 1978](#)].

ARTICLE XII

Duties of Officers

Section 1. Duties of the Chairperson

The Chairperson shall preside over all meetings of the Organization. The Board may call special meetings of the Board and perform all acts and duties usually performed by an executive and presiding officer. The Board shall sign all membership certificates, notes, bonds, mortgages, contracts and other instruments on behalf of the Organization. They shall be an ex-officio member of all standing committees and shall have such powers and shall perform such other duties as may be properly required of him/her by the Board.



Section 2. Duties of the Vice-Chairperson

The Vice-Chairperson, in the absence or disability of the Chairperson, shall perform the duties of the Chairperson. However, in the case of death, resignation or disability of the Chairperson, the Board shall declare a vacancy in the Board, appoint a successor to fill the unexpired portion of the vacated term, and thereafter re-organize and elect from among themselves the new officers of the Organization.

Section 3. Duties of the Secretary.

Unless otherwise directed by the Board, the Secretary shall:

- a) keep a complete record of all minutes of meetings, with attachments as reviewed, of the Organization and of the Board. Meeting minutes shall be completed within 10 days follow any meeting of the Board;
- b) have general charge and supervision of the books and records of the Organization except for the financial books which will be the charge of the treasurer.
- c) keep a proper membership registration or certificate record, showing the name of each member of the Organization and date of issuance, surrender, transfer, termination, cancellation or forfeiture;
- d) prepare mail or notices required by law and by these Bylaws;
- e) serve, mail, or deliver all notices required by law and by these Bylaws;
- f) attest the Chairperson's signature on all membership certificates and other papers pertaining to the Organization;
- g) keep the corporate seal, complete and attest all certificates issued and affix the Organization's seal to all papers requiring a seal;
- h) make a full report of all matters and business pertaining to his or her office to the members at the annual meeting, or at such other time or times as the Board may require;
- i) be the official custodian of records for any freedom of information or inspection of public records requests;
- j) be the official recipient of all declarations of candidacy pertaining to any elections held by the Organization as called for in Article X of these Bylaws.



- k) prepare official registration books to be use during all Organization elections.

Upon the election of a successor, the Secretary shall turn over all books and other property belonging to the Organization that they may have in their possession.

Section 4. Duties of the Treasurer.

The treasurer shall be covered in the performance of his or her duties by a surety bond in an amount to be determined by the Board and which will at the minimum be a sum at least double the amount received by and deposited in the bank by the treasurer. The premium of such bond shall be paid by the Organization. Unless otherwise directed by the, the treasurer shall:

- a) have general charge and supervision of the financial books and records of the Organization;
- b) make a full report of all matters and business pertaining to his or her office to the members at the annual meeting, or at such other time or times as the Board may require;
- d) shall give receipts for all monies collected from all sources, which receipts shall be in the form prescribed herein;
- e) only disburse funds by written check drawn upon vouchers;
- f) keep the Organization current on all accounts payable and compliance reports including annual budget and/or financial reporting requirements as prescribed in the Audit Act, 12-6-1 NMSA 1978 and section 6-6-1 NMSA 1978.
- g) make a report on the business transacted by him or her monthly or as requested.

Upon the election of a successor, the treasurer shall turn over all books, password, and other property belonging to the Organization that they may have in their possession.

Section 5. Collector

- a) collect all assessments and monies due to the Organization and cause to be deposited the same on a timely basis in the depository in the manner designated by the Board in the Rules and Regulations.
- b) keep a proper membership registration or certificate record,



showing the name of each member of the Organization and date of issuance, surrender, transfer, termination, cancellation or forfeiture.

Section 6 Parliamentarian

Parliamentarian shall be responsible for insuring that all regular and special meetings are conducted in an orderly fashion. The parliamentarian shall remove any unruly members or otherwise cause to be removed any member(s) who interrupt(s) the meeting or impede(s) the orderly flow of business. The parliamentarian shall do that in addition to voting on business matters affecting the Organization and attending to other matters that may be prescribed by the Board.

ARTICLE XIII

Meetings

Section 1. Annual Meeting.

The annual membership meeting of the Organization will be held annually in a public place within the Lower Gallinas Land Grant La Sierrita-Merced , in July_of each year as designated by the Board, at a time and place as posted in Spanish and English in public places within the Lower Gallinas Land Grant La Sierrita -Merced at least ten days prior to the meeting. In the event that such meeting cannot be held on this day, the meeting will be rescheduled and held within thirty (30) days of the date specified above.

Section 2. Regular Meetings.

Regular meetings of the Organization may be held quarterly as per §49-1-9, NMSA 1978 to conduct the business of the Organization. Meetings will be held in a public place within the Lower Gallinas Land Grant at the time and place noted in the official posted notice. Meeting notices will be posted in both Spanish and English in at least one public place within the Merced at least ten (10) days prior to the meeting.

