

RESOLUTION NO. 11-09

**A RESOLUTION OF THE CITY OF ROSWELL, NEW MEXICO,  
AUTHORIZING THE SALE OF LOT 8 BLOCK 3 OF TRACT B OF THE  
BRASHER INDUSTRIAL PARK.**

WHEREAS, the City of Roswell is the owner of vacant property located on E. Brasher Road, commonly known as the Brasher Industrial Park Lot 8, Block 3 of Tract B; and

WHEREAS, the City of Roswell has deemed the property as excess; and

WHEREAS, Mr. Gil Briones, AZ Build to Suit Leasing of El Paso, Tx, has submitted proposal to purchase Lot 8, Block 3 of Tract B of the BRASHER INDUSTRIAL PARK; and

WHEREAS, the Building and Lands Committee unanimously embraces and supports the sale of Lot 8, Block 3 of Tract B of the BRASHER INDUSTRIAL PARK to AZ Build to Suit Leasing for the development of a warehousing/distribution center for Frito Lay and further recommends full support of the City of Roswell's City Council.

NOW THEREFORE, be it resolved by the governing body, the City Council of Roswell, New Mexico that:

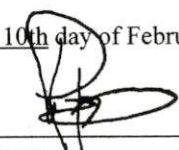
THE CITY COUNCIL OF THE CITY OF ROSWELL APPROVES THE SALE OF LOT 8, BLOCK 3, of TRACT B of THE BRASHER INDUSTRIAL PARK TO AZ BUILD TO SUIT LEASING OF EL PASO, TEXAS. TO BE USED FOR THE DEVELOPMENT OF A WAREHOUSING/DISTRIBUTION CENTER FOR FRITO LAY. TERMS OF SALE SHALL BE CASH AT CLOSING IN THE AMOUNT OF TEN THOUSAND THREE HUNDRED DOLLARS ( \$10,300.00) PLUS CITY EXTENSION FEES (\$4,500.00) AND PARKS FEES ( \$600.00). PROPERTY SUBJECT TO ALL EASEMENTS AND RIGHT OF WAYS OF RECORD. BUYER SHALL BE RESPONSIBLE FOR DEVELOPMENT FEES, AS APPLICABLE AND AGREES TO PAY THEIR HALF OF INDUSTRIAL DRIVE WHICH IS APPROXIMATELY 300 FEET WHEN DEVELOPED AND ALL CLOSING COST AND TITLE INSURANCE (if desired). PROPERTY TO BE CONVEYED TO BUYER BY WARRANTY DEED.


NOW, THEREFORE, be it resolved by the governing body, the City Council of Roswell, New Mexico that:

IN THE EVENT THE COMPLETION OF THE WAREHOUSE HAS NOT OCCURRED BY FEBRUARY 15, 2014, THE CITY OF ROSWELL SHALL HAVE THE RIGHT TO PURCHASE SAID PROPERTY AT THE ORIGINAL SALES PRICE.

**APPROVED, ADOPTED AND SIGNED** on this 10th day of February, 2011.



  
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Del Journey, Mayor

  
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Dave Kunko, City Clerk