

ORDINANCE NO. 1227

AN ORDINANCE PERMITTING THE DONATION AND TRANSFER OF CERTAIN REAL PROPERTY, COMMONLY KNOWN AS THE “VACATED PORTION OF CHLORIDE STREET” TO WESTERN NEW MEXICO UNIVERSITY, ALL PURSUANT TO CHAPTER 48, SECTION 48-24 OF THE TOWN OF SILVER CITY MUNICIPAL CODE

WHEREAS, the Town Council of the Town of Silver City passed Resolution No. 2014-13 vacating a portion of Chloride Street, a street right-of-way located within the boundaries of the Town of Silver City, for the express purpose of donating such vacated real property to Western New Mexico University (“WNMU”); and

WHEREAS, WNMU is a political subdivision of the State of New Mexico, and as such is a public entity; and

WHEREAS, WNMU has requested that the Town of Silver City donate said vacated property to itself for university purposes; and

WHEREAS, the Town Staff has determined that such property is not essential to the Town and shall not be needed for a future street or other public purposes; and

WHEREAS, Chapter 48, Section 48-24 permits the Town to donate real property to the State or any of its political subdivisions; and

WHEREAS, the Town Council finds that such donation will be of benefit to the university, and beneficial to the health, safety and welfare of the Town;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF SILVER CITY, GRANT COUNTY, NEW MEXICO, that:

The Town shall donate and convey that portion of Chloride Street so vacated to WNMU for university purposes. Ownership of the subject portion of the Chloride Street right-of-way shall revert to the Town if WNMU does not purchase the privately owned property that is adjacent to

Note: NOI Ordinance 1227 was revised after the Council adopted Resolution No. 2014-13 on 3/25/14. This document for Ordinance No. 1227 has the updated language per Attorney Scavron on 3/31/14.

the west of this right-of-way. The existing waterline and meters located in the vacated portion of Chloride Street are to be transferred to WNMU as part of the donation, and the care and maintenance of that portion of that water line and meters shall be the responsibility of WNMU. The Town shall install at the expense of WNMU a master meter located in the College Street right-of-way at the point where the existing water line enters WNMU property.

PASSED, ADOPTED AND APPROVED by vote of the Council of the Town of Silver City, Grant County, New Mexico, this 8th day of April, 2014.

(Seal)

TOWN OF SILVER CITY

Michael S. Morones, Mayor

Attest:

Ann L. Mackie, Town Clerk