

19566

ORDINANCE NO. 524

The City of Lovington pursuant to the provision of Section 3-7-17, NMSA 1978, does hereby, with the adoption of this ordinance, express its consent to the annexation to the City of Lovington of the contiguous territory below described, and does hereby annex the following described territory to the present boundaries of the City of Lovington to-wit:

The following legal descriptions and the attached petition (Attachment A) and Annexation Plat (Attachment B) of contiguous territory to the City of Lovington:

Annexation Tracts 1 & 2: The Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE1/4SW1/4SW1/4), the Southeast Quarter of the Northwest Quarter of the Southwest Quarter (SE1/4NW1/4SW1/4), the Northeast Quarter of the Northwest Quarter of the Southwest Quarter (NE1/4NW1/4SW1/4) and the West Half of the Northwest Quarter of the Southwest Quarter (W1/2NW1/4SW1/4) of Section 4, Township 16 South, Range 36 East, N.M.P.M., Lea County, New Mexico.

Annexation Tract 3: 4 000 036 360 001; File 168, PG 439 000102717 12/30/96; Section-04 Township-16S Range-36E; 5.00 AC being W2NE4NW4SW4.

Annexation Tract 4: A tract of land in Section 4, Township 16 South, Range 36 East, N.M.P.M. Lea County, New Mexico, Beginning at the Northeast corner of the NW/4 of the SW/4 of said Section; thence South 660'; Thence West 330'; Thence North 330'; thence East 330' to the point of beginning.

Annexation Tract 5: The North Half of the Southwest Quarter of the Northwest Quarter of the Southwest Quarter (N1/2SW1/4NW1/4SW1/4) Section four (4), Township Sixteen (16) South, Range Thirty-six (36) East: N.M.P.M., Lea County, New Mexico.

Annexation Tract 6: 15.15 Acres located in the SW4SW4, Section 4, Township 16 South, Range 36 East. Beginning at a point lying N00°02'27"E 360' from the southwest corner of said Section 4, thence N00°02'27"E 960.22'; thence N89°47'54"E 662.89'; thence S00°02'52"W 1320.1'; thence S89°47'17"W 49.94'; thence N00°02'27"E 340'; thence S89°47'17"W 282.8'; thence N00°02'27"E 20'; thence S89°47'17"W 330': to the point of beginning.

Annexation Tract 7: 17th Street Right of Way portion of: Lot One (1) Block One (1), Plummer Subdivision to the City of Lovington, Lea County, New Mexico.

Annexation Tract 8: 17th Street Right of Way portion of: a tract of land located in the Northeast Quarter of the Southeast Quarter of Section 5, Township 16 South, Range 36 East, N.M.P.M., Lea County, New Mexico, being more particularly described as follows: Beginning at a point which lies 870.0 feet South of the Northeast Corner of said

Southeast Quarter of Section 5; thence West 186.0 feet; thence South 125.0 feet; thence East 186.0 feet; thence North 125.0 feet to the point of beginning.

Annexation Tract 9: 17th Street Right of Way portion of: a tract of land situated in the Southeast Quarter (SE 1/4) of Section 5, Township 16 South, Range 36 East, N.M.P.M., Lea County, New Mexico, described as beginning South 0°02'27" West, 1120 feet from the Northeast Corner of the Southeast Quarter (SE 1/4) of said Section 5; thence South 89°46'43" West, 222.94 feet; thence South 45°13'17" East, 18.38 feet; thence North 89°46'43" East, 210 feet; thence North 0°02'27" East, 13 feet to the point of beginning.

Annexation Tract 10: 17th Street Right of Way portion of: a tract of land in the Northeast Quarter of the Southeast Quarter of Section 5, Township 16 South, Range 36 East, N.M.P.M., described as starting at the Northeast corner of the Southeast Quarter of the said Section; thence South 995 feet to the point of beginning, thence West 516 feet; thence South 125 feet; thence East 516 feet; thence North 125 feet to the point of beginning.

