

ORDINANCE NO. 1050

AN ORDINANCE ANNEXING A CERTAIN TRACT OF LAND LYING IN LOT 1 AND LOT 8, BLOCK 19, BERRENDO IRRIGATED FARMS AND THE STREET RIGHT-OF-WAY ADJACENT TO THE SOUTH LINE OF SAID LOT 8, ALL IN SECTION 19, TOWNSHIP 10 SOUTH, RANGE 24 EAST, N.M.P.M., CONTAINING 31.50 ACRES MORE OR LESS; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HERewith, PROVIDING FOR SEVERABILITY AND FIXING AN EFFECTIVE DATE.

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

1. WHEREAS, Petition has heretofore been filed seeking annexation of certain lands to the City of Roswell, New Mexico, under and by virtue of the provisions of 3-7-17 NMSA 1978, known as the "Petition Method", said lands being described as:

A tract of land in Lot 1 and Lot 8, Block 19, Berrendo Irrigated Farms and the street right-of-way adjacent to the south line of said Lot 8, all in Section 19, Township 10 South, Range 24 East, N.M.P.M., and more particularly described as follows:

Beginning at the E/4 corner of said Section 19;
thence S 00°12' E a distance of 20.0 feet;
thence S 89°00' W a distance of 1402.1 feet;
thence N 00°01' W a distance of 2151.25 feet;
thence N 88°49' E a distance of 696.93 feet to
the northwest corner of the Cooley Subdivision;
thence S 00°28' E a distance of 614.79 feet;
thence S 11°59' E a distance of 324.88 feet;
thence S 00°01' E a distance of 318.06 feet;
thence S 44°59' W a distance of 530.9 feet;
thence S 00°01' E a distance of 493.07 feet;
thence N 89°00' E a distance of 1009.46 feet;
thence S 00°12' E a distance of 20.0 feet to
the point of beginning.

Containing 31.50 acres, more or less, subject to easements of record.

Also included in this annexation are the rights-of-way adjacent to the above described tract of land and the rights-of-way lying within the above described tract of land.

2. WHEREAS, (a) the said territory hereby sought to be annexed is contiguous to the municipality; (b) the petitioners represent a majority of the number of acres sought to be annexed; (c) the petition for annexation is accompanied by a map showing the external boundary of the territory proposed to be annexed and the relationship of said territory to the existing boundary of the municipality, and (d) municipal services can be made available to said territory hereby sought to be annexed.

3. ANNEXATION. 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.

4. APPEAL. Within thirty (30) 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.

5. 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.

6. 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.

7. EFFECTIVE DATE. 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.

PASSED, ADOPTED, SIGNED AND APPROVED on 10 FEBRUARY 1981.

CITY SEAL


s/ L. C. Stiles
L. C. STILES, Mayor

ATTEST:

Sarah L. Carter
Sarah L. Carter, City Clerk