



Resolution # 2011- 33 .

**RESOLUTION FINDING BUILDINGS, STRUCTURES,  
RUINS, RUBBISH, WRECKAGE OR DEBRIS UPON SIX  
CONTIGUOUS PROPERTIES IN ESTANCIA RANCHETTES  
TO BE A MENACE TO PUBLIC COMFORT, HEALTH,  
PEACE OR SAFETY AND REQUIRING REMOVAL**

**WHEREAS**, Lot Thirty One (31), BLK Five (5), Unit Three (3), Estancia Ranchettes and Lot Thirty Two (32), BLK Five (5), Unit Three (3), Estancia Ranchettes are within the jurisdiction of Torrance County and Filandro & Stella Anaya are the record owners of said properties; and,

**WHEREAS**, Lot Thirty (30), BLK Five (5), Unit Three (3), Estancia Ranchettes is within the jurisdiction of Torrance County and David & Yolanda Gallegos are the record owners of said property; and,

**WHEREAS**, Lot Twenty Nine (29), BLK Five (5), Unit Three (3), Estancia Ranchettes is within the jurisdiction of Torrance County and James & Agnes Comes are the record owners of said property; and,

**WHEREAS**, Lot Sixteen (16), BLK Seven (7), Unit Four (4), Estancia Ranchettes is within the jurisdiction of Torrance County and Dar Sims is the record owner of said property; and,

**WHEREAS**, Lot Fifteen (15), BLK Seven (7), Unit Four (4), Estancia Ranchettes is within the jurisdiction of Torrance County and Roy & Stacy Logan are the record owners of said property; and,

**WHEREAS**, the above described properties (the "Properties") are contiguous and constitute a single illegal tire dump site (the "Site"); and,

**WHEREAS**, scrap tires, ruins, rubbish, wreckage, debris, and other types of solid waste (hereinafter collectively referred to as "Debris") are strewn across the Properties constituting the Site, as shown by the photographs attached to this Resolution as Exhibits P&Z 1 through 9; 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 Properties; 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 Properties described as:

Lot Thirty One (31), BLK Five (5), Unit Three (3), Estancia Ranchettes;  
Lot Thirty Two (32), BLK Five (5), Unit Three (3), Estancia Ranchettes;  
Lot Thirty (30), BLK Five (5), Unit Three (3), Estancia Ranchettes;  
Lot Twenty Nine (29), BLK Five (5), Unit Three (3), Estancia Ranchettes;  
Lot Sixteen (16), BLK Seven (7), Unit Four (4), Estancia Ranchettes;  
Lot Fifteen (15), BLK Seven (7), Unit Four (4), Estancia Ranchettes,

have upon them a building, structure, ruins, rubbish, wreckage or debris which is a menace to the public comfort, health, peace or safety; and,

2. **ORDERS** Filandro & Stella Anaya, other owner(s), occupant(s) or agent(s) in charge of Lot Thirty One (31), BLK Five (5), Unit Three (3), Estancia Ranchettes and Lot Thirty Two (32), BLK Five (5), Unit Three (3), Estancia Ranchettes to remove the Debris from said properties; and,
3. **ORDERS** David & Yolanda Gallegos, other owner, occupant or agent in charge of Lot Thirty (30), BLK Five (5), Unit Three (3), Estancia Ranchettes to remove the Debris from said property; and,
4. **ORDERS** James & Agnes Comes, other owner, occupant or agent in charge of Lot Twenty Nine (29), BLK Five (5), Unit Three (3), Estancia Ranchettes to remove the Debris from said property; and,
5. **ORDERS** Dar Sims, other owner, occupant or agent in charge of Lot Sixteen (16), BLK Seven (7), Unit Four (4), Estancia Ranchettes to remove the Debris from said property; and,
6. **ORDERS** Roy & Stacy Logan, other owner, occupant or agent in charge of Lot Fifteen (15), BLK Seven (7), Unit Four (4), Estancia Ranchettes to remove the Debris from said property; and,
7. **AUTHORIZES** the Torrance County Manager to cause the removal of the Debris and to file a lien against each of the above described properties for the cost of removing the Debris, if the owner, occupant or agent in charge of a respective property fails to commence removal of the Debris on their 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 28<sup>th</sup> day of September, 2011.



Attest:

Linda Lopez  
County Clerk

TORRANCE COUNTY COMMISSION

Venessa Chavez Gutierrez  
Venessa Chavez Gutierrez, Chair

Lonnie Freyberger  
Lonnie Freyberger

Leann Tapia  
Leann Tapia