

**REGULAR MEETING OF THE PLANNING & ZONING COMMISSION  
WEDNESDAY, JUNE 12, 2013 @ 4:00 P.M.  
HELD IN CITY COMMISSION CHAMBERS, 214 SOUTH LOVE STREET**

**PURPOSE OF MEETING:**

- Consideration of Approval of Fern Subdivision Replat
- Consideration of Approval of Simpson Subdivision Final Plat – Lots 12, 13 & 14

**PRESENT:** Members: Betty Price, David Lynch, Randy Pettigrew, Vice Chairman Lynda Kreybig, Abel Cabello and Chairman Kallie Richards.

**NOT PRESENT:** Carol Ann Hogue

**ALSO PRESENT:** Code Enforcer Johnny Cash, City Attorney Patrick McMahon, Fire Chief Terrance Lizardo, City Manager James Williams, Assistant City Manager Jared Cobb, and Administrative Assistant Imelda Gutierrez.

**CALL TO ORDER:** The meeting was called to order by Chairman Richards at 4:00 p.m.

**APPROVAL OF REGULAR MINUTES:** Chairman Richards called for a motion to approve the regular minutes of May 20, 2013. Member Price so moved to approve the minutes of May 20, 2013. Vice Chairman Kreybig seconded. Motion was approved.

**OTHER BUSINESS:** Chairman Richards introduced the new Member Abel Cabello to the committee.

**CONSIDERATION OF APPROVAL OF FERN SUBDIVISION REPLAT:** Chairman Richards called for a motion to approve the Fern Subdivision replat. Tammy Kaber on behalf of John West Surveying and Virgil Petree addressed the members to request approval of the replat. Mr. Petree stated that the subdivision of the land is due to it being occupied by singlewides and it will be easier to sell by lots. Member Pettigrew so moved to approve due to there being infrastructure on the site. Member Lynch seconded. Motion was withdrawn by Member Pettigrew and Member Lynch. Member Pettigrew so moved to amend and approve the replat upon correction of lots 3A, 3B, & 3C. Member Lynch seconded. Motion was approved.

**CONSIDERATION OF APPROVAL OF SIMPSON SUBDIVISION FINAL PLAT – LOTS 12, 13 & 14:** Chairman Richards called for a motion to approve the final plat of the Simpson Subdivision. Robert Fierro on behalf of Fierro & Company addressed the members to request the approval of the plat. Vice Chairman Kreybig so moved to approve the summary review replat upon removal of CMC (Certified Municipal Court). Member Lynch seconded. Motion was approved.

**OTHER COMMENT:**

- Robert Fierro introduced his employee Bryan Chavez to the members.
- Member Pettigrew stated that a consistency standard format be setup on the plats.
- City Manager Williams stated that the two action items will be submitted to the City Commission for final approval on June 14, 2013.

**ADJOURNMENT:**

Member Pettigrew made the motion for adjournment at 4:20 p.m. Member Price seconded.

**APPROVED:** \_\_\_\_\_  
**CHAIRMAN RICHARDS**

**ATTEST:** \_\_\_\_\_  
**VICE CHAIRMAN KREYBIG**

**CITY OF LOVINGTON**  
STAFF SUMMARY FORM



MEETING DATE: August 14, 2013

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Discussion of West Harrison Street  
**DEPARTMENT:**  
**SUBMITTED BY:** Vicente R. Balderaz  
**DATE SUBMITTED:** August 8, 2013

**STAFF SUMMARY:**

Mr. Balderaz has requested the planning and zoning board to conduct an evaluation of Harrison Street, located off of 17th, for possible improvement.

**FISCAL IMPACT:**

**REVIEWED BY:** \_\_\_\_\_  
(Finance Director)

**ATTACHMENTS:**

Letter from Mr. Balderaz

**RECOMMENDATION:**

Information only.

\_\_\_\_\_  
Department Head

  
\_\_\_\_\_  
City Manager

**CITY OF LOVINGTON**  
STAFF SUMMARY FORM



MEETING DATE: August 14, 2013

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Planning and Zoning Application and Fees  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** Jared Cobb, Assistant City Manager  
**DATE SUBMITTED:** August 7, 2013

**STAFF SUMMARY:**

Staff would like the Planning and Zoning Commission to consider adopting a standard application for all planning and zoning requests. The goal is to offer the public general information about when a permit is required and a more user-friendly application process. Once the Commission adopts an application, staff will develop a checklist for each permit to ensure all requests are processed in an efficient, accurate and timely manner.

In addition, staff would like the Planning and Zoning Commission to consider adopting a schedule of fees for planning and zoning services. Currently, the City does not assess any fees. All applications require staff time to review and zoning requests also require publication, printing, and mailing expenses which can exceed \$200.00 per application.

**FISCAL IMPACT:**

REVIEWED BY: Mashell Stephens  
(Finance Director)

Permit revenues would help offset the cost of processing planning and zoning applications.

**ATTACHMENTS:**

Draft Planning and Zoning Application Packet  
Comparison of Planning and Zoning Fees

**RECOMMENDATION:**

Review the attachments and provide comments, where necessary.

\_\_\_\_\_  
Department Head

Jared Cobb  
City Manager

Comparison of Planning and Zoning Fees								
Application	Carlsbad	Clovis	Alamogordo	Los Lunas	Gallup	Ruidoso	Existing	Proposed
Variance	\$50.00	\$500.00	\$150.00	\$75.00	\$50.00	\$150.00-270.00	\$0.00	\$100.00
Special Use	\$50.00	\$150.00		\$125.00			\$0.00	\$100.00
Conditional Use	\$50.00	\$150.00		\$125.00	\$150.00	\$400.00	\$0.00	\$100.00
Preliminary Plat	\$100.00-300.00	\$150.00	\$150.00	1.5% + \$250.00	\$100.00 (1st acre)	\$225.00	\$25.00	\$100.00
Per Lot	\$2.00-3.00	\$0.00	\$2.50	\$10.00	\$25.00/acre	\$10.00-50.00	\$0.25 (per acre)	\$5.00
Preliminary Replat	\$100.00-300.00		\$250.00	\$0.00		\$225.00	\$25.00	\$100.00
Per Lot	\$2.00-3.00		\$5.00	\$0.00		\$10.00-50.00	\$0.25 (per acre)	\$5.00
Final Plat	\$0.00	\$75.00	\$250.00	1.5% infra. impr.	\$50.00	\$200.00	\$25.00	\$0.00
Per Lot	\$0.00	\$5.00	\$5.00	\$0.00	\$0.00	\$10.00-20.00	\$0.25 (per acre)	\$0.00
Final Replat	\$0.00	\$75.00	\$250.00	\$25.00		\$200.00	\$25.00	\$0.00
Per Lot	\$0.00	\$5.00	\$5.00	\$0.00		\$10.00-20.00	\$0.25 (per acre)	\$0.00
Alternate Summary	\$50.00		\$150.00	\$250.00	\$25.00	\$150.00	\$0.00	\$50.00
Per Lot	\$0.00		\$5.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Vacation	\$0.00	\$100.00-250.00	\$150.00	\$0.00	\$100.00	\$225.00	\$0.00	\$100.00
Zone Change	\$100.00	\$150.00	\$400.00-625.00	\$125.00	\$150.00 (1st acre)	\$300.00	\$0.00	\$100.00
Per Acre	\$0.00	\$0.00	\$5.00-15.00	\$0.00	\$25.00	\$25.00	\$0.00	\$25.00
Floodplain	\$0.00	\$0.00		\$0.00	\$0.00	\$200.00		\$0.00
Mobile/Manufactured Home	\$15.00	\$150.00		\$15.00	\$50.00	\$50.00	\$17.50 per year	\$50.00
Annexation	\$0.00		\$400.00	\$0.00	\$100.00 (1st acre)	\$400.00	\$0.00	\$50.00
Per Acre	\$0.00		\$0.00	\$0.00	\$25.00	\$15.00	\$0.00	\$0.00

The municipality does not issue this permit, or the information was not made available.



## Lovington Planning and Zoning Application

Thank you for your interest in the City of Lovington. In order to ensure a high quality of life, the community has established standards for the development of property. The following guide is intended to offer the public general information about city planning and zoning requirements before they invest in property or extensive development plans. It should not be construed as comprehensive, however, as additional regulations apply to subdivisions and each zone. Prospective applicants are encouraged to setup a pre-application meeting by contacting Code Enforcement at 575-396-2884.

### Zoning Ordinance

The first step in developing property is to identify the zoning, which determines the allowable use of the property. Lovington has four zones: single-family residential, multi-family residential, commercial, and industrial. The following is a list of allowable uses in each zone. For your reference, a zoning map is also attached as the last page of this packet.

<i>Single-Family Residential Zone A</i>	Single-family homes of at least 800 square feet; city-owned or operated parks and playgrounds; churches; public schools; golf courses; nurseries and truck gardening; home occupations; accessory buildings not involving the conduct of a business; temporary buildings; and certain types of signage.
<i>Multi-Family Residential Zone B</i>	Any use permitted in the single-family residential zone; two-family homes containing at least 600 square feet per family; multi-family homes containing at least 300 square feet per family; professional offices or studios; boardinghouses and lodgings; certain nonprofit organizations; hospitals and clinics; certain private clubs and lodges; and accessory buildings.
<i>Commercial Zone C</i>	Any use permitted in the single-family or multi-family residential zones; advertising signs and billboards; amusement places or theaters; trailer and tourist camps or courts.
<i>Industrial Zone D</i>	Any building or premises may be used for any purpose not in conflict with any ordinance of the city regulating nuisances.

With the exception of mobile home parks, it is important to note that manufactured and mobile homes are not permitted by right in any zone. To site one of these homes the owner must receive approval from the Planning and Zoning Commission and the City Commission. This may be accomplished by following the procedures herein and completing the attached Planning and Zoning Request Application.

If the current zoning does not allow for the intended use the landowner may request a variance, special use permit, conditional use permit, or zone change. Street or alley vacations and annexations are also permitted under the zoning ordinance.

*Variance* Minor deviations from the zoning ordinance may be resolved through the issuance of a variance. These exceptions are generally limited to building setbacks and lot size requirements.

*Special Use Permit* Some uses cannot be properly classified into a zone without consideration of the impact of the use upon adjacent properties and the public. Examples include commercial greenhouses, hospitals, and public buildings.

*Conditional Use Permit* There are also special uses which are only allowed if certain conditions are met. For example, a conditional use permit may be granted for a commercial greenhouse in a residential zone, provided the facility limits operating hours.

*Zone Change* The City Commission may change the zoning classification on parcels of land within the City. These changes in zoning are only granted to meet the current land use needs of the community.

*Vacation* City staff also reviews requests for the vacation of streets and alleys. Vacating a street or alley right-of-way eliminates the City's interest and returns ownership of the area to the abutting property owners.

*Annexation* Landowners may annex property into the City. This generally provides access to additional city services, such as street maintenance.

