

RESOLUTION NO. 2009-09

**A RESOLUTION VACATING A PORTION
OF THE MARKET STREET RIGHT-OF-WAY**

WHEREAS, the Town Council of the Town of Silver City received a request from Raymer Seavers to vacate part of the Market Street right-of-way lying adjacent to Lots 12, 14 & 16, Block 25, of the Black's Subdivision, comprising 1,524± sq. ft. or 0.035± acre; and

WHEREAS, Raymer Seavers is the owner of Lots 12, 14, & 16, Block 25, of the Black's Subdivision, and

WHEREAS, the provisions of Section 151.092 (Q) of the Land Use Code of the Town of Silver City have been met; and

WHEREAS, the Community Development Staff recommends that the property be vacated and conveyed to Raymer Seavers; and

WHEREAS, the Town Council accepts such recommendation; and

WHEREAS, the Town Council has determined that the Market Street right-of-way lying adjacent to Lots 12, 14 & 16, Block 25 of the Black's Subdivision shall not be needed for a future street or other public purposes;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Silver City, Grant County, New Mexico, that a portion of the Market Street right-of-way situated adjacent to Lots 12, 14 & 16, Block 25, of the Black's Subdivision, Town of Silver City, is hereby declared non-essential, vacated and sold to Raymer Seavers, based on the following Findings:

Findings

1. The Property shall be conveyed by quitclaim deed to Raymer Seavers who has requested the vacation and is the owner of the real estate described as Lots 12, 14 and 16, Block 25 of the Black's Subdivision, and shall pay the appraised value of this portion of the right-of-way in cash. In addition, Raymer Seavers shall pay all costs incurred in connection with the conveyance including the appraisal, cost of publication, research costs, and cost of survey, deed preparation; recording fees and any attorney fees.
2. The property is located within the Town of Silver City and is zoned Residential B.
3. Town Departments have reviewed the request and have concluded that there are no problems associated with the sale of this portion of the right-of-way.
4. The property has been appraised as having a value of \$4,750.00.

5. The property shall not, hereafter, be subject to public use.

Conditions:

None.

PASSED, APPROVED AND ADOPTED this 26th day of May, 2009.

(Seal)

/s/

James R. Marshall, Mayor

Attest:

/s/

Ann L. Mackie, Town Clerk