

FILE

ORDINANCE NO. 967

AN ORDINANCE DE-ANNEXING CERTAIN LANDS HERETOFORE ANNEXED TO THE CITY OF ROSWELL, PURSUANT TO ORDINANCE NO. 961; AMENDING ORDINANCE NO. 961 BY DELETING FROM ANNEXATION AS PART AND PARCEL OF THE CITY OF ROSWELL CERTAIN LANDS THEREIN DESCRIBED WITH THE INTENT THAT ANNEXATION OF SAID DESCRIBED LANDS HEREBY SHALL BE AND BECOME VOID AND OF NO FURTHER FORCE AND EFFECT FOR ALL INTENTS AND PURPOSES; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT OR INCONSISTENT HERewith; PROVIDING FOR SEVERABILITY AND FIXING THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, Petitioners have heretofore filed their Petition seeking to delete certain lands heretofore annexed to the City of Roswell pursuant to Ordinance No. 961 and described as:

The SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 21-T10S-R24E N. M. P. M. , and that part of the S $\frac{1}{2}$ S $\frac{1}{2}$ Sec. 22-T10S-R24E N. M. P. M. , lying West of the West Right-of-Way line at the AT & SF Railroad Right-of-Way; excepting the abutting Country Club Road Right-of-Way; the N $\frac{1}{2}$ N $\frac{1}{2}$ Sec. 27-T10S-R24E N. M. P. M. , lying East of the East Right-of-Way line of the AT&SF Railroad Right-of-Way, excepting the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 27 and the abutting Country Club Road and Urton Road Rights-of-Way.

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

1. That Ordinance No. 961 be, and the same hereby is amended by deleting from annexation as part and parcel of the City of Roswell, said lands hereinabove described with the intent that annexation of said described lands hereby shall be and become void and of no further force and effect for all intents and purposes.

2. That this deletion of lands hereby excluded from annexation, as said Ordinance No. 961 is hereby amended, shall be and become consummate on and after the filing in the office of the County Clerk of Chaves County, New Mexico of a duly authenticated copy of this ordinance, together with AN AMENDED SURVEY PLAT hereto attached as Exhibit "A", and showing on its face:

a. The extenal boundary of the territory remaining annexed to the City of Roswell under and by virtue of Ordinance No. 961, after deletion of lands herein and, the relation of said annexed territory remaining to the existing boundary of the municipality; and

b. Acceptance and approval of said AMENDED SURVEY PLAT endorsed thereon by the municipal governing body.

3. Within thirty days after the filing of a copy of this ordinance with Amended Survey Plat attachment in the office of the County Clerk as aforesaid, any person owning lands either annexed per Ordinance No. 961 as hereby

amended or, lands deleted from annexation pursuant to this ordinance, may appeal to the District Court for a review of the validity of the proceedings herein.

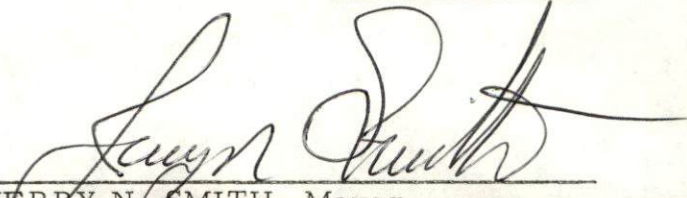
4. Repealer. All other ordinances or parts of ordinances in conflict or inconsistent herewith be, and the same hereby are repealed.

5. Severability. That if any section, paragraph, clause or provisions of this ordinance shall for any reason 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.

6. Effective Date. This ordinance shall be and become effective on and after 30 DECEMBER, 1974.

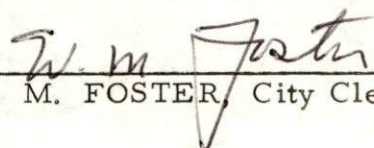
PASSED, ADOPTED, SIGNED AND APPROVED on 10 DECEMBER
_____, 1974.

CITY SEAL



JERRY N. SMITH, Mayor

ATTEST:



W. M. FOSTER, City Clerk