

CITY OF ROSWELL

ORDINANCE NO. 06-08

A portion of the SW/4 of the NW/4SE/4 of Section 22, T10S,R24E, N. M. P. M.,

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 provision of 3-7-17 NMSA 1978, known as the "Petition Method," said lands being described as:

A portion of the SW/4 of the NW/4 SE/4 of Section 22, T10S,R24E, N. M. P. M., better described as follows: Beginning at the northwest corner of El Arco Iris Subdivision which lies S68°34'10"E a distance of 53.78 feet from the west 1/4 corner of said section 22; THENCE N89°29' 10"E along the south right-of-way of Mescalero Road a distance of 922.42 feet; Thence S00°03'47" W a distance of 648.61 feet; THENCE N89°25'51" E a distance of 970.96 feet; THENCE S00°24'12"W a distance of 668.42 feet; THENCE N89°24'26" E a distance of 90.89 feet to northwesterly City right-of-way line which runs parallel to and 60 feet away from the northwesterly right-of-way of the B.N. & S.F. railroad; THENCE S42°08'32" W along said City right-of-way a distance of 875.87 feet; THENCE S89°19'11" W a distance of 370.88 feet; THENCE N00°03'47" E a distance of 783.97 feet; THENCE N89°54'26" W a distance of 1041.72 feet to the East right-of-way of Atkinson Avenue; THENCE N00°01'50" E along said east right-of-way a distance of 516.19 feet; THENCE N89°24'19" E along said right-of-way a distance of 20.00 feet; THENCE N00°01'50" E along said east right-of-way a distance of 649.91 feet to the point of beginning containing 49.392 acres more or less.

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 south to be annexed; (c) a map accompanies the petition for annexation 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 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 extend 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 reasons be held invalid or unenforceable, such invalidity or unenforceability shall not affect any other part of this ordinance.

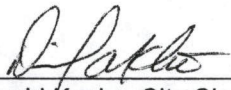
7. EFFECTIVE DATE. This annexation shall be and become consummate and effective on and after the filing of a duly authenticated copy of this ordinance, together with an official survey plat of the territory hereby annexed in the office of the County Clerk of Chaves County, New Mexico; provided that the effective date hereof shall not be less that five (5) days after publication hereof.

PASSED, ADOPTED, SIGNED AND APPROVED ON NOVEMBER 9, 2006.

CITY SEAL


Sam LaGrone, Mayor

ATTEST:



David Kunko, City Clerk