Application Process:

1. Complete the attached Planning and Zoning Request Application
2. Pay the associated processing fees as determined by the Schedule of Fees
3. Submit a legal description of the property
4. Submit proof of ownership of the property (a copy of the deed or other conveyance)
5. If the applicant is not the owner, submit an Affidavit by Property Owner(s)
6. Annexations require a petition signed by the owners of a majority of the number of acres in the contiguous territory
7. Submit a site plan showing the property, surrounding properties, setbacks, lot sizes, proposed buildings/structures, access, utilities, easements, and drainage
8. Submit a proposal letter that details the following:
  - a. Proposed use
  - b. Reason(s) why the request is being made

- c. Potential Impacts (positive and negative) that may result from proposed use, including those related to noise, odors, traffic, health, quality of life, and property values
  - d. For Proposed Commercial Uses and Home Occupation Requests the letter should specify the type of business (retail, manufacturing, etc.), days and hours of operation, proposed number of employees, and the anticipated traffic/clientele
9. Representation at two scheduled public hearings to present the request and answer questions, one before the Planning and Zoning Commission and a second with the City Commission

**Subdivision Regulations**

Property may be subdivided for development through the approval of a plat/replat or the alternate summary process. This process offers city staff an opportunity to review larger issues that may arise from development, such as stormwater drainage or the extension of utilities. The tract must be zoned for the intended use prior to the submission of a subdivision application.

*Plat/Replat* Landowners may subdivide property for the purpose of development. This process requires the property to be platted. The replatting process is used on subdivisions to change lot sizes, streets, or configurations.

*Alternate Summary* Subdivisions with not more than three lots, or replats where the total number of lots does not increase, may use this procedure. This administrative procedure eliminates several steps in replatting a tract.

*Variance* Minor deviations from the subdivision regulations may be resolved through the issuance of a variance.

*Mobile Home Park* Mobile home parks are permitted in the Commercial and Industrial zones; however, any tract proposed for a park must be subdivided in accordance with the multi-family residential zone. Additionally, each home will require a manufactured or mobile home placement permit.

*Recreational Vehicle Park* Recreational vehicle parks are permitted in the Commercial and Industrial zones; however, any tract proposed for a park must be subdivided in accordance with the multi-family residential zone.

Application Process:

1. Complete the attached Planning and Zoning Request Application
2. Pay the associated processing fees as determined by the Schedule of Fees
3. Submit a legal description of the property
4. Submit proof of ownership of the property (a copy of the deed or other conveyance)
5. If the applicant is not the owner, submit an Affidavit by Property Owner(s)

6. Submit a sketch plan. Staff will review the sketch plan and provide recommendations to ensure the preliminary plat conforms to the City's zoning and subdivision regulations.
7. Submit two copies of the preliminary plat and supplemental information in conformance with Chapter 16.03 of the Lovington Code of Ordinances and applicable New Mexico Surveying Law. This includes, but is not limited to the following:
  - General subdivision information to supplement the drawings
  - Location map, showing the relationship to existing community facilities
  - Topographic data showing all existing conditions
  - Plat drawing on a scale of one hundred feet to one inch or larger, which includes:
    - Streets, right-of-ways, and easements
    - Location of utilities
    - Lot lines, lot numbers, and block numbers
    - Sites to be reserved or dedicated for public space
    - Any sites designated for uses other than single-family housing
    - Minimum building setback lines
    - Site data, including number of residential lots, lot sizes, park acreage, etc.
    - Title, scale, north arrow and date
  - Names of record owners of adjoining platted and unplatted land
  - Existing and proposed covenants
8. Representation at two scheduled public hearings to present the preliminary plat and answer questions, one before the Planning and Zoning Commission and a second with the City Commission
9. Develop the property in accordance with the preliminary plat
10. Submit two copies of the final plat in conformance with Chapter 16.03 of the Lovington Municipal Code and applicable New Mexico Surveying Law. This includes, but is not limited to, all items listed in step #7 and the following:
  - a. Certification by surveyor or engineer
  - b. Certificates for approval by the Planning and Zoning Commission
  - c. Certificate concerning improvements
11. Representation at two scheduled public hearings to present the final plat and answer questions, one before the Planning and Zoning Commission and a second with the City Commission

Alternate summary applications only require the completion of steps 1-7 and a certification of approval on the plat. The city manager or his/her designee may approve the summary plat or, if difficulties or unusual circumstances exist, submit it using the standard platting procedures (steps 8-11).

### **Development Permits**

City zoning and subdivision approval is required prior to the submission of any development permits. Generally, permits are required to construct, alter, repair, remove, demolish, or move any building or structure within the City. These include the following:

*Building*                      State building permits are required for the construction, repair or

demolition of site-built or modular homes. These include permits for plumbing, electrical, and structural work. This application is processed through the State and is available from Code Enforcement.

*Mobile/Manufactured* The home must be located in an approved mobile home park, or zoning approval must be provided. The State also receives a copy of the permit and will follow-up with an inspection to ensure the home meets or exceeds applicable HUD regulations.

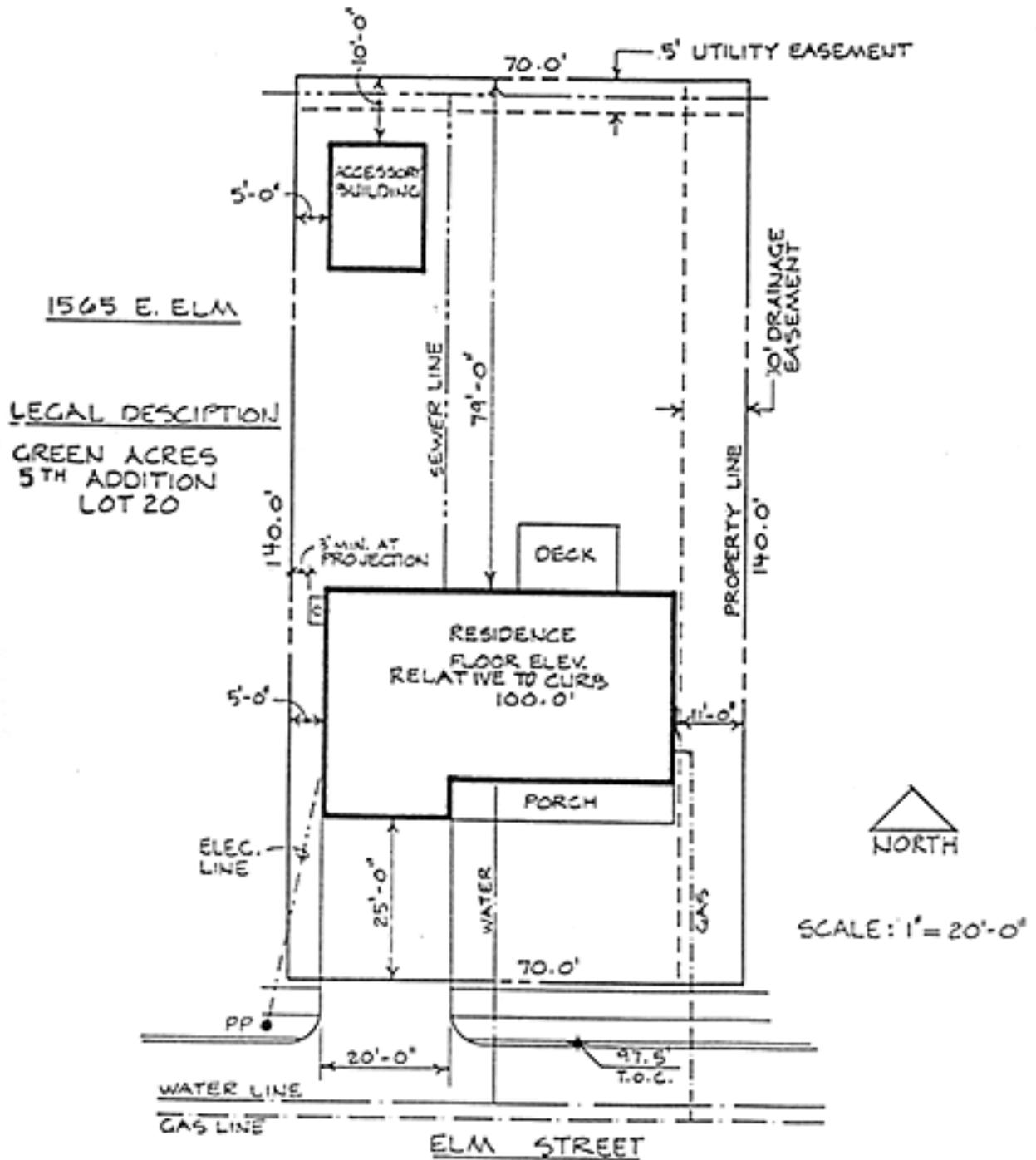
*Floodplain Development* All site plans submitted to the City are reviewed to determine if they are within the designated floodplain. Properties within the floodplain may be developed with proper mitigation, as determined by the floodplain administrator.

*Carport* Carports are permissible in any zoning district, provided they meet the standards as specified in Chapter 17.20 of the Lovington Municipal Code.

Application Process:

1. Complete the attached Planning and Zoning Request Application
2. Pay the associated processing fees as determined by the Schedule of Fees
3. A legal description of the property
4. Proof of ownership of the property (a copy of the deed or other conveyance)
5. If the applicant is not the owner, submit an Affidavit by Property Owner(s)
6. If applicable, submit manufactured/mobile information, including: make, year, size, setup (skirted, blocked, and anchored), and proof of ANSI insignia
7. Submit a site plan showing the property, surrounding properties, setbacks, lot sizes, proposed buildings/structures, access, utilities, easements, and drainage

### Site Plan Example



# CITY OF LOVINGTON PLANNING AND ZONING REQUEST APPLICATION

- Type(s):
- |                                      |  |  |
|--------------------------------------|--|--|
| <input type="checkbox"/> VARIANCE    | <input type="checkbox"/> SPECIAL USE         | <input type="checkbox"/> CONDITIONAL USE   |
| <input type="checkbox"/> ZONE CHANGE | <input type="checkbox"/> VACATION            | <input type="checkbox"/> ANNEXATION        |
| <input type="checkbox"/> CARPORT     | <input type="checkbox"/> RV PARK             | <input type="checkbox"/> MOBILE HOME PARK  |
| <input type="checkbox"/> PLAT        | <input type="checkbox"/> REPLAT              | <input type="checkbox"/> ALTERNATE SUMMARY |
| <input type="checkbox"/> BUILDING    | <input type="checkbox"/> MOBILE/MANUFACTURED | <input type="checkbox"/> FLOODPLAIN        |

Applicant Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Property Address (Site Location): \_\_\_\_\_  
Property Owner(s): \_\_\_\_\_

Brief Description of Request:

Subdivision: \_\_\_\_\_ Zone:  A  B  C  D  
Block: \_\_\_\_\_  
Lot: \_\_\_\_\_  
Owner Number: \_\_\_\_\_ Parcel Number: \_\_\_\_\_  
Book: \_\_\_\_\_ Page: \_\_\_\_\_

Present Use of Property:

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Date Received by Code Enforcement: \_\_\_\_\_  
Code Enforcement Officer Name: \_\_\_\_\_  
Code Enforcement Officer Signature: \_\_\_\_\_

**CITY OF LOVINGTON PLANNING AND ZONING REQUEST APPLICATION  
CODE ENFORCEMENT SUPPLEMENT**

Does request require adjacent property owner and public notification?       Yes       No

If yes, date notification to adjacent property owners sent notification: \_\_\_\_\_

Was notification sent by:       Certified Mail<sup>1</sup>       1<sup>st</sup> Class Mail<sup>2</sup>  
*Please attach list of property owners, address, and copy of letter, and copy of return receipt (if applicable) to this supplement.*

If public notification made, list date of newspaper publication<sup>3</sup>: \_\_\_\_\_

**Code Enforcement Recommendation:**

DRAFT

\_\_\_\_\_  
**Reviewing Officer Name**

\_\_\_\_\_  
**Reviewing Officer Signature**

\_\_\_\_\_  
**Date**

<sup>1</sup> If zoning change is for an area of one block or less, notice shall be mailed by certified mail to owners of property within 100 feet, excluding public right-of-way, of the area proposed to be changed. (NMSA 1978 3-21-6)

<sup>2</sup> If zoning change is for an area of more than one block (NMSA 1978 3-2-6) or a variance is requested, notice of public hearing shall be mailed by 1st Class mail to property owners within 100 feet, excluding public right-of-way, of the area proposed to be changed.

