

**STATE OF NEW MEXICO
COUNTY OF RIO ARRIBA
FIRST JUDICIAL DISTRICT**

**Board of Trustees of the Land
Grant-Merced de los Pueblos de Tierra
Amarilla, a political subdivision of the
State of New Mexico,**

Plaintiff,

v.

No.

**Al Frente de Lucha, Inc., a Colorado
non-profit corporation, and Priscilla Falcón,
Eddie Guerrero, Emanuel Martínez, Ricardo
Romero, Annabelia Salazar and Mónica
Salazar, its directors and officers,
individually,**

Defendants.

**COMPLAINT TO SET ASIDE DEED AND RECOVER REAL PROPERTY,
FOR EXPRESS, RESULTING AND CONSTRUCTIVE TRUSTS,
AND FOR INJUNCTIVE RELIEF**

**Comes now Plaintiff Board of Trustees of the Land Grant-Merced de Los
Pueblos de Tierra Amarilla, a political subdivision of the State of New Mexico, by
and through Hector Balderas, Attorney General for the State of New Mexico, and
hereby brings this action against Al Frente de Lucha, Inc., a Colorado non-profit
corporation, and Priscilla Falcon, Eddie Guerrero, Emanuel Martinez, Ricardo**

Romero, Annabelia Salazar and Monica Salazar, its directors and officers, and in support of its Complaint states as follows:

PARTIES, JURISDICTION AND VENUE

1. The Land Grant-Merced de Los Pueblos de Tierra Amarilla is a political subdivision of the State of New Mexico, governed by Plaintiff Board of Trustees, a body politic and corporate, organized and existing under and by virtue of NMSA 1978, Chapter 49, as amended.

2. The land which is the subject of this action is located in Rio Arriba County, New Mexico, within the Tierra Amarilla Land Grant.

3. Plaintiff is informed and believes and upon such information and belief alleges, that Defendant Al Frente de Lucha, Inc., (“Al Frente” or “Defendant Al Frente”), is a non-profit corporation organized and existing under the laws of Colorado; and that Defendants Priscilla Falcón, Eddie Guerrero, Emanuel Martínez, Ricardo Romero, Annabelia Salazar and Mónica Salazar are officers and members of the board of directors of Al Frente, and that Defendant Mónica Salazar is Al Frente’s registered agent for service of process.

5. This Complaint and its filing have been authorized and approved by Plaintiff Board of Trustees of the Land Grant-Merced de los Pueblos de Tierra Amarilla.

6. Attorney General of New Mexico, Hector Balderas, through the Guadalupe Hidalgo Treaty Division of the Office of the Attorney General is designated to advocate for and represent Plaintiff pursuant to NMSA 1978, Section 8-5-18.

I.

FIRST CAUSE OF ACTION AND CLAIM FOR RELIEF:
TO SET ASIDE DEED FOR LACK OF AUTHORITY, AND TO RECOVER
REAL PROPERTY

6. Plaintiff adopts by reference, repeats and re-alleges the allegations made in Paragraphs 1 to 5 of this Complaint.

7. In 1988 and 1989, residents of the communities of Tierra Amarilla, New Mexico, conducted a fourteen-month highly publicized armed occupation of land at Tierra Amarilla, protesting ownership of the land by Vista del Brazos, an Arizona general partnership.

8. Concurrently with the armed occupation, residents of Tierra Amarilla filed a federal lawsuit for civil rights violations in connection with their claim of ownership of the land which is the subject of this action. *Flores v. Lawyers Title Insurance Co., et al.*, No. 89-0910JP (D.N.M., 1989).

9. In anticipation of a settlement or other favorable disposition of the federal lawsuit, residents of the communities of Tierra Amarilla established El Consejo de la Tierra Amarilla, Inc., ("El Consejo"), which was organized in June, 1989, as a non-profit New Mexico corporation, for the purpose, among others, of acquiring the land claimed in connection with the federal civil rights lawsuit.

10. The federal lawsuit was settled in October, 1989, when Vista del Brazos and others agreed to convey the disputed land, approximately 216 acres,

to the communities of Tierra Amarilla, for the common and beneficial use of the people.

11. On March 8, 1990, in furtherance of its corporate purpose, and to consummate the settlement reached in the federal lawsuit, El Consejo acquired the land which is the subject of this action, by warranty deed from Vista del Brazos, which deed is attached to this Complaint as *Exhibit A*.

12. Thirteen years later, on July 23, 2003, a warranty deed, *Exhibit B* to this Complaint and hereafter, was purportedly executed by El Consejo to Al Frente for the land and real estate which is the subject of this action, being the same 216 acres acquired by El Consejo from Vista del Brazos in 1990 in settlement of the federal lawsuit in *Flores v. Lawyers Title Insurance Co., et al., Id.*

13. The grantee in the 2003 deed from El Consejo was named and designated therein as “Al Frenete de Lucha – TA Land Trust,” and Plaintiff is informed and believes and upon such information and belief alleges, that said grantee in the 2003 deed is the Defendant Al Frente de Lucha, Inc., named in this Complaint.

14. The deed to Al Frente was signed and executed by persons who were without lawful authority to do so, because they were not the proper duly elected officers and directors of El Consejo.

