

**ORDINANCE NO. 2012-02**

**AN ORDINANCE AUTHORIZING THE SALE  
TO MESA PROPERTIES OF CARLSBAD, LLC  
OF APPROXIMATELY 7.492 ACRES OF REAL  
PROPERTY IN THE CARLSBAD AIRPORT  
INDUSTRIAL PARK UNIT 1, BLOCK 3, LOTS  
6 THROUGH 16.**

**WHEREAS**, the City of Carlsbad (hereinafter "City") holds title to the real estate described as follows:

Unit 1, Block 3, Lots 6 through 16, inclusive,  
Carlsbad Airport Industrial Park, as shown on the  
official plat thereof on file in the office of the County  
Clerk of Eddy County, New Mexico, and containing  
7.492 acres, more or less.

(hereinafter "Property"); and

**WHEREAS**, Mesa Properties of Carlsbad, LLC (hereinafter "Buyer") desires to purchase the Property for such uses as are permitted by law, including but not limited to the requirements of Chapter 3, Article II of the Carlsbad City code of Ordinances, as such may be amended from time to time; and

**WHEREAS**, the Property shall be subject to all restrictions set forth in Chapter 3, Article II of the Carlsbad City code of Ordinances, as such may be amended from time to time, and subject to all covenants, conditions, restrictions, reservations, encumbrances, and easements of record or in open view; and

**WHEREAS**, the City desires to sell the Property for economic development purposes including the establishment of such uses as are permitted by law, including but not limited to the requirements of Chapter 3, Article II of the Carlsbad City code of Ordinances, as such may be amended from time to time; and

**WHEREAS**, a qualified appraiser has appraised property within the Carlsbad Airport Industrial Park at a value of Six Thousand Dollars per acre (\$6,000.00/acre); and

**WHEREAS**, the City wishes to sell the Property to Buyer for a total purchase price of Forty-five Thousand Dollars (\$45,000.00); and

**WHEREAS**, the City has published notice of this sale prior to the consideration of this Ordinance as required by N.M.S.A. 1978, Sec. 3-54-1(D) (1999);

**NOW THEREFORE**, be it ordained by the Governing Body of the City of Carlsbad, County of Eddy, State of New Mexico, as follows:

1. The sale of the above described real estate by the City of Carlsbad to Mesa Properties of Carlsbad, LLC for a total purchase price of Forty-five Thousand Dollars (\$45,000.00) is hereby approved.
2. The total purchase price shall be due and payable to the City at closing.
3. The City shall purchase Title Insurance in the amount of the total purchase price. All other closing costs shall be borne by the Buyer.
4. The Mayor and City Administrator are authorized to execute all documents necessary to implement the terms of this ordinance.
5. Notice shall be published pursuant to the terms of N.M.S.A. 1978, Sec. 3-54-1 (1999).

**DONE AND APPROVED** this 24<sup>th</sup> day of January, 2012.

/s/ Dale Janway  
DALE JANWAY, MAYOR

ATTEST:

/s/ Amanda McDougall  
CITY CLERK