EXHIBIT A: ANNEX-26-0084 APPLICATION

CITY OF ROSWELL
ANNEXATION APPLICATION

ROSWELL
Community Development

PO Box 1838 · Roswell, NM 88202-1838
Phone: (575) 637-6280 · ROSWELL-NM.GOV

Property Owner's Name: Southwestern Public Service Co (Xcel Energy) **Email:** sean.l.frederiksen@xcelenergy.com

Phone: 806-378-2436 **Address:** 790 S Buchanan, Amarillo, TX 79101

Agent's Name: Kyle Brady **Email:** Kyle@furmanland.com

Phone: 620-353-4927 **Address:** 3501 S Georgia St. Amarillo, TX 79109

Physical Address: 402 E BRASHER AVE, ROSWELL, NM 88203

Legal Description of Proposed Zone Change Area (Lot/Block/Subdivision, Tract, Section-Township/Range):
SPS SUMMARY REVIEW PLAT, TRACT 1B S:21 T:11S R:24E

Reason for the Request: (Please attach extra sheet if necessary) ANNEX TRACT 1B,
TO BUILD SERVICE CENTER ON PROPERTY

Proposed Annexation Area: 416,433.60 sq. ft. 9.56 acres

By signing this document, I acknowledge that I have been informed of the dates, times, and locations of the meetings for the Planning and Zoning Commission and City Council and that I and/or my agent shall attend the meetings in order to fulfill the requirements of this application.

Property Owner Signature — Date: 4-21-2024

Agent's Signature — Date: 4-17-2024

FOR OFFICIAL USE ONLY

P & Z Case #: ANNEX-26-0084 **Date:** 6.9.2026 **Located in Historic District:** ☐ Yes ☑ No

Flood Zone: X **ETZ Zoning District:** NA **Current Use:** Vacant undeveloped

Comprehensive Master Plan General Development Plan: ☐ Residential ☐ Commercial ☑ Industrial
☐ Park & Open Space ☐ RS Overflight

Quadrant of the city: ☐ NW ☐ NE ☐ SW ☑ SE

All documentation and fees shall be required at the time this application is submitted, unless otherwise noted by Planning and Zoning staff. **Application fees are NON-REFUNDABLE.**

EXHIBIT A.1 ANNEX-26-0084 PETITION FOR VOLUNTARY ANNEXATION

ROSWELL
Community Development

1. Official 911 address and legal description:
   Legal Summary: Subd: SPS SUMMARY REVIEW PLAT Tract: 1B S: 21 T: 11S R: 24E DOC# 202508257 WD
   Address: 402 E Brasher Road (once replatted and combined with 402 E Brasher Road that has the Legal Summary Subd: SPS SUMMARY REVIEW PLAT Tracts: 1A S: 21 T: 11S R:24E DOC# 202508256 WD

2. Parcel Number: 4-136-065-169-107-000000

3. Total acres to be considered as part of this request: 9.56 acres

4. Names and addresses of all owners as shown in the Chaves County public records:
   SOUTHWESTERN PUBLIC SERVICE COMPANY
   790 S BUCHANAN STREET
   AMARILLO, TX 79101

5. Reason for annexation request:
   Property owner requests to ANNEX Tract 1B to combine with Tract 1A to build a service center.

6. Number and types of structures on property:
   The property under consideration is currently vacant and not developed.

7. Copy of recorded deed (attach to application).

8. Boundary survey or location map (attach to application).

9. Application for Rezoning and Future Land Use Map Amendment (submitted for future zoning case after Annexation completed).

10. This application submitted by:

    Signature of Owner: Sean L Frederiksen

    Print owner name: Sean L. Frederiksen, Southwestern Public Service Co (Xcel Energy)
    Address of owner: 790 S Buchanan, Amarillo, TX 79101

STATE OF TEXAS
County of Potter

Before me, _____, on this day personally appeared Sean L. Frederiksen, known to me (or proved to me on the oath of Sean L. Frederiksen or through description of ID) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 26 day of May, 2026.

Kelly J Thompson
Notary Public

Notary's Secretary of State ID No: 1320 706 12

My commission expires: 6-28-2027

NOTARY PUBLIC STATE OF TEXAS
KELLY J THOMPSON
Notary ID #132070612
My Commission Expires
June 28, 2027

COUNTY OF Chaves WD
STATE OF NEW MEXICO Pages: 2
I hereby certify that this instrument was filed for Record on 11/24/2025 02:30:22 PM and was duly recorded as Instrument No. 202508257 of the records of Chaves County, NM.
Witness My Hand and Seal of Office
Cindy Fuller
County Clerk, Chaves, NM
Deputy: Vanessa Soza

WARRANTY DEED

GF#2500630

Gary Jack DeGraaf and Bradley Bouma, Co-Executors of the Estate of Anna Mae DeGraaf, deceased who erroneously acquired title as Anna Mae DeGraff and VW Properties, LLC, an Arizona limited liability company, for consideration paid,

grants to: Southwestern Public Service Company, a New Mexico corporation

Whose address is: 790 S. Buchanan Street
Amarillo, TX 79101

the following described property situated in Chaves County, New Mexico.

TRACT 1B of of SPS SUMMARY REVIEW PLAT, in the County of Chaves and State of New Mexico, as shown on the Official Plat filed in the Chaves County Clerk's Office on November 5, 2025 and recorded in Book 4 of Plat Records, Chaves County, New Mexico, at Page 47.

SUBJECT to all reservations contained in the Patent and all covenants, easements and restrictions of record and taxes of current year and there after.

With Warranty Covenants

WITNESS our hands and seals this 20 day of November, 2025.

Estate of Anna Mae DeGraaf

by: _____ Gary Jack DeGraaf, Co-Executor

by: _____ Bradley Bouma, Co-Executor

ACKNOWLEDGEMENT FOR NATURAL PERSONS

STATE OF Texas)
) ss.
COUNTY OF Hale)

This instrument was acknowledged before me this 20 day of November, 2025 by Gary Jack DeGraaf, Co- Executor of the Estate of Anna Mae DeGraaf.

My Commission Expires: 10-26-26

BILLY LEFEVRE
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 10/26/26
NOTARY ID 1138093-5

Notary Public

ACKNOWLEDGEMENT FOR NATURAL PERSONS

STATE OF Texas)
) ss.
COUNTY OF Hale)

This instrument was acknowledged before me this 20 day of November, 2025 by Bradley Bouma, Co-Executor of the Estate of Anna Mae DeGraaf.

My Commission Expires: 10-26-26

BILLY LEFEVRE
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 10/26/26
NOTARY ID 1138093-5

Notary Public

EXHIBIT A.2 ANNEX-26-0084 WARRANTY DEED PAGE 2 OF 2

VW Poperties, LLC., a Arizona Limited Liability company

by: _____ by: _____

Wilmer H. Van Dam, Co-Trustee Valerie J. Van Dam, Co-Trustee

of the Wilmer H. Van Dam and Valerie J. Van Dam Living Trust dated September 1, 1999, Manager of VW Properties, LLC., a Arizona limited liability company

ACKNOWLEDGEMENT

STATE OF Arizona)
)
COUNTY OF Pima)

This instrument was acknowledged before me this 20th day of November, 2025 by Wilmer H. Van Dam and Valerie J. Van Dam, Co-Trustees of the Wilmer H. Van Damm and Valerie J. Van Dam Living Trust dated September 1, 1999, Manager of VW Properties, LLC., a Arizona limited liability company.

My Commission Expires:
April 5th 2027

_____
Notary Public

OFFICIAL SEAL
JARROD LIGGINS
NOTARY PUBLIC - ARIZONA
PIMA COUNTY
COMM# 548198
My Comm. Expires April 5, 2027

EXHIBIT B

STAFF SUMMARY FOR CASE: ANNEX-26-0084
REQUEST FOR ANNEXATION OF 9.56 ACRES INTO CITY BOUNDARY

Roswell Planning & Zoning Commission
Tuesday, June 9, 2026
Mike Mathews Conference Room at Roswell City Hall
425 N Richardson Avenue
Roswell, NM 88201

APPLICATION: CASE ANNEX-26-0084: Request for annexation of 9.56 acres into City of Roswell Municipal Boundary to be re-platted and combined with the 10.00-acre property at 402 E Brasher Road.

I. Property Under Consideration:

Property Address: 402 E Brasher Road TRACT 1B

Legal Description: Subd: SPS SUMMARY REVIEW PLAT TRACT: 1B S: 21 T: 11S R: 24E DOC# 202508257 WD

Property Owner: SOUTHWESTERN PUBLIC SERVICE COMPANY

Applicant: KYLE BRADY, FURMAN LAND SURVEYORS

II. Site Data:

Site Area: 9.56 acres

UPC(s): 4-136-065-169-107-000000

Existing Land Use: Undeveloped

Proposed Land Use: Annex Tract 1B and combine property with adjacent property to the north addressed as 402 E Brasher Road Subd: SPS SUMMARY REVIEW PLAT TRACT: 1A S: 21 T: 11S R: 24E DOC# 202508256 WD

Existing Zoning: **Rural Suburban located in Chaves County ETZ (ETZ-RS)**

Table 1: Adjacent Existing Land Use and Zoning to the property under consideration

Direction:	Land Use:	Zoning:
North	Vacant 10.00-acre TRACT 1A	I-1
South	Undeveloped Land	County
West	Legendary Services	I-1
East	Undeveloped Land with overhead power lines	County

EXHIBIT B

STAFF SUMMARY FOR CASE: ANNEX-26-0084
REQUEST FOR ANNEXATION OF 9.56 ACRES INTO CITY BOUNDARY

Map for ANNEX-26-0084

City of Roswell Zoning Map on Chaves County Assessor's Map

EXHIBIT B

STAFF SUMMARY FOR CASE: ANNEX-26-0084
REQUEST FOR ANNEXATION OF 9.56 ACRES INTO CITY BOUNDARY

III. Intent of Petition:

1. The applicant for **Zoning Case ANNEX-26-0084** is requesting **annexation of 9.56-acre SPS TRACT 1B i**nto City of Roswell Municipal Boundary.

2. The property under consideration is located contiguous to and south of the TRACT 1A 10-acre property zoned I-1 Light Industrial at 402 E Brasher Road. (Reference: Zoning Case 23-007 ANNEX 402 E Brasher Road. Reference 24-008 ZOC.)

3. The property owner/applicant submitted a Petition for Voluntary Annexation (Exhibit A.1) and a Warranty Deed (Exhibit A.2).

4. Upon City Council's approval of the annexation, SPS (XCEL Energy) plans to build a service center on this property once TRACTS 1A and 1B are consolidated into a 19.56-acre lot.

IV. Planning & Zoning Commission Considerations from Staff Review:

1. The property under consideration is currently located in the Chaves County Extraterritorial Zone (ETZ) and adjacent to the Municipal Boundary.

2. Louis Jaramillo, CFM, CZO, Chaves County Planning and Zoning Director provided a letter dated May 5, 2026, stating "Chaves County has no objection to the proposed annexation." (See Exhibit F.)

3. Once annexed, the property under consideration will be consolidated with 402 E Brasher Road SPS Summary Review Plat Tract 1A. Both Tracts 1A and 1B were originally part of a 39.711-acre tract. In 2024, Roswell City Council approved Ordinance 24-02 the annexation of the 10-acre 402 E Brasher TRACT 1A property that was owned by a different property owner at the time. (Reference: Zoning Case 23-007 ANNEX 402 E Brasher Road.) After the property was annexed into the municipal boundary, City of Roswell Planning & Zoning Commission approved a rezoning of the 10-acre TRACT 1A property to I-1 Light Industrial. (Reference: Zoning Case 24-008 ZOC.)

