

File

ORDINANCE NO. 961

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF ROSWELL, NEW MEXICO.

WHEREAS, Petitioners have heretofore filed their Petition seeking annexation of certain lands to the City of Roswell under and by virtue of the provisions of 14-7-17 NMS 1953, known as the "Petition Method", said lands being described as:

Those certain lands lying and being within part of Sections 21, 22, 23, 26, 27 and 28, Township 10 South, Range 24 East, N. M. P. M., and more particularly described as follows:

Section 21: $SE\frac{1}{4}SE\frac{1}{4}$ comprising Lots 17, 18, 23 and 24, Block 21 Berrendo Irrigated Farms.

Section 22: $S\frac{1}{2}SW\frac{1}{4}$ and $SW\frac{1}{4}SE\frac{1}{4}$ comprising Lots 22 through 33, Block 22, Berrendo Irrigated Farms; that part of the $NE\frac{1}{4}SW\frac{1}{4}$ and $NW\frac{1}{4}SE\frac{1}{4}$ lying southeast of the railroad comprising Lots 9, 10, 20 and 21, Block 22, Berrendo Irrigated Farms; $SE\frac{1}{4}SE\frac{1}{4}$; $NE\frac{1}{4}SE\frac{1}{4}$ except therefrom the following described tract: Beginning at the northeast corner of the $SE\frac{1}{4}$ of said Section 22, said corner being on the north and south lines between Sections 22 and 23; thence, N. $88^{\circ}14'$ W. on a variation of 15° , a distance of 182.6 feet to the north bank of the Berrendo River; thence, down said river with its meanderings S. $9^{\circ}59'$ W. 440.2 feet, S. $45^{\circ}18'$ E., 118.8 feet, S. $72^{\circ}5'$ E., 183 feet to the east line of said tract; thence, N. 567.7 feet along said section line to the place of beginning. Said exception containing 2.71 acres, more or less.

Section 23: That part of the $SW\frac{1}{4}$ Section 23 lying West of the Berrendo River, more particularly described as follows: Beginning at a point on the West line of the $SW\frac{1}{4}$ of said Section 23 on the right bank of the Berrendo River 725.65 feet South of the Northwest corner of the $SW\frac{1}{4}$; thence, along the right, or West bank, of the Berrendo River S. $37^{\circ}28'$ E., 282.7 feet; N. $88^{\circ}50'$ E., 1264.6 feet; N. $74^{\circ}26'$ E., 209.0 feet; N. $61^{\circ}20'$ E., 170 feet; N. $35^{\circ}58'$ E., 100 feet; N. $52^{\circ}29'$ W., 168 feet; N. $34^{\circ}24'$ E., 202 feet; N. $82^{\circ}31'$ E., 132 feet; S. $44^{\circ}48'$ E., 258 feet; S. $74^{\circ}37'$ E., 318 feet; S. $2^{\circ}40'$ W., 196 feet; S. $84^{\circ}47'$ E., 363 feet; S. $54^{\circ}29'$ W., 166.75 feet; S. $1^{\circ}37'$ E., 130 feet; S. $54^{\circ}21'$ E., 157 feet to a point where the East line of the $SW\frac{1}{4}$ intersects the right bank of the Berrendo River; thence, S. $0^{\circ}50'$ W. along said line 669 feet to a point where said line intersects the right bank of the Berrendo River; thence, S. $64^{\circ}06'$ W., 248.35 feet following said bank; S. $8^{\circ}35'$ W., 159 feet; S. $78^{\circ}11'$ W., 100 feet; S. $40^{\circ}48'$ W., 135 feet to a point on the East property line of the Roswell Country Club; thence, in a southerly direction along the right bank of the Berrendo River with all its meanderings to a point where it intersects the South line of the $SW\frac{1}{4}$ of said Section 23; thence, N. $88^{\circ}13'$ W. along said line, 2660.2 feet; more or less, to the southwest corner of said Section 23; thence, N. $0^{\circ}14'$ W. along the West line of said Section 23, 1945.85 feet to the point of beginning and containing 114.88 acres, more or less.

Section 26: $NE\frac{1}{4}NW\frac{1}{4}$, $N2/3NW\frac{1}{4}NW\frac{1}{4}$

Section 27: $N\frac{1}{2}N\frac{1}{2}$

Section 28: $NE\frac{1}{4}NE\frac{1}{4}$

The total area described above contains 638.32 acres, more or less; which lands are not presently within the corporate limits of the City of Roswell, Chaves County, New Mexico.

WHEREAS, Findings-of-Fact and Conclusion-of-Law are made as follows:

- FINDINGS-OF-FACT: 1. That said territory hereby sought to be annexed is contiguous to the municipality;
2. That Petition for Annexation herein is signed by the owners of a majority of the number of acres sought to be annexed;
3. That said Petition for Annexation is accompanied by a survey plat showing the external boundary of the territory sought to be annexed and the relationship of said territory to the existing boundary of the municipality, which survey plat is hereto attached as Exhibit "A"; and,
4. That municipal services can be made available to said territory hereby sought to be annexed.

CONCLUSION-OF-LAW: 1. That annexation of said territory hereinabove described embraces and shall be inclusive of all streets and public ways located along the boundary of the territory hereby annexed, excepting and excluding from this annexation any and all streets, highways or other public ways now or hereafter designated as state roads or highways.

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

1. That said parcels or tracts of land hereinabove described be, and the same hereby are annexed as part and parcel of the City of Roswell, New Mexico for all legal purposes.
2. That this Annexation shall be and become consummate on and after the filing of a duly authenticated copy of this ordinance, together with a copy of the official survey plat of the territory hereby annexed in the office of the County Clerk of Chaves County, New Mexico.
3. Within thirty days after the filing of a copy of this ordinance with survey plat attachment in the office of the County Clerk as aforesaid, any person owning land within the territory hereby annexed may appeal to the district court for review of the validity of annexation proceedings herein.

PASSED, ADOPTED, SIGNED AND APPROVED on August 13, 1974.

CITY SEAL


JERRY N. SMITH, Mayor

ATTEST: *W.M. Jath*