

AN ORDINANCE ANNEXING A CERTAIN TRACT OF LAND BEING A PART OF LOT 9 AND THE WEST 6.0 FEET OF LOT 10, SUBURBAN HOMES SUBDIVISION, A SUBDIVISION LYING IN SECTION 3, TOWNSHIP 11 SOUTH RANGE 24 EAST, WITH ALL ADJACENT PUBLIC RIGHTS-OF-WAY, CONTAINING APPROXIMATELY 5 ACRES; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND FIXING AN EFFECTIVE DATE.

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

A PART OF LOT 9 AND THE WEST 6.0 FEET OF LOT 10, SUBURBAN HOMES SUBDIVISION, A SUBDIVISION LYING IN SECTION 3, TOWNSHIP 11 SOUTH RANGE 24 EAST, AND ALL ADJACENT RIGHTS-OF-WAY ALL LOCATED IN CHAVES COUNTY, NEW MEXICO. CONTAINING APPROXIMATELY 5 ACRES.

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 sought to be annexed; (c) the petition for annexation is accompanied by a map 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parts of ordinances or sections of the Municipal Code in conflict or inconsistent herewith be, and the same hereby are repealed to the extent of such conflict or inconsistency.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is not to be construed as reviving any ordinances, parts of ordinances or sections of the Municipal Code heretofore repealed.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 reason 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 be not less than five (5) days after publication hereof.

PASSED, ADOPTED, SIGNED AND APPROVED ON April 8, 1986.

CITY SEAL

*Wm. F. Brainerd*  
WM. F. BRAINERD, MAYOR

ATTEST:

*Sarah L. Carter*  
Sarah L. Carter, City Clerk