

ORDINANCE NO. 2013- 04

AN ORDINANCE REZONING PART OF "R-2" RESIDENTIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY PURSUANT TO SECTION 3-21-1 ET. SEQ. NMSA 1978 AND SECTIONS 56-150(B) AND 56-140(I), CARLSBAD CODE OF ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO, that:

The official zoning map of the City is hereby amended to rezone part of "R-2" Residential District to "C-2" Commercial District, a 14.27+/- acre portion of Tract A, Copperstone Summary Replat #3 recorded with the Clerk of Eddy County, New Mexico in Cabinet 5, Slide 522-1, located west of West Cherry Lane and south of Callaway Drive, more particularly described as:

BEGINNING AT AN IRON ROD FOUND WITH C.P. # 3510 FOR THE SOUTHEASTERN CORNER OF TRACT B, BEING A PORTION OF LAND KNOWN AS TRACT A, WHICH IS A 50.108 ACRE TRACT OF LAND KNOWN AS COPPERSTONE SUMMARY REPLAT #3, OFFICIAL PLAT RECORDED ON JUNE 19TH, 2012, CABINET 5, BEING THE IDENTICAL POINT OF THE SOUTHEASTERN CORNER OF THIS TRACT;

THENCE FROM SAID POINT OF BEGINNING, N71°02'35"W LEAVING THE SOUTHEASTERN CORNER OF SAID TRACT A, A DISTANCE OF 443.33 FEET ALONG THE SOUTHERN BOUNDARY OF THIS TRACT, ALSO BEING THE NORTHERN BOUNDARY OF RIVERSIDE COUNTRY CLUB ADDITION, TO A CORNER OF THIS TRACT;

THENCE N00°02'49"E ALONG THE SOUTHERN BOUNDARY OF THIS TRACT, A DISTANCE OF 61.14 FEET, ALONG THE NORTHERN BOUNDARY OF RIVERSIDE COUNTRY CLUB ADDITION, TO A CORNER OF THIS TRACT;

THENCE N65°52'46"W ALONG THE SOUTHERN BOUNDARY OF THIS TRACT, A DISTANCE OF 236.71 FEET, ALONG THE NORTHERN BOUNDARY OF RIVERSIDE COUNTRY CLUB ADDITION, TO A CORNER OF THIS TRACT;

THENCE N79°18'15"W ALONG THE NORTHERN BOUNDARY OF RIVERSIDE COUNTRY CLUB ADDITION A DISTANCE OF 272.64 FEET, TO A POINT ON THE NORTHERN BOUNDARY OF RIVERSIDE COUNTRY CLUB ADDITION, TO A CORNER OF THIS TRACT;

THENCE N10°41'45"E LEAVING THE NORTHERN BOUNDARY OF RIVERSIDE COUNTRY CLUB ADDITION, A DISTANCE OF 186.62 FEET, TO THE SOUTHWEST CORNER OF YATES PETROLEUM CORP. TRACT, TO A CORNER OF THIS TRACT;

THENCE S89°56'09"E ALONG THE SOUTHERN BOUNDARY OF YATES PETROLEUM CORP. TRACT, A DISTANCE OF 417.37 FEET TO A CORNER OF THIS TRACT;

THENCE N00°03'03"E ALONG THE EASTERN BOUNDARY OF YATES PETROLEUM CORP. TRACT, A DISTANCE OF 542.65 FEET, TO A CORNER OF THIS TRACT;

THENCE N89°56'37"W ALONG THE NORTHERN BOUNDARY OF YATES PETROLEUM CORP. TRACT, A DISTANCE OF 17.53 FEET, TO A POINT ON THE NORTHERN BOUNDARY OF YATES PETROLEUM CORP., TO A CORNER OF THIS TRACT;

THENCE N35°22'46"E LEAVING THE NORTHERN BOUNDARY OF YATES PETROLEUM CORP. TRACT, TO A POINT ON THE SOUTHERN BOUNDARY OF CHERRY LANE PARK, A DISTANCE OF 212.28 FEET, TO A CORNER OF THIS TRACT;

THENCE S89°53'22"E ALONG THE SOUTHERN BOUNDARY OF CHERRY LANE PARK, A DISTANCE OF 291.47 FEET, TO THE SOUTHEAST CORNER OF CHERRY LANE PARK, TO A CORNER OF THIS TRACT;

THENCE N00°02'35"E ALONG THE EASTERN BOUNDARY OF CHERRY LANE PARK, A DISTANCE OF 332.11 FEET, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF WEST CHERRY LANE, TO A CORNER OF THIS TRACT;

THENCE S62°07'34"E ALONG THE SOUTH RIGHT-OF-WAY LINE OF WEST CHERRY LANE, A DISTANCE OF 62.00 FEET, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF WEST CHERRY LANE, TO A CORNER OF THIS TRACT;

THENCE S00°02'39"W LEAVING THE SOUTH RIGHT-OF-WAY LINE OF WEST CHERRY LANE, A DISTANCE OF 492.01 FEET, ALONG THE WESTERN BOUNDARY OF LAHUERTA SUBDIVISION, TO A CORNER OF THIS TRACT;

THENCE N90°00'00"W LEAVING THE WESTERN BOUNDARY OF LAHUERTA SUBDIVISION, A DISTANCE OF 42.52 FEET, TO A CORNER OF THIS TRACT;

THENCE S01°02'10"E ALONG THE EASTERN BOUNDARY OF THIS TRACT, A DISTANCE OF 507.50 FEET TO A CORNER OF THIS TRACT;

THENCE N90°00'00"E TO A POINT ON THE WESTERN BOUNDARY OF LAHUERTA SUBDIVISION, A DISTANCE OF 32.95 FEET, TO A CORNER OF THIS TRACT;

THENCE S00°02'39"W ALONG THE WESTERN BOUNDARY OF LAHUERTA SUBDIVISION, A DISTANCE OF 554.32 FEET, TO THE POINT AND PLACE OF BEGINNING, CONTAINING 14.274 ± ACRES OF LAND LOCATED INSIDE CARLSBAD CITY LIMITS.

**DENIED**

INTRODUCED, PASSED, ADOPTED AND APPROVED this 26th day of February, 2013.

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DALE JANWAY, MAYOR

ATTEST: \_\_\_\_\_

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CITY CLERK

**DENIED**