<sup>3</sup> Notice of the time and place of hearing shall be published at least 15 days prior to the date of the hearing.

**CITY OF LOVINGTON PLANNING AND ZONING REQUEST APPLICATION  
AFFIDAVIT BY PROPERTY OWNER(S)**

- Type(s):
- |                                      |  |  |
|--------------------------------------|--|--|
| <input type="checkbox"/> VARIANCE    | <input type="checkbox"/> SPECIAL USE         | <input type="checkbox"/> CONDITIONAL USE   |
| <input type="checkbox"/> ZONE CHANGE | <input type="checkbox"/> VACATION            | <input type="checkbox"/> ANNEXATION        |
| <input type="checkbox"/> CARPORT     | <input type="checkbox"/> RV PARK             | <input type="checkbox"/> MOBILE HOME PARK  |
| <input type="checkbox"/> PLAT        | <input type="checkbox"/> REPLAT              | <input type="checkbox"/> ALTERNATE SUMMARY |
| <input type="checkbox"/> BUILDING    | <input type="checkbox"/> MOBILE/MANUFACTURED | <input type="checkbox"/> FLOODPLAIN        |

I (WE) **HEREBY CERTIFY** that I am (we are) the owners of record of the property described as follows:

**Property Address:** \_\_\_\_\_

**Legal Description:** \_\_\_\_\_

I (WE) **HAVE AUTHORIZED** the following individual(s) to act as my (our) agent with regard to this application:

**Agent:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Address:** \_\_\_\_\_

I (WE) **UNDERSTAND, CONCUR AND AFFIRM** that this application may be approved, approved with conditions or denied, and that as the property owner it is my responsibility to ensure that any conditions are complied with and to ensure that the property is maintained in a condition so as not to jeopardize the health, safety, or welfare of others and that compliance with all applicable City ordinances is required; and

I (WE) **HEREBY EXECUTE THIS AFFIDAVIT** in support of the proposed application as presented:

**Owner 1:**

By: \_\_\_\_\_  
PRINTED NAME

By: \_\_\_\_\_  
SIGNATURE

Date: \_\_\_\_\_

Notary Seal

**Owner 2:**

By: \_\_\_\_\_  
PRINTED NAME

By: \_\_\_\_\_  
SIGNATURE

Date: \_\_\_\_\_

Notary Seal

**CITY OF LOVINGTON PLANNING AND ZONING REQUEST APPLICATION  
SCHEDULE OF FEES**

<b>Application</b>	<b>Fee</b>
Variance	\$100.00
Special Use	\$100.00
Conditional Use	\$100.00
Zone Change	\$100.00
Vacation	\$100.00
Annexation	\$50.00
Carport	\$50.00
RV Park	\$100.00 + \$5.00 per lot
Mobile Home Park	\$100.00 + \$5.00 per lot
Plat/Replat	\$100.00 + \$5.00 per lot
Alternate Summary	\$50.00
Building	Issued by the State
Mobile/Manufactured	\$50.00
Floodplain	No fee

**CITY OF LOVINGTON**  
STAFF SUMMARY FORM



MEETING DATE: August 14, 2013

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Discussion of 17.12.040 Annexation - Amendment  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** August 7, 2013

**STAFF SUMMARY:**

Staff have prepared an amendment to the zoning ordinance in regards to annexation. 17.12.040 currently reads "All territory which may hereafter be annexed to the city shall be subject to all of the regulations of the "A" Single-family dwelling district until otherwise changed by an amendment to this title."

Proposed revision is attached.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_  
(Finance Director)

**ATTACHMENTS:**

Proposed ordinance

**RECOMMENDATION:**

Discussion only.

\_\_\_\_\_  
Department Head

  
\_\_\_\_\_  
City Manager

**ORDINANCE NO. \_\_\_\_\_**

An ordinance of the City of Lovington, New Mexico, amending Title 17, Chapter 17.12.040 – Annexation, of the Lovington Municipal Code.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LOVINGTON THAT TITLE 17, CHAPTER 17.12.040 BE AND HEREBY IS AMENDED AS FOLLOWS:

**17.12.040 Annexation**

All territory proposed for annexation shall be studied by the Planning and Zoning Commission. If the Planning and Zoning Commission recommends approval of the annexation request, a second recommendation shall be prepared to assign the proposed territory a zoning district in conformance with the comprehensive plan. The City Commission shall consider both the annexation request and zoning recommendation concurrently at the next regularly scheduled meeting.

APPROVED, PASSED, AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

CITY OF LOVINGTON

\_\_\_\_\_  
DIXIE DRUMMOND, MAYOR

ATTEST:

\_\_\_\_\_  
CAROL ANN HOGUE, CITY CLERK

**CITY OF LOVINGTON**  
STAFF SUMMARY FORM



MEETING DATE: August 14, 2013

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Discussion of 17.32 - D Industrial District Amendment  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** August 7, 2013

**STAFF SUMMARY:**

The proposed ordinance will amend this Chapter of our zoning ordinance. Changes will include:

- Limits residential use and mobile trailers except in certain circumstances.
- Requiring review by the Fire Chief for recommendation for uses not typically allowed in the Industrial District.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_  
(Finance Director)

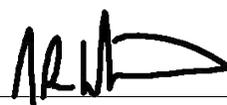
**ATTACHMENTS:**

Ordinance draft

**RECOMMENDATION:**

Discussion only.

\_\_\_\_\_  
Department Head

  
\_\_\_\_\_  
City Manager

**ORDINANCE NO. \_\_\_\_\_**

An ordinance of the City of Lovington, New Mexico, amending Title 17, Chapter 17.32 – D Industrial District, of the Lovington Municipal Code.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LOVINGTON THAT TITLE 17, CHAPTER 17.32 BE AND HEREBY IS AMENDED AS FOLLOWS:

**17.32.010 Regulations – In general**

In the Industrial district, there may be any use; except, that there may be no building for residential use and no mobile trailers; provided, however, that this shall not preclude housing for supervisory, maintenance, or custodial personnel where industrial processes require them to live on the premises.

**17.32.020 Prohibited Uses**

Any building or premises may be used for any purpose not in conflict with any ordinance of the City regulating nuisances; provided, however, that no building or occupancy permit shall be issued for any of the following uses until, and unless the location of such use has been reviewed and recommended by the Fire Chief. Upon positive recommendation of the following uses by the Fire Chief, the City Commission may grant approval.

1. Acid manufacture;
2. Cement, lime, gypsum, or plaster of paris manufacture;
3. Distillation of bones;
4. Explosives manufacture or storage;
5. Fat rendering;
6. Fertilizer manufacture;
7. Gas manufacture;
8. Garbage, offal, or dead animals, reduction, or dumping;
9. Glue manufacture;
10. Milling plants;
11. Cotton gins;
12. Smelting of tin, copper, zinc, or iron ores;
13. Stockyards or slaughter of animals;
14. Any other uses which might be objectionable to, or adversely affect nearby residential districts because of odor, dust, smoke, gas, or noise.

APPROVED, PASSED, AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

CITY OF LOVINGTON

---

DIXIE DRUMMOND, MAYOR

ATTEST:

---

CAROL ANN HOGUE, CITY CLERK

**CITY OF LOVINGTON**  
STAFF SUMMARY FORM



MEETING DATE: August 14, 2013

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Discussion of Off Street Parking  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** August 7, 2013

**STAFF SUMMARY:**

Staff have prepared the attached draft ordinance that will address off street parking. This will address the issue of semi's, and other vehicles parking within residential zones. Furthermore, this ordinance will describe acceptable off street parking surfaces and recreational vehicles.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_  
(Finance Director)

**ATTACHMENTS:**

Draft ordinance

**RECOMMENDATION:**

Discussion and review only at this time.

\_\_\_\_\_  
Department Head

  
\_\_\_\_\_  
City Manager

**ORDINANCE NO. \_\_\_\_\_**

An ordinance of the City of Lovington, New Mexico, amending Title 17, Chapter 17.16 – General Use Regulation, of the Lovington Municipal Code.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LOVINGTON THAT TITLE 17, CHAPTER 17.16 BE AND HEREBY IS AMENDED AS FOLLOWS:

**17.16.080 Off Street Parking**

- A. No truck tractor, semitrailer, the truck tractor individually, or the semitrailer individual is permitted to park anywhere within any residential zone of the City.
- B. No commercial vehicles are to be parked and/or stored in the front yard, side yard, or rear yard setbacks within any residential zone of the City. Commercial vehicles are defined as vehicles with more than two axles, a vehicle used to transport hazardous materials requiring Department of Transportation placarding, construction vehicles designed for off road usage, and vehicles requiring the driver to have either a Class A or Class B drivers license or the equivalent. A non-commercial vehicle is defined as one that has a gross weight rating of not more than ten thousand (10,000) pounds and can be legally parked in a standard eight and a half (8.5) foot by twenty (20) foot parking space.
- C. Parking generated by residential occupation shall not be permitted in the front, side, or rear yard setbacks except that the existing driveway, improved driveway, or parking pad may be used.
- D. No more than forty (40) percent of the front, side, or rear yard setback can be dedicated to off-street parking.
- E. All open off-street parking surfacing and access drives shall be designed and constructed utilizing impervious surface coverage. Impervious coverage is a surface in the landscape that cannot absorb rainfall. Acceptable types of coverage include:
  - a. Four (4) inches of base coarse covered with a two (2) inch layer of asphalt; or
  - b. Minimum depth of six (6) inches of concrete; or
  - c. Compacted gravel; or
  - d. Cinder; or

e. Crushed stone

Parking surfaces constructed of compacted gravel, cinder, or crushed stone must have a delineated edge.

