



**Resolution # 2011- 24**

**RESOLUTION FINDING BUILDINGS, STRUCTURES, RUINS, RUBBISH, WRECKAGE OR DEBRIS UPON E1/2SE1/4SE1/4, SECTION 28 IN TOWNSHIP 6 NORTH, RANGE 8 EAST N.M.P.M., CONTAINING 20 ACRES MORE OR LESS TO BE A MENACE TO PUBLIC COMFORT, HEALTH, PEACE OR SAFETY AND REQUIRING REMOVAL**

**WHEREAS**, E1/2SE1/4SE1/4, Section 28 in Township 6 North, Range 8 East N.M.P.M., containing 20 acres more or less (the "Property"), is within the jurisdiction of Torrance County; and,

**WHEREAS**, the Peggy L. Start Trust, u/t/a dtd. April 27, 2010, is the record owner of the Property; and,

**WHEREAS**, scrap tires, ruins, rubbish, wreckage, debris, and other types of solid waste (hereinafter collectively referred to as "Debris") are strewn across the Property, as shown by the photographs attached to this Resolution as Exhibits P&Z 1 through 7; and,

**WHEREAS**, the Debris threatens the public comfort, health, peace or safety in Torrance County by creating a breeding ground for diseases, vectors and vermin, posing a fire danger, posing a danger to human health, and depressing property values; and,

**WHEREAS**, Torrance County has received a grant from the State of New Mexico to remove illegal tire dump sites such as those found on the Property; and,

**WHEREAS**, it is in the interest of the citizens of Torrance County to maximize the County's limited resources to remove the illegal tire dump sites and illegal debris simultaneously; and,

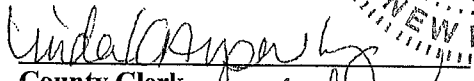
**WHEREAS**, Torrance County has the authority, pursuant to NMSA 1978, § 3-18-5, to require the removal of such unhealthful Debris;

**NOW, THEREFORE, BE IT RESOLVED**, that the Torrance County Commission hereby:

1. **FINDS** that the Property described as E1/2SE1/4SE1/4, Section 28 in Township 6 North, Range 8 East N.M.P.M., containing 20 acres more or less has upon it a building, structure, ruins, rubbish, wreckage or debris which is a menace to the public comfort, health, peace or safety; and,
2. **ORDERS** the Peggy L. Start Trust, u/t/a dtd. April 27, 2010, other owner, occupant or agent in charge of the Property to remove the Debris from the Property; and,
3. **AUTHORIZES** the Torrance County Manager to cause the removal of the Debris and to file a lien against the Property for the cost of removing the Debris, if the owner, occupant or agent in charge of the Property fails to commence removal of the Debris on the Property or fails to file a written objection to this Resolution within ten (10) days of the receipt or posting of this Resolution as specified in NMSA 1978, § 3-18-5.

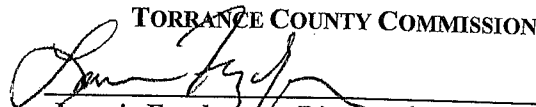
**DONE** at Estancia, New Mexico, Torrance County this \_\_ day of June, 2011.

Attest:

