

ORDINANCE NO. 2017-\_\_\_\_\_

AN ORDINANCE ESTABLISHING "C-2" COMMERCIAL DISTRICT ZONING IN CONJUNCTION WITH THE ANNEXATION OF APPROXIMATELY 34.70 ACRES OF PROPERTY, LOCATED AT 1401 W DERRICK RD., LEGALLY DESCRIBED AS NW/4, SECTION 1, TOWNSHIP 23S, RANGE 26E, 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 establish "C-2 Commercial District" zoning for approximately 34.70 acres of property, located at 1401 Derrick Rd. Rd., Carlsbad, NM, legally described as:

NW/4, SECTION 1, TOWNSHIP 23S, RANGE 26E

INTRODUCED, PASSED, ADOPTED AND APPROVED THIS 25th DAY OF JULY, 2017.

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DALE JANWAY, MAYOR

ATTEST:

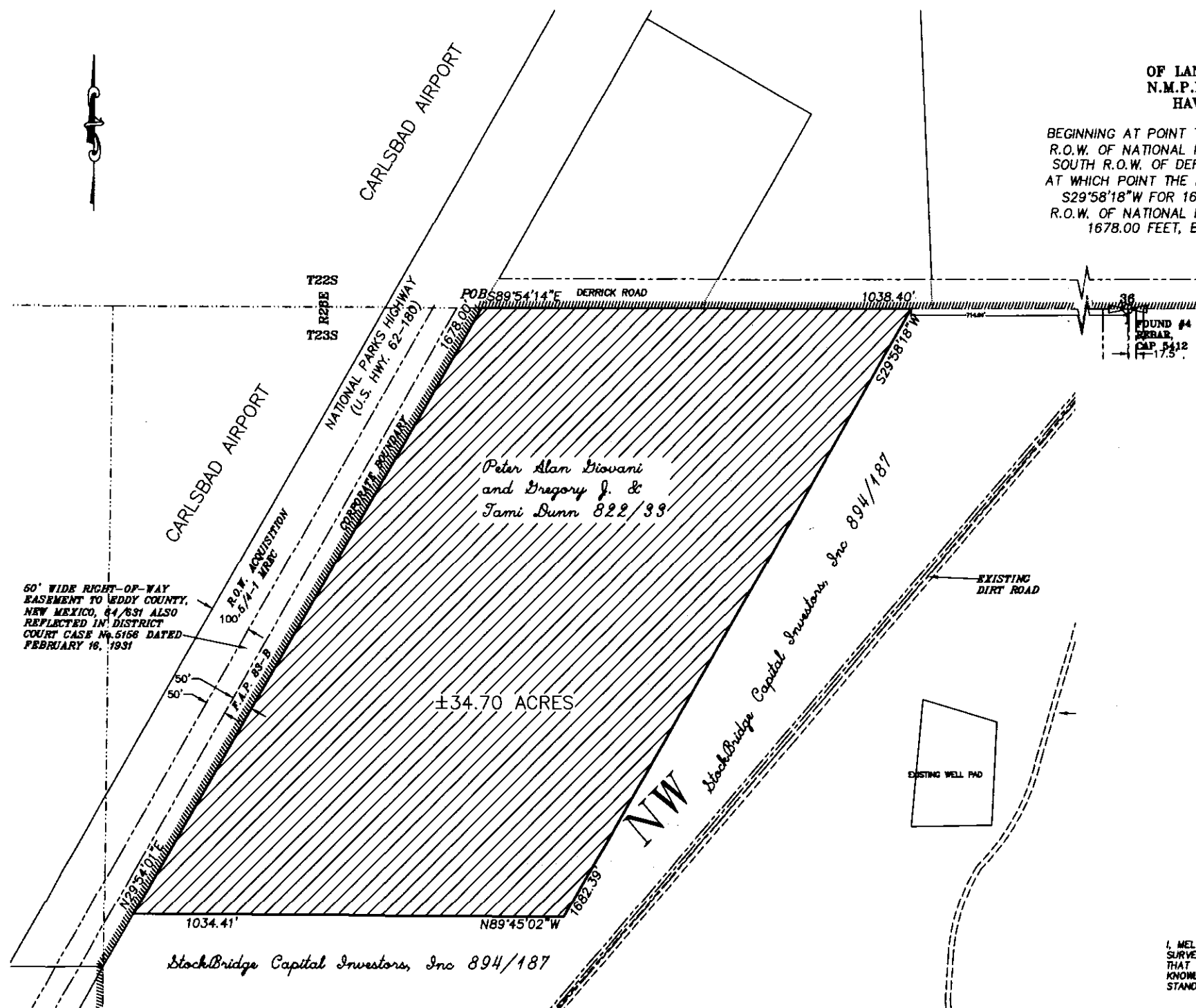
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CITY CLERK

# 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.



60' WIDE RIGHT-OF-WAY EASEMENT TO EDDY COUNTY, NEW MEXICO, 84/831 ALSO REFLECTED IN DISTRICT COURT CASE NO. 5156 DATED FEBRUARY 16, 1931

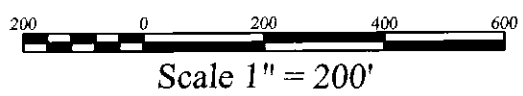
**LEGEND**

- ◆ CORNER FOUND AS NOTED ABOVE
- ===== EXISTING DIRT ROAD
- ===== NEW & OLD EASEMENTS
- ===== CORPORATE BOUNDARY
- EXISTING PROPERTY LINES
- 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

<b>R&amp;R SURVEYING LLC</b>			
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			