Grass and bare earth parking areas are prohibited.

- F. An existing parking area which does not conform with surfacing requirements shall not be required to be paved unless its area is increased by more than fifty (50) percent, or fifty (50) percent or more of the surface is required to be replaced or repaired.
- G. No recreational vehicle shall be parked within the front or side yard setbacks of any property in any residential zone for more than a seventy-two (72) hour period. A recreational vehicle means each of the following:
- a. Bus;
  - b. Camp trailer;
  - c. Camper;
  - d. Fifth-wheel travel trailer;
  - e. Trailer;
  - f. Motor-coach
  - g. Motor home
  - h. Boat;
  - i. Jet ski or other watercraft
- H. The follow exceptions and restrictions apply to off-street parking of recreational vehicles:
- a. A single recreational vehicle may be parked adjacent to the driveway on a permitted paved area or pad provided that the recreational vehicle is parked a minimum of five (5) feet behind the back of the sidewalk, or eight and one-half (8 ½) feet behind the property line in cases where there is no sidewalk.
  - b. In addition to parking on parking pads, a single recreational vehicle may be parked on the driveway of a two-car garage of a residence, provided that the vehicle meets the setback requirements prescribed above for parking pad use.
  - c. Recreational vehicles may be parked within a street-side side yard setback provided such vehicles are behind a six (6) feet tall solid fence.
  - d. Recreational vehicles may be parked on an approved off-street parking surface or parking pad within the side and rear yard setbacks.

- I. No recreational vehicle may be occupied for living, sleeping, or any other purposes while parked per the limitations listed above other than a visitor's recreational vehicle, which may be used for the guest's accommodations for not more than seven (7) days.

APPROVED, PASSED, AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

CITY OF LOVINGTON

\_\_\_\_\_  
DIXIE DRUMMOND, MAYOR

ATTEST:

\_\_\_\_\_  
CAROL ANN HOGUE, CITY CLERK

**CITY OF LOVINGTON**  
STAFF SUMMARY FORM



MEETING DATE: August 14, 2013

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Consider Approval of Setback Variance - Commercial Street  
**DEPARTMENT:**  
**SUBMITTED BY:** Jaime Perales Mungaray  
**DATE SUBMITTED:** August 8, 2013

**STAFF SUMMARY:**

Property owners have requested a variance in the College Addition, Block A, Lot 12, Block 15 - 405 N. Commercial in regards to setbacks. They are requesting on the streetside (Jefferson) to allow a setback of 7', and the side yard abutting another property to be 5'.

**FISCAL IMPACT:**

**REVIEWED BY:** \_\_\_\_\_  
(Finance Director)

**ATTACHMENTS:**

Maps and legal information

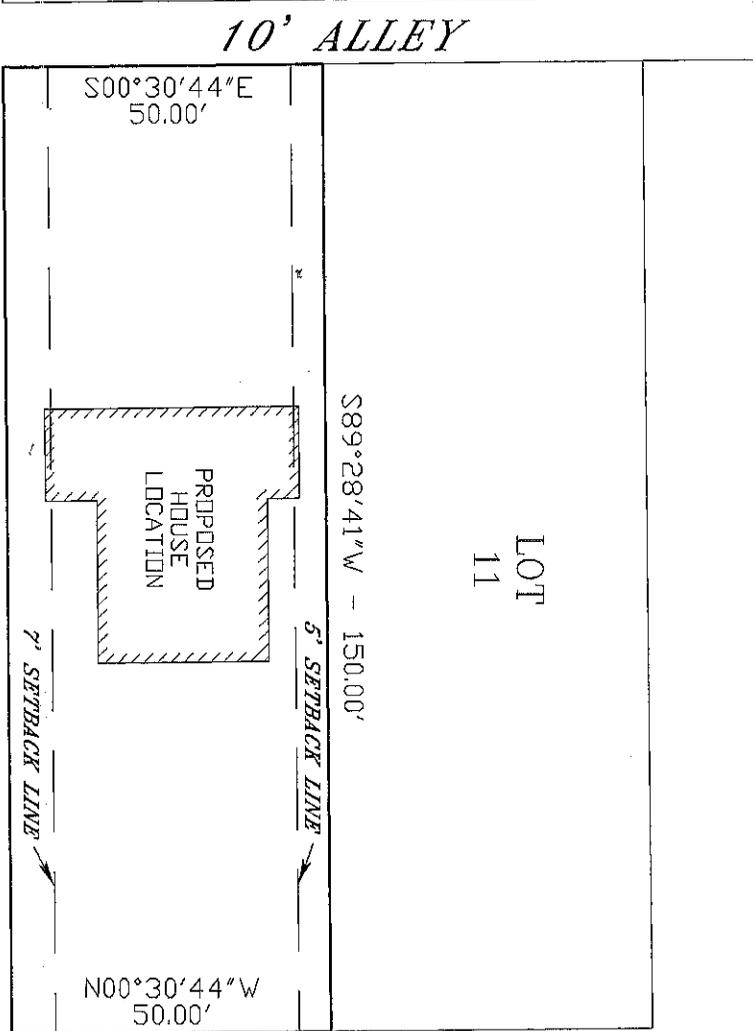
**RECOMMENDATION:**

Staff will provide recommendations at meeting.

\_\_\_\_\_  
Department Head

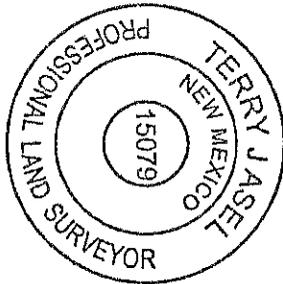
  
\_\_\_\_\_  
City Manager

SURVEY OF LOT 12 OF BLOCK 15 OF THE ASSESSORS  
 PLAT OF COLLEGE ADDITION TO THE CITY OF LOVINGTON,  
 LEA COUNTY, NEW MEXICO



JEFFERSON AVE. (80')

LEGAL DESCRIPTION  
 LOT 12 OF BLOCK 15 OF THE ASSESSORS PLAT OF COLLEGE ADDITION TO THE CITY OF LOVINGTON, LEA COUNTY,  
 NEW MEXICO.

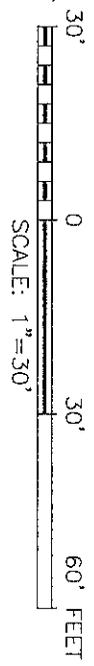
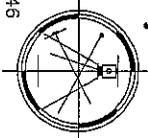


SURVEYORS CERTIFICATE

I, TERRY J. ASEEL, NEW MEXICO PROFESSIONAL SURVEYOR NO. 15079, DO HEREBY CERTIFY THAT I CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND MEETS THE "MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO" AS ADOPTED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS.

*Terry J. Aseel*  
 Terry J. Aseel, N.M. R.P.L.S. No. 15079

Aseel Surveying  
 P.O. BOX 393 - 310 W. TAYLOR  
 HOBBS, NEW MEXICO - 575-393-9146



MAYRA PERALES

SURVEY OF LOT 12 OF BLOCK 15 OF  
 THE ASSESSORS PLAT OF COLLEGE  
 ADDITION TO THE CITY OF LOVINGTON,  
 LEA COUNTY, NEW MEXICO

Survey Date: 04/10/13	Sheet 1 of 1	Sheets
W.O. Number: 130605PS	Drawn By: KA	
Date: 06/05/13	130605PS.DWG	Scale: 1" = 30'



# Lea County

## GIS INTERNET REPORT

Page 1 of 2



### Assessment Information

OWNER NUMBER: 21808      UPC CODE: 4000218089001  
 PARCEL NUMBER: 4000218080001

Owner Information	
Owner:	MUNGARAY, JAIME PERALES
Mailing Address:	405 N COMMERCIAL ST LOVINGTON NM 88260
Property Address:	COMMERCIAL ST 405

Subdivision Information	
Name:	COLLEGE ADD ()
Unit:	
Block	A
Lot:	

**Legal Information**

DESC AS BEG AT SE COR BLK A, TH N 50', W 150', S 50', E 150' TO BEG AKA LOT 12 BLK 15 APO COLLEGE ADD 9/7/06-ESTATE OF AURORA (LAREZ) OROZCO 9/13/06-TORRES, SARA LEE MH LOC HERE #88086

Other Information			
Taxable Value:	1118	Deed Book:	1472
Exempt Value:	0	Deed Page:	748
Net Value	1118	District:	011
Livestock Value:	0	Section:	
Manufactured Home Value:	0	Township:	
Personal Property:	0	Range:	
Land Value:	1500	Date Filed:	20061003
Improvement Value:	1854	Most Current Tax:	\$30.89
Full Value:	3354	Year Recorded:	



**CITY OF LOVINGTON**  
STAFF SUMMARY FORM



MEETING DATE: August 14, 2013

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Consider Approval of College Addition Final Plat  
**DEPARTMENT:**  
**SUBMITTED BY:** Jesus Marquez  
**DATE SUBMITTED:** August 7, 2013

**STAFF SUMMARY:**

Mr. Marquez is requesting approval of the final plat for Block 12, Lots 5A and 5B of the College Addition.

**FISCAL IMPACT:**

**REVIEWED BY:** \_\_\_\_\_  
(Finance Director)

**ATTACHMENTS:**

Final Plat  
Legal Information

**RECOMMENDATION:**

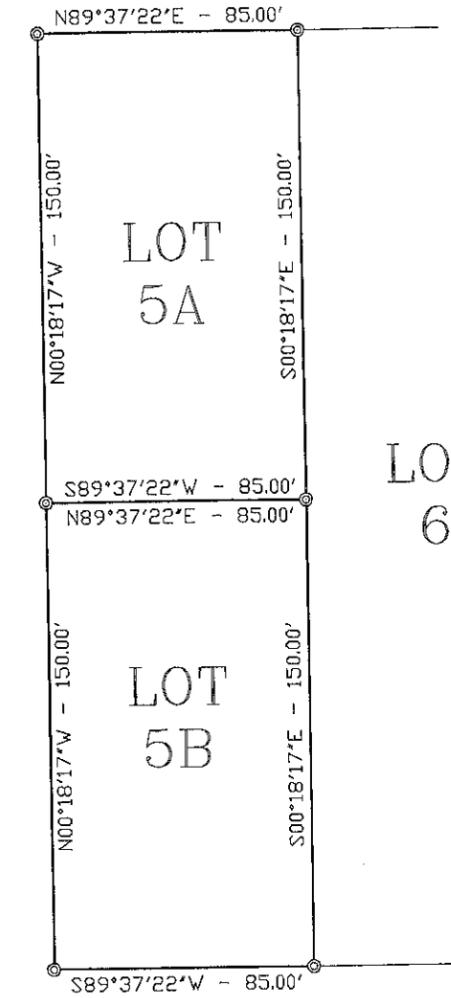
Motion to approve.