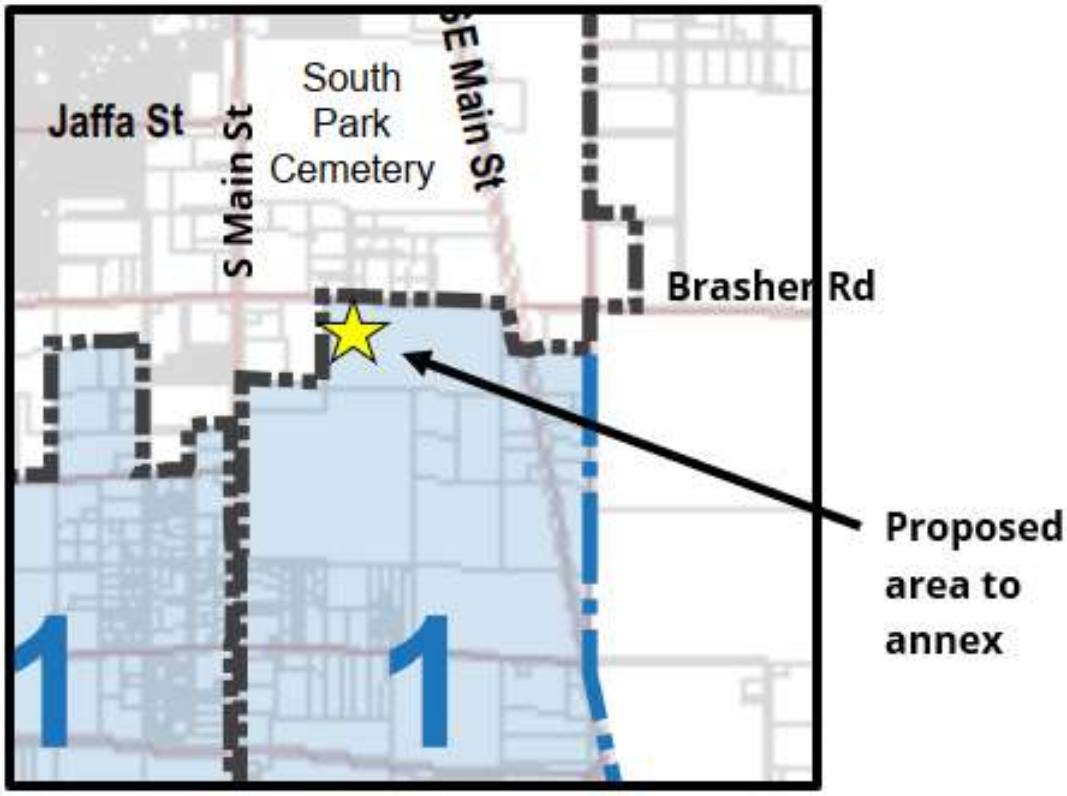
4. Contiguous properties to the west, 10-acre Tract 1A adjacent to the north, and property across the street on the north side of Brasher Road located within the City of Roswell Municipal Boundary are zoned I-1 Light Industrial.

EXHIBIT B

STAFF SUMMARY FOR CASE: ANNEX-26-0084
REQUEST FOR ANNEXATION OF 9.56 ACRES INTO CITY BOUNDARY

5. Contiguous properties to the south and east are located in the Chaves County Extraterritorial Zone. An easement for overhead power transmission lines is on the properties to the east and south.

6. The property under consideration is identified as a top priority annexation area on the 2016 Comprehensive Master Plan Annexation Priority Map.



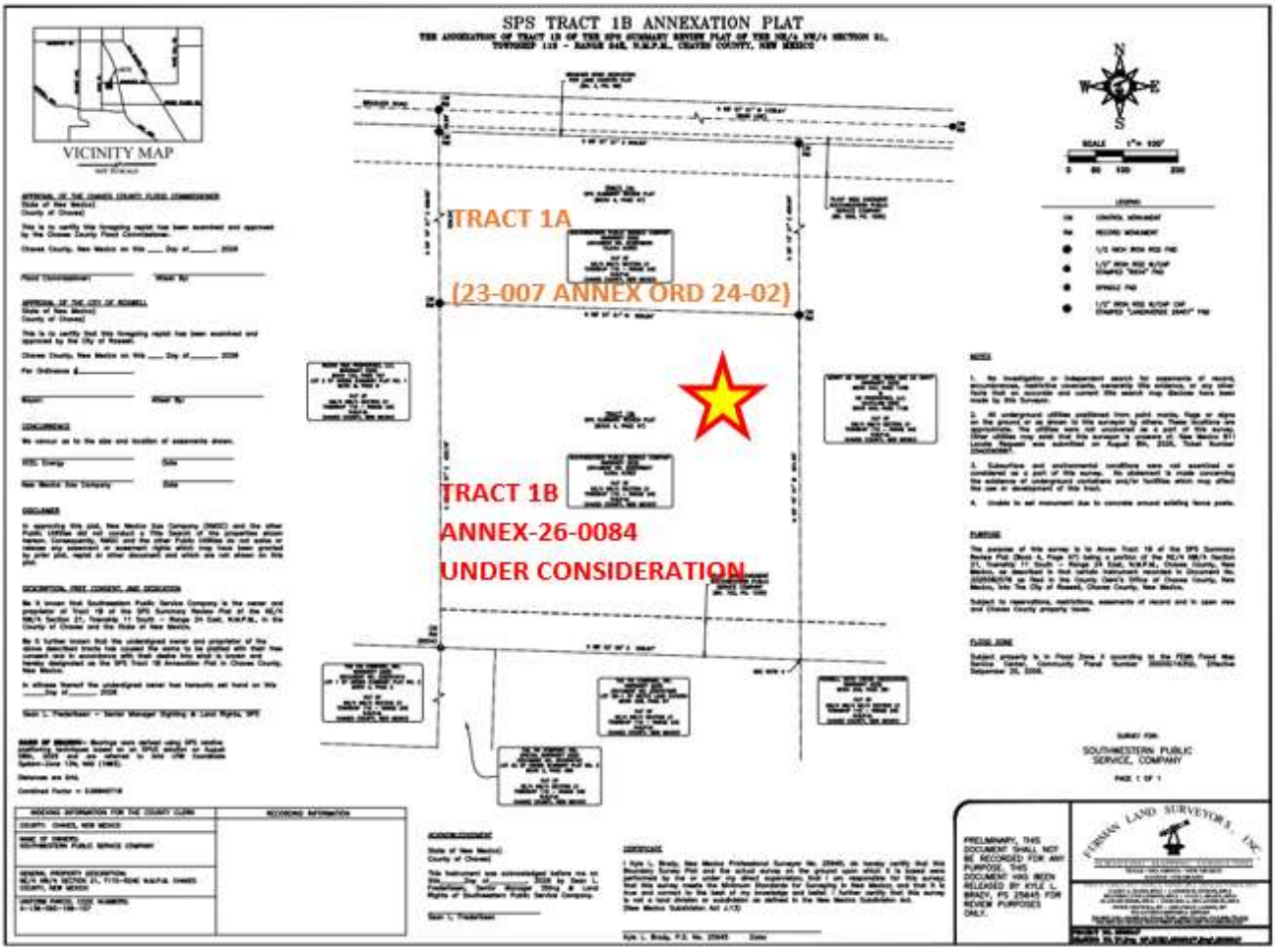
7. City of Roswell water and sanitary sewer service lines are located on the north side of Brasher Road and are available to serve the property under consideration for annexation once the TRACT 1B property under consideration is combined with SPS SUMMARY REVIEW PLAT TRACT 1A that has frontage along Brasher Road.

8. Brasher Road is classified as a Minor Arterial on the 2016 Functional Street Classification Plan.

EXHIBIT B

STAFF SUMMARY FOR CASE: ANNEX-26-0084
REQUEST FOR ANNEXATION OF 9.56 ACRES INTO CITY BOUNDARY

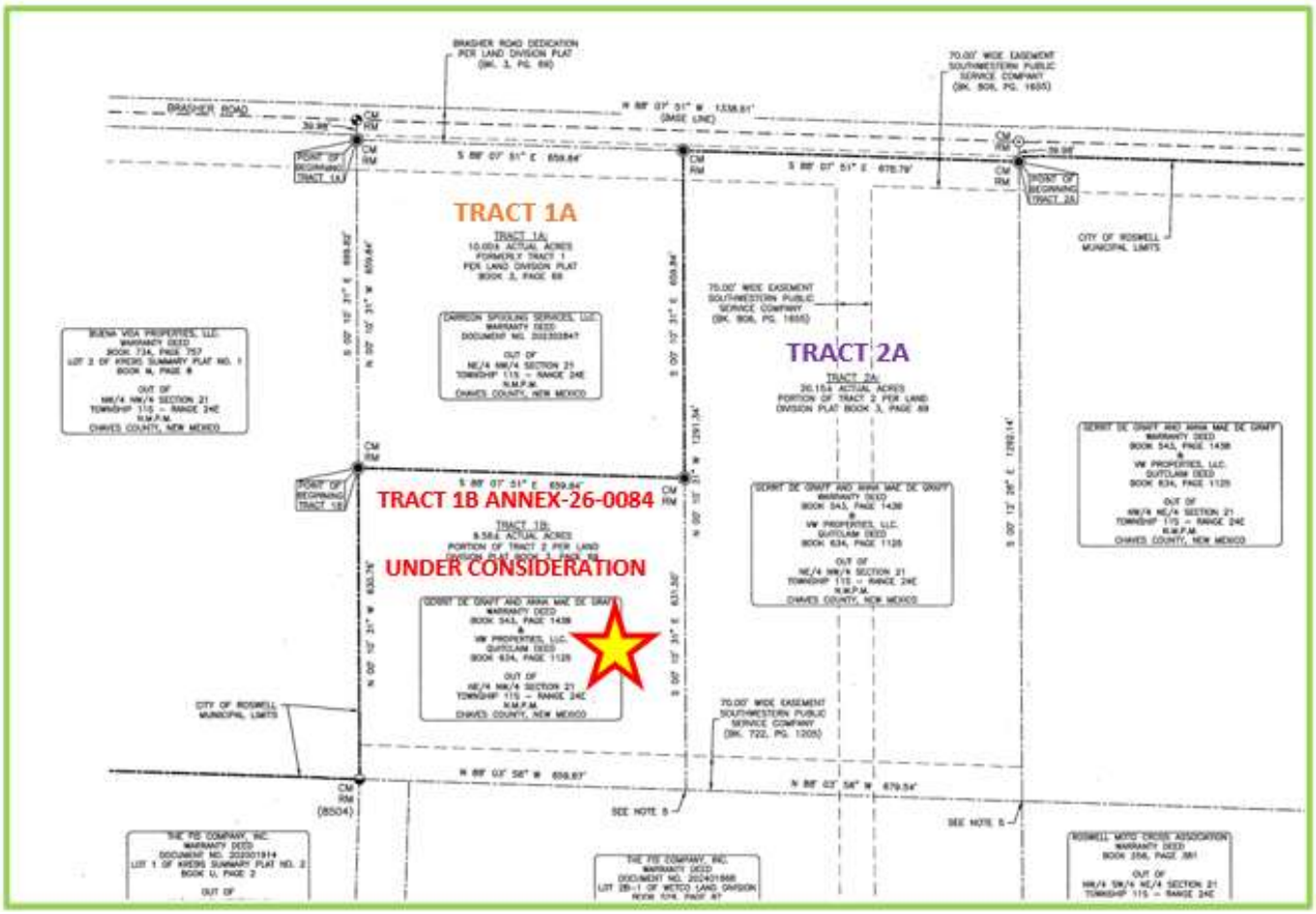
9. The 9.56-acre property under consideration was subdivided from the parent property (originally 39.711 acres) on April 6, 2023. The parent property is undeveloped except for overhead powerlines in an easement.



