

ORDINANCE NO. 02-13

AN ORDINANCE OF THE CITY OF ROSWELL AUTHORIZING THE SALE OF APPROXIMATELY TWENTY-SIX (26) ACRES OF LAND LOCATED AT THE BRASHER INDUSTRIAL PARK, MUNICIPALLY OWNED LOTS LOCATED IN CHAVES COUNTY, TO IDLEMAN PROPERTIES; 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 of Roswell, New Mexico, has declared the sale of the property listed herein for the sum of approximately one hundred and ten thousand dollars (\$110,000.00) 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 eleven (11) lots of approximately two (2) acres per lot, as well as property taken up by surveyed streets, located at Brasher Industrial Park in Roswell, Chaves County, New Mexico.

Section 2. Terms: Buyer agrees to pay cash at closing and all closing costs. Buyer also understands that the eleven (11) lots and existing surveyed streets must be surveyed and made one lot of record by a professional land surveyor prior to the start of development.

Section 3. Value: The value of approximately twenty-six (26) acres of municipally owned property to be sold has been appraised at ninety-five thousand three hundred dollars (\$95,300) by Ed McClelland.

Section 4. Purchaser:

Idleman Properties

Section 5. Purpose: 1) To allow the sale of excess municipally owned land; 2) to allow for good in-fill development; and 3) to promote economic development and growth in the area.

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 Repealer: All ordinances or parts of ordinances in conflict or inconsistent herewith are to be hereby repealed to the extent of such conflict or inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

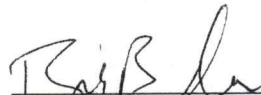
Section 7. Severability: If any section, paragraph, clause, or provision of this ordinance for any reason shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any other part of this ordinance.

Section 8. Effective date: This ordinance shall be effective 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 the ordinance and must comply with the requirements of Section 3-54-1(E) NMSA 1978. In the event that 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 documents of sale and deed in accord with the terms of this agreement.

PASSED, ADOPTED, SIGNED, AND APPROVED on this 12th day of December, 2002.

CITY SEAL


BILL B. OWEN, Mayor

ATTEST:


TIMOTHY D. STOESSEL, City Clerk