\_\_\_\_\_  
Department Head

  
\_\_\_\_\_  
City Manager

REPLAT OF WEST 85' OF W/2 OF BLOCK 12 (AKA LOT 5, BLOCK 11)  
 OF THE ASSESSORS PLAT OF THE COLLEGE ADDITION TO  
 THE CITY OF LOVINGTON, LEA COUNTY, NEW MEXICO

HARRISON AVENUE (40')

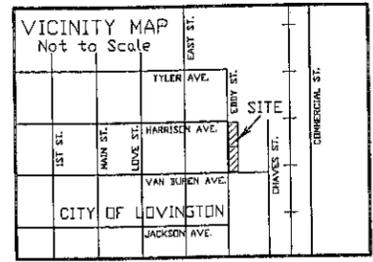


EDDY STREET (80')

LOT 6

VAN BUREN AVENUE (80')

BLOCK 7



**CERTIFICATE OF MUNICIPAL APPROVAL:**

I, JAMES WILLIAMS, CITY MANAGER FOR THE CITY OF LOVINGTON, LEA COUNTY, NEW MEXICO, DO HEREBY CERTIFY THAT THE FOREGOING PLAT IN THE CITY OF LOVINGTON, LEA COUNTY, NEW MEXICO WAS REVIEWED AND DEEMED COMPLIANT WITH THE MUNICIPAL REGULATIONS ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
 JAMES WILLIAMS, CITY MANAGER

**ACKNOWLEDGEMENT:**

STATE OF NEW MEXICO )  
 COUNTY OF LEA )SS

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013, BEFORE ME PERSONALLY APPEARED \_\_\_\_\_ KNOWN TO ME TO BE THE PERSON(S) 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

**NOTES:**

THESE TRACTS ARE BEING DIVIDED FROM A TRACT OF LAND CONVEYED TO JESUS MARQUEZ AND SANTOS SOTO AS DESCRIBED IN DEED BOOK 1831, PAGE 838 OF THE LEA COUNTY RECORDS.

BEARINGS SHOWN HEREON ARE FROM GPS MEASUREMENTS AND CONFORM TO THE NEW MEXICO COORDINATE SYSTEM "NEW MEXICO EAST ZONE" NORTH AMERICAN DATUM OF 1983. DISTANCES ARE U.S. FEET SURFACE VALUES.

**LEGAL DESCRIPTION**

**LOT 5A:**  
 BEGINNING AT A 1/2" REBAR W/PVC CAP MARKED "NM 15079 TX 5204" SET AS THE NORTHWEST CORNER OF THIS LOT AND BEING THE NORTHWEST CORNER OF BLOCK 11 OF THE ASSESSORS PLAT OF COLLEGE ADDITION; THENCE N89°37'22"E - 85.00 FEET TO A 1/2" REBAR W/PVC CAP MARKED "NM 15079 TX 5204" SET AS THE NORTHEAST CORNER OF THIS LOT; THENCE S00°18'17"E - 150.00 FEET TO A 1/2" REBAR W/PVC CAP MARKED "NM 15079 TX 5204" SET AS THE SOUTHWEST CORNER OF THIS LOT; THENCE S89°37'22"W - 85.00 FEET TO A 1/2" REBAR W/PVC CAP MARKED "NM 15079 TX 5204" SET AS THE SOUTHWEST CORNER OF THIS LOT; THENCE N00°18'17"W - 150.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.29 ACRES OF LAND MORE OR LESS.

**LOT 5B:**  
 BEGINNING AT A 1/2" REBAR W/PVC CAP MARKED "NM 15079 TX 5204" SET AS THE NORTHWEST CORNER OF THIS LOT WHICH LIES S00°18'17"E - 150.00 FEET FROM THE NORTHWEST CORNER OF BLOCK 11 OF THE ASSESSORS PLAT OF COLLEGE ADDITION; THENCE N89°37'22"E - 85.00 FEET TO A 1/2" REBAR W/PVC CAP MARKED "NM 15079 TX 5204" SET AS THE NORTHEAST CORNER OF THIS LOT; THENCE S00°18'17"E - 150.00 FEET TO A 1/2" REBAR W/PVC CAP MARKED "NM 15079 TX 5204" SET AS THE SOUTHWEST CORNER OF THIS LOT; THENCE S89°37'22"W - 85.00 FEET TO A 1/2" REBAR W/PVC CAP MARKED "NM 15079 TX 5204" SET AS THE SOUTHWEST CORNER OF THIS LOT; THENCE N00°18'17"W - 150.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.29 ACRES OF LAND MORE OR LESS.

**DEDICATION:**

SAID TRACTS ARE BEING SUBDIVIDED AND REPLATTED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) THEREOF, AND IS SURVEYED AND SUBDIVIDED AS THEY APPEAR ON THE PLAT AFFIXED HERON. ALL AREAS OF LAND SHOWN FOR PUBLIC USE, INCLUDING STREETS AND ALLEYS, ARE HEREBY DEDICATED TO THE PUBLIC USE.

\_\_\_\_\_  
 JESUS MARQUEZ

\_\_\_\_\_  
 SANTOS SOTO

**ACKNOWLEDGEMENT:**

STATE OF NEW MEXICO )  
 COUNTY OF LEA )SS

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013, BEFORE ME PERSONALLY APPEARED \_\_\_\_\_ KNOWN TO ME TO BE THE PERSON(S) 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: \_\_\_\_\_

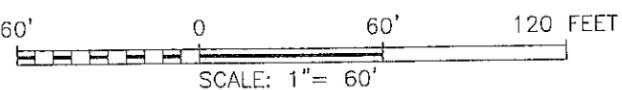
\_\_\_\_\_  
 NOTARY PUBLIC



**SURVEYORS CERTIFICATE**  
 I, TERRY J. ASEL, NEW MEXICO PROFESSIONAL SURVEYOR NO. 15079, DO HEREBY CERTIFY THAT I CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND MEETS THE "MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO" AS ADOPTED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS.

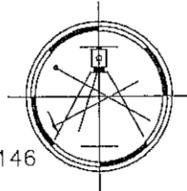
IN WITNESS WHEREOF I HERETOFORE SET MY HAND AND AFFIX MY OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.  
 \_\_\_\_\_  
 Terry J. Asel, N.M.P.L.S. No. 15079

- LEGEND**
- ⊙ - DENOTES: FOUND MONUMENT AS NOTED
  - ⊙ - DENOTES: SET 1/2" REBAR W/PVC CAP MARKED "NM 15079 TX 5204"
  - - DENOTES: SET 1/2" REBAR W/PVC CAP MARKED "NM 15079 TX 5204" ON PREVIOUS SURVEY



Asel Surveying

P.O. BOX 393 - 310 W. TAYLOR  
 HOBBS, NEW MEXICO - 575-393-9146



KALLIE WINDSOR	Work Order #130515PS-a
Date Surveyed: 05/15/2013	Surveyed by: Terry Asel
DWG #130515PS-a.dwg	Drafted By: KA
Scale: 1" = 60'	Sheet 1 of 1

STATE OF NEW MEXICO  
 COUNTY OF LEA  
 FILED

\_\_\_\_\_, 2013,  
 AT \_\_\_\_\_, O'clock \_\_\_\_\_ M  
 and Recorded in Book \_\_\_\_\_  
 Page \_\_\_\_\_  
 Pat Chappelle, Lea County Clerk  
 By \_\_\_\_\_ Deputy

**CITY OF LOVINGTON**  
STAFF SUMMARY FORM



MEETING DATE: August 14, 2013

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Consider Approval of Simpson Final Plat  
**DEPARTMENT:**  
**SUBMITTED BY:** Mary Ann Marquez  
**DATE SUBMITTED:** August 8, 2013

**STAFF SUMMARY:**

Ms. Marquez is requesting approval of the final plat of Lots 12, 13, and 14, Block 1, Simpson Subdivision.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_  
(Finance Director)

**ATTACHMENTS:**

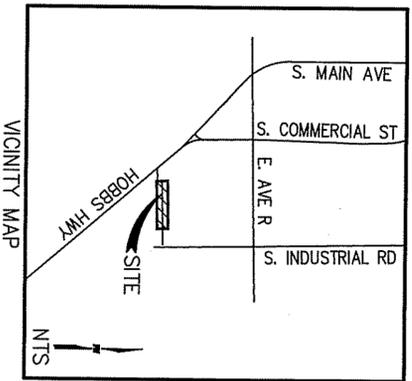
Summary Review

**RECOMMENDATION:**

\_\_\_\_\_  
Department Head

\_\_\_\_\_  
City Manager

**SUMMARY REVIEW**  
 REPEAT OF LOTS 12, 13 AND 14, BLOCK 1 SIMPSON SUBDIVISION,  
 CITY OF LOVINGTON, LEA COUNTY, NEW MEXICO



**LEGAL DESCRIPTION**

**LOT 12-A OF SIMPSON SUBDIVISION:**  
 IS FORMERLY LOT 12 AND THE EAST HALF OF LOT 13 CONTAINING (7501 SQ FT) 0.1722 ACRE MORE OR LESS.

**LOT 14-A OF SIMPSON SUBDIVISION:**  
 IS FORMERLY LOT 14 AND THE WEST HALF OF LOT 13 CONTAINING (7501 SQ FT) 0.1722 ACRE MORE OR LESS.

**NOTE:**  
 AREA NORTH OF BLOCK 1 IS A 20' WIDE STRIP OF LAND THAT FUNCTIONS AS ACCESS AND UTILITY EASEMENT. NO FORMAL EASEMENT OR DEDICATION FOUND.

**OWNERS STATEMENT:**

LOTS 12, 13 AND 14 OF SIMPSON SUBDIVISION ARE BEING SUBDIVIDED AND REPLATTED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) THEREOF, AND IS SURVEYED AND SUBDIVIDED AS THEY APPEAR ON THE PLAT AFFIXED HEREIN.

*Mary Ann Hogue*  
 MARY ANN S. HOGUE, LAND OWNER

**ACKNOWLEDGEMENT:**  
 STATE OF NEW MEXICO )  
 ) SS.  
 COUNTY OF LEA )

ON THIS 8<sup>th</sup> DAY OF July, 2013, BEFORE ME PERSONALLY APPEARED Mary Ann S. Hogue KNOWN TO ME TO BE THE PERSON(S) 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: Aug 21, 2014

*Stina Blavacke*  
 NOTARY PUBLIC

**SURVEYOR'S CERTIFICATION**  
 I, LYNN D. LANITZ, NEW MEXICO PROFESSIONAL SURVEYOR NO. 10856, DO HEREBY CERTIFY THAT THIS PLAT OF SURVEY WAS PREPARED FROM FIELD NOTES OF AN ACTUAL GROUND SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION; THAT IT ACCURATELY MEETS THE STANDARDS FOR LAND SURVEYS IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS.

