

ORDINANCE NO. 2017-__

AN ORDINANCE ANNEXING A PORTION OF LAND CONTAINING +/-34.70 ACRES MORE OR LESS, CONTIGUOUS TO THE CITY OF CARLSBAD, NEW MEXICO, LOCATED AT 1401 W DERRICK RD., LEGALLY DESCRIBED AS NW/4, SECTION 1, TOWNSHIP 23S, RANGE 26E, PURSUANT TO THE PETITION METHOD PROVIDED FOR IN SECTION 3-7-1 ET. SEQ., NMSA 1978.

WHEREAS, a petition for annexation of territory contiguous to the City of Carlsbad has been presented to the Governing Body of the City of Carlsbad; and

WHEREAS, said petition is accompanied by a map showing the external boundary of the territory proposed to be annexed and its relationship to the existing boundary of the City of Carlsbad, New Mexico.

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

Section 1. Subject to the proviso contained in Section 2 hereof, the City of Carlsbad hereby consents to the annexation of 34.70 acres, more or less, of contiguous territory situated in Eddy County, New Mexico, located at 1401 Derrick Rd., legally described NW/4, Section 1, Township 23S, Range 26E.

Section 2. A copy of this ordinance and the plat of said property shall be filed in the office of the County Clerk of Eddy County. After such filing, the property shall be included in and be a part of the City of Carlsbad. Appeal may be made by any person owning land within this said territory to the District Court of Eddy County within thirty (30) days on the grounds and in the manner provided by law.

INTRODUCED, PASSED, ADOPTED, AND APPROVED THIS 25TH DAY OF JUNE, 2017.

DALE JANWAY, MAYOR

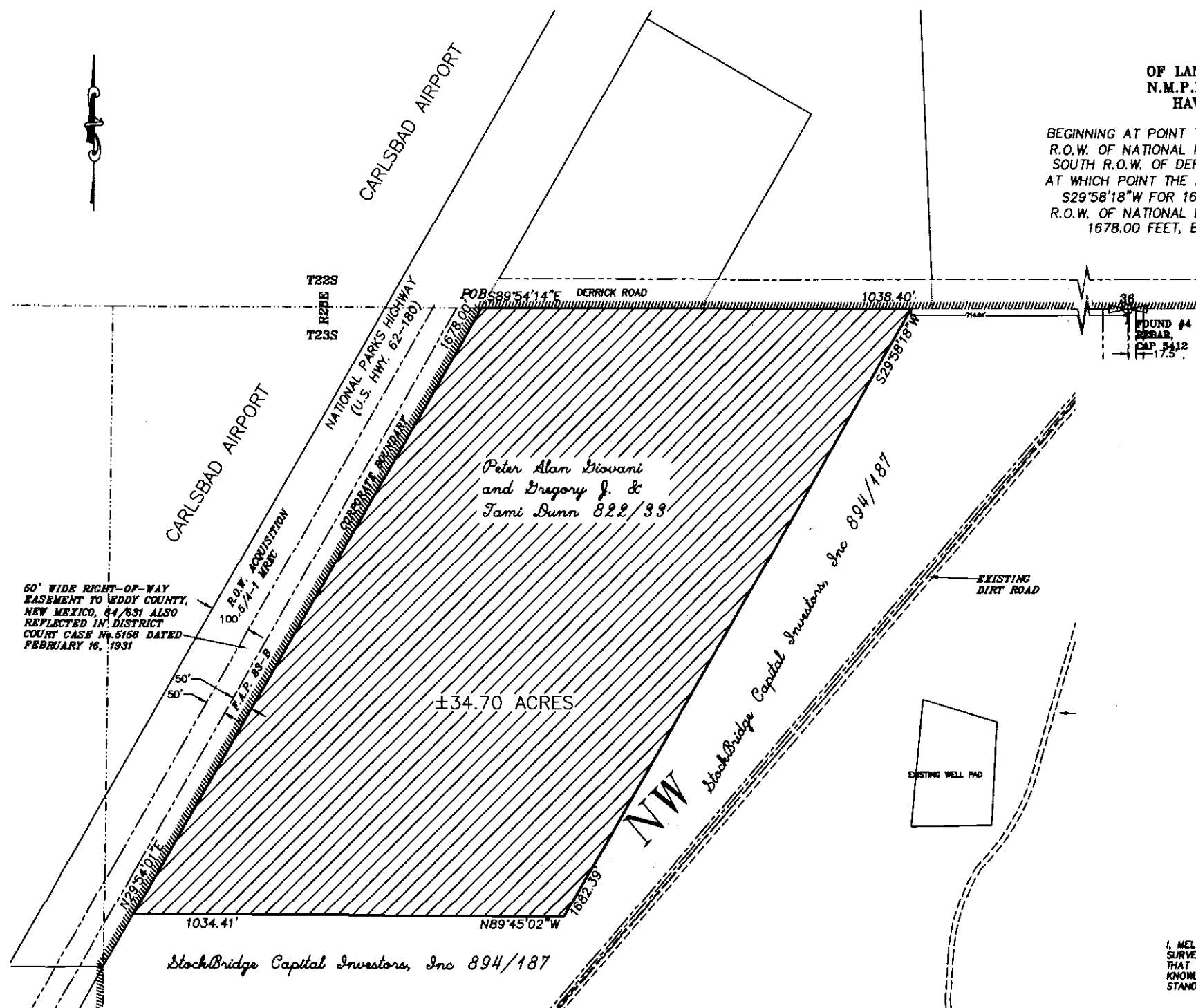
ATTEST:

CITY CLERK

ANNEXATION PLAT

OF LANDS LYING IN THE NW OF SEC 1, T23S, R26E, N.M.P.M., EDDY COUNTY, NEW MEXICO, WHICH LANDS HAVE A PERIMETER DESCRIPTION AS FOLLOWS:

BEGINNING AT POINT THAT LIES ON THE SOUTH R.O.W. OF DERRICK ROAD AND THE EAST R.O.W. OF NATIONAL PARKS HIGHWAY; THEN S89°54'14"E FOR 1038.40 FEET, ALONG THE SOUTH R.O.W. OF DERRICK ROAD, WHICH LINE IS ALSO THE NORTH LINE OF SAID SEC 1, AT WHICH POINT THE N/4 CORNER OF SAID SEC 1 LIES 714.94 FEET TO THE EAST; THEN S29°58'18"W FOR 1682.39 FEET; THEN N89°45'02"W FOR 1034.41 FEET, TO THE EAST R.O.W. OF NATIONAL PARKS HIGHWAY; THEN N29°54'01"E, ALONG SAID EAST R.O.W., FOR 1678.00 FEET, BACK TO THE POINT OF BEGINNING, CONTAINING 34.70 ACRES.



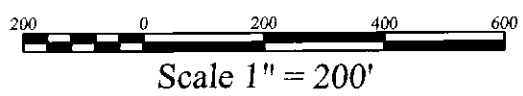
LEGEND

- ◆ CORNER FOUND AS NOTED ABOVE
- ===== NEW & OLD EASEMENTS
- EXISTING PROPERTY LINES
- EXISTING DIRT ROAD
- ===== CORPORATE BOUNDARY
- QUARTER CORNER
- ▨ AREA BEING ANNEXED

PETER ALAN GIOVANI AND GREGORY J. & TAMI DUNN
 JOE BRININSTOOL, POWER-OF-ATTORNEY FOR PETER ALAN GIOVANI AND GREGORY J. & TAMI DUNN

OWNERS STATEMENT AND AFFIDAVIT

STATE OF _____ SS
 COUNTY OF _____
 THE ABOVE SIGNED BEING FIRST DULY SWORN ON OATH, STATE: AS THE OWNERS AND PROPRIETORS WE HAVE OF OUR OWN FREE WILL AND CONSENT CAUSED THIS ANNEXATION PLAT WITH ITS ADJOINING ROADWAYS, TO BE PLATTED. THE PROPERTY DESCRIBED ON THIS PLAT LIES WITHIN THE PLATTING JURISDICTION OF: **EDDY COUNTY AND CARLSBAD EXTRATERRITORIAL**
 SUBSCRIBED, SWORN TO AND ACKNOWLEDGED BEFORE ME
 THIS ____ DAY OF _____, 20____
 BY _____
 _____ NOTARY PUBLIC



I, MELVIN R. PYEATT, JR., A NEW MEXICO REGISTERED PROFESSIONAL SURVEYOR, CERTIFY THAT I AM RESPONSIBLE FOR THIS SURVEY, AND THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO.



MELVIN R. PYEATT, JR., 423 W. GREENE ST. SUITE 1, CARLSBAD, N.M., 88220, CERTIFICATE NO. 20251, TELE. 885-6867, FAX 885-6867

APPROVAL BY THE CITY PLANNING COMMISSION

THIS IS TO CERTIFY THAT THIS REPLAT HAS BEEN APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF CARLSBAD, COUNTY OF EDDY, STATE OF NEW MEXICO, DURING A REGULARLY SCHEDULED MEETING HELD ON
 THIS ____ DAY OF _____, 20____
 CHAIRMAN _____ SECRETARY _____

ANNEXATION BY ORDINANCE NO. _____
 ADOPTED BY ACTION OF THE CITY COUNCIL _____
 DAY OF _____, 20____

APPROVAL BY THE CITY COUNCIL

THIS IS TO CERTIFY THAT THIS REPLAT HAS BEEN EXAMINED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CARLSBAD, COUNTY OF EDDY, STATE OF NEW MEXICO, DURING A REGULARLY SCHEDULED MEETING HELD ON
 THIS ____ DAY OF _____, 20____
 MAYOR _____ CITY CLERK _____

STATE OF NEW MEXICO, COUNTY OF EDDY, I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THE ____ DAY OF _____, 20____ A.D. AT ____ O'CLOCK ____ M.
 CABINET _____ SLIDE _____
 ROBIN VAN NATTA-COUNTY CLERK
 BY _____ DEPUTY

R&R SURVEYING LLC			
A LAND SURVEYING COMPANY SERVING THE CARLSBAD AREA FOR 20+ YEARS			
INDEXING INFO. FOR CO. CLERK			
SEC. 1	T23S	R26E	N.M.P.M.
SUBDIVISION: NONE			
OWNER: PETER ALAN GIOVANI & GREGORY J. & TAMI DUNN			
CITY: CARLSBAD			
COUNTY: EDDY			
STATE: NEW MEXICO			
DATE: APRIL 21, 2017			
ACCESS: YES			
AREA: ±34.70 ACRES			