SPS TRACT 1B ANNEXATION PLAT by Furman Land Surveyors, Inc.
See EXHIBITS G.1 and G.2

EXHIBIT B

STAFF SUMMARY FOR CASE: ANNEX-26-0084
REQUEST FOR ANNEXATION OF 9.56 ACRES INTO CITY BOUNDARY



EXCERPT FROM SPS SUMMARY REVIEW PLAT by Furman Land Surveyors, Inc., showing TRACT 1A, TRACT 1B, AND TRACT 2A
Prior to Annexation of Tract 1A and Summary Plat Subdivisions, these three tracts comprised the 39.56-acre parent property
See EXHIBIT H for the complete plat

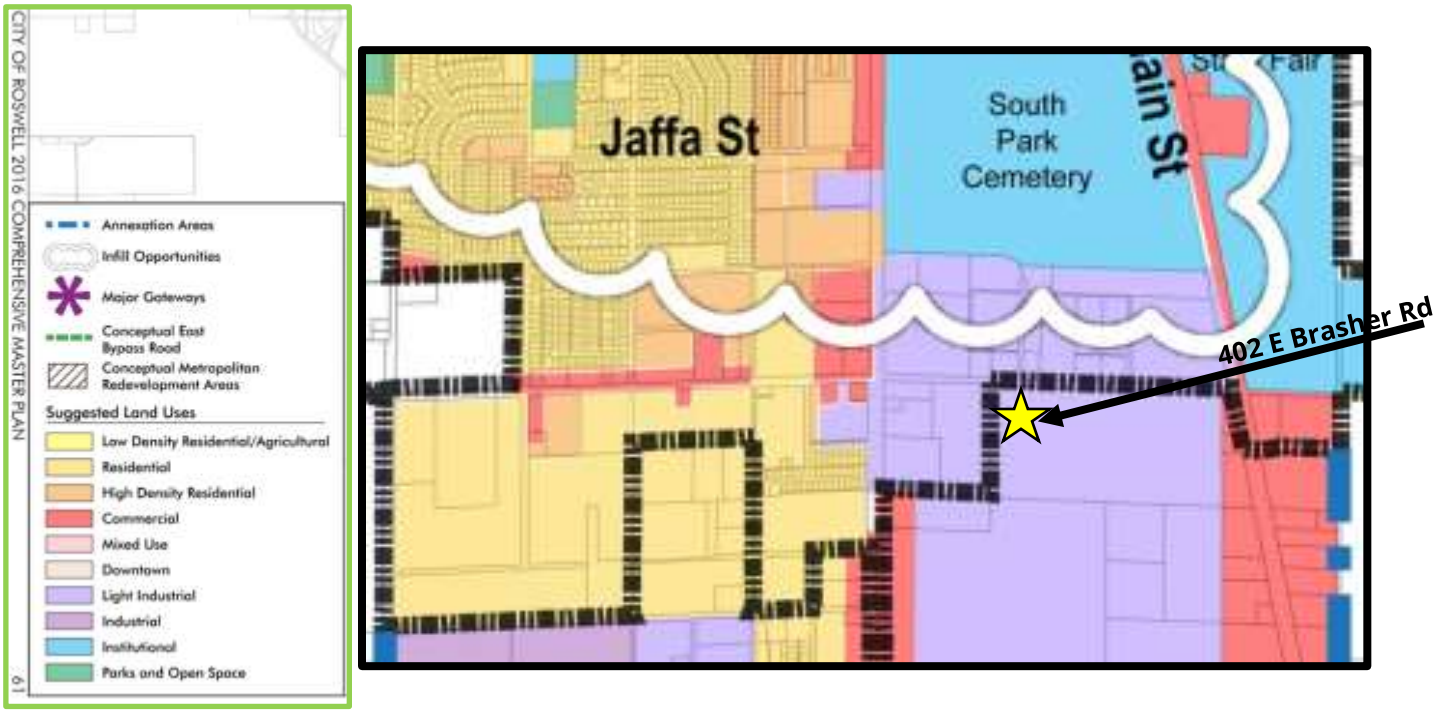
EXHIBIT B

STAFF SUMMARY FOR CASE: ANNEX-26-0084
REQUEST FOR ANNEXATION OF 9.56 ACRES INTO CITY BOUNDARY

10. The City of Roswell City Engineer has reviewed the SPS TRACT 1B Annexation Plat.

11. If Roswell City Council approves the annexation, the applicant intends to request a zone change to the City's I-1 Light Industrial District.

12. The proposed XCEL Energy Service Center for trucks and equipment as an I-1 Light Industrial use is compatible with the surrounding area "preferred development" as indicated on the *2016 Comprehensive Master Plan* Preferred Land Use Scenario Map (see map on page 5 of this document).



Excerpt from *2016 Comprehensive Master Plan* Preferred Land Use Scenario Map

EXHIBIT B

STAFF SUMMARY FOR CASE: ANNEX-26-0084
REQUEST FOR ANNEXATION OF 9.56 ACRES INTO CITY BOUNDARY

Staff Photo: View of Property looking southwest toward 402 E Brasher Road & 400 E Brasher Road

Staff Photo: View of Property looking southeast toward 402 E Brasher Road

EXHIBIT B

STAFF SUMMARY FOR CASE: ANNEX-26-0084
REQUEST FOR ANNEXATION OF 9.56 ACRES INTO CITY BOUNDARY

V. Findings of Fact (Conclusions of Law):

1. A notice of the time and place of the public hearing for this case was published in the Roswell Daily Record at least fifteen (15) days prior to the date of this hearing.

2. Notifications of the public hearing were mailed via certified mail with return receipt requested to property owners of record, as shown by the Chaves County Assessor Map, with lots or land within one-hundred (100) feet of the area under consideration, excluding public rights-of-way.

3. This agenda, which includes this case, has been posted at City Hall and on the City of Roswell's website for over seventy-two (72) hours as required by State of New Mexico law for a public hearing.

4. As of the time of this writing, the Planning & Zoning Office has received zero (0) written protests, zero (0) verbal protests, and zero (0) inquiries.

5. City of Roswell Zoning Ordinance Article 3: Procedures, Amendments, and Changes; Section 7. Annexation of Territory contains the provisions for annexation.

CITY OF ROSWELL ZONING ORDINANCE
ARTICLE 3. - PROCEDURES, AMENDMENTS, AND CHANGES
Sec. 7. - Annexation of territory.

A. *Intent of annexations*. Annexation is a legal mechanism by which a municipality may expand its regulatory and taxing authority to adjacent unincorporated land. It can be used as a growth management tool to ensure that land use and development standards in adjoining areas are consistent with land use within the municipality, as well as with the goals and objectives of the community as expressed in the comprehensive master plan. Annexations may be either consensual or unilateral. However, areas to be considered for annexation must be contiguous to the municipal boundary and the municipality must be able to demonstrate the ability to provide services. This allows the municipality to time its utility extensions so that the demand for services does not outstrip its ability to serve the new development.

Municipalities in New Mexico have the authority to annex territory via Section 3, Article 7 of the New Mexico State Statutes (as amended from time to time). Pursuant to Section 3-7-1, NMSA 1978, there are three methods available to municipalities seeking to annex new lands. Each method is based upon specific goals and conditions and illustrates different degrees of legislative delegation of power to municipalities. These three methods include:

EXHIBIT B

STAFF SUMMARY FOR CASE: ANNEX-26-0084
REQUEST FOR ANNEXATION OF 9.56 ACRES INTO CITY BOUNDARY

1. Arbitration method (Sections 3-7-5 through 3-7010 NMSA 1978) allows a municipality to annex contiguous territory if the municipality can declare that the benefits of annexation can be made within a reasonable time frame to the desired territory.
2. Municipal boundary commission method (Sections 3-7-11 through 3-7- 16 NMSA 1978) establishes an independent commission to determine annexation of a territory to the municipality. The municipal boundary commission will meet whenever a municipality petitions to annex a territory or if a majority of the landowners of a territory petition the commission to annex the territory into the municipality.
3. Petition method (Section 3-7-17, NMSA 1978) requires a petition signed by the majority of property owners in a contiguous territory supporting annexation into a municipality.

B. *Annexation procedure*.

1. *All application methods:*
   a. Property must be contiguous with the city's municipal boundary.
   b. Application must be accompanied by a map that shows the external boundary of the territory proposed to be annexed and the relationship of the territory proposed to be annexed to the existing boundary of the municipality.
   c. The city must demonstrate that utilities and services can be provided within a reasonable time frame to the desired territory.
   d. Must include all fees be paid.
2. *Arbitration method:* Application must be accompanied by a plat from a registered land surveyor in the state showing the boundaries of land to be annexed, a legal description of the property to be annexed, a petition from the land owners within the area to be annexed showing at least 51% support for the annexation, and the additional information required on the City of Roswell annexation application form.
3. *Municipal boundary commission method:* City staff shall prepare all necessary documents to present to the city council and the New Mexico Department of Finance and Administration to request the use of the municipal boundary commission to hear the annexation request.
4. ***Petition method:*** **An application for an annexation-by-petition shall be accompanied by a plat from a registered land surveyor in the state showing the boundaries of land to be annexed, a legal description of the property to be annexed, and the additional information required on the City of Roswell annexation application form.**

EXHIBIT B

STAFF SUMMARY FOR CASE: ANNEX-26-0084
REQUEST FOR ANNEXATION OF 9.56 ACRES INTO CITY BOUNDARY

C. *Annexation processes*.

1. No annexations shall be adopted until a public hearing has been held by the planning and zoning commission and city council and the 45 day referendum period has expired, shall by ordinance express its consent or rejection to the annexation of such contiguous territory.
2. The planning and zoning commission shall make a recommendation to city council. City council shall decide whether or not to annex the proposed property into city territory. In its deliberations, both bodies shall consider all statements from the applicant, the public, city staff, and its own members. Neither body shall approve the annexation unless it finds the annexation to be in the public interest and not solely in the interest of the applicant.
3. If the ordinance consents to the annexation of the contiguous territory, a copy of the ordinance, with a copy of the plat of the territory so annexed, shall be filed in the office of the county clerk. After the filing, the contiguous territory is part of the municipality. The clerk of the municipality shall also send copies of the ordinance annexing the territory and of the plat of the territory so annexed to the secretary of finance and administration and to the secretary of taxation and revenue.
4. Within 30 days after the filing of the copy of the ordinance in the office of the county clerk, any person owning land within the territory annexed to the municipality may appeal to the district court questioning the validity of the annexation proceedings. If no appeal to the district court is filed within 30 days after the filing of the ordinance in the office of the county clerk or if the court.
5. City council shall acknowledge the zoning district, as zoned in the Chaves County Extra Territorial Zone, for any land incorporated into the city territory, with restrictions, stipulations or amendments per city council. No property shall be rezoned until after it has been legally incorporated into the city limits.

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6. Provision 3-7-17 NMSA 1978 (State of New Mexico State Statutes) authorizes annexation through the "Petition Method."

7. The property under consideration is currently under the jurisdiction of the County of Chaves in New Mexico, and the owner submitted a voluntary petition and an application to the City of Roswell Planning & Zoning Office in the Community Development Department requesting annexation to the 9.56-acre tract, and Furman Land Surveyors, Inc., has surveyed the property and drawn the SPS TRACT 1B ANNEXATION PLAT for consideration by the Roswell Planning & Zoning Commission and Roswell City Council.