*Lynn D. Lanitz*  
 LYNN D. LANITZ, N.M.P.S. No. 10856 Date July 26, 2013

STATE OF NEW MEXICO  
 COUNTY OF LEA  
 FILED

AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M AND RECORDED IN  
 BOOK \_\_\_\_\_  
 PAGE \_\_\_\_\_  
 PAT CHAPPELLE, LEA COUNTY CLERK  
 BY \_\_\_\_\_ DEPUTY

**CERTIFICATE OF MUNICIPAL SUMMARY PROCESS APPROVAL:**  
 I, JAMES WILLIAMS, CITY MANAGER FOR THE CITY OF LOVINGTON, NEW MEXICO, DO HEREBY CERTIFY THAT THE FOREGOING PLAT IN THE CITY OF LOVINGTON, LEA COUNTY, NEW MEXICO WAS REVIEWED AND DEEMED COMPLIANT WITH THE NEW MEXICO SUMMARY PROCESS REGULATIONS ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

JAMES WILLIAMS, CITY MANAGER

CAROL ANN HOGUE, CITY CLERK

**ACKNOWLEDGEMENT:**

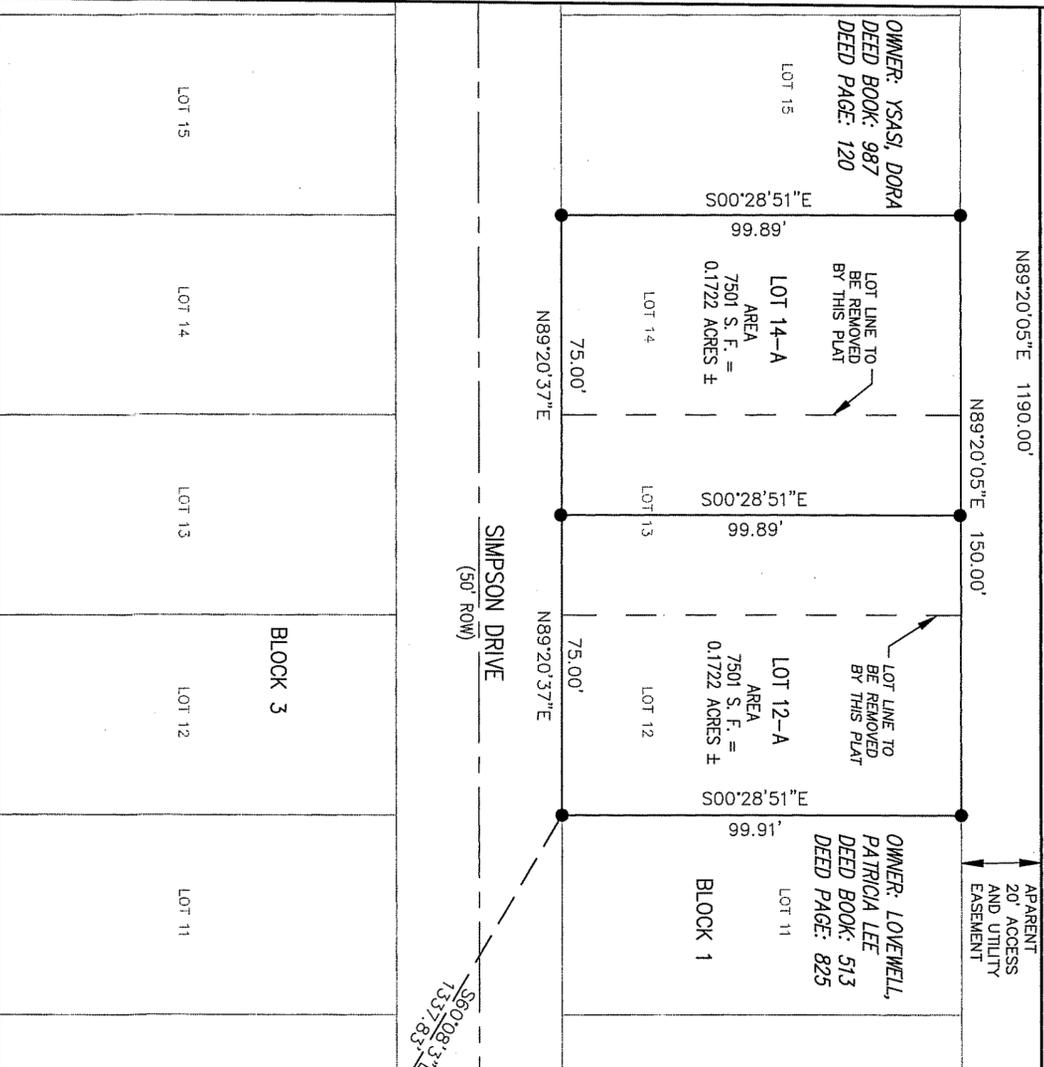
STATE OF NEW MEXICO )  
 ) SS.  
 COUNTY OF LEA )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013, BEFORE ME PERSONALLY APPEARED JAMES WILLIAMS AND CAROL ANN HOGUE KNOWN TO ME TO BE THE PERSON(S) 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, MONTH AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES: \_\_\_\_\_

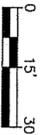
NOTARY PUBLIC



(S89°49'W 1361.4' REC'D)  
 S89°21'09\"W 1361.40'

**LEGEND**

● = SET 5/8\" REBAR W/BLUE PERMA CAP MARKED \"PS 10856\"



**Fierro & Company**  
 1601 S. MAIN AVE.  
 P.O. BOX 936  
 LOVINGTON, NEW MEXICO 88260  
 PH (575) 396-3377  
 www.fierrocompany.com

CLIENT:	MARY ANN S. MARQUEZ
PROJECT NO:	1320000400
FIELD WORK BY:	LDL AND RJF
DRAWN BY:	OR
CHECKED BY:	LDL
SCALE:	1:30
DATE:	6/19/13
SHEET:	1 OF 1

**CITY OF LOVINGTON**  
STAFF SUMMARY FORM



MEETING DATE: August 14, 2013

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Consider Approval of Septic Tank and Water Well  
**DEPARTMENT:**  
**SUBMITTED BY:** Joel and Sarahy Anaya  
**DATE SUBMITTED:** August 7, 2013

**STAFF SUMMARY:**

The Anaya's are requesting approval to install a septic tank and water well at the property at 901 E. Gum.

**FISCAL IMPACT:**

**REVIEWED BY:** \_\_\_\_\_  
(Finance Director)

**ATTACHMENTS:**

Map of area  
Legal documents

**RECOMMENDATION:**

Staff will discuss recommendations at meeting.

\_\_\_\_\_  
Department Head

\_\_\_\_\_  
City Manager



# Lea County

## GIS INTERNET REPORT



Page 1 of 1

### Assessment Information

**OWNER NUMBER:** 21201

**UPC CODE:** 4000212010001

**PARCEL NUMBER:** 4000212010001

Owner Information	
<b>Owner:</b>	TRUJILLO, RICHARD A
<b>Mailing Address:</b>	814 TATUM HIGHWAY LOVINGTON NM 88260
<b>Property Address:</b>	TATUM HIGHWAY 814

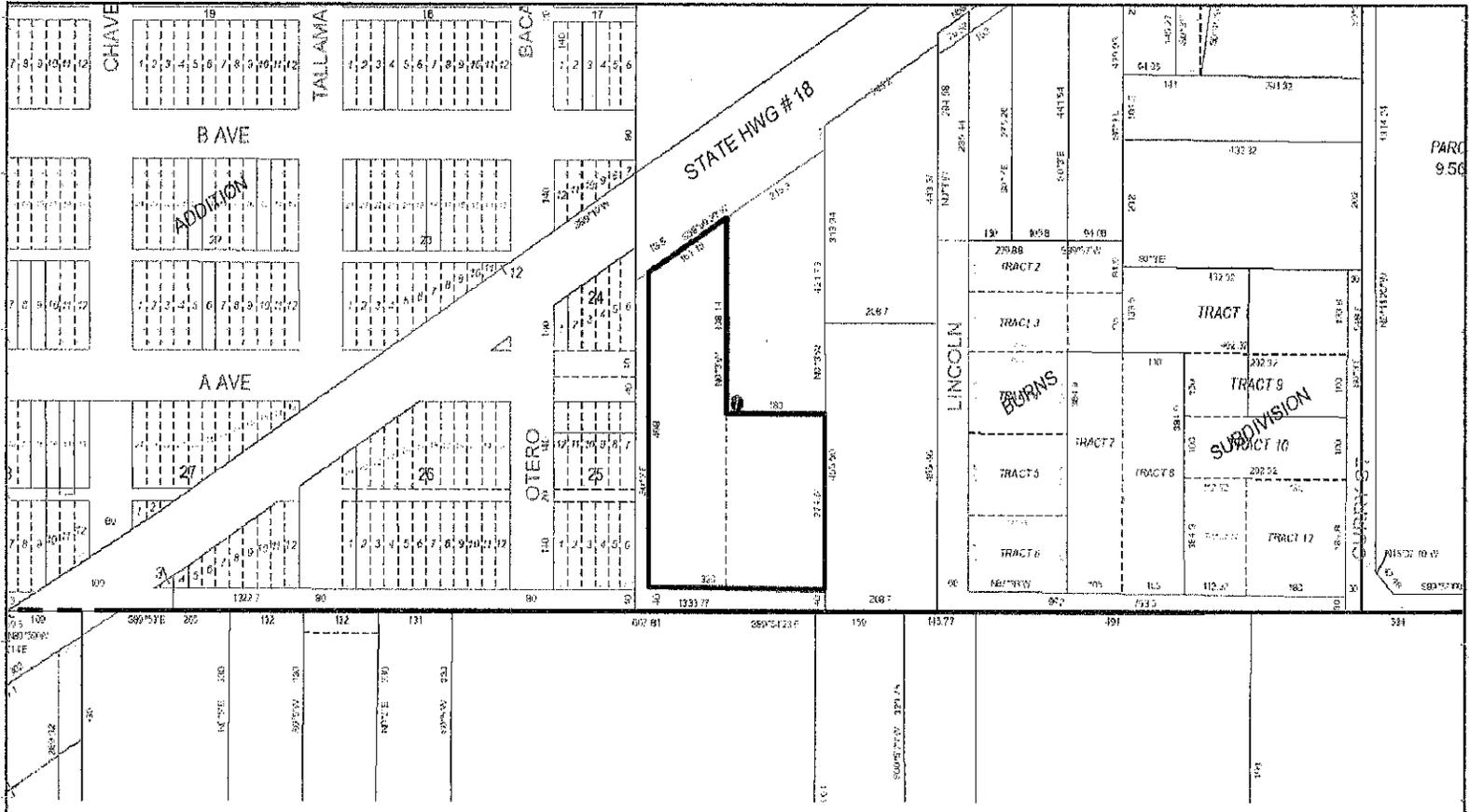
Subdivision Information	
<b>Name:</b>	
<b>Unit:</b>	
<b>Block:</b>	
<b>Lot:</b>	

Legal Information
2.85 AC LOC SE4SE4 TR BEG N87D38'30"W 971.91' & N0D03'W 40' FROM SE COR SEC 31, TH N0D3'W 274.55', W 183', N0D3'W 308.14', S58D9'30"W 161.15', S0D03'E 498', E 320' TO BEG *1980-GRP REDESCRIBED* *1989-RICHARDSON, WILSIE SUE* *1990-VALLEY FEDERAL SAVINGS BANK* *1992-VANCE, JERALD W* *5/97-BURSON, ROBERT*

Owner Information			
<b>Taxable Value:</b>	9039	<b>Deed Book:</b>	795
<b>Exempt Value:</b>	0	<b>Deed Page:</b>	345
<b>Net Value</b>	9039	<b>District:</b>	011
<b>Livestock Value:</b>	0	<b>Section:</b>	31
<b>Manufactured Home Value:</b>	0	<b>Township:</b>	15
<b>Personal Property:</b>	0	<b>Range:</b>	36
<b>Land Value:</b>	5958	<b>Date Filed:</b>	19970502
<b>Improvement Value:</b>	21159	<b>Most Current Tax:</b>	\$287.91
<b>Full Value:</b>	27117	<b>Year Recorded:</b>	

**Lea County, New Mexico Disclaimer**

Information deemed reliable but not guaranteed. Copyright ©2012.  
 MAP TO BE USED FOR TAX PURPOSES ONLY. NOT TO BE USED FOR CONVEYANCE.