Section 3. Meetings to be Public; Annual Report.

a) All meetings of the Board, including the annual membership meeting, shall be held in a public location within the land grant-merced and in accordance with the Open Meetings Act, § 10-15-1.1 NMSA 1978 and the General Provisions § 49-1-9 NMSA 1978. Executive sessions shall not be held except in accordance with the Open Meetings Act. All members (voting and non-voting members) of the Organization shall have the right to be present at all times when the Board is in session and to be heard on all matters in which they may be interested. The members of the public (non-heirs) may attend all meetings and participate in discussions at the invitation or with the approval of the Board.



b) The secretary of the Board shall reduce to writing, in a book kept for that purpose, minutes of the business transacted at each Board meeting.

c) The Board shall annually make public a report of all its transactions for that year. The report shall be based upon agendas, minutes, actions taken and include all financial transactions. The report shall be maintained and available for public review and inspection. Once the Organization has an official office, the public report will be held in that office, until that time the secretary will have the report, make it available for anyone who needs to review or inspect the information.

Section 4. Special Meetings.

Special meetings of the members of the Organization may be called at any time by the Chairman or any Board member. The purpose of every special meeting will be stated in the notice thereof, and no business shall be transacted, except such as is specified in the notice. Special meeting notices will be posted in both Spanish and English in at least one public place within the Merced at least five (5) days prior to the meeting.

Section 5. Emergency Meetings.

Emergency meetings of the Board may be held with twenty (24) hours advance notice being posted for the general public. Emergency meetings are those in which unforeseen circumstances affecting the Merced arise and which, if not addressed immediately by the Board, will likely result in injury or damage to persons or property or substantial financial loss to the Merced.

Section 6. Quorum.

No less than three members of the Board will constitute a quorum at any annual, regular or special meetings of the membership for the transaction of business. If no quorum is determined, another meeting will be held within thirty (30) days. At that meeting the qualified Board present will constitute a quorum for the transaction of business. The arrangement for such meeting will be held within thirty (30) days. At that meeting the Board members in attendance will constitute a quorum for the transaction of business.

Section 7. Meeting Agenda.

a) In accordance with the Open Meetings Act, § 10-15-1.1 NMSA 1978, meeting agendas for all Annual, Regular and Special meetings will be available at least seventy-two (72) hours prior to the meeting start time. Only items appearing on the seventy-two-hour advance agenda can be acted on during a meeting.

1. The order of business at the Annual or Regular meetings of the members, shall be:
 1. Call to Order
 2. Officers: Proof of Quorum
 3. Approval of Agenda



4. Approval of Minutes
 5. Collector Report
 6. Treasurer Report
 7. New Business
 8. Old Business
 9. Comments from Organizational members shall be limited to 3 minutes at Regular Meetings. Members must sign-in to speak at the beginning of a regular meeting.
 10. Public Comments limited to 2 minutes,
 11. Non-Members must sign-in at the beginning of a regular meeting.
 12. Announcements
 13. Adjournment
2. The order of business at any Special or Emergency meetings of the members shall be:
- i. Call to Order
 - ii. Officers: Proof of Quorum
 - iii. Approval of Agenda
 - iv. New Business—if needed
 - v. Old Business----if needed
 - vi. Announcements
 - vii. Adjournment

Section 8. Adoption of Open Meetings Resolution.

At the beginning of each new fiscal year the Organization will adopt a new Open Meetings Notice Resolution describing what notice for a public meeting is reasonable as per §10-15-1 (D), NMSA 1978.

ARTICLE XIV

Miscellaneous

Section 1. Form of Registration or Certificate.

The Board will determine the form of membership registration, which may include a certificate signed by the Chairman and his or her signature attested by the secretary, who shall impress thereon the Seal of the Organization, provided that the form of certificate, in addition to any other matters required by the Board to appear therein, shall contain any statements required by the Laws of the State of New Mexico.

Section 2. Membership Book.

As a part of the records of the Organization, there shall be kept a Membership Registration



Book, which will contain a list of the members or a list of the certificates of membership which have been issued, noting the number of the certificate, the date thereof, and the name and address of the person to whom issued, and other information as required.

Section 3. Procurement.

Any and all purchases made by the Organization shall be done in accordance with Procurement Code §§13-1-28 through 13-1-119 NMSA 1978.

Section 4. Tort Liability Coverage.

The Organization shall cover every risk for which immunity has been waived under the provisions of the Tort Claims Act § 41-4-1 NMSA 1978 or any liability imposed under § 41-4-4 NMSA 1978 as prescribed in §41-4-20 NMSA 1978.

Section 5. Intergovernmental Agreements.

The Organization may enter into memoranda of understanding, contracts and other agreements with local, state or federal government or a federally recognized Indian nation, tribe or pueblo.

Section 6. Receipts.

All receipts issued by the Board shall, at minimum, contain the printed or stamped name of the Organization; be sequentially numbered; be bound in a receipt book. The Board shall issue an original copy of receipt and maintain a duplicate copy for their records.

Section 7. Pledge of Revenues.

The Organization may pledge its revenues for use in the acquisition of real property, capital assets and equipment, including for use as matching funds for any federal, state, local government or private grant funding program and for servicing related debts. The Organization may also utilize its revenues for programs aimed at community and economic development.