EXHIBIT B

STAFF SUMMARY FOR CASE: ANNEX-26-0084
REQUEST FOR ANNEXATION OF 9.56 ACRES INTO CITY BOUNDARY

8. The following Exhibits are included:
   - Exhibit A Application
   - Exhibit A.1 Petition for Voluntary Annexation
   - Exhibit A.2 Warranty Deed
   - Exhibit B Staff Summary
   - Exhibit C.1 Letter Notifying Surrounding Property Owners (English)
   - Exhibit C.2 Letter Notifying Surrounding Property Owners (Spanish)
   - Exhibit D Notification Area Map
   - Exhibit E Notification Area Addresses
   - Exhibit F Letter From Chaves County
   - Exhibit G.1 SPS TRACT 1B ANNEXATION PLAT
   - Exhibit G.2 TRACT 1B MEETS & BOUNDS DESCRIPTION
   - Exhibit H SPS SUMMARY REVIEW PLAT TRACTS 1A, 1B, 2A Recorded 11/02/2025
   - Exhibit I Proposed ANNEXATION ORDINANCE 26-XX

VI. Action by the Planning & Zoning Commission:

Unless evidence to the contrary is introduced in the public hearing, based on the Land Use and Zoning Considerations, Findings of Fact, materials provided and testimony, it is recommended that the **Planning and Zoning Commission introduce a motion and vote a recommendation for Zoning Case ANNEX-26-0084 to City Council with Findings of Fact and Conclusions of Law.**

EXHIBIT C1: ANNEX-26-0084 LETTER NOTIFYING SURROUNDING PROPERTY OWNERS
(Page 1 of 2)
LETTER SENT VIA CERTIFIED MAIL ON May 18, 2026 TO SURROUNDING PROPERTY OWNERS

ROSWELL
Community Development

COMMUNITY DEVELOPMENT DEPARTMENT
400 W Second Street
Roswell, NM 88201
Telephone: (575) 637.6280

RE: PUBLIC HEARING NOTICE for ZONING CASE 26-0084 ANNEX

Dear Property Owner:
You have received this notice via certified mail because Chaves County Assessor information indicates you are a property owner of record within 100 feet of **City of Roswell Planning & Zoning Case ANNEX-26-0084.** This notice informs you of an upcoming public hearing before the City of Roswell Planning and Zoning Commission regarding a Zoning Case for the following property.

DESCRIPTION OF ZONING APPLICATION REQUEST:

CASE ANNEX-26-0084	Request for annexation into City of Roswell boundary
PROPERTY OWNER:	Southwestern Public Service Co (Xcel Energy)
APPLICANT:	Kyle Brady, Furman Land Surveyors
PROPERTY LOCATION:	9.56- acre property south of 402 E Brasher Rd
LEGAL DESCRIPTION:	Subd: SPS SUMMARY REVIEW PLAT Tract: 1B S: 21 T: 11S R: 24E DOC# 202508257 WD

The City of Roswell Planning and Zoning Commission will hear public comments on the above zoning cases on Date: TUESDAY, June 9, 2026 at 2:00 p.m. in the Mike Mathews Conference Room at City Hall, located at 425 N Richardson. You are entitled, although not obligated, to comment either in writing to our office, or in person or online at the hearing.

To be considered, written protests must be submitted to and received by the Planning and Zoning Division no later than noon on the working day prior to the Planning and Zoning Commission meeting. Written comments may be delivered to the Planning & Zoning Division in the Roswell Development Services Office at 400 W Second Street, or sent to: *Planning & Zoning Division, City of Roswell, PO BOX 1838, Roswell, NM 88202-1838 or via email to m.hildreth@roswell-nm.gov* .

EXHIBIT C1: ANNEX-26-0084 LETTER NOTIFYING SURROUNDING PROPERTY OWNERS
(Page 2 of 2)

The **information packet** for these zoning cases will be available no later than 5:00 p.m., on **Friday, June 5, 2026,** and may be viewed at https://www.roswell-nm.gov/489/Planning-Zoning-Commission. You may inspect the information packet in detail by calling 575.637.6294 for an appointment at the Planning & Zoning Division in the Roswell Development Services Office at 400 W Second Street. You may obtain copies of the information packet at a cost of 35 cents per sheet. The City's Zoning Ordinance is available online at:
https://library.municode.com/nm/roswell/codes/code_of_ordinances?nodeId=COOR_APXAZO

Planning & Zoning Commission will forward a recommendation regarding this case to City Council for final consideration.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Human Resources at 575-624-6700 at least one week prior to the meeting or as soon as possible. Public documents including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk at 575-624-6700 if a summary or other type of accessible format is needed.

Respectfully,

Merideth Hildreth	*Esperanza DeLeon*
Merideth Hildreth, AICP	Esperanza DeLeon
Planning & Zoning Administrator	Planner II

(Area of Notification Map attached)

EXHIBIT C: 26-0084 ANEXO CARTA DE NOTIFICACIÓN A LOS PROPIETARIOS DE LOS INMUEBLES COLINDANTES
(Página 1 de 2)
CARTA ENVIADA POR CORREO CERTIFICADO El 21 de MAYO DE 2026 A LOS PROPIETARIOS DE LOS INMUEBLES COLINDANTES

DEPARTAMENTO DE DESARROLLO COMUNITARIO
400 W SECOND STREET
Roswell, NM 88201
Teléfono: (575) 637.6294

RE: AVISO DE AUDIENCIA PÚBLICA para el CASO DE ZONIFICACIÓN 26-0084 ANEXO

Estimado inquilino o propietario de la propiedad:
Ha recibido este aviso por correo certificado porque la información del Asesor del Condado de Chaves indica que usted es un propietario de registro dentro de los 100 pies del Caso de Planificación y Zonificación de la **Ciudad de Roswell 26-0084 ANEXO.** Este aviso le informa de una próxima audiencia pública de la Comisión de Planificación y Zonificación de la Ciudad de Roswell con respecto a un caso de zonificación para la siguiente propiedad.

DESCRIPCIÓN DE LA SOLICITUD DE ZONIFICACIÓN:

CASO 26-0084 ANEXO	Solicitud de anexión de la parcela 1B, para construir un centro de servicios en la propiedad.
PROPIETARIO:	Southwestern Public Service Company (Xcel Energy)
SOLICITANTE:	Kyle Brady
UBICACIÓN DE LA PROPIEDAD:	402 E Brasher Rd
DESCRIPCIÓN LEGAL:	Subd: LAND DIVISION OF THE NE1/4NW1/4 OF SECTION 21, TOWNSHIP 11 SOUTH, RANGE 24 EAST Tract: 1 S: 21 T: 11S R: 24E DOC# 202302847 WD

La Comisión de Planificación y Zonificación de la Ciudad de Roswell escuchará los comentarios públicos sobre los casos de zonificación anteriores en Fecha: martes 9 de junio de 2026 a las 2:00pm en la sala de conferencias Mike Mathews (sala de conferencias grande) en el ayuntamiento ubicado en 425 N Ricahrdson Ave. Usted tiene derecho, aunque no está obligado, a comentar por escrito a nuestra oficina, en persona, o por internet.

Las protestas deben ser presentadas y recibidas por la Oficina de Planificación y Zonificación a más tardar al mediodía del día hábil anterior a la reunión de la Comisión de Planificación y Zonificación. Los comentarios por escrito pueden ser entregados en persona a la Oficina de Planificación y Zonificación o enviados a: City of Roswell, Planning and Zoning Administrator, PO BOX 1838, *Roswell, NM 88202-1838 o por correo electrónico a m.hildreth@roswell-nm.gov.*

El **paquete de información** para estos casos de zonificación estará disponible a más tardar a las 5:00 p.m., el **viernes 5 de junio** de **2026,** y se puede ver en https://www.roswell-nm.gov/489/Planning-Zoning-Commission. Puede inspeccionar el paquete de información en detalle con cita en la Oficina de Planificación y Zonificación (575.637.6294) 400 W Second Street. Se pueden obtener copias del paquete de información en la Oficina de Planificación y Zonificación a un costo de 35 centavos por hoja. La Ordenanza de Zonificación de la Ciudad está disponible en línea en: https://library.municode.com/nm/roswell/codes/code_of_ordinances?nodeId=COOR_APXAZO

Si usted es una persona con una discapacidad que necesita un lector, amplificador, intérprete calificado de lenguaje de señas o cualquier otra forma de ayuda o servicio auxiliar para asistir o participar en la audiencia o reunión, comuníquese con Recursos Humanos al 575-624-6700 al menos una semana antes de la reunión o tan pronto como sea posible. Los documentos públicos, incluidos el orden del día y las actas, pueden facilitarse en varios formatos accesibles. Comuníquese con el Secretario de la Ciudad al 575-624-6700 si se necesita un resumen u otro tipo de formato accesible.

Respetuosamente,

Merideth Hildreth
Merideth Hildreth, AICP
Planning & Zoning Administrator

Esperanza DeLeon
Planner II

(Area Map included)

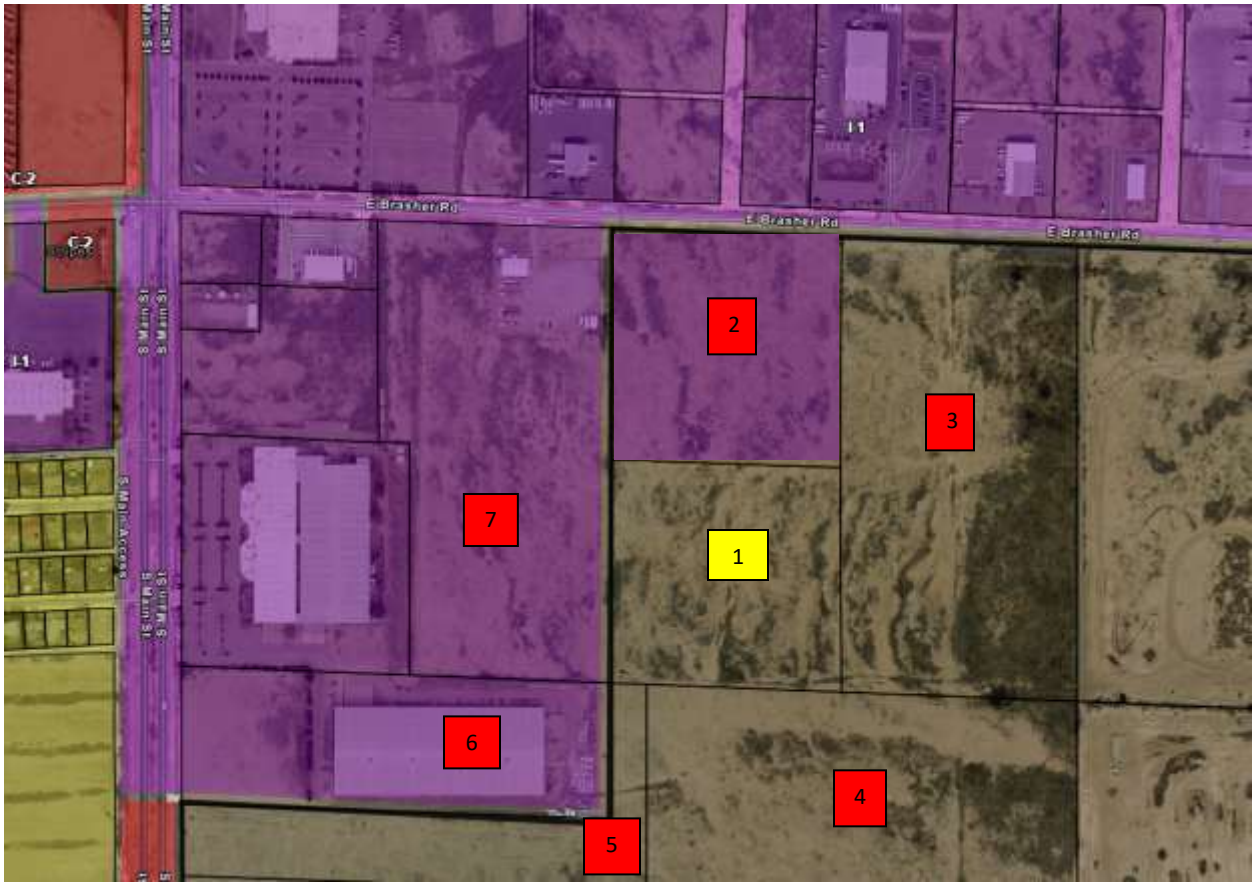
EXHIBIT D: ANNEX-26-0084 NOTIFICATION AREA MAP

