

**ORDINANCE NO. 1141**

**AN ORDINANCE AMENDING THE TOWN'S OFFICIAL ZONING MAP  
BY REZONING FROM RURAL TO RESIDENTIAL B PART OF THE NE1/4 OF SECTION 10  
OF THE TOWN OF SILVER CITY (1121 S. BARD STREET) BOUNDED BY BARD STREET  
TO THE WEST, AND GENERALLY SOUTH OF VICTORIA STREET,  
AND EAST OF HIGHWAY 90.**

**WHEREAS**, on November 13, 2007, Sylvia L. Murillo filed an application with the Community Development Department requesting a rezoning of her property from Rural to Residential B; and

**WHEREAS**, on January 2, 2008, the Planning and Zoning Commission of the Town of Silver City heard a request to rezone the tract of land described above from Rural to Residential B; and

**WHEREAS**, the Planning and Zoning Commission recommends approving the rezoning of the requested area to Residential B; and

**WHEREAS**, the Council accepts such recommendation;

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

A .893 acre tract of land being situated in Section 10, T.18S, R.14W, N.M.P.M., Grant County, New Mexico, being described more particularly as follows:

TRACT "C", BEGINNING AT THE SOUTHWEST CORNER, A SURV-KAP, FROM WHICH THE NORTH ¼ CORNER OF SAID SECTION 10 BEARS N.35°12'05"W., 1768.92', THENCE N.36°38'34"W. (RECORD 37'51'40"W.) 107.41' TO A ½" REBAR, PLACED TAG, THENCE N.44°22'20"E., 106.66' TO A ½" REBAR FOR THE CENTERLINE OF BARD AVENUE, PLACED TAG, THENCE N.88°59'00"E., 190.81' ALONG THE SOUTH LINE OF THE SAN VICENTE SUBDIVISION TO A ½" REBAR, PLACED TAG, THENCE S.00°04'02"E., 122.77' TO A ½" REBAR, PLACED TAG, THENCE N.89°36'42"E., 119.99' TO A ½" REBAR, PLACED TAG, THENCE S.00°27'24"S., (RECORD S.00°04'02"W.) 30.20' TO A SURV-KAP, THENCE N.87°25'42"W., 140.36' TO A SURV-KAP, THENCE S.83°42'03"W., 182.04' TO THE PLACE OF BEGINNING. CONTAINING .893 ACRES MORE OR LESS.

SUBJECT TO A 5' DRAINAGE AND UTILITY EASEMENT ADJOINING ALL BOUNDARY LINES.

SUBJECT TO A 50' ROADWAY EASEMENT CENTERED ON THE FOLLOWING DESCRIBED CENTERLINE, BEGINNING AT THE SOUTH END CENTER, FROM WHICH THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED TRACT BEARS S.83°42'03"W., 25.00', THENCE N.05°08'33"W., 160.32' TO THE SOUTH END CENTER OF BARD AVENUE AND THE TERMINI OF THIS EASEMENT.

is hereby zoned Residential B according to the provisions of the 2005 Code of Ordinances of the Town of Silver City, Title XV, Chapter 151, Section 151.092 (B), based on at least one of the following Findings:

**Findings**

1. The proposed amendment is in substantial compliance with the Town's Comprehensive Plan;
2. The proposed amendment will not adversely affect the implementation of the goals and policies of the Town's Comprehensive Plan;
3. The proposed amendment is justified in order to correct a mistake in the Town's Comprehensive Plan;
4. The proposed amendment will not adversely impact the public health, safety or general welfare and will promote the original purposes of the Land Use Code;
5. The proposed amendment responds to changed conditions, such as changes in assumptions on capital investments, road locations, population trends, land committed to development, density, use or further studies that have been completed since adoption of the Land Use Code;
6. The proposed amendment is necessary in order to respond to State and/or Federal legislation;
7. The proposed amendment provides additional flexibility in meeting the objectives of this Land Use Code without lowering the standards of the Land Use Code.

**PASSED, ADOPTED, AND APPROVED** by vote of the Council of the Town of Silver City, Grant County, New Mexico, this 22<sup>nd</sup> day of January 2008.

(SEAL)

/s/

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James R. Marshall, Mayor

Attest:

/s/

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Ann L. Mackie, Town Clerk