15. The deed to Defendant Al Frente was at no time authorized by the board of directors of El Consejo.

16. Plaintiff is informed and believes and upon such information and belief alleges, that the deed to Al Frente may have been executed by or on behalf

of El Consejo after the corporation had been dissolved, after its articles of incorporation had expired, or after its certificate of incorporation had been cancelled or revoked.

17. The deed to Al Frente was executed without lawful authority, is void and is a nullity, and transferred no title or interest to Al Frente for the land described in the deed, and should be set aside and held for naught.

18. In the years following the unlawful deed to Al Frente, El Consejo became defunct, and its corporate charter was revoked in 2006.

19. In 2017, in accordance with New Mexico law, El Consejo was again organized and re-chartered under its previous corporate name, El Consejo de la Tierra Amarilla, Inc., and is the successor non-profit corporation to El Consejo whose charter was revoked in 2006, and which in 2003 purportedly conveyed to Defendant Al Frente the land which is the subject of this action.

20. By quitclaim deed executed July 15, 2018, *Exhibit C*, El Consejo de la Tierra Amarilla, Inc., as organized and chartered under New Mexico law in 2017, granted to Plaintiff the land which is the subject of this action, being the same land purportedly conveyed to Al Frente in 2003.

21. Upon the Court's judgment and order in this case setting aside the deed to Defendant Al Frente, the subject land should be recovered by Plaintiff Land Grant-Merced de los Pueblos de Tierra Amarilla, because Plaintiff is a community land grant organized and existing under New Mexico law for the purpose of managing lands held in common for the benefit of the communities of Tierra Amarilla, as intended when the land was acquired by El Consejo in 1990.

22. The subject deed to Al Frente was recorded in the office of the Rio Arriba County Clerk on July 23, 2003, and this Complaint to set aside the deed and recover the land unlawfully conveyed thereby, is timely brought within fifteen years from the date the deed was recorded, as required by NMSA 1978, Section 37-1-28 (1971).

WHEREFORE, Plaintiff Board of Trustees of the Land Grant-Merced de los Pueblos de Tierra Amarilla prays for the Court's judgment, order and decree:

A. That the deed to Defendant Al Frente is without lawful authority and is void and should be set aside and held for naught.

B. That the subject land should be recovered by the Land Grant-Merced de los Pueblos de Tierra Amarilla, to be held in trust and administered by Plaintiff Board of Trustees of said Land Grant-Merced, for the common benefit and enjoyment of the communities of Tierra Amarilla.

C. That Plaintiff recover its costs, and for such other relief as may be proper.

II.

SECOND CAUSE OF ACTION AND CLAIM FOR RELIEF:

**TO SET ASIDE DEED FOR FAILURE OF STATUTORY REQUIREMENTS
AND APPROVAL BY THE DISTRICT COURT**

23. Plaintiff adopts by reference, repeats and re-alleges the allegations made in Paragraphs 1 to 22 of this Complaint.

24. The land which is the subject of this action is part of the common lands of the Tierra Amarilla Land Grant.

25. Under NMSA 1978, §49-1-11 (2003, amended 2004), a conveyance of any part of the common lands of a land grant-merced shall be effective only if the board of trustees of the land grant-merced has adopted a resolution authorizing the conveyance, and the district court has approved the board of trustees' resolution.

26. At no time has any board of trustees of the Tierra Amarilla Land Grant adopted a resolution authorizing the 2003 deed from El Consejo to Defendant Al Frente, and no such resolution has at any time been approved by the district court, as required by NMSA 1978, §49-1-11.

27. In the absence of any other duly organized and existing board of trustees of the Tierra Amarilla Land Grant when the deed to Al Frente was made in 2003, the board of directors of El Consejo was a *de facto* board of trustees for any land acquired and held by El Consejo which constituted common lands of the Tierra Amarilla Land Grant, and the board of El Consejo was therefore required by §49-1-11 to adopt a resolution allowing the conveyance made to Al Frente, and to secure approval of the resolution by the district court.

28. There being no resolution by the directors of the board of El Consejo, acting in 2003 as trustees of the common lands of the Tierra Amarilla Land Grant, approving the deed purportedly made to Al Frente, and no such resolution having been approved by the district court, the deed to Al Frente was made in violation of

NMSA 1978, §49-1-11, and is therefore void and a nullity, and should be set aside and held for naught.

WHEREFORE, Plaintiff Board of Trustees of the Land Grant-Merced de los Pueblos de Tierra Amarilla prays for the Court's judgment, order and decree:

A. That the deed from El Consejo to Defendant Al Frente is unlawful and void and should be set aside and held for naught, for the reason that said deed was made in violation of the requirements of NMSA 1978, §49-1-11.

B. That the land which is the subject of this action be recovered by the Land Grant-Merced de los Pueblos de Tierra Amarilla, to be held in trust and administered by Plaintiff Board of Trustees of said Land Grant-Merced, for the common benefit and enjoyment of the communities of Tierra Amarilla.

C. That Plaintiff recover its costs, and for such other relief as may be proper.

III.

THIRD CAUSE OF ACTION AND CLAIM FOR RELIEF:

FOR EXPRESS TRUST

29. Plaintiff adopts by reference, repeats and re-alleges the allegations made in Paragraphs 1 to 28 of this Complaint.

30. The warranty deed from El Consejo to Defendant Al Frente was made to Defendant Al Frente as “TA Land Trust.”

31. The clear, unambiguous and manifest granting words “TA Land Trust” in the warranty deed to Al Frente created an express trust in the land therein described for the beneficial use of the communities of Tierra Amarilla.