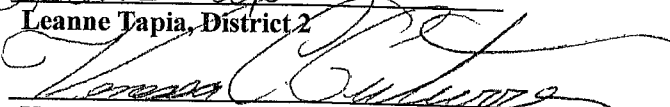
  
County Clerk

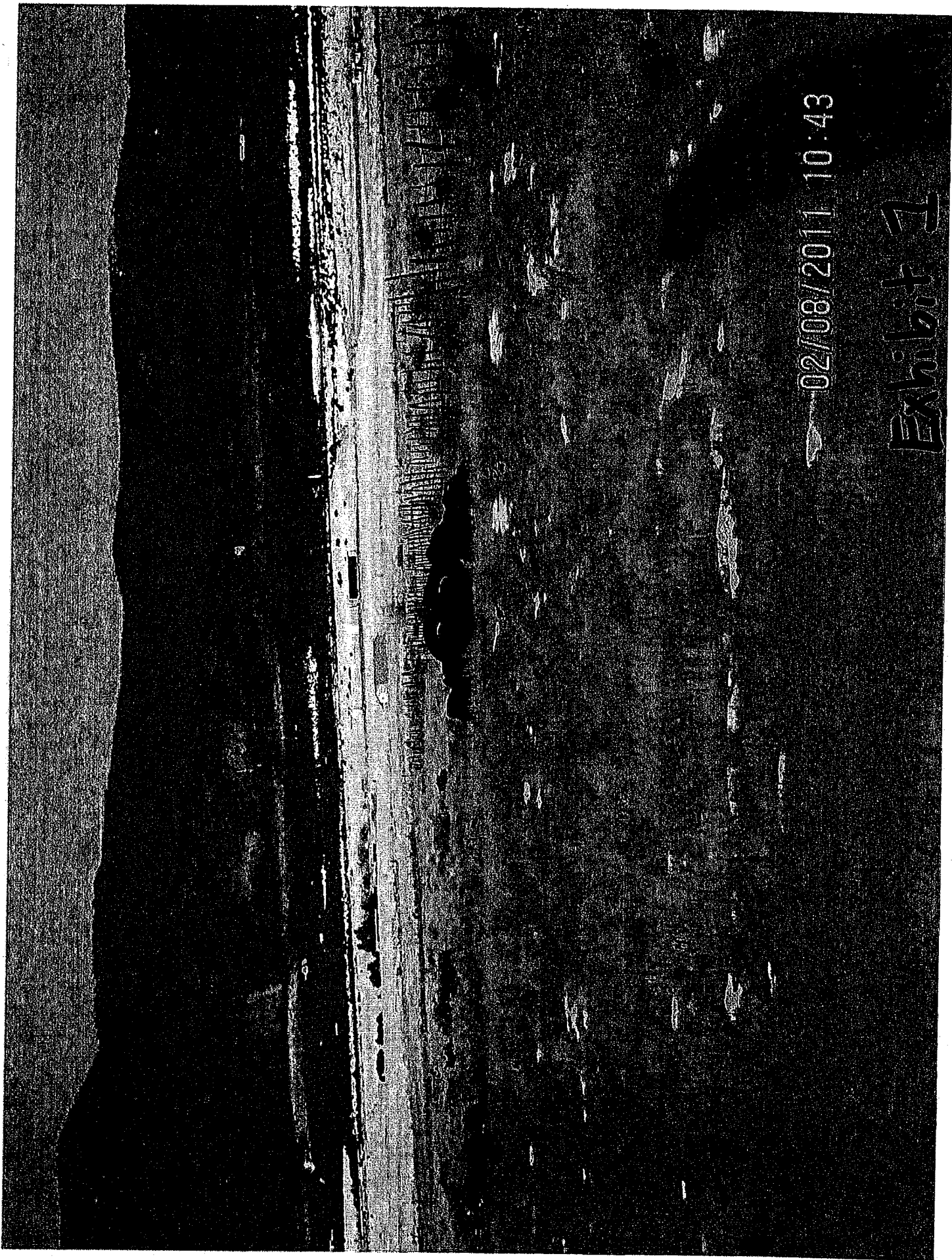


TORRANCE COUNTY COMMISSION

  