Annexation Tract 11: 17th Street Right of Way portion of: a tract of land beginning 1320 feet North of the Southeast corner of the Southeast Quarter of Section 5; thence North 187 feet; thence West 210 feet; thence South 187 feet; thence East 210 feet to the Place of Beginning.

Annexation Tract 12: 17th Street Right of Way portion of: a tract of land beginning 900 feet North of the Southeast corner of the Southeast Quarter of Section 5; thence West 210 feet; thence North 420 feet; thence East 210 feet; thence South 420 feet to the Place of Beginning.

Annexation Tract 13: 17th Street Right of Way portion of: Four Tracts of Land in the Southeast Quarter (SE/4) of Section 5, Township 16 South, Range 36 East, N.M.P.M., Lea County, New Mexico and being more particularly described as follows:

Tract 1: Beginning 417.5 feet West, along the South Section Line of Said Section 5; Thence North, parallel to the East Section Line of Said Section, 525.8 feet; Thence West, parallel to the South Section Line of Said Section, 264.5 feet; Thence South, parallel to the East Section Line of Said Section, 315.8 feet; Thence East, parallel to the South Section Line of Said Section, 100.0 feet; Thence South, parallel to the East Section Line of Said Section, 210.0 feet; Thence East, along the South Section Line of Said Section, 164.5 feet back to the Point of Beginning.

Tract 2: Beginning at the Southeast Corner of Said Section 5; Thence West, along the South Section Line of Said Section, 417 feet and 5 inches; Thence North, parallel to the East Section Line of Said Section, 313 feet and 3/4 inches; Thence East, parallel to the South Section Line 267 feet and 5 inches; Thence South, parallel with the East Section

Line of Said Section, 75 feet; Thence East, parallel with the South Section Line of Said Section, 150 feet; Thence South, along the East Section Line of Said Section, 238 feet and 3/4 inches to the Point of Beginning.

Tract 3: Beginning 313 feet and 3/4 inches North of the Southeast Corner of Said Section 5; Thence West, parallel to the South Section Line of Said Section, 417 feet and 5 inches; Thence North, parallel to the East Section Line of Said Section, 212 feet and 7-3/4 inches; Thence East, parallel to the South Section Line of Said Section, 204 feet; Thence North, parallel to the East Section Line of Said Section, 182 feet 5-1/4 inches; Thence East, parallel to the South Section Line of Said Section, 213 feet and 5 inches; Thence South, along the East Section Line of Said Section, 395 feet and 1 inch, to the Point of Beginning.

Tract 4 Beginning at a point being N.0°02'E., 708.15 feet distant from the Southeast Corner of Said Section 5; Thence N.0°02'E., along the East Section Line of Said Section, 191.1 feet; Thence S.89°43'W., parallel to the South Section Line of Said Section, 210.0 feet; Thence N.0°02'E., parallel to the East Section Line of Said Section, 607.0 feet; Thence N.45°13'W., 18.4 feet; Thence S.89°43'W., parallel to the South Section Line of Said Section, 459.0 feet; Thence S.0°02'W., parallel to the East Section Line of Said Section, 993.5 feet; Thence N.89°43'E., parallel to the South Section Line of Said Section, 468.5 feet; Thence N.0°02'E., parallel to the East Section line of Said Section, 182.4 feet; Thence N.89°43'E., parallel to the South Section line of Said Section; 213.4 feet back to the point of beginning.

Annexation Tract 14: Avenue D Right of Way portion of: A tract of land located in the North Half of the East Half of the Northwest Quarter of the Northwest Quarter of Section 9, Township 16 South, Range 36 East, N.M.P.M., Lea County, New Mexico, and being more particularly described as follows: Beginning at a point being N89°53'E 331.4 feet distant from the Northwest corner of said Section 9; thence N89°53'E 331.4 feet; thence S0°02'E 225.0 feet; thence S89°53'W 331.4 feet; thence N0°02'W 225.0 feet to the point of beginning, less the North 50.0 feet reserved for existing Road US 82 and the East 25.0 feet previously reserved for ingress and egress right of way.

