

AN ORDINANCE BY THE CITY OF ROSWELL AUTHORIZING THE SALE OF TRACT B, BRASHER INDUSTRIAL PARK SUBDIVISION, A MUNICIPALLY OWNED TRACT, LOCATED IN CHAVES COUNTY, TO THE MACHINE SHOP, INC., A NEW MEXICO 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 Sixty Two-Thousand Eight-Hundred Dollars (\$62,800.00) 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 Tract B, Brasher Industrial Park Subdivision, Roswell, Chaves County, New Mexico.

Section 2. Terms: In exchange for the property described above, The Machine Shop Inc. will pay the City of Roswell the sum of Sixty Two Thousand Eight Hundred Dollars (\$62,800.00) cash at closing. The City and the Machine Shop, Inc. will coordinate and cooperate in the realignment of the drainage ditch through Tracts A and B and the removal of dirt from Tract A to Tract B which will be mutually beneficial. The Machine Shop, Inc. will pay for utility extension fees and will pay its proportionate share of paving costs when Tradeway Drive is constructed on the west of Tract B.

Section 3. Value: The value of the municipally owned property described above has been appraised at Sixty One Thousand Seven Hundred Dollars (\$61,700.00) by Ed McClelland, Appraiser, NM171G.

Section 4. Purchaser:
The Machine Shop Inc.
2801 SE Main Street,
Roswell, NM 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 Repealer: All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent of such conflict or inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.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.

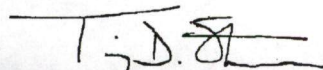
Section 8. Effective Date: this ordinance shall be effective forty-five days after its adoption, unless a referendum election is held pursuant to Section 3-54-1(E) NMSA 1978. A petition calling for a referendum election on the sale of this property must be filed no later than thirty days after the adoption 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, SIGN AND APPROVED on this 14th day of December, 2000.


BILL B. OWEN, Mayor

CITY SEAL
ATTEST:


TIMOTHY D. STOESSEL, City Clerk