Lonnie Freyburger, District 1

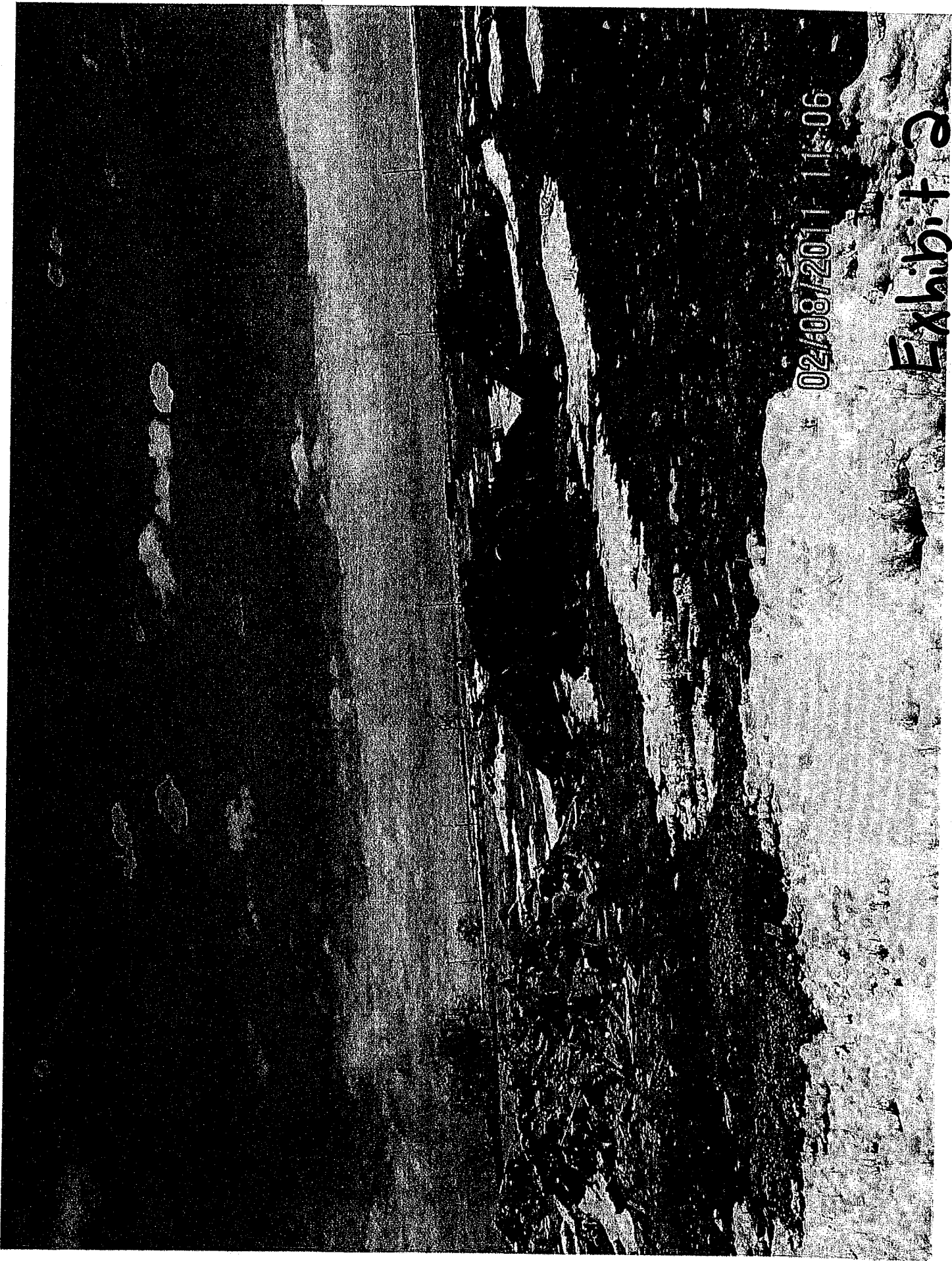
  
Leanne Tapia, District 2

  