32. Plaintiff Board of Trustees has a special and definite interest in enforcing the trust created by the deed to Al Frente, for the common benefit and enjoyment of the communities of Tierra Amarilla, and NMSA 1978, §49-1-3(A) vests in Plaintiff Board of Trustees the power and duty to control, care for and manage land grant property, and to prescribe the terms and conditions under which the common lands may be used and enjoyed.

33. Defendant Al Frente and its Defendant officers and directors, individually, have failed and refused to comply with the purpose and condition of the express trust created by the deed of conveyance from El Consejo, in that Defendants unlawfully claim fee simple title and ownership of the subject land, and unlawfully claim a right to close-off the subject land to the people of the communities of Tierra Amarilla, and to deny them access to the land for common purposes, including wood gathering, grazing of livestock, recreation, making improvements, and other beneficial uses.

34. Defendants’ unlawful claim of fee simple title and ownership of the subject land, and Defendants’ unlawful claim of right to deny common use of the land to the people of the communities of Tierra Amarilla, are in violation of the express trust created by the deed from El Consejo, *Exhibit B*, and in breach of

Defendants' fiduciary duties thereunder, for which said Defendants should be removed as trustees.

35. Upon the Court's judgment and order in this case that an express trust was created for the subject land for the beneficial use of the communities of Tierra Amarilla, and upon the Court's removal of Defendant Al Frente and its Defendant officers and directors as trustees, the land should be recovered by Plaintiff because Plaintiff is a community land grant organized and existing under New Mexico law for the purpose of managing land held in common for the benefit of the communities of Tierra Amarilla.

WHEREFORE, Plaintiff prays for the Court's judgment, order and decree:

A. That the deed of conveyance from El Consejo to Defendant Al Frente created an express trust in real estate for the beneficial use of the subject land by the communities of Tierra Amarilla.

B. That Defendants Al Frente and Defendant officers and directors of Al Frente have no corporate, individual or personal claim of right or title to the subject land.

C. That Defendants Al Frente and Defendant officers and directors of Al Frente have breached their fiduciary duty to ensure the beneficial use of the subject land by the communities of Tierra Amarilla, and should be removed as trustees.

D. That the subject land should be recovered by Plaintiff to be held in trust and administered by Plaintiff for the common benefit and enjoyment of the communities of Tierra Amarilla.

E. That Plaintiff recover its costs, and for such other relief as may be proper.

IV.

FOURTH CAUSE OF ACTION AND CLAIM FOR RELIEF:

FOR RESULTING TRUST

36. Plaintiff adopts by reference, repeats and re-alleges the allegations made in Paragraphs 1 to 35 of this Complaint.

37. Plaintiff brings this alternative claim for equitable relief in the event the Court declines to set aside the deed to Al Frente under Plaintiff's first and second causes of action and claims for relief, or if the Court declines to find an express trust under Plaintiff's third cause of action and claim for relief.

38. By its deed to Defendant Al Frente, El Consejo intended that the land thereby conveyed be held in trust for the common benefit of the communities of Tierra Amarilla, and Defendant Al Frente accepted the conveyance on that condition and for that purpose, and a resulting trust was thereby created.

39. Defendant Al Frente and its Defendant officers and directors, individually, have failed and refused to comply with the purpose and condition of the trust intended and resulting by the deed of conveyance from El Consejo, in that said Defendants unlawfully claim fee simple title and ownership of the subject land, and unlawfully claim a right to close-off the subject land to the people of the communities of Tierra Amarilla, and to deny them access to the land for common

purposes, including wood gathering, grazing of livestock, recreation, making improvements, and other beneficial uses.

40. Defendants' unlawful claim of fee simple title and ownership of the subject land, and Defendants' unlawful claim of right to deny common use of the land to the people of the communities of Tierra Amarilla, are in violation of the resulting trust intended, created and imposed by the deed from El Consejo, and in breach of Defendants' fiduciary duties thereunder, for which said Defendants should be removed as trustees.

41. Upon the Court's judgment and order in this case finding and declaring a resulting trust and removing Defendants Al Frente and its Defendant officers and directors as trustees of the subject land, the land should be recovered by Plaintiff Land Grant-Merced de los Pueblos de Tierra Amarilla, because said Plaintiff is a community land grant organized and existing under New Mexico law for the purpose of managing lands held in common for the benefit of the communities of Tierra Amarilla, as intended by and resulting from the conveyance made by El Consejo to Defendant Al Frente.

WHEREFORE, Plaintiff Board of Trustees of the Land Grant-Merced de los Pueblos de Tierra Amarilla prays for the Court's judgment, order and decree:

A. That the deed of conveyance from El Consejo to Defendant Al Frente resulted in a trust for the beneficial use of the subject land by the communities of Tierra Amarilla.

B. That Defendant Al Frente and Defendant officers and directors of Al Frente have no corporate, individual or personal claim of right or title to the subject land.

C. That Defendant Al Frente and Defendant officers and directors of Al Frente hold title to the subject land in a resulting trust for the beneficial use of the communities of Tierra Amarilla.

