

ORDINANCE NO. 1314

AN ORDINANCE OF THE CITY OF ROSWELL AUTHORIZING THE SALE OF TRACT "B", McCARSON SUMMARY REPLAT, A MUNICIPALLY OWNED VACANT LOT, LOCATED IN CHAVES COUNTY, TO CHURCH ON THE MOVE, A NON-PROFIT CORPORATION; PROVIDING FOR THE 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 sale of the property listed herein for the sum of thirty-five thousand dollars (\$35,000) as an equitable exchange in the best interest of the City;

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

Section 1. Description: The municipal property to be sold consists of a vacant lot, described as Tract "B", McCarson Replat, Chaves County, New Mexico, more particularly described as 9.65 acres, more or less, 900 Block of West Brasher Road, Roswell, New Mexico.

Section 2. Terms: In exchange for the property described above, Church on the Move will pay to the City of Roswell the sum of thirty-five thousand dollars (\$35,000) cash.

Section 3. Value: The value of the municipally owned property described above has been appraised at fifty thousand dollars (\$50,000). The appraisal was done by O.E. Kunkel, Jr.

Section 4: Purchaser:  
Church on the Move  
901 W. Brasher Road  
Roswell, New Mexico, 88201

Section 5: Purpose: To allow the sale of excess municipally owned property.

Section 6: Repealer: all ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent of such conflict or inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

Section 7: Severability: If any 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 days after its adoption, unless a referendum election is held pursuant to Section 3-54-1(E) NMSA 1978. A petition calling for a referendum election on the sale of this property must be filed no later than sixty days after the adoption of this ordinance and must comply with the requirements of 3-54-1 NMSA 1978. In the event a referendum election is held, the effective date shall be as prescribed by statute.

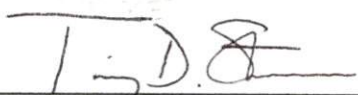
Section 9: Authorization: On or after the effective date of the ordinance, the Mayor, City Clerk, and other City officials as may be necessary, are hereby authorized to execute the document of sale and deed in accord with the terms of this ordinance.

PASSED, ADOPTED, SIGNED AND APPROVED on this 10th day of December, 1998.

CITY SEAL

  
BILL B. OWEN, Mayor

ATTEST:

  
TIMOTHY D. STOESSEL, City Clerk