

ORDINANCE 14-13

AN ORDINANCE OF THE CITY OF ROSWELL AUTHORIZING THE SALE OF A
VACANT PARCEL OF LAND DESCRIBED AS TRACT A OF THE WENNER
SUMMARY PLAT

WHEREAS, the City of Roswell has declared the disposition of the parcel of land listed herein for the sum of Fifty Thousand Dollars (\$50,000.00) as an equitable price in the best interest of the City

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROSWELL, NEW MEXICO, that:

SECTION 1. Description: The municipal real property to be sold has an address of 2301 West College Boulevard, Roswell, New Mexico. This parcel of real property is currently vacant. The parcel of real property is described as Tract A of the Wenner Summary Plat filed on August 26, 2014 in Book 1 at Page 096 B in the Chaves County Clerk's Office, Chaves County, New Mexico, containing 1.148 ± acres.

SECTION 2. Buyer: Desert Valley, LLC

SECTION 3. Terms: Buyer agrees to pay cash at closing to the City of Roswell in the net amount of Fifty Thousand Dollars (\$50,000.00). Buyer will also pay for all closing costs, in addition to the cost of survey (\$1,606.88) and appraisal (\$1,499.75).

SECTION 4. Value: Fifty Thousand Dollars (\$50,000.00). Value established by appraisal dated September 15, 2014. Appraisal completed by Kunkel & Associates.

SECTION 5. Purpose: (1) to allow for the sale of excess municipally owned property; (2) to allow Buyer to locate and build a new veterinary clinic; and (3) to increase the City's tax base and to promote development and growth in the area

SECTION 6. Repealer: All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

SECTION 7. Severability: If any section, paragraph, clause or provisions of this ordinance for any reason shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any other part of this ordinance.

SECTION 8. Effective Date: This ordinance shall be effective Forty-Five (45) days after its adoption, unless a referendum election is held pursuant to NMSA 1978 Section 3-54-1(E). A petition calling for a referendum election on the sale of this real property must be filed no later than thirty (30) days after the adoption of the ordinance and must comply with the requirements of NMSA 1978 Section 3-54-1 (E). In the event that a referendum election is held, the effective date shall be as prescribed by statute.

SECTION 9. Authorization: On or after the effective date of this Ordinance, the Mayor, City Clerk, or other City officials as may be necessary, are hereby authorized to execute the documents of sale and deed in accord with the terms of the agreement.

PASSED, ADOPTED and APPROVED the 12th day of February, 2015.



Sharon Coll
Sharon Coll, City Clerk

Dennis Kintigh
Dennis Kintigh, Mayor