D. That Defendant Al Frente and Defendant officers and directors of Al Frente have breached their fiduciary duty of trust to ensure the beneficial use of the subject land by the communities of Tierra Amarilla.

E. That Defendant Al Frente and Defendant officers and directors of Al Frente should be removed as trustees of the subject land.

F. That the subject land should be recovered by the Land Grant-Merced de los Pueblos de Tierra Amarilla, to be held in trust and administered by Plaintiff Board of Trustees of said Land Grant-Merced, for the common benefit and enjoyment of the communities of Tierra Amarilla.

G. That Plaintiff recover its costs, and for such other relief as may be proper.

V.

FIFTH CAUSE OF ACTION AND CLAIM FOR RELIEF:

FOR CONSTRUCTIVE TRUST

42. Plaintiff adopts by reference, repeats and re-alleges the allegations made in Paragraphs 1 to 41 of this Complaint.

43. Plaintiff brings this alternative claim for equitable relief in the event the Court declines to set aside the deed to Defendant Al Frente under Plaintiff's first and second causes of action and claims for relief, or if the Court declines to find an express trust under Plaintiff's third cause of action and claim for relief.

44. A constructive trust should be imposed for the beneficial use and enjoyment of the subject land by the communities of Tierra Amarilla, and Defendant Al Frente and Defendant officers and directors of Al Frente should not be permitted to claim title to or ownership of the land, because (i) said Defendants gave no consideration for the land, (ii) equity prevents Defendants' unjust enrichment, (iii) Defendants committed fraud, duress and undue influence in securing the deed of conveyance for the land from El Consejo, and (iv) Defendants have breached their fiduciary duty to ensure that the land is used for the common benefit and enjoyment of the communities of Tierra Amarilla.

45. Under the facts and circumstances of this case, equity requires that Defendants convey the subject land to the Land Grant-Merced de los Pueblos de Tierra Amarilla, a community land grant and political subdivision of the state of New Mexico, to be held in trust for the benefit of the communities of Tierra Amarilla.

WHEREFORE, Plaintiff Board of Trustees of the Land Grant-Merced de los Pueblos de Tierra Amarilla prays for the Court's judgment, order and decree:

A. That a constructive trust be imposed for the subject land, for the beneficial use and enjoyment of the communities of Tierra Amarilla.

B. That Defendant Al Frente and Defendant officers and directors of Al Frente be required to convey the subject land to the Land Grant-Merced de los Pueblos de Tierra Amarilla, to be held in trust and administered by Plaintiff Board of Trustees of said Land Grant-Merced for the common benefit and enjoyment of the communities of Tierra Amarilla.

C. That Plaintiff recover its costs and be awarded such other relief as may be proper.

VI.

SIXTH CAUSE OF ACTION AND CLAIM FOR RELIEF:

FOR INJUNCTIVE RELIEF

46. Plaintiff adopts by reference, repeats and re-alleges the allegations made in Paragraphs 1 to 45 of this Complaint.

47. Plaintiff is informed and believes and upon such information and belief alleges, that unless restrained and enjoined by order of the Court, Defendant Al Frente and Defendant officers and directors of Al Frente will deny access to the subject land to the people of the communities of Tierra Amarilla.

48. Defendants' denial of access to the land will cause understandable strife and anger among the people of the communities of Tierra Amarilla, for their inability to enter and enjoy their common ancestral land, and will result in irreparable harm and injury to public safety and welfare, for which Plaintiff has no adequate remedy at law.

WHEREFORE, Plaintiff Board of Trustees of the Land Grant-Merced de los Pueblos de Tierra Amarilla prays for the Court's judgment, order and decree:

A. That Defendant Al Frente and Defendant officers and directors of Al Frente, and each of them, in their corporate and individual capacity, be immediately restrained and permanently enjoined from obstructing access to the subject land by the people of the communities of Tierra Amarilla.

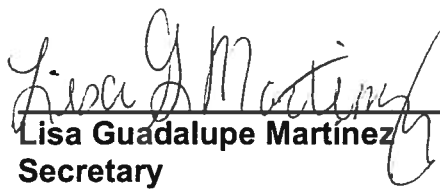
B. That Plaintiff recover its costs, and for such other relief as may be proper.

HECTOR BALDERAS
NEW MEXICO ATTORNEY GENERAL

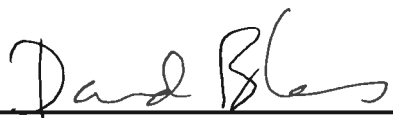


Tania Maestas
Chief Deputy Attorney General
Guadalupe Hidalgo Treaty Division
P.O. Drawer 1508
Santa Fe, NM 87504-1508
Telephone: 490-4048
Email: tmaestas@nmaq.gov

Attorney for Plaintiff



Lisa Guadalupe Martinez
Secretary
Board of Trustees of the Land Grant-
Merced de los Pueblos de Tierra
Amarilla
Plaintiff



Legal Aid of New Mexico, Inc.
David A. Benavides
Post Office Box 32197
Santa Fe, New Mexico 87594-2197
Telephone: 505.982.9886
davidb@nmlegalaid.org

Attorney for Plaintiff

VERIFICATION

STATE OF NEW MEXICO)
) SS.
COUNTY OF RIO ARRIBA)

Steve J. Polaco and Lisa Guadalupe Martínez, being first duly sworn upon their oaths, depose and say: That they are the President and Secretary, respectively, of the Board of Trustees of the Land Grant-Merced de los Pueblos de Tierra Amarilla, that they have read the foregoing Complaint by them subscribed, and that the matters and things therein alleged are true and correct, except those matters alleged on information and belief, and as to those matters, they verily believe them to be true.