Venessa Chavez-Gutierrez, Chair



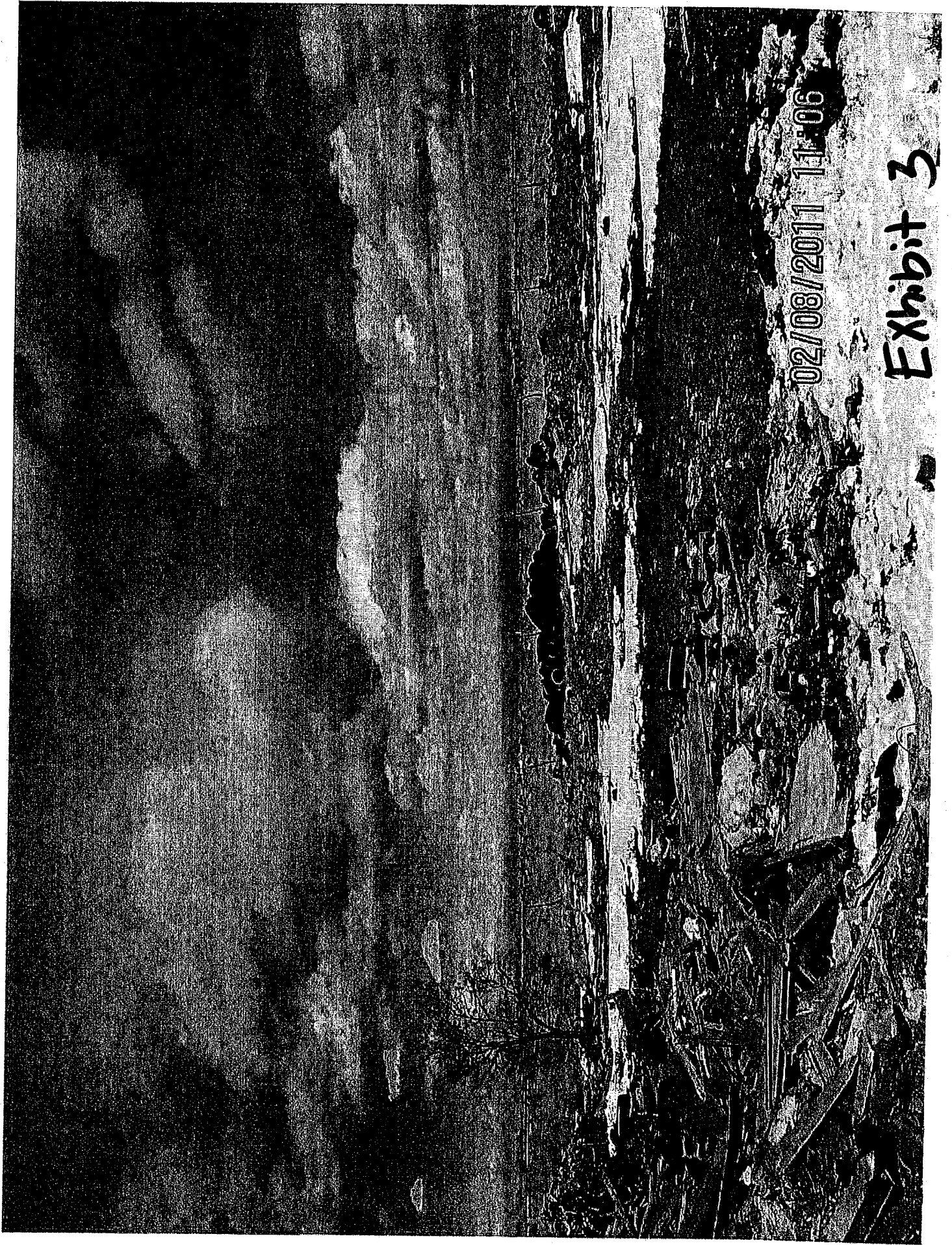
02/08/2011 10:43

Exhibit 1



02/08/2011 11:06