# Lea County New Mexico

Printed Thu Aug 8 2013

Maps are for Tax Purposes Only, Not to be Used for Conveyance.

Powered by EMapsPlus.com



REAL ESTATE PURCHASE CONTRACT AND RECEIPT FOR DEPOSIT

This is more than a receipt for money, it's intended to be a legally binding contract.

City: Lovington State: New Mexico  
This date: July 7th, 2013

Payable to Ric and Judy Trujillo, as Seller and Joel and Sarahy Anaya, as Purchaser for the sum of thirty-two thousand five hundred dollars, \$ 32,500 dollars, total purchase price of said property situated in Lovington, New Mexico, of Lea County located at 901 east Gum, zone as Residencial.. Terms of Purchase agreement; Seller agrees to sell and convey unto said Purchaser Above real estate situate, a Down payment and a monthly fee of \$500.00,dollars, That will begin August third 2013, shall be collected from Purchaser, price agreed set forth by both parties.

Seller also states Purchaser has a time limit of five years in which to drill a Water well on said property, at such time seller provides water and purchaser Provides all maintenance and costs of existing well. Purchaser ,when purchaser Completes the drilling of the water well, seller will provide survey after contract Has been satisfied. If this contract is placed by seller in the hands of an attorney For default by purchaser for the purpose of mailing of written demand pursuant For the provision of termination hereof, purchaser shall pay all sums required Hereunder, the costs to cover all expenses, and fees involved in such action set forth. Also, purchaser shall Maintain said property, and, agrees to cover all costs for utilities. Seller is not responsible for any damages on said property, all other Developments incur by purchaser. Any damages of personal property to either Party, guilty party is responsible for costs that may incur.

WITNESS our hands and seals this 7<sup>th</sup> day of July 2013.

Purchaser and Seller acknowledge receipt of this page.

X JOEL ANAYA  
Purchaser

X Ric Trujillo  
Seller

X Sarahy Anaya  
Purchaser

X Judy Trujillo  
Seller

STATE OF NEW MEXICO  
COUNTY OF LEA

July, 2013. The foregoing instrument was acknowledge before me this 7<sup>th</sup> day of  
NOTARY PUBLIC Rachel Castillo



RECEITE FOR MONEY

JARAH ANAYA

DATE 6-12-13 + 6-24-13

NAME Joel Anaya

ADDRESS 510 N. 3RD ST.

CITY&STATE Houingtown N.M.

PHONE OR CELL 575-704-2544

DESCRIPTION OR OTHER PURPOSE

~~\$3000<sup>00</sup> / down on sale of 1 acre land  
South Gum at 831 E. Gum which \$2000<sup>00</sup>  
more will be paid within 6 wks from today  
OR \$500<sup>00</sup> in 30 days and \$1500<sup>00</sup> / 30 days  
later and \$500<sup>00</sup> monthly there after -  
water materials no more than \$100<sup>00</sup>~~

~~\$2000<sup>00</sup> more down has been given on this  
day 6-24-13 for the purchase price of said  
property and Aug 1st a payment of 500<sup>00</sup>/mo.  
shall be made - with a three day grace period -  
PRICE of 1 ACRE \$32,500,00~~

AMOUNT PAYED \$3000<sup>00</sup> 6-12-13

\$2000<sup>00</sup> 6-24-13

OTHER

material \$100<sup>00</sup>

DOWN PAYMENT 5000<sup>00</sup>

100<sup>00</sup> XTRA-

TOTAL PAYED \$5100<sup>00</sup>

R. A. Fjell  
Seller

JOEL ANAYA  
Buyer

STATE OF NEW MEXICO – TRANSPORTATION DEPARTMENT

Motor Vehicle Division  
PO Box 1028  
Santa Fe, New Mexico 87504-1028

TAXES CURRENT THRU: 2013

(FROM COUNTY TREASURER FOR PURPOSES OF TRANSFERRING TITLE TO A MOBILE HOME)

Type Vehicle: MOBILE HOME Make: SKYL YEAR 1985

License Number: 98224034A491701 VIN # 36550605U

OWN Number: M401163 UPC: 1090191600609010000

Person Taxed (as shown on face of outstanding New Mexico Title being transferred):

Name TELLES BEATRIZ AN TENA ARIEL

Street Address PO BOX 319

City, State, Zip VEGITA. NM 87062

Location of Mobile Home

81 BADGER LOS LUNAS NM 87031

County Submitting Notification: VALENCIA

THE UNDERSIGNED CERTIFIES BEING THE LEGAL COUNTY OFFICAL HAVING CUSTODY OF TAX RECORDS AND ATTESTS THAT NO LIABILITY FOR PROPERTY TAXES ON MOBILE HOME EXISTS FOR THE CURRENT YEAR OR ANY PAST TAX YEARS.

WITNESS my hand and the Seal of this county this 19 day of June 2013

Signature of County Treasurer *Beverly Acosta*

And/OR

Signature of County Assessor *Viola Vallejos*

Comments: MH TAXES PRE-PAID

*By Beverly Acosta*

# 2012 Notice of Correction

## Valencia Assessor

As Of: 05/30/2013

Account: M222248

Parcel: 1-009-023-365-320-  
910000

Valencia Assessor

LOPEZ LILIAN AKA MARTINEZ  
PO BOX 207  
JARALES, NM 87023

Viola S. Garcia-Vallejos  
PO Box 909  
444 Luna Ave.  
Los Lunas, NM 87031  
505-866-2065

### Legal Summary

SERIAL: TXAB YEAR: 1998 MAKE: DREAM SIZE: 28 X 50 LOC SALOMON COUNTRY ESTATES LOT 2B T/R ISSUED  
5/6/2011 LAND ID #301723

### Reason For Correction

Other

Operator

Beverly Acosta (bacosta)

### Additional Explanation

MH DOUBLE ASSESSED WITH ID #R211461 PER FIELD  
CHECK MICHELLE

Tax Roll

2012.TRC.548S8

### Value Corrections

Tax Area	Property Code	Actual Value		Taxable Value	
		Original	Corrected	Original	Corrected
BN02_R	0130 - RESIDENTIAL MOBILE HOME IMPROVEMENT	16,503	0	5,501	0
	Total	16,503	0	5,501	0

### Tax Corrections

Tax Area	Tax Type	Original	Corrected	Difference
BN02_R	TAXCHG	83.94	0.00	-83.94
	Total	83.94	0.00	-83.94

## REQUIREMENTS TO OBTAIN A MANUFACTURED HOME PLACEMENT CERTIFICATE AND A MANUFACTURED HOME PERMIT

- | Intl.                | Pri. |  |
|----------------------|------|--|
| <u>NA</u> <u>BJA</u> | 1.   | Legal description and plat map of the property (obtainable from the County Clerk's Office)   |
| <u>NA</u> <u>BJA</u> | 2.   | Deed or Real Estate Contract (obtainable from the County Clerk's Office)   |
| <u>NA</u> <u>BJA</u> | 3.   | For a <b>NEW</b> manufactured home - Purchase Agreement, Registration or Title<br>For a <b>USED</b> manufactured home - Registration, Title or Bill of Sale.   |
| <u>NA</u> <u>BJA</u> | 4.   | A copy of the <u>Approved, Septic System Permit</u> (obtainable from the NM State Environmental Department 841-5280) (If moving out of the county, N/A)  |
| <u>BJA</u>           | 5.   | TAX RELEASE (County Assessor's)  |
| <u>NA</u> <u>BJA</u> | 6.   | Property Identification Number obtainable from the (County Assessor's Office)  |
| <u>NA</u> <u>BJA</u> | 7.   | The manufactured home <b><u>MUST be at least 840 square feet.</u></b> If it is less than 840 Square feet you must submit proof that it has been in Valencia County since June, 1998.   |
| <u>NA</u> <u>BJA</u> | 8.   | If the property is located in a <b><u>FLOOD ZONE</u></b> , a Certificate of Elevation from a surveyor is required. Please bring a copy of the Certificate of Elevation to this office <u>prior</u> to the manufactured home being delivered, to determine how high it must be blocked, and a <b><u>2<sup>nd</sup> Certificate of Elevation after the manufactured home is set.</u></b> |
| <u>NA</u> <u>BJA</u> | 9.   | Site plan showing where the manufactured home will sit on the property showing the setbacks (a minimum of 15 feet from the sides and the back; 30 feet from the front)   |
| <u>NA</u> <u>BJA</u> | 10.  | Directions to the property   |
| <u>NA</u> <u>BJA</u> | 11.  | A \$75.00 Review Fee / Permit Fee.   |
| <u>NA</u> <u>BJA</u> | 12.  | MOVING PERMIT (County Treasurer's)   |

Effective September 24, 1998, **ALL** manufactured homes must be installed on a **permanent foundation**, unless it is being placed on a rental property and then a **copy of your rental agreement MUST be provided.** All Manufactured Homes shall be **ANCHORED DOWN** in Valencia County.

**ALL OF THE ABOVE MUST BE PROVIDED BEFORE A PLACEMENT CERTIFICATE CAN BE OBTAINED. A PLACEMENT CERTIFICATE IS REQUIRED BY MANUFACTURED HOUSING BEFORE THEY WILL ISSUE A FOUNDATION AND/OR SET-UP PERMIT.**

A copy of the **APPROVED** foundation and/ or set-up permit (obtainable from Manufactured Housing (222-9102 Albuquerque Office) **MUST** be provided before final inspection of the Manufactured home.

- o **The manufactured home must be skirted within 45 days after the inspection.**
- o Upon completion of applicable requirements a Certificate of Compliance shall be issued and the address assigned.