Steve J. Polaco

Lisa Guadalupe Martínez
Lisa Guadalupe Martínez

SUBSCRIBED AND SWORN to before me this 15th day of July, 2018, by
Steve J. Polaco and Lisa Guadalupe Martínez.

Bonnie Brown
Notary Public

My commission expires:

March 4, 2019



WARRANTY DEED

Vista del Brazos, an Arizona general partnership

....., for consideration paid, grant
to El Consejo de la Tierra Amarilla, Inc.

whose address is La Puente, Route Box 1, Tierra Amarilla, New Mexico 87575

the following described real estate in Rio Arriba County, New Mexico:

See Exhibit A, attached hereto and incorporated herein by reference; subjects to reservations, restrictions, easements and other matters of record and on the ground, which matters on the ground are more particularly depicted in that certain plat of survey referred to in Exhibit A.

with warranty covenants.

WITNESS M.Y. hand and seal this 8th day of MARCH, 1990

(Seal) Jack D. Holland (Seal)

Jack D. Holland
Managing General Partner of
VISTA del Brazos in ARIZONA
General Partnership.

(Seal) (Seal)

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO }
COUNTY OF _____ } ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 19____, by _____ (Name or Names of Person or Persons Acknowledging)

My commission expires: (Seal)

Notary Public

PARTNERSHIP

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO }
COUNTY OF Santa Fe } ss.

The foregoing instrument was acknowledged before me this 8th day of March, 1990, by Jack D. Holland (Name of Officer)

Jack D. Holland
of Vista del Brazos
Partnership
(Name of Officer, Address, and Jurisdiction)
acting, on behalf of said Partnership
Partnership
(Name of Corporation)
My commission expires: _____

Barbara E. Canollo
Notary Public

FOR RECORDER'S USE ONLY





PROPERTY DESCRIPTION PREPARED FOR
VISTA DEL BRAZOS

A CERTAIN TRACT OF LAND LYING AND BEING SITUATE WITHIN THE TIERRA AMARILLA GRANT, COUNTY OF RIO ARRIBA, STATE OF NEW MEXICO AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS, AS FOLLOWS:

BEGINNING AT POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET ON THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 84; FROM WHENCE A NEW MEXICO STATE HIGHWAY DEPARTMENT MONUMENT BRASS CAP, SET IN CONCRETE, MARKED "TA-1," BEARS N.02°29'13"E., 107.43 FEET DISTANT; THENCE, FROM SAID POINT OF BEGINNING, ALONG SAID RIGHT-OF WAY,

S.01°01'56"W., 92.91 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET AT A FENCE CORNER;

THENCE, LEAVING SAID RIGHT-OF-WAY, ALONG A FENCE LINE THE FOLLOWING COURSES AND DISTANCES, S.58°45'18"W., 355.72 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET;

THENCE, S.28°03'38"W., 232.21 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET;

THENCE, S.33°52'03"W., 329.95 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET;

THENCE, N.54°08'36"E., 271.94 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET AT A FENCE CORNER ON THE AFOREMENTIONED RIGHT-OF-WAY;

THENCE ALONG SAID RIGHT-OF-WAY, S.01°01'56"W., 99.22 FEET TO A RIGHT-OF-WAY RAIL AT "P.T. STATION 1470+83.9";

THENCE, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 11,459.16 FEET, A CENTRAL ANGLE OF 02°12'44", AN ARC LENGTH OF 442.43 FEET AND A CHORD WHICH BEARS S.00°05'24"E., 442.40 FEET TO A RIGHT-OF-WAY RAIL AT "P.C. STATION 1466+43.9";

THENCE, S.01°11'07"E., 290.81 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET;

THENCE, LEAVING SAID RIGHT-OF-WAY, WEST, 1800.00 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET;

THENCE, N.58°32'24"W., 3299.17 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET AT A POINT ALONG A FENCE LINE;

THENCE, N.29°12'00"E., 659.50 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET;

THENCE, N.27°17'43"E., 469.46 FEET TO A CAPPED REBAR, FOUND, MARKED "L.S. NO. 5221";

THENCE, N.30°10'41"E., 386.40 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET; FROM WHENCE A 1" IRON PIPE IN A MOUND OF STONE BEARS N.79°44'32"W., 1.000.32 FEET;
 THENCE LEAVING THE AFOREMENTIONED FENCE LINE, S.79°44'32"E., 633.36 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET ON ANOTHER FENCE LINE;
 THENCE ALONG SAID FENCE LINE, S.31°11'51"W., 772.24 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET;
 THENCE, S.64°27'03"E., 276.09 FEET TO A NO. 4 REBAR, FOUND;
 THENCE, N.35°19'48"E., 556.87 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET;
 THENCE, N.36°46'26"E., 371.64 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET;
 THENCE LEAVING SAID FENCE LINE, N.73°15'28"E., 361.59 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET;
 THENCE, S.84°57'32"E., 1117.24 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET;
 THENCE, S.50°15'32"E., 1006.12 FEET TO A NO. 4 REBAR, FOUND, IN A MOUND OF STONE;
 THENCE, S.37°12'33"E., 1056.87 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 216.0077 ACRES, MORE OR LESS.