Request for annexation of a 9.56-acre property into the Municipal Boundary

Solicitud de anexión de una propiedad de 9,56 acres en el límite municipal

CHAVES COUNTY ASSESSOR'S MAP IDENTIFYING PROPERTY UNDER CONSIDERATION AND PROPERTIES WITHIN ZONING CASE NOTIFICATION AREA

EL MAPA DEL TASADOR DEL CONDADO DE CHAVES QUE IDENTIFICA LA PROPIEDAD BAJO CONSIDERACIÓN Y LAS PROPIEDADES DENTRO DEL ÁREA DE NOTIFICACIÓN DE CASOS DE ZONIFICACIÓN



PROPERTY UNDER CONSIDERATION – PROPERTY SOUTH OF 402 E BRASHER ROAD
Subd: SPS SUMMARY REVIEW PLAT Tract: 1B S: 21 T: 11S R: 24E DOC# 202508257 WD

NOTIFICATION LETTERS SENT TO PROPERTY OWNERS IN NOTIFICATION AREA

EXHIBIT E: 26-0084 ANNEX – NOTIFICATION AREA ADDRESSES

1 (Owner of 402 E Brasher Rd – UNDEVELOPED TRACT)
2 (UNDEVELOPED TRACT EXCEPT FOR OVERHEAD POWER TRANSMISSION LINES)
Southwestern Public Service Company
790 S Bunchanan St
Amarillo, TX 79101

Applicant:
Kyle Brady
3501 S Georgia Street
Amarillo, TX 79101

3
De Graff Estate, Anna Mae; VW Properties, LLC
6620 E Calle Castor
Tucson, AZ 85710

4, 5,6
Fis Company Inc,
4001 S Main Street
Roswell, NM 88203

7
Buena Vida Properties LLC
PO Box 1091
Lovington NM 88260

Tenant or Property Manager
400 E Brasher Rd
Roswell NM 88203

EXHIBIT F ANNEX-26-0084 LETTER FROM CHAVES COUNTY

PLANNING AND ZONING
#1 St. Mary's Place
Chaves County Admin. Bldg.
Roswell, NM 88203
Phone (575)-624-6606

COMMISSIONERS
Dara Dana • District 1
Cliff Ward • District 2
Hub Corn • District 3
Richard "Dick" Taylor • District 4
Michael Perry • District 5

P&Z Director
Louis Jaramillo

County Manager
Bill Williams

May 5, 2026

City of Roswell
Planning and Zoning Commission
500 N. Main St. Ste. 100
Roswell, NM 88201

CASE 26-0084 ANNEXATION OF TRACT 1B OF THE SPS SUMMARY REVIEW PLAT

RE:TRACT 1B OF THE LAND DIVISION OF THE NE/4NW/4 SEC.21, T.11S., R.24E.

Commissioners and City Councilors:

Chaves County has no objection to the proposed annexation.

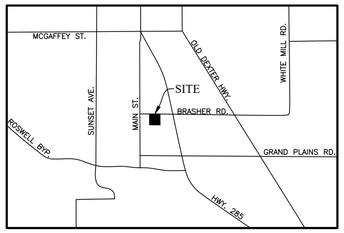
Respectfully,

Louis Jaramillo, CFM, CZO
Planning and Zoning Director
Chaves County
575 624 6562

EXHIBIT G.1 ANNEX-26-0084 SPS TRACT 1B ANNEXATION PLAT

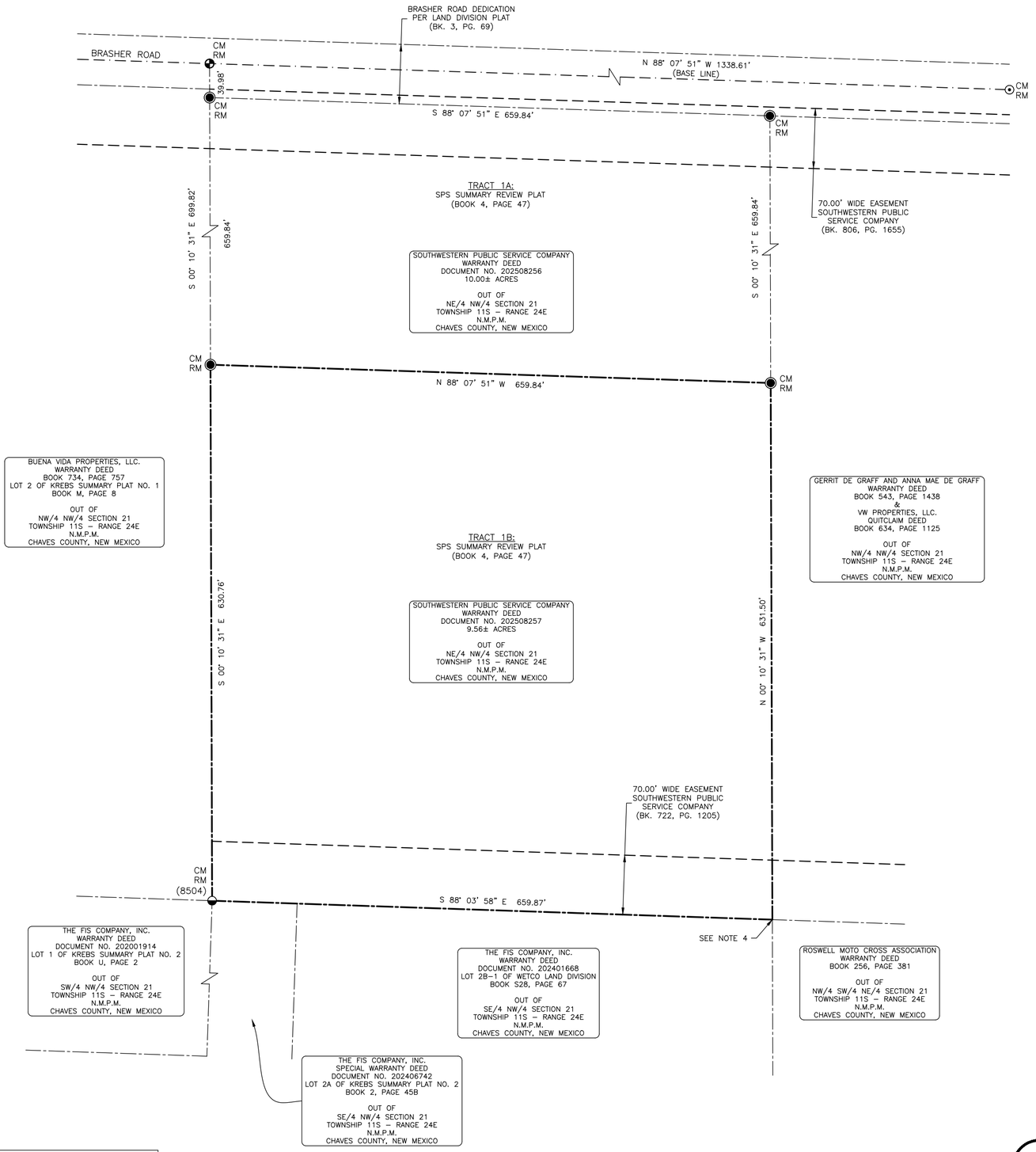
SPS TRACT 1B ANNEXATION PLAT

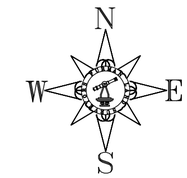
THE ANNEXATION OF TRACT 1B OF THE SPS SUMMARY REVIEW PLAT OF THE NE/4 NW/4 SECTION 21, TOWNSHIP 11S – RANGE 24E, N.M.P.M., CHAVES COUNTY, NEW MEXICO



VICINITY MAP

NOT TO SCALE





SCALE 1"= 100'

0 50 100 200

LEGEND:

CM	CONTROL MONUMENT
RM	RECORD MONUMENT
⊕	1/2 INCH IRON ROD FND
◒	1/2" IRON ROD W/CAP STAMPED "8504" FND
⊙	SPINDLE FND
◉	1/2" IRON ROD W/CAP CAP STAMPED "LANDAVERDE 26407" FND

APPROVAL OF THE CHAVES COUNTY FLOOD COMMISSIONER

State of New Mexico)
County of Chaves)

This is to certify this foregoing replat has been examined and approved by the Chaves County Flood Commissioner.

Chaves County, New Mexico on this ____ Day of_____, 2026

Flood Commissioner: Attest By:

APPROVAL OF THE CITY OF ROSWELL

State of New Mexico)
County of Chaves)

This is to certify that this foregoing replat has been examined and approved by the City of Roswell.

Chaves County, New Mexico on this ____ Day of_____, 2026

Per Ordinance #_____

Mayor: Attest By:

CONCURRENCE

We concur as to the size and location of easements shown.

XCEL Energy Date

New Mexico Gas Company Date

DISCLAIMER

In approving this plat, New Mexico Gas Company (NMGC) and the other Public Utilities did not conduct a Title Search of the properties shown hereon. Consequently, NMGC and the other Public Utilities do not waive or release any easement or easement rights which may have been granted by prior plat, replat or other document and which are not shown on this plat.

DESCRIPTION, FREE CONSENT, AND DEDICATION

Be it known that Southwestern Public Service Company is the owner and proprietor of Tract 1B of the SPS Summary Review Plat of the NE/4 NW/4 Section 21, Township 11 South – Range 24 East, N.M.P.M., in the County of Chaves and the State of New Mexico.

Be it further known that the undersigned owner and proprietor of the above described tracts has caused the same to be platted with their free consent and in accordance with their desire into what is known and hereby designated as the SPS Tract 1B Annexation Plat in Chaves County, New Mexico.

In witness thereof the undersigned owner has hereunto set hand on this _____Day of_____, 2026

Sean L. Frederiksen – Senior Manager Sighting & Land Rights, SPS

BASIS OF BEARING– Bearings were derived using GPS relative positioning techniques based on an OPUS solution on August 08th, 2025 and are referred to Grid UTM Coordinate System–Zone 13N, NAD (1983).

Distances are Grid.

Combined Factor = 0.99945718

INDEXING INFORMATION FOR THE COUNTY CLERK	RECORDING INFORMATION
COUNTY: CHAVES, NEW MEXICO	
NAME OF OWNERS: SOUTHWESTERN PUBLIC SERVICE COMPANY	
GENERAL PROPERTY DESCRIPTION: NE/4 NW/4 SECTION 21, T11S–R24E N.M.P.M. CHAVES COUNTY, NEW MEXICO	
UNIFORM PARCEL CODE NUMBERS: 4–136–065–169–107	

ACKNOWLEDGEMENT

State of New Mexico)
County of Chaves)

This instrument was acknowledged before me on this_____Day of_____, 2026 by Sean L. Frederiksen, Senior Manager Siting & Land Rights of Southwestern Public Service Company.

Sean L. Frederiksen

CERTIFICATE

I Kyle L. Brady, New Mexico Professional Surveyor No. 25645, do hereby certify that this Boundary Survey Plat and the actual survey on the ground upon which it is based were performed by me or under my direct supervision; that I am responsible for this survey; that this survey meets the Minimum Standards for Surveying in New Mexico; and that it is true and correct to the best of my knowledge and belief. I further certify that this survey is not a land division or subdivision as defined in the New Mexico Subdivision Act. (New Mexico Subdivision Act J.13)

Kyle L. Brady, P.S. No. 25645 Date:

NOTES

1. No investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose have been made by this Surveyor.

2. All underground utilities positioned from paint marks, flags or signs on the ground or as shown to this surveyor by others. These locations are approximate. The utilities were not uncovered as a part of this survey. Other utilities may exist that this surveyor is unaware of. New Mexico 811 Locate Request was submitted on August 8th, 2025, Ticket Number 25AG060887.

3. Subsurface and environmental conditions were not examined or considered as a part of this survey. No statement is made concerning the existence of underground containers and/or facilities which may affect the use or development of this tract.