Per City of Lovington Municipal Code 17.12.040, when territory is annexed into the City, each tract is assigned a zoning classification. The following tracts will be rezoned from R-1 – Residential to the following:

Annexation Tract 1: Zone B – Multifamily

Annexation Tract 2: Zone C – Commercial

Annexation Tract 3: Zone B – Multifamily

Annexation Tract 4: Zone B – Multifamily

Annexation Tract 5: Zone C Commercial

Annexation Tract 6: Zone C - Commercial

- Annexation Tract 7: Zone B - Multifamily**
- Annexation Tract 8: Zone C - Commercial**
- Annexation Tract 9: Zone C – Commercial**
- Annexation Tract 10: Zone C – Commercial**
- Annexation Tract 11: Zone C – Commercial**
- Annexation Tract 12: Zone C – Commercial**
- Annexation Tract 13: Zone C – Commercial**
- Annexation Tract 14: Zone C - Commercial**

That the City Clerk is directed, pursuant to State Statute, to file a copy of this Ordinance, together with a copy of the petition and plat of the territory so annexed, in the Office of the County Clerk and send copies to the Secretary of Finance and Administration and the Secretary of Taxation and Revenue.

That the annexation of such territory to the City of Lovington shall be deemed complete within thirty (30) days after filing of a copy of this Ordinance in the Office of the County Clerk unless an appeal be made to the District Court as provided in said statute.

That said territory will be zoned and shall upon adoption be included in the Official Land Use Map all pursuant to the provisions of the City of Lovington Land Use Regulations.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF LOVINGTON ON THE 12th DAY of May, 2014.



Mayor

ATTEST:

CAROL ANN HOGUE, City Clerk

ANNEXATION EXHIBIT

ANNEXATION DESCRIPTION COMPILED FROM RECORD DOCUMENTS

A tract of land located in the SW 1/4 of Section 4, T18S, R36E, N.M.P.M., City of Lovington, Lea County, New Mexico, described as follows:

Commencing at the SW corner of Section 4; thence N00°02'27"E 380.15 feet along the west line of Section 4 to a calculated point for the Point of Beginning; thence S88°47'17"W 30.00 feet to a calculated point; thence N00°02'27"E 2278.19 feet to a calculated point; thence N88°52'27"E 1363.13 feet to a calculated point; thence S00°01'59"W 1878.82 feet to a calculated point; thence S86°48'15"W 880.81 feet to a calculated point; thence S00°02'27"W 708.84 feet to a calculated point; thence S88°47'17"W 40.84 feet to a calculated point; thence N00°02'27"E 380.00 feet to a calculated point; thence S88°47'17"W 282.80 feet to a calculated point; thence N00°02'27"E 20.00 feet to a calculated point; thence S88°47'17"W 330.00 feet to the Point of Beginning.

Containing 67 acres ±

CERTIFICATE OF SURVEY

I, William M. Hicks, III New Mexico Professional Surveyor, hereby certify that this Annexation Plat was prepared from record drawings, that this Annexation Plat is true and correct to the best of my knowledge and belief, and that this Annexation Plat meets the Minimum Standards for Surveying in New Mexico.

William M. Hicks, III NMPS #12348 Date

CERTIFICATE OF CITY PLANNING BOARD APPROVAL

This plat, restrictions and dedication, approved and accepted this _____ day of _____, 20____ A.D. by the City Planning Board of the City of Lovington, New Mexico.

James Williams

ACKNOWLEDGMENT

State of New Mexico: County of Lea:

On this _____ day of _____, 20____ before me, _____ to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Witness my hand and official seal the day and year last above written.