ALL AS SHOWN ON THAT CERTAIN PLAT OF SURVEY TITLED "PLAT OF SURVEY FOR VISTA DEL BRAZOS, WITHIN THE TIERRA AMARILLA GRANT, RIO ARriba COUNTY, NEW MEXICO" DATED DECEMBER 1989, BY RICHARD E. SMITH, NMPLS 5837.

[KBB:49]

79250

FILED IN THE COUNTY
 CLERK'S OFFICE
 AT 2:30 O'CLOCK P. M.
 Book 165 Page 572-574
 SEP 21 1990

ALEX M. NARANJO
 County Clerk RA County
 New Mexico
 By Cecilia R. Naranjo Deputy



WARRANTY DEED

El Consejo de La Tierra Amarilla, Inc. for consideration paid, grants to Al Frente de Lucha - TA Land Trust whose address is PO Box 21 Evans, Colorado 80631, the following described real estate in, Rio Arriba County, New Mexico:

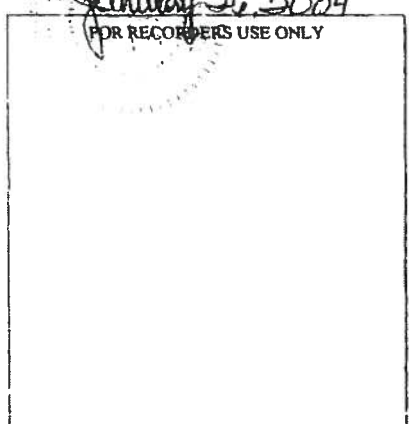
See Exhibit A attached hereto and incorporated herein by reference; subject to reservations, restrictions, easements and other matters of record and on the ground, which matters on the ground, are more particularly depicted in that certain plat of survey referred to in Exhibit A.

I am the president
Witness hand and seal this _____ day of _____, 2003.
Gregorio A. Aguilar (Seal) Adeline M. Aguilar (Seal)
Rosalba E. Falcon (Seal) Daniel Aguilar (Seal)
Register Agent

ACKNOWLEDGEMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO)
) SS

COUNTY OF RIO ARRIBA
This instrument was acknowledged before me on 23rd July, 03
by Gregorio A. Aguilar, Rosalba Falcon, Adeline Aguilar, Daniel Sakido
My commission expires Daniel Aguilar
(Seal) February 26, 2004 Maria Elena Tortosa
NOTARY PUBLIC



ACKNOWLEDGEMENT FOR CORPORATION

STATE OF NEW MEXICO)
) SS
COUNTY OF _____)

This instrument was acknowledged before me on _____, 20____
by _____
(NAME OF OFFICER)
of _____
(TITLE OF OFFICER) (CORPORATION ACKNOWLEDGEMENT)
a _____ corporation, on behalf of said corporation
(State Of Incorporation)

My commission expires: _____
(Seal) NOTARY PUBLIC

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EXHIBIT A

PROPERTY DESCRIPTION PREPARED FOR
VISTA DEL SURCO

A CERTAIN TRACT OF LAND LYING AND BEING SITUATE WITHIN THE TIBERIA MURIELLA GRANT, COUNTY OF RIO ARriba, STATE OF NEW MEXICO AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS, AS FOLLOWS:

BEGINNING AT POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET ON THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 64; FROM THENCE A NEW MEXICO STATE HIGHWAY DEPARTMENT MONUMENT BRASS CAP, SET IN CONCRETE, MARKED "20-1," BEARS N.07°29'13"E., 107.43 FEET DISTANT; THENCE, FROM SAID POINT OF BEGINNING, ALONG SAID RIGHT-OF-WAY,

S.01°01'56"W., 92.91 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET AT A FENCE CORNER;
THENCE, LEAVING SAID RIGHT-OF-WAY, ALONG A FENCE LINE THE FOLLOWING COURSES AND DISTANCES, S.58°45'18"W., 355.72 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET;
THENCE, S.28°03'38"W., 232.21 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET;
THENCE, S.33°52'03"W., 329.95 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET;
THENCE, N.54°08'36"E., 271.94 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET AT A FENCE CORNER ON THE AFOREMENTIONED RIGHT-OF-WAY;
THENCE ALONG SAID RIGHT-OF-WAY, S.01°01'56"W., 99.22 FEET TO A RIGHT-OF-WAY RAIL AT "P.T. STATION 1470+83.9";
THENCE, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 11,459.16 FEET, A CENTRAL ANGLE OF 02°12'44", AN ARC LENGTH OF 442.43 FEET AND A CHORD WHICH BEARS S.00°05'24"E., 442.40 FEET TO A RIGHT-OF-WAY RAIL AT "P.C. STATION 1466+43.9";
THENCE, S.01°11'07"E., 290.81 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET;
THENCE, LEAVING SAID RIGHT-OF-WAY, WEST, 1800.00 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET;
THENCE, N.58°32'24"W., 3299.17 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET AT A POINT ALONG A FENCE LINE;
THENCE, N.29°12'00"E., 659.50 FEET TO A POINT MARKED BY A SMITH AND WILLIAMSON ALUMINUM CAPPED REBAR, SET;
THENCE, N.7°17'43"E., 469.46 FEET TO A CAPPED REBAR, FOUND, MARKED "L.S. NO. 5221";