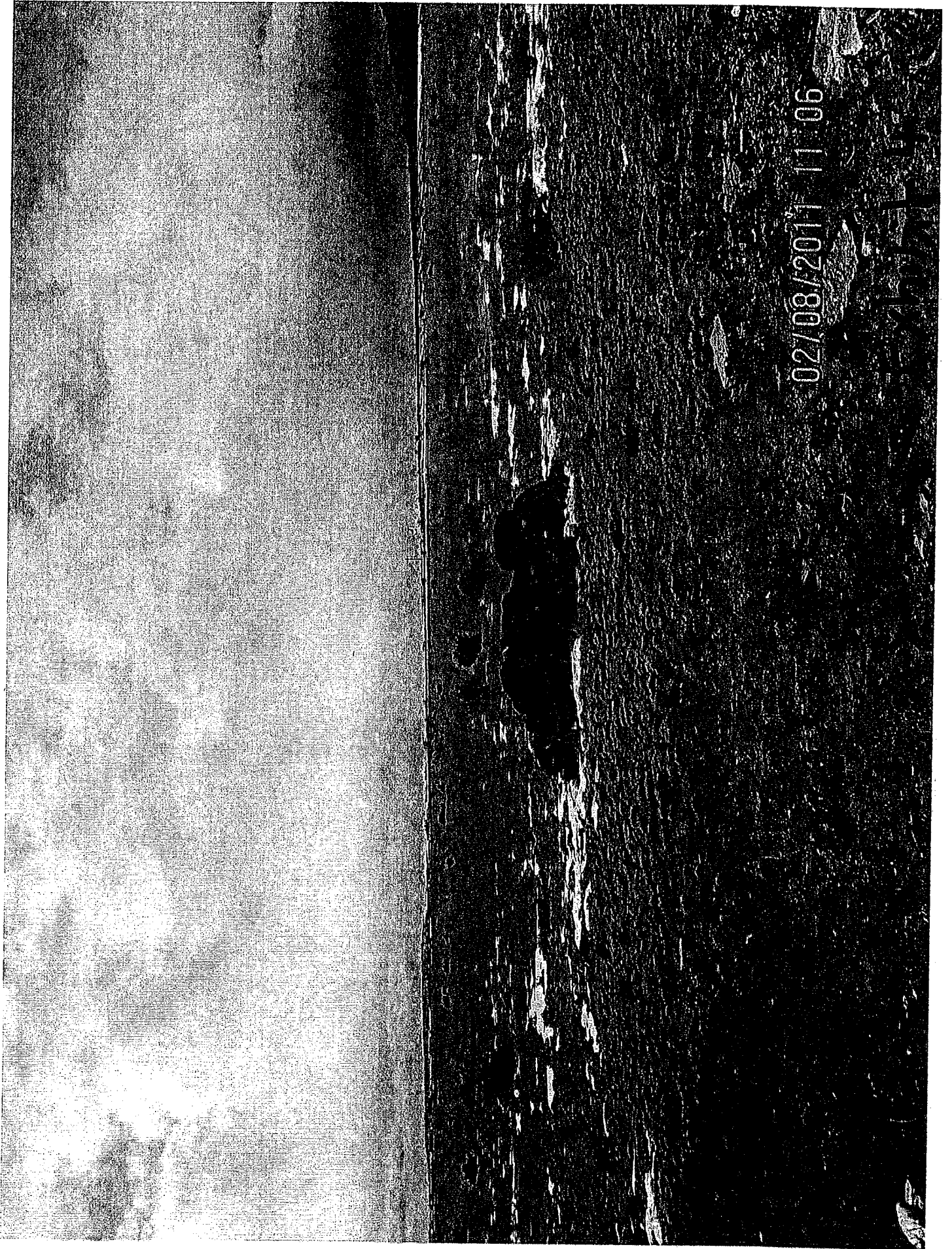
Exhibit 2

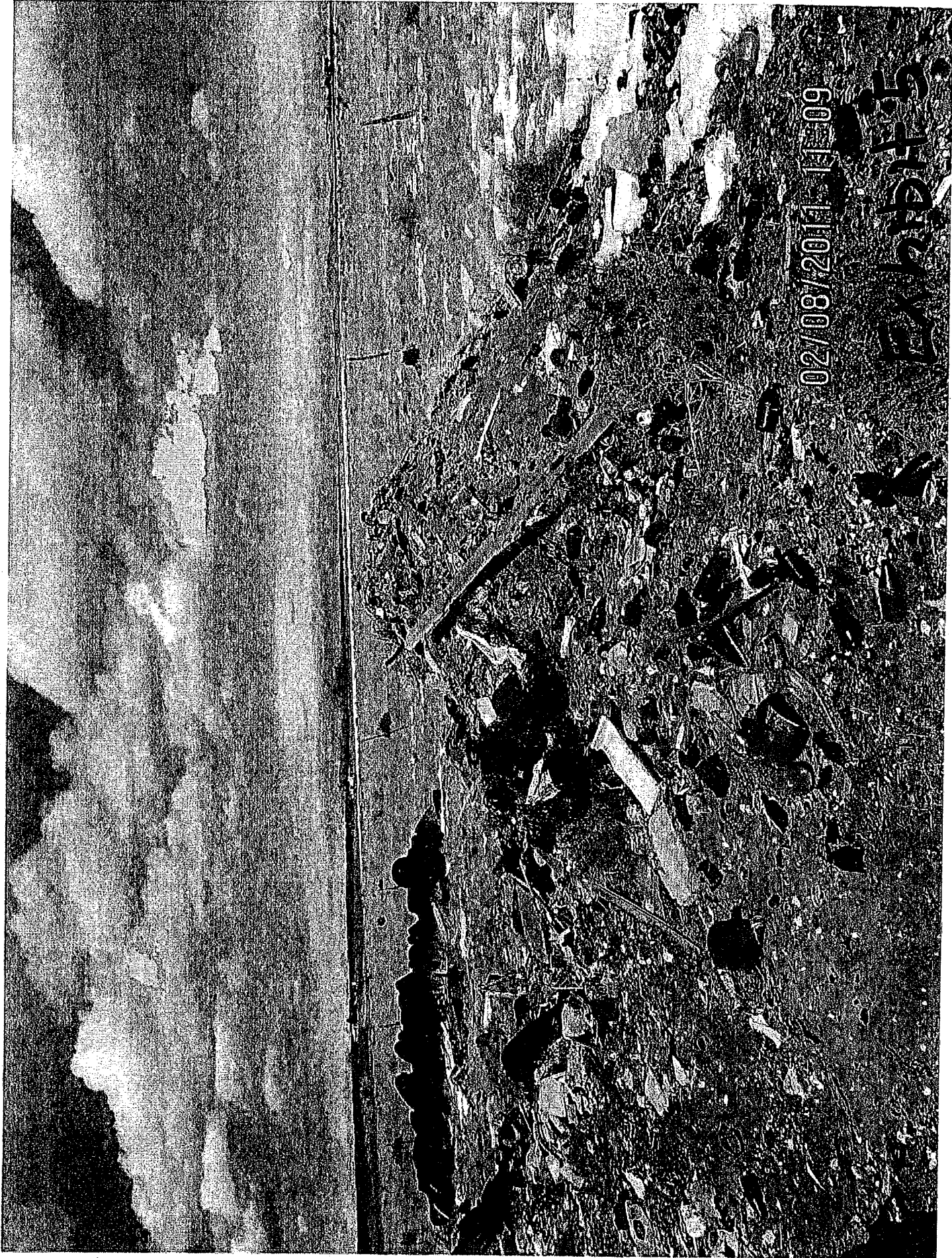


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Exhibit 