My commission expires: _____

Notary Public

CERTIFICATE OF APPROVAL CITY COMMISSION

I, Carol Ann Hoque, the duly appointed and acting City Clerk of the City of Lovington, Lea County, New Mexico, do hereby certify that the foregoing plat in Lea County, New Mexico, was approved by the Commission of the City of Lovington by Resolution No. _____ on the _____ day of _____, 20____.

Carol Ann Hoque

ACKNOWLEDGMENT

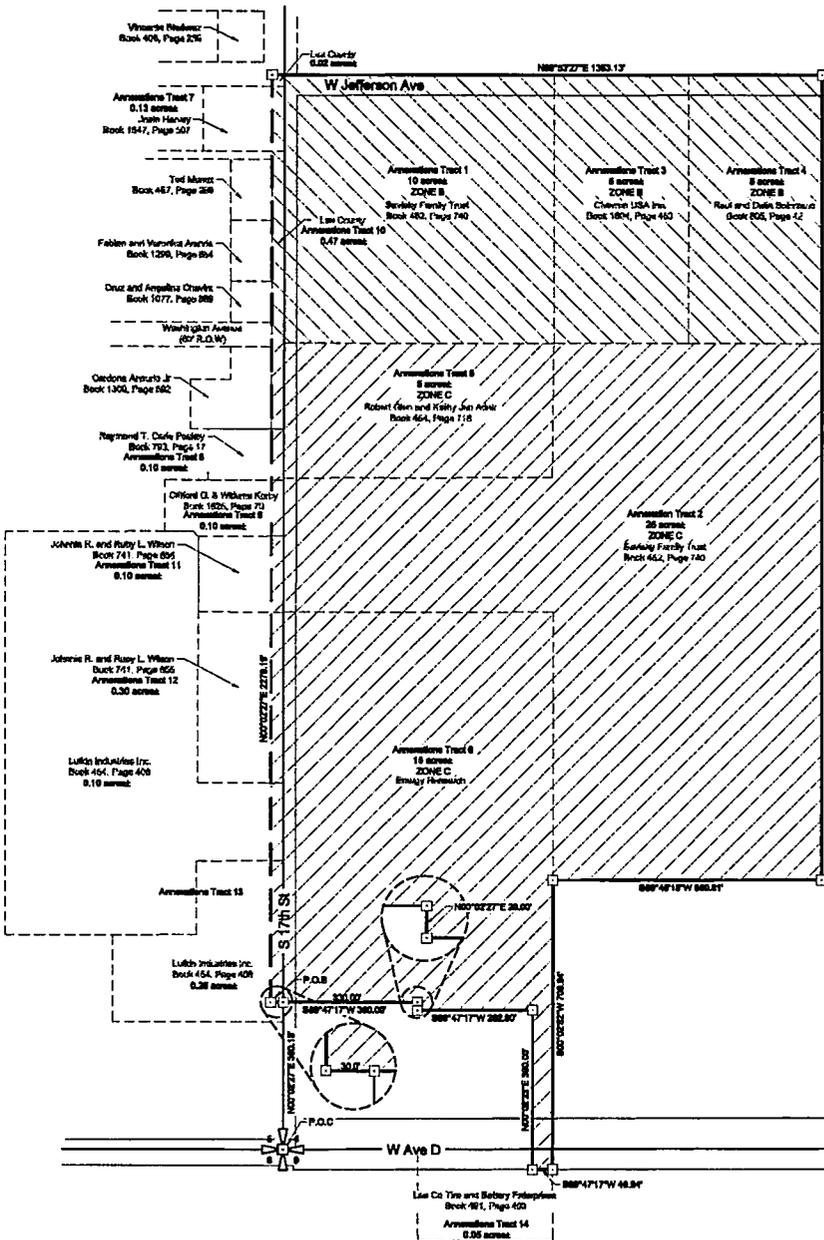
State of New Mexico: County of Lea:

On this _____ day of _____, 20____ before me, _____ to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Witness my hand and official seal the day and year last above written.