4. Unable to set monument due to concrete around existing fence posts.

PURPOSE

The purpose of this survey is to Annex Tract 1B of the SPS Summary Review Plat (Book 4, Page 47) being a portion of the NE/4 NW/4 Section 21, Township 11 South – Range 24 East, N.M.P.M., Chaves County, New Mexico, as described in that certain instrument recorded in Document No. 2025082576 as filed in the County Clerk's Office of Chaves County, New Mexico, into The City of Roswell, Chaves County, New Mexico.

Subject to reservations, restrictions, easements of record and in open view and Chaves County property taxes.

FLOOD ZONE

Subject property is in Flood Zone X according to the FEMA Flood Map Service Center, Community Panel Number 35005C1635D, Effective Setpember 25, 2009.

SURVEY FOR:

SOUTHWESTERN PUBLIC SERVICE, COMPANY

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE. THIS DOCUMENT HAS BEEN RELEASED BY KYLE L. BRADY, PS 25645 FOR REVIEW PURPOSES ONLY.

FURMAN LAND SURVEYORS, INC.
SURVEYING · MAPPING · CONSULTING
TEXAS · OKLAHOMA · NEW MEXICO
KANSAS · COLORADO
DARYL R. FURMAN, RPLS · DANIEL R. FURMAN, RPLS · DONALD R. FURMAN, RPLS
CASEY A. MANN, RPLS · LANDON M. STOKES, RPLS
HEATHER LYNN LEMONS, RPLS · KYLE L. BRADY, RPLS
M. CHASE ROME, RPLS · LEONARD A. MCLAUGHLIN, RPLS
PETER VENTURA, SIT · JONATHAN LANDES, SIT
TEXAS FIRM #10092400 & 10092401
P.O. BOX 1416 - AMARILLO, TEXAS 79105 - (806) 374-4246 - FAX (806) 374-4248
P.O. BOX 464 - DUMAS, TEXAS 79029 - (806) 934-1405 - FAX (806) 934-1482

PROJECT NO. 2536047
DRAWING NO.T:\Dwg 25\XCEL\2536047\Dwg\2536047

EXHIBIT G.2 ANNEX-26-0084 TRACT 1B METES & BOUNDS DESCRIPTION

SPS TRACT 1B ANNEXATION PLAT:
THE ANNEXATION OF TRACT 1B OF THE SPS SUMMARY REVIEW PLAT BEING A PORTION OF THE NE/4 NW/4 OF SECTION 21, TOWNSHIP 11S, RANGE 24E, N.M.P.M., CONTAINING 9.56 ACRES MORE OR LESS IN CHAVES COUNTY, NEW MEXICO.

(METES AND BOUNDS DESCRIPTION TAKEN FROM SPS SUMMARY REVIEW PLAT)

A 9.56± acre tract of land being out of the Northeast quarter of the Northwest quarter of Section 21, Township 11 South, Range 24 East of the New Mexico Principal Meridian, Chaves County, New Mexico, same being out of that certain tract of land as described in those certain instruments recorded in Book 543, Page 1438 and Book 634, Page 1125 as filed in the County Clerk's Office of Chaves County, New Mexico, also being out of that certain tract of land formerly known as Tract 2 according to the plat or map thereof recorded in Book 3, Page 69 as filed in the County Clerk's Office of Chaves County, New Mexico said 9.56± acre tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. and being described by metes and bounds as follows and being known hereon as Tract 1B:

(Bearings and Distances are Grid UTM Coordinate System-Zone 13N, NAD (1983) using GPS relative positioning techniques based on an OPUS solution on August 8, 2025.
Combined Scale Factor = 0.99945718)

COMMENCING at a 1/2 inch iron rod found and accepted for the West 1/16th corner of said Section 21, from whence a cotton spindle found and accepted for the North quarter corner of said Section 21 bears S. 88° 07' 51" E. (Base Line) 1338.61 feet;

THENCE S. 00° 10' 31" E. along the West line of the Northeast quarter of the Northwest quarter of said Section 21, at 39.98 feet passing a 1/2 inch iron rod with a cap stamped "LANDAVERDE 26407" found and accepted for the Northwest corner of that certain tract of land as described in that certain instrument recorded in Document No. 202302847 as filed in the County Clerk's Office of Chaves County, New Mexico, same being that certain tract of land formerly known as Tract 1 according to the plat or map thereof recorded in said Book 3, Page 69, also being the Northwest corner of that certain 10.00± acre tract of land, also being known as Tract 1A (Simultaneously Surveyed), further being in the South Right-of-Way of Brasher Road according to the plat or map thereof recorded in said Book 3, Page 69, continuing for a total distance of 699.82 feet to a 1/2 inch iron rod with a cap stamped "LANDAVERDE 26407" found and accepted for the Southwest corner of said Tract 1A, and being the Northwest and BEGINNING CORNER of this tract of land;

THENCE S. 88° 07' 51" E. 659.84 feet along the South line of said Tract 1A to a 1/2 inch iron with a cap stamped "LANDAVERDE 26407" found and accepted for the Southeast corner of said Tract 1A, also being in the West line of that certain 20.15± acre tract of land also being known as Tract 2A (Simultaneously Surveyed), and being the Northeast corner of this tract of land;

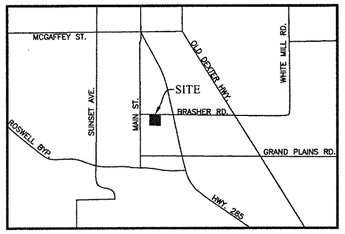
THENCE S. 00° 10' 31" E. 631.50 feet along the West line of said Tract 2A to a point in the South line of the Northeast quarter of the Northwest quarter of said Section 21, same being the South line of said former Tract 2, and being the Southeast corner of this tract of land;

THENCE N. 88° 03' 58" W. 659.87 feet along the South line of the Northeast quarter of the Northwest quarter of said Section 21, same being the South line of said former Tract 2 to a 1/2 inch iron rod with a cap stamped "8504" found and accepted for the Southwest corner of the Northeast quarter of the Northwest quarter of said Section 21, same being the Southwest corner of said former Tract 2, and being the Southwest corner of this tract of land;

THENCE N. 00° 10' 31" W. 630.76 feet along the West line of the Northeast quarter of the Northwest quarter of said Section 21, same being the West line of said former Tract 2 to the POINT OF BEGINNING and containing 9.56 acres, more or less.

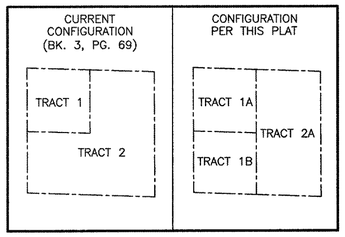
SPS SUMMARY REVIEW PLAT

PORTION OF THE NE/4 NW/4 SECTION 21, TOWNSHIP 11S – RANGE 24E, N.M.P.M., CHAVES COUNTY, NEW MEXICO



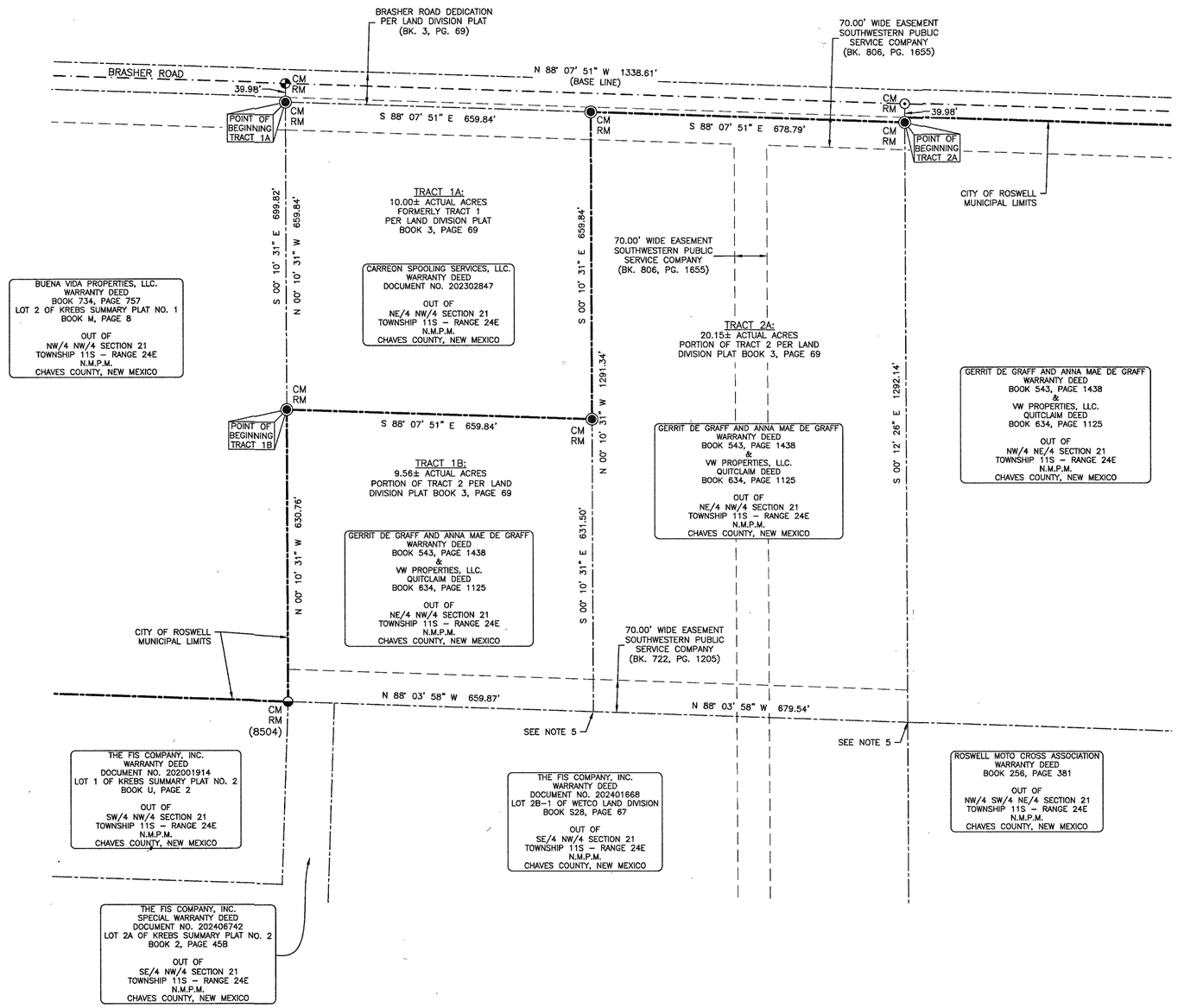
VICINITY MAP

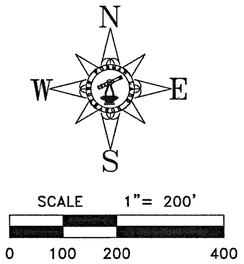
NOT TO SCALE



CONFIGURATION MAP

NOT TO SCALE





LEGEND:

CM	CONTROL MONUMENT
RM	RECORD MONUMENT
	1/2 INCH IRON ROD FND
	1/2" IRON ROD W/CAP STAMPED "8504" FND
	SPINDLE FND
	1/2" IRON ROD W/CAP CAP STAMPED "LANDAVERDE 26407" FND
	CITY OF ROSWELL MUNICIPAL LIMITS

References used:

Plats

Land Division of NE/4 NW/4 Section 21, T11S–R24E
Book 3, Page 69
County Clerk's Office, Chaves County, NM
Filed: April 6, 2023

Carreon Annexation Plat
Book S28, Page 75
County Clerk's Office, Chaves County, NM
Filed: April 10, 2024

Wetco Land Division
Book S28, Page 67
County Clerk's Office, Chaves County, NM
Filed: March 11, 2024

Amended Bell Realty Co. Boundary Survey
Book S12, Page 98
County Clerk's Office, Chaves County, NM
Filed: January 19, 2006

Instruments

Warranty Deed
Book 734, Page 757
County Clerk's Office, Chaves County, NM
Filed: August 22, 2014

Warranty Deed
Book 543, Page 1438 (Book 544, Page 732)
County Clerk's Office, Chaves County, NM
Filed: February 14, 2006

Warranty Deed
Document No. 202401668
County Clerk's Office, Chaves County, NM
Filed: March 15, 2024

Special Warranty Deed
Document No. 202408742
County Clerk's Office, Chaves County, NM
Filed: December 26, 2024

Quitclaim Deed
Book 634, Page 1125
County Clerk's Office, Chaves County, NM
Filed: February 5, 2009

Easements

Electric Power Line Easement
Book 722, Page 1205
County Clerk's Office, Chaves County, NM
Filed: November 1, 2013

Electric Power Line Easement
Book 806, Page 1655
County Clerk's Office, Chaves County, NM
Filed: June 7, 2018

BASIS OF BEARING– Bearings were derived using GPS relative positioning techniques based on an OPUS solution on August 08th, 2025 and are referred to Grid UTM Coordinate System–Zone 13N, NAD (1983).