3



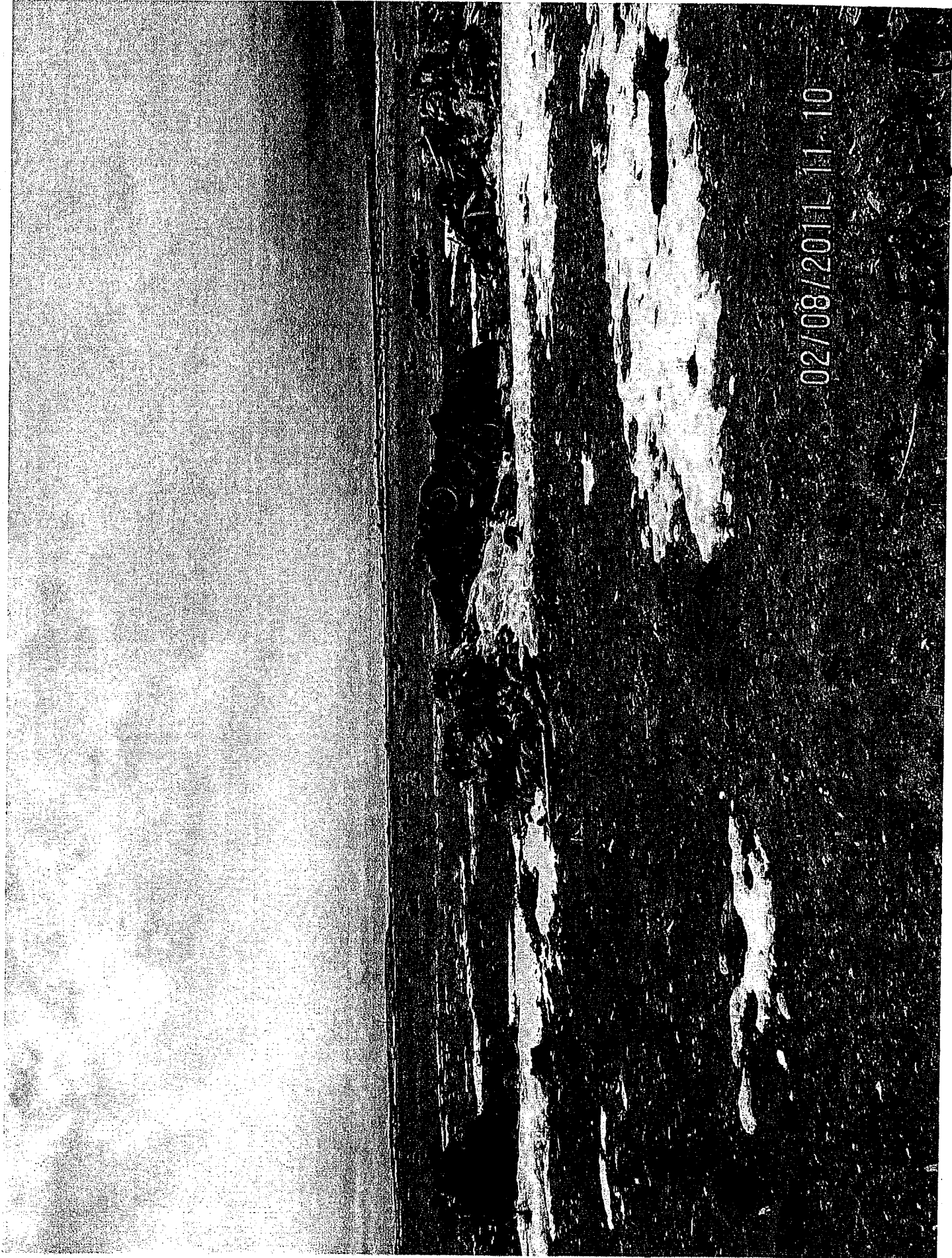




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