My Commission Expires: _____

Notary Public

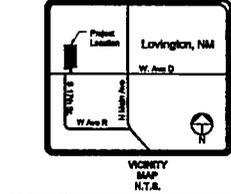
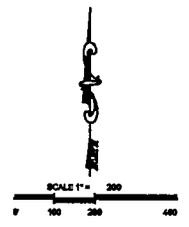


NOTE:

This plat was prepared using record information. No field surveying was performed. This is not a survey.

OWNER	TRACT	BOOK	PAGE	ACRES
Bevisky Family Trust	1	482	740	10a
Bevisky Family Trust	2	482	740	26a
TOTAL ACRES				36a

NON PETTIGREW	TRACT	BOOK	PAGE	ACRES
Chevron USA Inc.	3	1804	498	8c
Raul Solorzano	4	808	42	8c
Robert Adair	5	484	716	8c
Energy Research	6			18a
Joelle Harvey	7	1847	507	8.13a
Raymond T. Poakay	8	738	17	8.10a
Clifford Kerby	9	1825	70	8.10a
Lea County	10			8.00a
Juliana R Wilson	11 & 12	741	646	8.00a
Lufkin Industries Inc.	13	484	408	8.25a
Lea Co Tire and Battery	14	481	408	8.25a
TOTAL ACRES				81.82a



PETTIGREW & ASSOCIATES PA
 ENGINEERING | SURVEYING | TESTING
 DEFINING QUALITY SINCE 1865
 100 E. Nevejo - Suite 100, Hobbs New Mexico 88240
 T 575 363 9827 F 575 363 1543
 PettigrewLLP

PROJECT SURVEYOR: M. Koonland
 DRAWN BY: M. Mata



INDEXING INFORMATION FOR COUNTY CLERK

OWNER: Bevisky Family Trust, Chevron USA Inc., Raul and Della Solorzano, Robert and Kathy Jan Adair, Energy Research, Lufkin Industries Inc., Johnnie R. Wilson, Clifford Kerby, Raymond T. Poakay, Joelle Harvey, Lea Co Tire and battery Enterprises, Lea County

LOCATION: In the SW 1/4 of Section 4, T18S, R36E, N.M.P.M., City of Lovington, Lea County, New Mexico.

State of New Mexico, County of _____, I here by certify that this instrument was filed for record on:

The _____ Day of _____, 20____ A.D.

At _____ O'Clock _____ M.

Cabinet _____ Side _____

Book _____ Page _____

By _____ County Clerk

By _____ Deputy

ANNEXATION EXHIBIT OF 17th Street & W Ave D Tracts FOR City of Lovington

PROJECT NUMBER: 2014.1045

SHEET: 1 of 1 SU - 101

BOOK 1892 PAGE 968

PETITION FOR ANNEXATION

COMES NOW ARMAAN ENTERPRISES, LLC, and petitions the City Commission of the City of Lovington, New Mexico, for its consent by resolution for the annexation of that portion of property it owns lying outside the City limits and to those properties immediately adjacent to it to the City of Lovington more properly described by aforementioned attachments to this petition.

(SEE ATTACHMENTS)

And Petitioner states in support of such Petition, pursuant to Section 3-7-17.1 of the New Mexico State Statutes Annotated (1978) that:

1. The property petitioner wishes to be annexed and the real property is contiguous to the present municipal boundaries of the City of Lovington.
2. An Annexation Plat is attached hereto showing the boundaries of the real property proposed for annexation and the relationship of such property to the present boundaries of the City of Lovington.

Petitioner: Armaan Enterprises, LLC

By: KHALID FAROOQ

Its: Managing Partner

Date: Jan 21, 2014

Acknowledged: City of Lovington

Date: 1/21/14
By: Emilia Gutierrez

19566

STATE OF NEW MEXICO
COUNTY OF LEA
FILED

MAY 15 2014

at 4:07 o'clock P M
and recorded in Book 1892
Page 964
Pat Chappellen, Lea County Clerk
By C. Sandoval Deputy

