

ORDINANCE NO. 1278

AN ORDINANCE OF THE CITY OF ROSWELL ANNEXING A CERTAIN TRACT OF LAND BEING BLOCK 19, LOT 40 BERRENDO IRRIGATED FARMS CONTAINING 10 ACRES MORE OR LESS; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND FIXING AN EFFECTIVE DATE.

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

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

Block 19, Lot 40 Berrendo Irrigated Farms all located in Chaves County, New Mexico. Containing 10 acres more or less.

Section 2. WHEREAS, (a) the said territory hereby sought to be annexed is contiguous to the municipality; (b) the petitioner 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.

Section 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.

Section 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.

Section 5. Repealer. All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent only of such conflict or inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

Section 6. 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 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 not be less than five (5) days after publication hereof.

PASSED, ADOPTED, SIGNED AND APPROVED on this 12th day of September, 1996.

CITY SEAL


THOMAS E. JENNINGS, Mayor

ATTEST:


TIMOTHY D. STOESEL, City Clerk