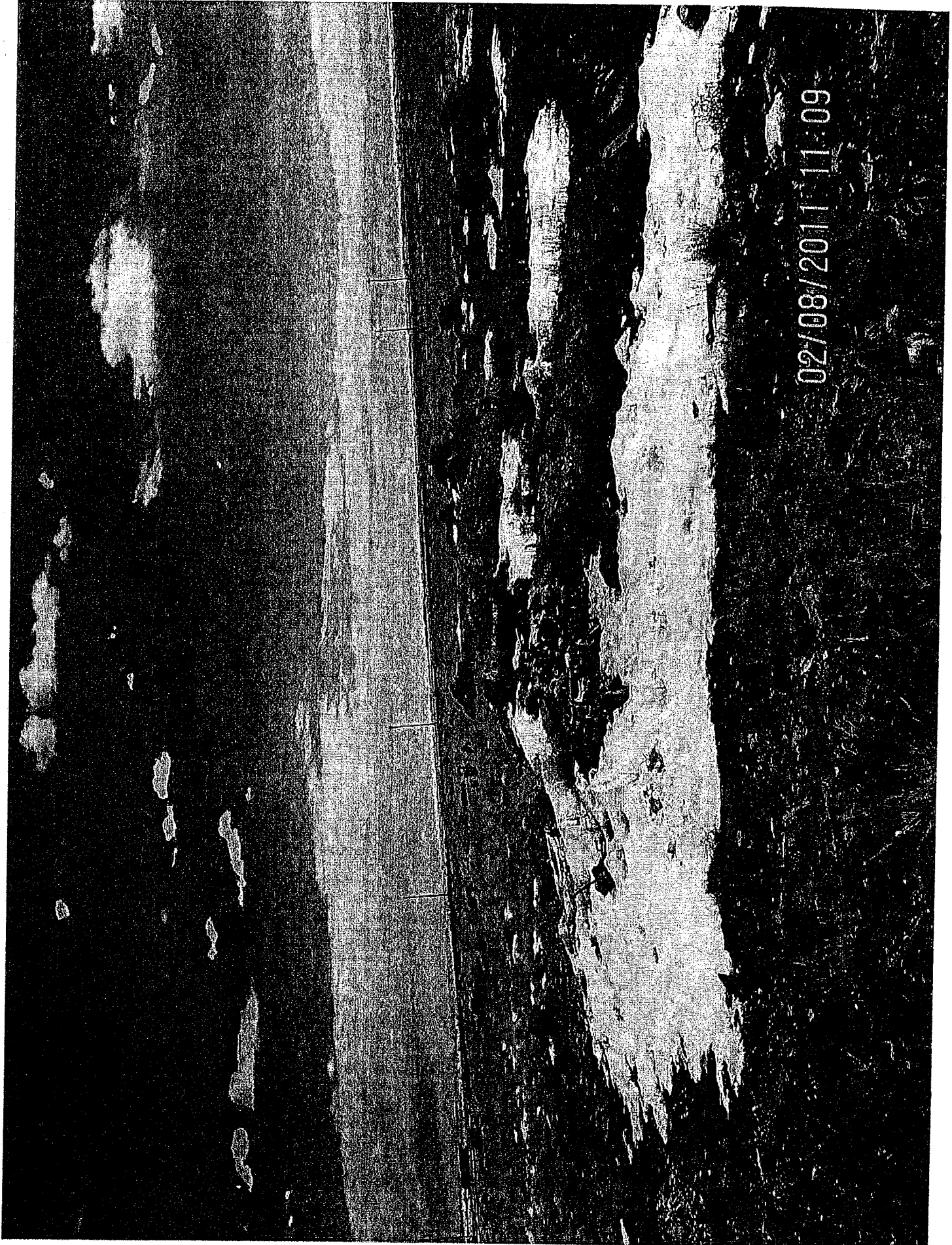
Exhibit 5





02/08/2011 11:10





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