

NOTICE OF ORDINANCE

NOTICE IS HEREBY GIVEN that on the 6th day of September, 2022, at its meeting at 6:00 p.m., in the City Commission Chamber at City Hall, 1st Floor Annex, 200 East Broadway, Hobbs, New Mexico, the governing body of the City of Hobbs proposes to adopt an ordinance annexing property. A summary of the ordinance is contained in its title and is described as follows:

AN ORDINANCE APPROVING A REAL ESTATE PURCHASE AGREEMENT TO SELL AND CONVEY A PARCEL OF LAND COMPRISED OF THE REPLAT OF LOT(S) 13 AND 14 OF THE HOBBS INDUSTRIAL AIRPARK SOUTH SUBDIVISION, TO SOUTHWESTERN PUBLIC SERVICE COMPANY FOR THE PURCHASE PRICE OF \$450,000.00.

WHEREAS, the City of Hobbs, a municipal corporation, is the owner of a parcel of land comprised of lot 13 and lot 14 within the Hobbs Industrial Airpark South Subdivision, in the Hobbs Industrial Air Park South Subdivision; and

WHEREAS, the HIAP industrial areas have been designated by the City of Hobbs Industrial Air Park Master Plan for commercial and industrial development; and

WHEREAS, unless a referendum election is held, the Ordinance authorizing the sale of this property shall be effective forty-five (45) days after its adoption.

WHEREAS, inclusive in this Ordinance are the following:

1. Terms of Sale: The City proposes to sell a parcel of land comprised of lot 13 and lot 14 within the Hobbs Industrial Airpark South Subdivision, for the purchase price of \$450,000.00.

The Sale of the City owned Real Property must be approved by City Ordinance pursuant to NMSA Section 3-54-1 et. seq., as amended.

An Agreement for the Purchase of Real Estate concerning terms of the sale and Protective Covenants for the property are part of the Proposed Ordinance.

2. Appraised Value of Municipally Owned Real Property: The municipality has received a viable offer at or above the appraised value.

3. Schedule of Payments: The Purchase Price is to be paid with an earnest money deposit (escrowed upon acceptance of purchase agreement) with the balance to be paid as follows:
- | | |
|----------------------------|-----------|
| Earnest Money Deposit: | \$ 10,000 |
| At Closing Balance of Cash | \$440,000 |
| Total Payments | \$450,000 |
4. The Amount of Purchase Price: \$450,000
5. Purchaser of Property: Southwestern Public Service Company.
6. Purpose of Municipal Sale: Industrial and Economic Development - Site acquisition for company providing Public Utility Services.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO:

(I)

That the City of Hobbs hereby approves the sale of the Property as described as follows:

LEGAL DESCRIPTION

A parcel of land comprised of lot 13 and lot 14 within the Hobbs Industrial Airpark South Subdivision.

Subdivision Plat is attached hereto to this Ordinance as Exhibit #1, and made a part of this Ordinance. Subject to the conditions and terms in Exhibit "2", Agreement for The Purchase of Real Estate, as attached hereto and made a part of this Ordinance.

(II)

That this Ordinance has been published prior to its adoption and shall be published at least once after adoption, pursuant to Sections 3-2-1, et. seq., and 3-54-1, et. seq., NMSA 1978, as amended.

(III)

That the effective date of this Ordinance shall be forty-five (45) days after its adoption by the governing body of the City of Hobbs, unless a referendum election is held.

(IV)

That City staff and officials are hereby authorized and directed to do all acts and deeds necessary in the accomplishment of the above.

A copy of the ordinance is available to interested persons during regular business hours in the Office of the City Clerk, City Hall, 200 East Broadway, Hobbs, New Mexico. The ordinance is also available for viewing online at www.hobbsnm.org.

Due to COVID-19, the meeting is subject to change to a virtual remote meeting if an in-person meeting cannot be held. If any persons desire to submit public comment related to this proposed ordinance, please submit written comments by email to jfletcher@hobbsnm.org by 4:30 p.m. on September 6, 2022.

/s/Jan Fletcher
Jan Fletcher, City Clerk