**CALLING FOR AN INSPECTION PRIOR TO ALL REQUIREMENTS BEING MET MAY CAUSE A DELAY REINSPECTION.**

VALENCIA COUNTY, NEW MEXICO COUNTY DEPARTMENT  
866-2050

203309  
851 203312  
203312  
851 203309  
203309  
849 205877 203310  
849 205877  
725  
0  
0  
60220819  
602602  
600

NOTERO ST

34585  
34772  
1201 920  
11221122  
22170  
903 905  
TATUM HWY  
1102  
79638 2001202568  
20895  
814 814 23399  
906906  
1000 1000  
23400  
21516  
21512  
1801180  
909909  
E GUM ST  
1211

SIX SHOOTER RD

LINCOLN ST

N INDUSTRIAL RD

600 512512 518  
22660  
34840  
75379  
75379  
1510

35010  
207165  
34264  
33678  
34914  
7859  
1617  
164  
1605

N COMMERCIAL ST



**CITY OF LOVINGTON**  
STAFF SUMMARY FORM



MEETING DATE: August 14, 2013

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Consider vacation of Harrison between Love and East  
**DEPARTMENT:**  
**SUBMITTED BY:** Pedro Hernandez  
**DATE SUBMITTED:** August 7, 2013

**STAFF SUMMARY:**

Mr. Hernandez is requesting that Harrison Street, between Love and East be vacated by the City. A road is not constructed in the area at the present time. No utilities are present.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_  
(Finance Director)

**ATTACHMENTS:**

Map and assessment information.

**RECOMMENDATION:**

Staff will discuss recommendations at meeting.

\_\_\_\_\_  
Department Head

  
\_\_\_\_\_  
City Manager



# Lea County

## GIS INTERNET REPORT



Page 1 of 1

### Assessment Information

**OWNER NUMBER:** 21167

**UPC CODE:** 4000211670002

**PARCEL NUMBER:** 4000211670002

Owner Information	
<b>Owner:</b>	HERNANDEZ, PEDRO T
<b>Mailing Address:</b>	PO BOX 337 LOVINGTON NM 88260
<b>Property Address:</b>	LOVE ST 900

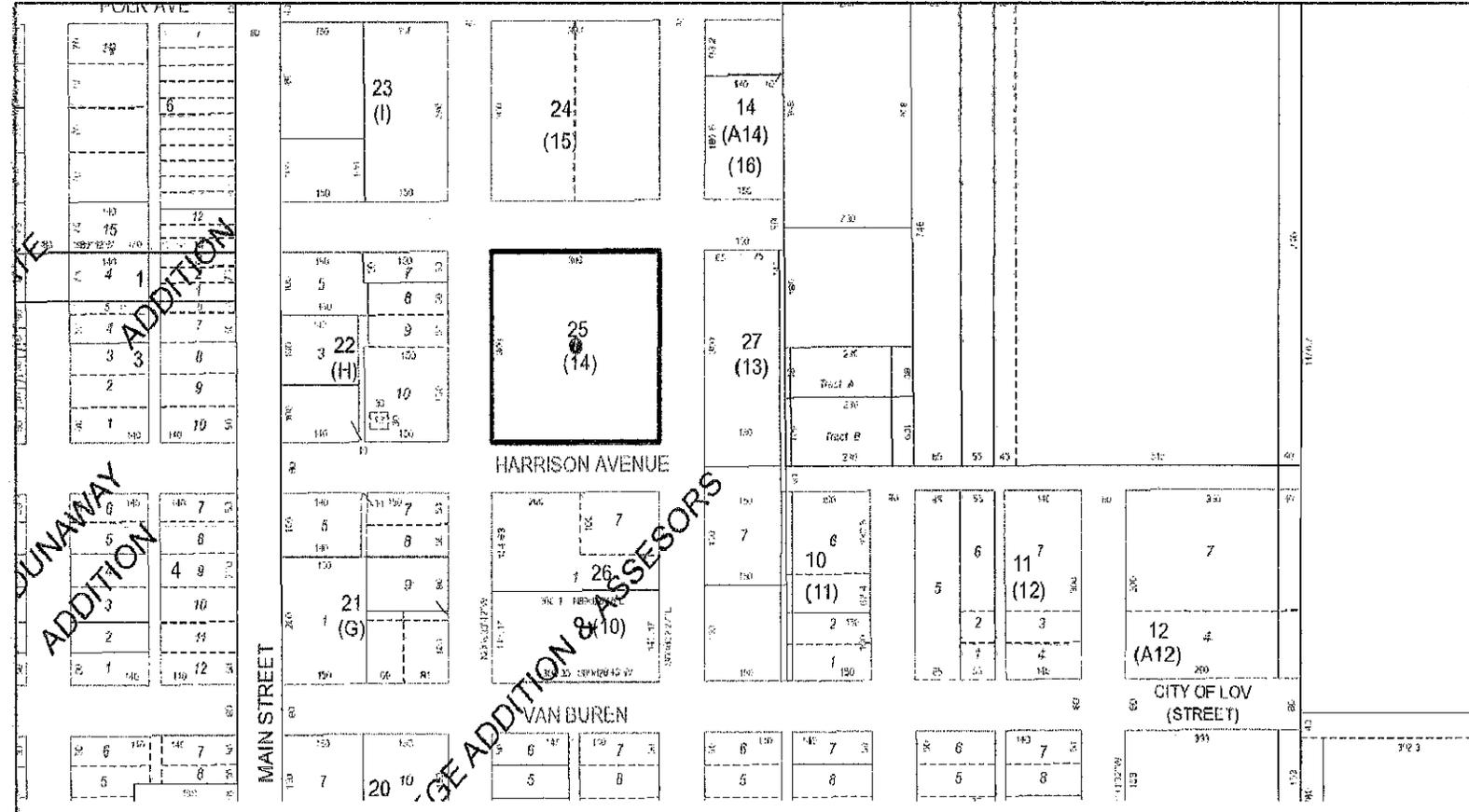
Subdivision Information	
<b>Name:</b>	COLLEGE ADD ()
<b>Unit:</b>	
<b>Block</b>	14
<b>Lot:</b>	

Lien Information	
ALL OF BLK AKA BLK 25 APO COLLEGE ADD *10/00-GRAHAM, BETTY RAE* *3/17/05-MITCHELL, E EARL & RHONDA* PHOTO 10/07	

Other Information			
<b>Taxable Value:</b>	86567	<b>Deed Book:</b>	1362
<b>Exempt Value:</b>	0	<b>Deed Page:</b>	189
<b>Net Value</b>	86567	<b>District:</b>	011
<b>Livestock Value:</b>	0	<b>Section:</b>	
<b>Manufactured Home Value:</b>	0	<b>Township:</b>	
<b>Personal Property:</b>	0	<b>Range:</b>	
<b>Land Value:</b>	11403	<b>Date Filed:</b>	20050317
<b>Improvement Value:</b>	248298	<b>Most Current Tax:</b>	\$2,880.07
<b>Full Value:</b>	259701	<b>Year Recorded:</b>	

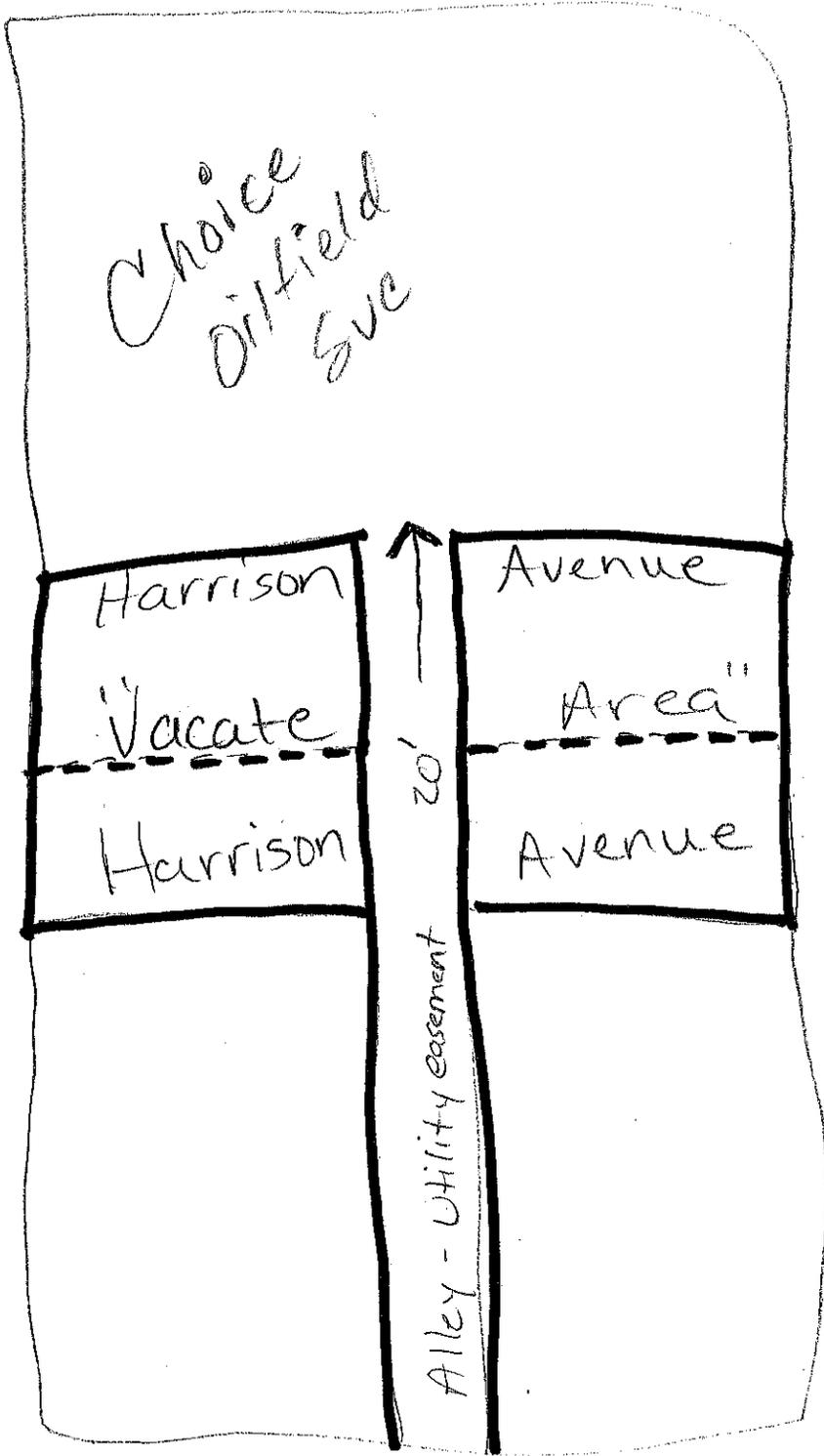
**Lea County, New Mexico Disclaimer**

Information deemed reliable but not guaranteed. Copyright ©2012.  
 MAP TO BE USED FOR TAX PURPOSES ONLY. NOT TO BE USED FOR CONVEYANCE.



# Lea County New Mexico

Love Street



East Street

Requested per  
Pete Hernandez  
Choice Oilfield Svc