

CITY OF ARTESIA, NEW MEXICO

NOTICE OF ADOPTION OF ORDINANCE 1143

NOTICE OF ADOPTION AN ORDINANCE APPROVING REAL ESTATE EXCHANGE AGREEMENT BETWEEN THE CITY OF ARTESIA, NEW MEXICO, AND THE BOARD OF EDUCATION OF ARTESIA PULIC SCHOOLS

The Council of the City of Artesia, Eddy County, New Mexico, hereby gives NOTICE that after due notice and a public hearing, the Council of the City of Artesia on September 23, 2025, adopted Ordinance 1127 with terms including the following:

ORDINANCE NO. 1127

**AN ORDINANCE APPROVING REAL ESTATE EXCHANGE AGREEMENT BETWEEN THE CITY OF ARTESIA, NEW MEXICO, AND THE BOARD OF EDUCATION OF ARTESIA PULIC SCHOOLS**

**WHEREAS**, the City of Artesia (“City”) is the fee owner of a parcel of real property with improvements (hereinafter the “City Parcel”) located in the City of Artesia, Eddy County, New Mexico, consisting of approximately eleven and nine-hundred eighty-seven one thousandths (11.987±) acres, described in the Real Estate Exchange Agreement (“Agreement”) attached hereto as Exhibit A. and

**WHEREAS**, the City is authorized pursuant to NMSA 1978, Section 3-18-1(C) to acquire and hold real property; and

**WHEREAS**, the City wishes to convey to the Board of Education of Artesia Public Schools (the “Board”) the City Parcel at no cost, subject to the passage of an Ordinance approving same and obtaining the approval of the New Mexico Department of Finance and Administration, Local Government Division and, in exchange, the Board, subject to the approval of the New Mexico State Board of Finance, wishes to convey to the City a parcel of real property with buildings and other improvements (hereinafter the “Board Parcel”) located in the City of Artesia, Eddy County, New Mexico, consisting of approximately six (6.0±) acres and more commonly known as Roselawn Elementary, all as described in Exhibit A and upon the terms described in the Agreement; and

**WHEREAS**, the Board agrees to accept from the City the conveyance of the City Parcel in “as-is” condition in its entirety, for the Board’s possible use as a school site as more particularly described in Exhibit A; and

**WHEREAS**, the City agrees to accept from the Board the conveyance of the Board Parcel from the Board in “as-is” condition in its entirety, for the City’s possible use for public purposes benefitting the City; and

**WHEREAS**, the Governing Body for the City of Artesia hereby determines that it is in the best interests of the City to pursue the acquisition of the Board Parcel from the Board by quitclaim deed, in exchange for City's conveyance to the Board of the City Parcel.

**WHEREAS**, included in this Ordinance are the following:

1. **Terms of Exchange:** The City proposes to exchange the City Parcel for the Board Parcel. The respective descriptions of the City Parcel and Board Parcel are located within the Real Estate Exchange Agreement and attachments thereto, which are attached to this Ordinance.
2. **Appraised Value of the Municipally Owned Real Property:** The City Parcel appraised for \$480,000.
3. **Amount of Exchange and Time and Manner of Payments.** The purchase price is the Board Parcel, which appraised for \$480,000. The exchange of property will occur as set forth in the Exhibit A Exchange Agreement, each exchange being by Quitclaim Deed.
4. **Purchaser of Property:** The Board of Education of Artesia Public Schools, 301 Bulldog Boulevard Artesia, NM 88210.
5. **Purpose of Exchange:** The City finds that the City Parcel is no longer essential to any municipal purpose and the City's and its citizens' interests would be best served by the exchange of the City Parcel to the Board for the Board Parcel.

**NOW THEREFORE, BE IT ORDAINED BY THE ARTESIA CITY COUNCIL, THE GOVERNING BODY OF THE CITY OF ARTESIA, EDDY COUNTY, NEW MEXICO:**

I.

That the City of Artesia, New Mexico, hereby approves the exchange of the City Parcel hereafter described, in exchange for the Board Parcel described in the Exhibit A exchange agreement attached between the parties:

**TRACT X, OF THE TRACT 2 AKA ROBERTS PARK CITY OF ARTESIA REPLAT IN SECTION 8, TOWNSHIP 17 SOUTH, RANGE 26 EAST, N.M.P.M., CITY OF ARTESIA, EDDY COUNTY, NEW MEXICO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE SOUTHWEST CORNER OF TRACT X FOR POINT OF BEGINNING, WHICH LIES N89°57'10"E 30.00 FEET; THEN N00°13'19"E 679.88 FEET FROM A SPINDLE AT THE WEST 1/4 CORNER OF SAID SECTION; THEN N00°13'19" E 111.59 FEET; THEN S89°57'57"E 251.93 FEET; THEN N65°53'43" E 143.81 FEET; THEN N45° 37'41"E 123.77 FEET; THEN N23°56'06"E 143.18 FEET; THEN N01°55'12"E 142.02 FEET; THEN N00°13'39"E**

**61.33 FEET; THEN S89°58'12"E 742.48 FEET; THEN S01°01'24"W 590.89 FEET;  
THEN N89°59'10"W 1267.11 FEET TO THE POINT OF BEGINNING AND  
CONTAINING 11.987 ACRES.**

**SUBJECT TO ALL RESERVATIONS, RESTRICTIONS AND EASEMENTS  
APPEARING OF RECORD, AND WITHOUT CONVEYANCE OF ANY WATER  
RIGHTS.**

The exchange is subject to the terms, conditions, and covenants in the attached Real Estate Exchange Agreement attached hereto and incorporated herein in this Ordinance as though fully set forth.

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.*, 3-17-3, and 3-54-1, *et. seq.*, NMSA 1978 as amended.

III.

The effective date of this Ordinance shall be forty-five days (45) days after its adoption by the Governing Body of the City of Artesia, unless a referendum election is held.

IV.

The Mayor of the City of Artesia and the City Clerk/Treasurer are hereby authorized and directed to do all acts and execute any closing documents and quitclaim deed necessary to implement and accomplish the terms of this Ordinance.

PASSED, APPROVED AND ADOPTED THIS 23 DAY OF SEPTEMBER 2025

This Ordinance shall go into effect 45 days from its passage on September 23, 2025. A copy the entire ordinance is available to interested persons during regular business hours in the Office of the City Clerk, City Hall, 511 W Texas Ave, Artesia, New Mexico 88210.

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City Clerk