573

52a

THENCE, N. 30°10'41"E., 386.48 FEET TO A POINT MARKED BY
 A BRITZ AND WILLIAMSON ALUMINUM CAPPED MARK, SET; FROM
 WHENCE A 1" IRON PIPE IN A HOLE OF STONE MARK
 N. 79°44'32"W., 1,000.32 FEET;
 THENCE LEAVING THE ABOVEMENTIONED FENCE LINE,
 S. 79°44'32"E., 633.36 FEET TO A POINT MARKED BY A BRITZ
 AND WILLIAMSON ALUMINUM CAPPED MARK, SET ON ABOVE
 FENCE LINE;
 THENCE ALONG SAID FENCE LINE, S. 31°11'51"W., 772.24
 FEET TO A POINT MARKED BY A BRITZ AND WILLIAMSON
 ALUMINUM CAPPED MARK, SET;
 THENCE, S. 64°27'03"E., 276.09 FEET TO A NO. 4 MARK,
 FOUND;
 THENCE, N. 35°19'48"E., 556.87 FEET TO A POINT MARKED BY
 A BRITZ AND WILLIAMSON ALUMINUM CAPPED MARK, SET;
 THENCE, N. 36°45'26"E., 371.64 FEET TO A POINT MARKED BY
 A BRITZ AND WILLIAMSON ALUMINUM CAPPED MARK, SET;
 THENCE LEAVING SAID FENCE LINE, N. 73°15'28"E., 361.59
 FEET TO A POINT MARKED BY A BRITZ AND WILLIAMSON
 ALUMINUM CAPPED MARK, SET;
 THENCE, S. 84°57'32"E., 1117.24 FEET TO A POINT MARKED
 BY A BRITZ AND WILLIAMSON ALUMINUM CAPPED MARK, SET;
 THENCE, S. 50°15'32"E., 1006.12 FEET TO A NO. 4 MARK,
 FOUND, IN A HOLE OF STONE;
 THENCE, S. 37°12'33"E., 1056.87 FEET TO THE POINT AND
 PLACE OF BEGINNING.

CONTAINING 216.0077 ACRES, MORE OR LESS.

ALL AS SHOWN ON THAT CERTAIN PLAT OF SURVEY TITLED "PLAT OF SURVEY FOR VISTA
 DEL BOSQUE, WITHIN THE TIERRA AMARILLA GRANT, RIO ABRIBA COLORADO, NEW MEXICO"
 DATED DECEMBER 1989, BY RICHARD E. SMITH, NWPLS 5837.

[RVS:49]

79250
 FILED IN THE COUNTY
 CLERK'S OFFICE
 AT 2:30 O'CLOCK P. M.
 BOOK 165 PAGE 572-574

ALEX M. NARANJO
 County Clerk RA County
 New Mexico
 By *[Signature]*



PROPERTY DESCRIPTION - Page 2

235030
 FILED IN THE COUNTY
 CLERK'S OFFICE
 AT 10:40 O'CLOCK A. M.
 BOOK 455 PAGE 51-53

JUL 23 2008

[Signature]
 County Clerk RA County
 New Mexico
 By *[Signature]*

574

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QUITCLAIM DEED

EL CONSEJO DE LA TIERRA AMARILLA, INC., a New Mexico non-profit corporation, grantor, for consideration paid, grants and conveys to the **LAND GRANT-MERCED DE LOS PUEBLOS DE TIERRA AMARILLA**, grantee, a political subdivision of the state of New Mexico, the following described land and real estate situate in Rio Arriba County, New Mexico, to wit:

A certain tract of land lying and being situate within the Tierra Amarilla Grant, County of Rio Arriba, state of New Mexico, and being more particularly described by metes and bounds, as follows:

Beginning at a point marked by a Smith and Williamson aluminum capped rebar, set on the westerly right-of-way line of U.S. Highway 84, from whence a New Mexico State Highway Department monument brass cap, set in concrete, marked "TA-1," bears N.02°29'13" E., 107.43 feet distant; thence, from said point of beginning, along said right-of-way,