Distances are Grid.

Combined Factor = 0.99945718

NOTES

1. This plat is for acquisition purposes only.

2. No investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose have been made by this Surveyor.

3. All underground utilities positioned from paint marks, flags or signs on the ground or as shown to this surveyor by others. These locations are approximate. The utilities were not uncovered as a part of this survey. Other utilities may exist that this surveyor is unaware of. New Mexico 811 Locate Request was submitted on August 08th, 2025, Ticket Number 25AG060887.

4. Subsurface and environmental conditions were not examined or considered as a part of this survey. No statement is made concerning the existence of underground containers and/or facilities which may affect the use or development of this tract.

5. Unable to set monument due to concrete around existing fence posts.

FLOOD ZONE

Subject property is in Flood Zone X according to the FEMA Flood Map Service Center, Community Panel Number 35005C1635D, Effective Setpember 25, 2009.

CERTIFICATE

I Kyle L. Brady, New Mexico Professional Surveyor No. 25645, do hereby certify that this Boundary Survey Plat and the actual survey on the ground upon which it is based were performed by me or under my direct supervision; that I am responsible for this survey; that this survey meets the Minimum Standards for Surveying in New Mexico; and that it is true and correct to the best of my knowledge and belief. I further certify that this survey is not a land division or subdivision as defined in the New Mexico Subdivision Act. (New Mexico Subdivision Act J.13)

10-9-25

Kyle L. Brady, P.S. No. 25645 Date:

SURVEY FOR:

SOUTHWESTERN PUBLIC SERVICE, COMPANY

PAGE 1 OF 2

KYLE L. BRADY NEW MEXICO 25645 PROFESSIONAL SURVEYOR

FURMAN LAND SURVEYORS, INC.
SURVEYING · MAPPING · CONSULTING
TEXAS · OKLAHOMA · NEW MEXICO
KANSAS · COLORADO
DARYL R. FURMAN, RPLS · DANIEL R. FURMAN, RPLS · DONALD R. FURMAN, RPLS
CASEY A. MANN, RPLS · LANDON M. STOKES, RPLS
HEATHER LYNN LEMONS, RPLS · KYLE L. BRADY, RPLS
M. CHASE ROME, RPLS · LEONARD A. MCLAUGHLIN, RPLS
PETER VENTURA, SIT · JONATHAN LANDES, SIT
TEXAS FIRM #10092400 & 10092401
P.O. BOX 1416 · AMARILLO, TEXAS 79105 · (806) 374-4246 · FAX (806) 374-4248
P.O. BOX 464 · DUMAS, TEXAS 79029 · (806) 934-1405 · FAX (806) 934-1482

PROJECT NO. 2536047
DRAWING NO. T:\Dwg 25\XCEL\2536047\Dwg\2536047

SPS SUMMARY REVIEW PLAT

PORTION OF THE NE/4 NW/4 SECTION 21, TOWNSHIP 11S – RANGE 24E, N.M.P.M., CHAVES COUNTY, NEW MEXICO

TRACT 1A DESCRIPTION

(Formerly Tract 1 as recorded in Book 3, Page 69 of the Chaves County Clerk's Office)

A 10.00± acre tract of land being out of the Northeast quarter of the Northwest quarter of Section 21, Township 11 South, Range 24 East of the New Mexico Principal Meridian, Chaves County, New Mexico, same being that certain tract of land as described in that certain instrument recorded in Document No. 202302847 as filed in the County Clerk's Office of Chaves County, New Mexico, also being formerly known as Tract 1 according to the plat or map thereof recorded in Book 3, Page 69 as filed in the County Clerk's Office of Chaves County, New Mexico said 10.00± acre tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. and being described by metes and bounds as follows and being known hereon as Tract 1A:

(Bearings and Distances are Grid UTM Coordinate System-Zone 13N, NAD (1983) using GPS relative positioning techniques based on an OPUS solution on August 8, 2025.
Combined Scale Factor = 0.99945718)

COMMENCING at a 1/2 inch iron rod found and accepted for the West 1/16th corner of said Section 21, from whence a cotton spindle found and accepted for the North quarter corner of said Section 21 bears S. 88° 07' 51" E. (Base Line) 1338.61 feet;

THENCE S. 00° 10' 31" E. 39.98 feet along the West line of the Northeast quarter of the Northwest quarter of said Section 21 to a 1/2 inch iron rod with a cap stamped "LANDAVERDE 26407" found and accepted for the Northwest corner of said former Tract 1, same being in the South Right-of-Way of Brasher Road according to the plat or map thereof recorded in said Book 3, Page 69, and being the Northwest and BEGINNING CORNER of this tract of land;

THENCE S. 88° 07' 51" E. 659.84 feet along the North line of said former Tract 1, same being said South Right-of-Way line of Brasher Road to a 1/2 inch iron rod with a cap stamped "LANDAVERDE 26407" found and accepted for the Northeast corner of said former Tract 1, same being the Northwest corner of that certain 20.15± acre tract of land, also being known as Tract 2A (Simultaneously Surveyed), and being the Northeast corner of this tract of land, from whence a 1/2 inch iron rod with a cap stamped "LANDAVERDE 26407" found and accepted for the Northeast corner of said Tract 2A bears S. 88° 07' 51" E. 678.79 feet;

THENCE S. 00° 10' 31" E. 659.84 feet along the East line of said former Tract 1, same being the West line of said Tract 2A to a 1/2 inch iron rod with a cap stamped "LANDAVERDE 26407" found and accepted for the Southeast corner of said former Tract 1, same being the Northeast corner of that certain 9.56± acre tract of land also being known as Tract 1B (Simultaneously Surveyed), and being the Southeast corner of this tract of land;

THENCE N. 88° 07' 51" W. 659.84 feet along the South line of said former Tract 1, same being the North line of said Tract 1B to a 1/2 inch iron rod with a cap stamped "LANDAVERDE 26407" found and accepted for the Southwest corner of said former Tract 1, same being the Northwest corner of said Tract 1B, also being in the West line of the Northeast quarter of the Northwest quarter of said Section 21, and being the Southwest corner of this tract of land, from whence a 1/2 inch iron rod with a cap stamped "8504" found and accepted for the Southwest corner of the Northeast quarter of the Northwest quarter of said Section 21, same being the Southwest corner of said Tract 1B bears S. 00° 10' 31" E. 630.76 feet;

THENCE N. 00° 10' 31" W. 659.84 feet along the West line of the Northeast quarter of the Northwest quarter of said Section 21, same being the West line of said former Tract 1 to the POINT OF BEGINNING and containing 10.00 acres, more or less.

BY: Gary DeGraaf
State of Texas)
)ss
County of Hale)
This instrument was acknowledged before me on October 17, 2025 by
Notary Public
My commission expires: 10-26-26

BILLY LEFEVRE
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 10/26/26
NOTARY ID 1138093-5

BY: Executor
Anna Mae DeGraaf Estate
State of Texas)
County of Hale)
This instrument was acknowledged before me on October 17, 2025 by
Notary Public
My commission expires: 10-26-26

BILLY LEFEVRE
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 10/26/26
NOTARY ID 1138093-5

OWNERS STATEMENT AND AFFIDAVIT
State of)
County of)
The undersigned being first duly sworn on oath, state:
As owners and proprietors, we have of our own free will and consent, caused this plat with its tracts and existing road right-of-way, easements, dedications to be platted. The property described on this plat lies within the planning and platting jurisdiction of Chaves County, New Mexico.
Gary DeGraaf
Executor
Anna Mae DeGraaf Estate

APPROVAL OF THE CHAVES COUNTY FLOOD COMMISSIONER
State of New Mexico)
County of Chaves)
This is to certify this foregoing replat has been examined and approved by the Chaves County Flood Commissioner.
Chaves County, New Mexico on this 5 Day of Nov, 2025
Flood Commissioner:
Attest By:

INDEXING INFORMATION FOR THE COUNTY CLERK	RECORDING INFORMATION
COUNTY: CHAVES, NEW MEXICO	State of New Mexico County of Chaves FILED FOR RECORD
NAME OF OWNERS: CARREON SPOOLING SERVICES, LLC. AND GARY DEGRAAF AND ANNA MAE DEGRAAF ESTATE AND VW PROPERTIES, LLC.	8:4 9:47 NOV 5 2025
GENERAL PROPERTY DESCRIPTION: NE/4 NW/4 SECTION 21, T11S–R24E N.M.P.M. CHAVES COUNTY, NEW MEXICO	Time: 3:12pm Cindy Fuller County Clerk Linnea Cecenas Deputy Clerk
UNIFORM PARCEL CODE NUMBERS: 4–136–065–169–042 4–136–065–214–087	25-16712 $25

TRACT 1B DESCRIPTION

(Being a portion of Tract 2 as recorded in Book 3, Page 69 of the Chaves County Clerk's Office)

A 9.56± acre tract of land being out of the Northeast quarter of the Northwest quarter of Section 21, Township 11 South, Range 24 East of the New Mexico Principal Meridian, Chaves County, New Mexico, same being out of that certain tract of land as described in those certain instruments recorded in Book 543, Page 1438 and Book 634, Page 1125 as filed in the County Clerk's Office of Chaves County, New Mexico, also being out of that certain tract of land formerly known as Tract 2 according to the plat or map thereof recorded in Book 3, Page 69 as filed in the County Clerk's Office of Chaves County. New Mexico said 9.56± acre tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. and being described by metes and bounds as follows and being known hereon as Tract 1B:

(Bearings and Distances are Grid UTM Coordinate System-Zone 13N, NAD (1983) using GPS relative positioning techniques based on an OPUS solution on August 8, 2025.
Combined Scale Factor = 0.99945718)

COMMENCING at a 1/2 inch iron rod found and accepted for the West 1/16th corner of said Section 21, from whence a cotton spindle found and accepted for the North quarter corner of said Section 21 bears S. 88° 07' 51" E. (Base Line) 1338.61 feet;

THENCE S. 00° 10' 31" E. along the West line of the Northeast quarter of the Northwest quarter of said Section 21, at 39.98 feet passing a 1/2 inch iron rod with a cap stamped "LANDAVERDE 26407" found and accepted for the Northwest corner of that certain tract of land as described in that certain instrument recorded in Document No. 202302847 as filed in the County Clerk's Office of Chaves County, New Mexico, same being that certain tract of land formerly known as Tract 1 according to the plat or map thereof recorded in said Book 3, Page 69, also being the Northwest corner of that certain 10.00± acre tract of land, also being known as Tract 1A (Simultaneously Surveyed), further being in the South Right-of-Way of Brasher Road according to the plat or map thereof recorded in said Book 3, Page 69, continuing for a total distance of 699.82 feet to a 1/2 inch iron rod with a cap stamped "LANDAVERDE 26407" found and accepted for the Southwest corner of said Tract 1A. and being the Northwest and BEGINNING CORNER of this tract of land;

THENCE S. 88° 07' 51" E. 659.84 feet along the South line of said Tract 1A to a 1/2 inch iron with a cap stamped "LANDAVERDE 26407" found and accepted for the Southeast corner of said Tract 1A, also being in the West line of that certain 20.15± acre tract of land also being known as Tract 2A (Simultaneously Surveyed), and being the Northeast corner of this tract of land;

THENCE S. 00° 10' 31" E. 631.50 feet along the West line of said Tract 2A to a point in the South line of the Northeast quarter of the Northwest quarter of said Section 21, same being the South line of said former Tract 2, and being the Southeast corner of this tract of land;

THENCE N. 88° 03' 58" W. 659.87 feet along the South line of the Northeast quarter of the Northwest quarter of said Section 21, same being the South line of said former Tract 2 to a 1/2 inch iron rod with a cap stamped "8504" found and accepted for the Southwest corner of the Northeast quarter of the Northwest quarter of said Section 21, same being the Southwest corner of said former Tract 2, and being the Southwest corner of this tract of land;

THENCE N. 00° 10' 31" W. 630.76 feet along the West line of the Northeast quarter of the Northwest quarter of said Section 21, same being the West line of said former Tract 2 to the POINT OF BEGINNING and containing 9.56 acres, more or less.