ARTICLE XV

Rules and Regulations

The Board is authorized to promulgate all rules and regulations necessary to fulfill the purposes of the Organization, which are in conformity with the Constitution of the State of New Mexico, the Statutes Annotated of New Mexico and the Bylaws of the Organization.

Section 1. Proposed Rules and Regulations.



The Board will develop the proposed rules or regulations and distribute the proposals to all members before taking any formal action.

Section 2. Comment Period.

The members of the Organization shall have a minimum of 30 days to review and comment on the proposed rules or regulations before the Board can act to modify, amend, adopt or approve same.

Section 3. Emergencies.

In the case of an emergency the Board is authorized to make or promulgate emergency rules or regulations which shall take effect immediately. Copies of the emergency rules or regulations shall be distributed to the membership of the land grant which shall have a minimum of 30 days to review and comment on the emergency rules or regulations. At its next meeting, the Board shall act to modify, amend, adopt, ratify, rescind or approve them.

ARTICLE XVI

Amendments

Section 1. Vote Required

These Bylaws may be modified, repealed or amended by a written resolution of the Board after affirmation by a 3/4ths majority vote of the qualified voting members, through adoption during an Organization's election where such a question is placed on the ballot, provided that all such amendments are in conformity with the Constitution of the State of New Mexico and the New Mexico Statutes.

Section 2. Amendments Not to Affect Debt Service.

If the Organization has pledged any revenues for the payment of debt, the Organization shall not amend its Bylaws to the detriment of any such pledged revenues.



ARTICLE XVII

Severability Clause

If any of the provisions of these Bylaws are held to be invalid, the remaining provisions thereof shall not be affected thereby but shall remain in full force and effect.

.....

We, the undersigned President, Secretary and members of the Board for the Lower Gallinas Land Grant La Sierrita-Merced existing under the General Provisions, §§ 49-1-1 to 49-1-22, NMSA 1978, and other laws of the State of New Mexico, hereby certify that the above is a true and correct copy of the Bylaws, together with all amendments thereto, which were duly adopted on March 22nd, 2026 by a majority vote of the quorum the Board members of the Lower Gallinas Land Grant La Sierrita -Merced.

By Bobby Padilla
Bobby Padilla, Chairmen/Collector

By Anna Baca
Anna Baca Secretary

By Margaret Lucero
Margaret Lucero, Treasurer

ATTEST
By Anna Baca





APPENDIX I

Lower Gallinas Land Grant La Sierrita-Merced

Definition of Terms

1. Herederos/Heir
 - a. Defined as a person who is recognized by the Board as a descendant of the original grantees and has an interest in the common land of the Lower Gallinas Land Grant La Sierrita-Merced through inheritance.
2. Immediate family
 - a. Defined as a son, daughter, grandchild, great grandchild ONLY.
3. Child
 - a. Defined as a biological minor offspring, or minor offspring who was legally adopted before the age of 18 years old of a member.
4. Extended family
 - a. Defined as nieces and nephews.
5. Lot
 - a. the making of a decision by random selection, especially by a method involving the choice of one from several pieces of folded paper, one of which has a concealed mark.
 - b. one of a set of objects such as straws, stones, or pieces of paper that are randomly selected as part of a decision-making process.
6. Quorum
 - a. a quorum for the Organization is not less than 3 Board members.
7. Bequeaths
 - a. to give or leave by a written “WILL” considered valid under New Mexico law.
 - b. The Organization requires all bequeaths be presented in writing to the Board and be completed by the personal representative of the estate of the deceased member within 365 days of the death of the deceased member.
8. Land Grant-Merced— Section 1. Section 49-1-1.1 NMSA 1978 (being laws 2004, chapter 124, section 1, as amended).
 - a. means, a grant of land made by the government of Spain or by the government of Mexico to a community, town, colony or pueblo or to a person for the purpose of founding or establishing a community, town, colony or pueblo; or
 - b. land that prior to 2004 was partitioned from the lands granted to a community or town.



- c. Partition was made for the purpose of establishing common lands for a separate community or town.
 - d. Boundaries of the partitioned common lands have been confirmed by deed of title or indenture executed by the board of trustees of the original Land Grant-Merced or by a state or federal court; and
 - e. Conveyance of the partition was to heirs of the original Gallinas Community Land Grant-Merced in percent 35.
9. Parent
- a. Defined as a mother or father of a person whether through biological birth or through legal adoption prior to the age of 18 years.
 - b. Qualified voting member means an heir recognized by the Board who is registered to vote in the Organization's elections or matters that are brought to the members.
10. Sibling
- a. Defined as a relative that shares at least one parent with the other person but shall not include stepsiblings.
11. Annual meeting
- a. Shall be held in July of the Fiscal year.
 - b. This meeting counts as a Quarterly meeting.
12. Regular meeting
- a. Refers to Quarterly meetings
 - b. 3 quarterly minutes are held yearly
13. Special meeting
- a. These meetings are held for items that need to be address as soon as possible.