

ORDINANCE 1275

AN ORDINANCE OF THE CITY OF ROSWELL AUTHORIZING THE SALE OF A HOUSE AND 10 ACRES OF MUNICIPALLY OWNED REAL PROPERTY LOCATED IN CHAVES COUNTY; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND FIXING AN EFFECTIVE DATE.

WHEREAS, the City Council of Roswell, New Mexico, has declared the property listed herein as surplus and that the sale of such property would be in the best interests of the City;

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

Section 1. Description: The property to be sold consists of a house and ten(10) acres formerly known as the Allison House located approximately seven (7) miles southeast of Roswell, and is more particularly described as follows:

Tract B, Tweedy/Allison Farm Survey, Chaves County, New Mexico, filed in the office of the County Clerk Chaves County, New Mexico, Book S-1, page 65, dated September 26, 1994, containing 10 acres.

EXCEPTING all mineral rights and water rights.

Section 2. Terms: The sale price shall be \$141,526.00 and such amount shall be paid in full to the City and the purchaser shall be solely responsible for all closing costs except Title Insurance which will be purchased by the City.

Section 3. Value: The appraised value of the property as established by the appraisal of Lee Allison, SRA, Roswell, New Mexico 88201, dated November 30, 1995, is \$141,500.00. The amount to be received by the City of Roswell from the sale is \$141,526.00.

Section 4. Purchaser: T.W. Weiland, D.V.M., and
Rhonda R. Weiland
3112 N. Washington Av
Roswell, New Mexico 88201

Section 5. Purpose: This sale is intended to dispose of municipally owned surplus real property surface rights.

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 Conflict: All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

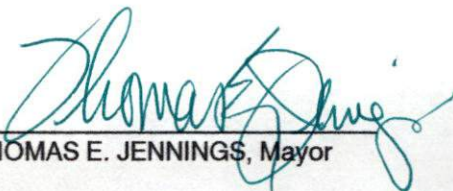
Section 7. Severability: If any section, paragraph, clause, or provision of this ordinance for any reason shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any other part of this ordinance.

Section 8. Effective Date: This ordinance shall be effective seventy (70) days after its adoption unless a referendum election is held pursuant to Section 3-54-1(D) or (E), NMSA 1978. A petition calling for a referendum election on this sale of property must be filed no later than sixty (60) days following adoption of this ordinance and shall comply with the requirements of Section 3-54-1 NMSA 1978. In the event a referendum election is held, the effective date shall be as prescribed by statute.

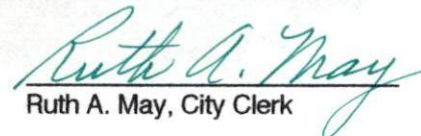
Section 9. Authorization: On or after the effective date of the ordinance, the Mayor, City Clerk, and such other City Officials as may be necessary are hereby authorized to execute the document of sale and deed in accord with the terms of this ordinance.

PASSED, ADOPTED AND APPROVED the 11th day of April 1996.

CITY SEAL


THOMAS E. JENNINGS, Mayor

ATTEST:


Ruth A. May, City Clerk