BY:
Carreon Spooling Services, LLC.
State of New Mexico)ss
County of Chaves)
This instrument was acknowledged before me on October 10, 2025 by
Notary Public
My commission expires: 10-3-27

ALISA RAE SOTO
Notary Public
State of New Mexico
Comm. # 2000828
My Comm. Exp. Oct 3, 2027

OWNERS STATEMENT AND AFFIDAVIT
State of)
County of)
The undersigned being first duly sworn on oath, state:
As owners and proprietors, we have of our own free will and consent, caused this plat with its tracts and existing road right-of-way, easements, dedications to be platted. The property described on this plat lies within the planning and platting jurisdiction of Chaves County, New Mexico.
Carreon Spooling Services, LLC.

CONCURRENCE
We concur as to the size and location of easements shown.
XCEL Energy — Date: 10-28-25
New Mexico Gas Company — Date: 10/31/2025

CERTIFICATE
I Kyle L. Brady, New Mexico Professional Surveyor No. 25645, do hereby certify that this Boundary Survey Plat and the actual survey on the ground upon which it is based were performed by me or under my direct supervision; that I am responsible for this survey; that this survey meets the Minimum Standards for Surveying in New Mexico; and that it is true and correct to the best of my knowledge and belief. I further certify that this survey is not a land division or subdivision as defined in the New Mexico Subdivision Act.
(New Mexico Subdivision Act J.13)
Kyle L. Brady, P.S. No. 25645 — Date: 10-9-25

TRACT 2A DESCRIPTION

(Being a portion of Tract 2 as recorded in Book 3, Page 69 of the Chaves County Clerk's Office)

A 20.15± acre tract of land being out of the Northeast quarter of the Northwest quarter of Section 21, Township 11 South, Range 24 East of the New Mexico Principal Meridian, Chaves County, New Mexico, same being out of that certain tract of land as described in those certain instruments recorded in Book 543, Page 1438 and Book 634, Page 1125 as filed in the County Clerk's Office of Chaves County, New Mexico, also being out of that certain tract of land formerly known as Tract 2 according to the plat or map thereof recorded in Book 3, Page 69 as filed in the County Clerk's Office of Chaves County, New Mexico said 20.15± acre tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. and being described by metes and bounds as follows and being known hereon as Tract 2A:

(Bearings and Distances are Grid UTM Coordinate System-Zone 13N, NAD (1983) using GPS relative positioning techniques based on an OPUS solution on August 8, 2025.
Combined Scale Factor = 0.99945718)

COMMENCING at a cotton spindle found and accepted for the North quarter corner of said Section 21, from whence a 1/2 inch iron rod found and accepted for the West 1/16th corner of said Section 21 bears N. 88° 07' 51" W. (Base Line) 1338.61 feet;

THENCE S. 00° 12' 26" E. 39.98 feet along the East line of the Northeast quarter of the Northwest quarter of said Section 21 to a 1/2 inch iron rod with a cap stamped "LANDAVERDE 26407" found and accepted for the Northeast corner of said former Tract 2, same being in the South Right-of-Way of Brasher Road according to the plat or map thereof recorded in said Book 3, Page 69, and being the Northeast and BEGINNING CORNER of this tract of land;

THENCE S. 00° 12' 26" E. 1291.14 feet along the East line of the Northeast quarter of the Northwest quarter of said Section 21, same being the East line of said former Tract 2 to a point for the Southeast corner of the Northeast quarter of the Northwest quarter of said Section 21, same being the Southeast corner of said former Tract 2, and being the Southeast corner of this tract of land;

THENCE N. 88° 03' 58" W. 679.54 feet along the South line of the Northeast quarter of the Northwest quarter of said Section 21, same being the South line of said former Tract 2 to a point for the Southwest corner of this tract of land, same being the Southeast corner of that certain 9.56± acre tract of land, also being known as Tract 1B (Simultaneously Surveyed) from whence a 1/2 inch iron rod with cap stamped "8504" found and accepted for the Southwest corner of the Northeast quarter of the Northwest quarter of said Section 21, same being the Southwest corner of said Tract 1B bears N. 88° 03' 58" W. 659.87 feet;

THENCE N. 00° 10' 31" W. at 631.50 feet passing a 1/2 inch iron with a cap stamped "LANDAVERDE 26407" found and accepted for the Southeast corner of that certain 10.00± acre tract of land, also being known as Tract 1A (Simultaneously Surveyed), same being the Northeast corner of said Tract 1B, continuing for a total distance of 1291.34 feet to a 1/2 inch iron rod with a cap stamped "LANDAVERDE 26407" found and accepted for the Northeast corner of said Tract 1A, same being in said South Right-of-Way line of Brasher Road, and being the Northwest corner of this tract of land;

THENCE S. 88° 07' 51" E. 678.79 feet along said South Right-of-Way line of Brasher Road, same being the North line of said former Tract 2, to the POINT OF BEGINNING and containing 20.15 acres, more or less.

BY:
VW Properties, LLC.
State of Arizona)
)ss
County of Pima)
This instrument was acknowledged before me on October 21, 2025 by
Notary Public
My commission expires: July 20, 2027

OFFICIAL SEAL
MATTHEW MANLEY
NOTARY PUBLIC - ARIZONA
PIMA COUNTY
COMM# 651875
My Comm. Expires JULY 20,2027

OWNERS STATEMENT AND AFFIDAVIT
State of)
County of)
The undersigned being first duly sworn on oath, state:
As owners and proprietors, we have of our own free will and consent, caused this plat with its tracts and existing road right-of-way, easements, dedications to be platted. The property described on this plat lies within the planning and platting jurisdiction of Chaves County, New Mexico.
VW Properties, LLC.

CHAVES COUNTY APPROVAL
Approved and Accepted by the Chaves County Board of County Commissioners or agent on this 5 Day of Nov, 2025
Agent
Attest By:

APPROVAL OF THE CITY OF ROSWELL
State of New Mexico)
County of Chaves)
This is to certify that this foregoing replat has been examined and approved by the City of Roswell.
Chaves County, New Mexico on this 5th Day of Nov, 2025
City Manager:
Attest By:

CITY OF ROSWELL SEAL NEW MEXICO

SURVEY FOR:
SOUTHWESTERN PUBLIC SERVICE, COMPANY

KYLE L. BRADY NEW MEXICO 25645 PROFESSIONAL SURVEYOR

FURMAN LAND SURVEYORS, INC.
SURVEYING · MAPPING · CONSULTING
TEXAS · OKLAHOMA · NEW MEXICO
KANSAS · COLORADO
DARYL R. FURMAN, RPLS · DANIEL R. FURMAN, RPLS · DONALD R. FURMAN, RPLS
CASEY A. MANN, RPLS · LANDON M. STOKES, RPLS
HEATHER LYNN LEMONS, RPLS · KYLE L. BRADY, RPLS
M. CHASE ROME, RPLS · LEONARD A. MCLAUGHLIN, RPLS
PETER VENTURA, SIT · JONATHAN LANDES, SIT
TEXAS FIRM #10092400 & 10092401
P.O. BOX 1416 · AMARILLO, TEXAS 79105 · (806) 374-4246 · FAX (806) 374-4248
P.O. BOX 464 · DUMAS, TEXAS 79029 · (806) 934-1403 · FAX (806) 934-1482

PROJECT NO. 2536047
DRAWING NO. T:\Dwg 25\XCEL\2536047\Dwg\2536047

EXHIBIT I: ANNEX-26-0084 PROPOSED ANNEXATION ORDINANCE

ORDINANCE NO. 26-XX

AN ORDINANCE OF THE CITY OF ROSWELL ANNEXING A CERTAIN TRACT OF LAND CONTAINING 9.56 ACRES MORE OR LESS; BEING TRACT 1B OF THE SPS TRACT 1B ANNEXATION PLAT OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAVES COUNTY, NEW MEXICO; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY, THE CITY COUNCIL OF ROSWELL, NEW MEXICO THAT:

WHEREAS, Petition has heretofore been filed seeking annexation of certain lands to the City of Roswell, New Mexico, under and by virtue of the provision of 3-7-17 NMSA 1978, known as the “Petition Method," said lands being described as:

> SPS TRACT 1B ANNEXATION PLAT: THE ANNEXATION OF TRACT 1B OF THE LAND DIVISION OF THE NE / 4 NW / 4 OF SECTION 21, TOWNSHIP 11 SOUTH, RANGE 24 EAST, N.M.P.M., CONTAINING 9.56 ACRES MORE OR LESS IN CHAVES COUNTY, NEW MEXICO, ALSO KNOWN AS SPS TRACT 1B ANNEXATION PLAT IN THE VICINITY OF 402 E BRASHER ROAD.

WHEREAS, Said territory hereby sought to be annexed is contiguous to the municipality, and the petitioner represents a majority of the number of acres sought to be annexed; the petition for annexation is accompanied by a map showing the external boundary of the territory proposed to be annexed and the relationship of said territory to the existing boundary of the municipality, and if municipal services can be made available to said territory hereby sought to be annexed.

Section 1. ANNEXATION.

Said parcels or tracts of land herein above described, and the same hereby are annexed as part and parcel of the City of Roswell, New Mexico, for all legal purposes.

Section 2. APPEAL.

Within thirty (30) days after the filing of authenticated copy of this ordinance with survey plat attachment in the office of the County Clerk as aforesaid, any person aggrieved may appeal to the District Court for review of the validity of the annexation proceedings herein.

Section 3. REPEALER.

All ordinances, parts of ordinances or sections of the Municipal Code in conflict or inconsistent herewith be, and the same hereby are repealed to the extent of such conflict or inconsistency. This repealer is not to be construed as reviving any ordinances, parts of ordinances or sections of the Municipal Code heretofore repealed.

Section 4. SEVERABILITY.

If any section, paragraph, clause or provision of this ordinance should for any reason be held invalid or unenforceable, such invalidity or unenforceability shall not affect any other part of this ordinance.

Section 5. EFFECTIVE DATE.

This annexation shall be and become effective after the filing of a duly authenticated copy of this ordinance, together with an official survey plat of the territory hereby annexed in the office of the County Clerk of Chaves County, New Mexico; provided that the effective date hereof shall not be less than five (5) days after publication hereof.

PASSED, ADOPTED, SIGNED and APPROVED the 9th day of July, 2026.

CITY SEAL

_____
Timothy Z. Jennings, Mayor

ATTEST:

_____
Amalia Martinez, City Clerk