

FILE

ORDINANCE NO. 976

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE
CITY OF ROSWELL, NEW MEXICO.

WHEREAS, Petitioners have heretofore filed their Petition seeking annexation of certain lands to the City of Roswell, New Mexico under and by virtue of the provisions of 14-7-17 NMS 1953 Ann., known as the "Petition Method", said lands being described as:

Part of the $S\frac{1}{2}S\frac{1}{2}$ Section 17, and part of the $N\frac{1}{2}N\frac{1}{2}$ Section 20, Township 11 South, Range 24 East, NMPM, being more particularly described as follows:

Beginning at the SW corner of $SE\frac{1}{4}SW\frac{1}{4}$ Section 17, Township 11 South, Range 24 East, NMPM, a point on the center line of Brasher Road; thence, N. $1^{\circ}32'$ E. 1,338.35 feet to the NW corner of $SE\frac{1}{4}SW\frac{1}{4}$ Section 17, the SW corner of Cannon Addition to the City of Roswell; thence, N. $87^{\circ}53'$ E. 1,361.21 feet along the south line of Cannon Addition to an iron pipe in the center line of Washington Avenue; thence, continuing N. $87^{\circ}53'$ E. 30.02 feet, more or less, to a point on the northerly extension of west line of Block 25, "Fruitland"; thence, south along said west line, 1,374.11 feet to the south right of way of Brasher Road; thence, S. $88^{\circ}11'$ W. along said line, 1,427.52 feet; thence, N. $1^{\circ}32'$ E. 30.05 feet to the point of beginning; containing 44.312 acres, more or less.

Roadway rights of way included in the land to be annexed:

The $S\frac{1}{2}$ of Prager Avenue as shown on the plat of "Fruitland", more particularly described as follows: Beginning at the NW corner $SE\frac{1}{4}SW\frac{1}{4}$ Section 17, Township 11 South, Range 24 East, NMPM, which point is also the SW corner of Cannon Addition to the City of Roswell; thence, N. $87^{\circ}53'$ E. 1,391.23 feet along said south line to its intersection with the west line of Block 25 "Fruitland" extended; thence, south 30.02 feet to the south line of Prager Avenue; thence, S. $87^{\circ}53'$ W. 1,392.03 feet along said south line to a point on the west line of said $SE\frac{1}{4}SW\frac{1}{4}$ Section 17; thence, N. $1^{\circ}32'$ E. 30.06 feet to the point of beginning; containing 0.958 acres, more or less.

Washington Avenue extended (shown as Missouri Avenue on the plat of "Fruitland") described as that part of Missouri Avenue lying between Block 24 and Block 25 Fruitland; containing 1.768 acres, more or less.

Bemis Avenue as shown on the plat of "Fruitland" described as that part of Bemis Avenue lying between the west line of Block 24 Fruitland and the west line of the $SE\frac{1}{4}SW\frac{1}{4}$ Section 17, Township 11 South, Range 24 East; containing 0.880 acres, more or less.

Brasher Road - A strip of land 60 feet wide lying in Sections 17 and 20, Township 11 South, Range 24 East, NMPM, being 30 feet on either side of the following described center line:

Beginning at a point on the south line of Section 17, Township 11 South, Range 24 East from which the south quarter corner bears S. 88°11' W. 30.02 feet; thence S. 88°11' W. 1,396.70 feet to the SW corner SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17, Township 11 South, Range 24 East; containing 1.965 acres, more or less,

a subdivision of Chaves County, New Mexico, as shown on the official plat thereof on file in the office of the County Clerk of Chaves County, New Mexico, being 49.883 acres, more or less.

WHEREAS, Findings-of-Fact and Conclusion-of-Law are made as follows:

FINDINGS-OF-FACT: 1. That said territory hereby sought to be annexed is contiguous to the municipality;

2. That Petition for Annexation herein is signed by the owners of a majority of the number of acres sought to be annexed;

3. That said Petition for Annexation is accompanied by a survey plat showing the external boundary of the territory sought to be annexed and the relationship of said territory to the existing boundary of the municipality, which survey plat is hereto attached as Exhibit "A"; and,

4. That municipal services can be made available to said territory hereby sought to be annexed.

CONCLUSION-OF-LAW: 1. That annexation of said territory hereinabove described embraces and shall be inclusive of all streets and public ways located along the boundary of the territory hereby annexed, excepting and excluding from this annexation any and all streets, highways or other public ways now or hereafter designated as state roads or highways.

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

1. That 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.

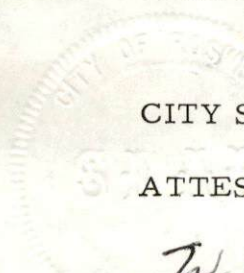
2. That this Annexation shall be and become consummate on and after the filing of a duly authenticated copy of this ordinance, together with a copy of the official survey plat of the territory hereby annexed in the office of the County Clerk of Chaves County, New Mexico.

3. Within thirty days after the filing of a copy of this ordinance with survey plat attachment in the office of the County Clerk as aforesaid, any person owning land within the territory hereby annexed may appeal to the district court for review of the validity of annexation proceedings herein.

PASSED, ADOPTED, SIGNED AND APPROVED on August 12, 1975.

CITY SEAL

ATTEST:


W.M. Foster
W.M. Foster, City Clerk


JERRY N. SMITH, Mayor