

FILE

ORDINANCE NO. 987

AN ORDINANCE OF THE CITY OF ROSWELL, NEW MEXICO ANNEXING A TRACT OF LAND OF APPROXIMATELY 1.14 ACRES OF SECTION 10, T 11 S, R 24 E TO THE CITY OF ROSWELL; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND FIXING AN EFFECTIVE DATE.

WHEREAS, Petition has heretofore been filed seeking annexation of certain lands to the City of Roswell; and

WHEREAS, said petition is signed by the owners of said lands in their capacities as co-executors of the estate of one Myrtle Hendricks, owner of record of said lands; and

WHEREAS, said lands are contiguous to the boundary of the City of Roswell; and

WHEREAS, said petition is accompanied by a map showing the territory to be annexed, which map is attached hereto and incorporated herein by reference; and

WHEREAS, the governing body of the City of Roswell has, in regular public meeting assembled, consented to the annexation of said lands, all in accordance with § 14-7-17, NMSA 1953.

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

1. That the City of Roswell does hereby annex the following described lands including streets abutting thereon:

A tract of land lying within the Northwest Quarter of Section 10, Township 11 South, Range 24 East, N. M. P. M., and more particularly described as follows: For a tie, begin at the Northwest corner of said Section 10; thence, S 1° 04' E along the West line of Section 10, 113.20 feet; thence, N 88° 56' E, 30 feet to the point of beginning; thence, S 1° 04' E, 334.15 feet parallel to and 30 feet from the West line of said Section 10; thence, N 57° 50' E a distance of 174.20 feet to a point on the West right-of-way line of the A. T. & S. F. Railway; thence, N 32° 30' W a distance of 286.15 feet to the point of beginning and containing 1.14 acres more or less.

Said lands lying between the railroad right-of-way and South Atkinson at their intersection with East McGaffey, Chaves County, New Mexico.

2. EFFECTIVE DATE. That this annexation shall be and become consummate and effective on and after the filing of a duly authenticated

copy of this ordinance, together with an official survey plat of the territory hereby annexed in the office of the County Clerk of Chaves County, New Mexico; provided that the effective date hereof shall be not less than five (5) days after publication hereof.

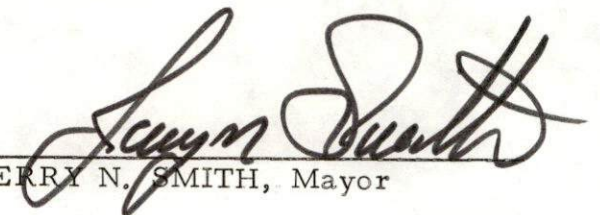
3. APPEAL. Within thirty days after the filing of an authenticated copy of this ordinance with survey plat attachment in the office of the County Clerk as aforesaid, any person aggrieved may appeal to the District Court for review of the validity of annexation proceedings herein.

4. REPEALER. All ordinances, parts of ordinances or sections of the Municipal Code in conflict or inconsistent herewith be, and the same hereby are repealed to the extent of such conflict or inconsistency. This repealer is not to be construed as reviving any ordinances, parts of ordinances, or sections of the Municipal Code heretofore repealed.

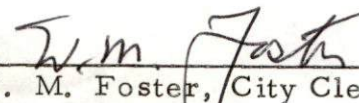
5. SEVERABILITY. If any section, paragraph, clause, or provision of this ordinance should for any reason be held invalid or unenforceable, such invalidity or unenforceability shall not affect any other part of this ordinance.

PASSED, ADOPTED, SIGNED AND APPROVED on ~~January 13, 1976~~ ^{FEBRUARY 10, 1976}

CITY SEAL


JERRY N. SMITH, Mayor

ATTEST:


W. M. Foster, City Clerk