S.01°01'56"W., 92.91 feet to a point marked by a Smith and Williamson aluminum capped rebar, set at a fence corner;

thence, leaving said right-of-way, along a fence line the following courses and distances, S.58°45'18"W., 355.72 feet to a point marked by a Smith and Williamson aluminum capped rebar, set;

thence, S.28°03'38"W., 232.21 feet to a point marked by a Smith and Williamson aluminum capped rebar, set;

thence, S.33°52'03"W., 329.95 feet to a point marked by a Smith and Williamson aluminum capped rebar, set;

thence, N.54°08'36"E., 271.94 feet to a point marked by a Smith and Williamson aluminum capped rebar, set at a fence corner on the aforementioned right-of-way;

thence, along said right-of-way, S.01°01'56"W., 99.22 feet to a right-of-way rail at "P.T. Station 1470+83.9";

thence, along a curve to the left, having a radius of 11,459.16 feet, a central angle of 02°12' 44", an arc length of 442.43 feet and a chord which bears S.00°05'24"E., 442.40 feet to a right-of-way rail at "P.C. Station 1466+43.9";

thence, S.01°11'07" E., 290.81 feet to a point marked by a Smith and Williamson aluminum capped rebar, set;

thence, leaving said right-of-way, west, 1800.00 feet to a point marked by a Smith and Williamson aluminum capped rebar set;

thence, N.58°32'24"W., 3299.17 feet to a point marked by a Smith and Williamson aluminum capped rebar, set at a point along a fence line;

thence, N.29°12'00"E., 659.50 feet to a point marked by a Smith and Williamson aluminum capped rebar, set;

thence, N.27°17'43"E., 469.46 feet to a capped rebar, found, marked "L.S. No. 5221";

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Linda J. Padilla County Clerk & Recorder Rio Arriba, New Mexico



thence, N.30°10'41"E., 386.40 feet to a point marked by a Smith and Williamson aluminum capped rebar, set; from whence a 1" iron pipe in a mound of stone bears N.79°44'32"W., 1,000.32 feet;

thence, leaving the aforementioned fence line, S.79°44' 32"E., 633.36 feet to a point marked by a Smith and Williamson aluminum capped rebar, set on another fence line;

thence, along said fence line, S.31°11'51"W., 772.24 feet to a point marked by a Smith and Williamson aluminum capped rebar, set;

thence, S.64°27'03"E., 276.09 feet to a No. 4 rebar, found;

thence, N.35°19'48"E., 556.87 feet to a point marked by a Smith and Williamson aluminum capped rebar, set;

thence, N.36°46'26"E., 371.64 feet to a point marked by a Smith and Williamson aluminum capped rebar, set;

thence, leaving said fence line, N.73°15'28"E., 361.59 feet to a point marked by a Smith and Williamson aluminum capped rebar; set;

thence, S.84°57'32"E., 1117.24 feet to a point marked by a Smith and Williamson aluminum capped rebar, set;

thence, S.50°15'32"E., 1006.12 feet to a No. 4 rebar, found, in a mound of stone;

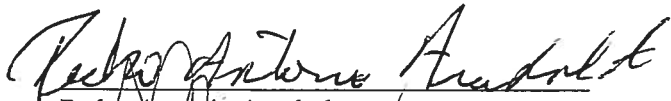
thence, S.37°12'33"E., 1056.87 feet to the point and place of beginning.


Containing 216.0077 acres, more or less.

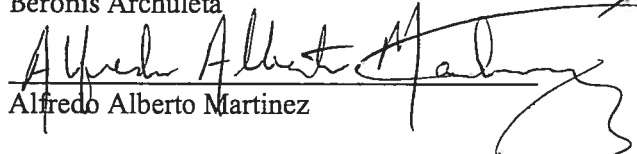
All as shown on that certain plat of survey titled "Plat of Survey for Vista del Brazos, within the Tierra Amarilla Grant, Rio Arriba County, New Mexico," dated December 1989, by Richard E. Smith, NMPLS 5837.

Without warranty.

WITNESS, the Board of Directors of El Consejo de la Tierra Amarilla, Inc.


Pedro Antonio Archuleta


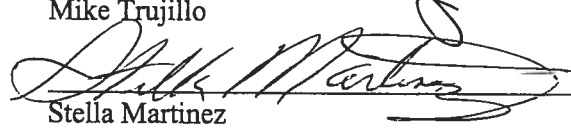

Beronis Archuleta


Alfredo Alberto Martinez

Page 2, Quitclaim Deed
El Consejo de la Tierra Amarilla, Inc.
to
Land Grant-Merced de los Pueblos de Tierra Amarilla

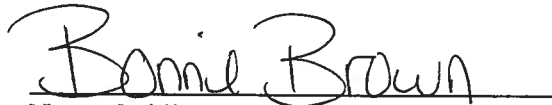
B: 541 P: 3763 Doc Id: 2018-03763 Shanay
07/16/2018 08:18 AM
Receipt #: 43260 Page 2 of 3
Linda J. Padilla County Clerk & Recorder Rio Arriba, New Mexico




Mike Trujillo

Stella Martinez

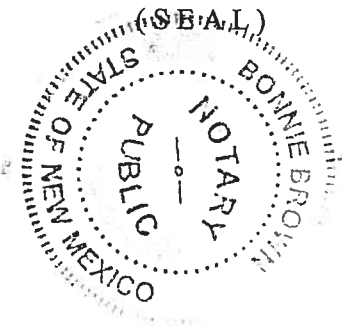
STATE OF NEW MEXICO)
) SS.
COUNTY OF RIO ARRIBA)

The foregoing instrument was acknowledged before me on this 15th day of July, 2018, by Pedro Antonio Archuleta, Beronis Archuleta, Alfredo Alberto Archuleta, Mike Trujillo, Stella Martinez.


Notary Public

My commission expires:

March 4, 2019



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Page 3, Quitclaim Deed
El Consejo de la Tierra Amarilla, Inc.
to
Land Grant-Merced de los Pueblos de Tierra Amarilla

