

Resolution # 2011- 34.

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

WHEREAS, Lot Thirty Eight (38), BLK Five (5), Unit Six (6), Estancia Ranchettes is within the jurisdiction of Torrance County and Virgil & Bunker Hill are the record owners of said property; and,

WHEREAS, Lot Thirty Seven (37), BLK Five (5), Unit Six (6), Estancia Ranchettes is within the jurisdiction of Torrance County and K & A Hill are the record owners of said property; and,

WHEREAS, Lot Thirty Six (36), BLK Five (5), Unit Six (6), Estancia Ranchettes is within the jurisdiction of Torrance County and Brenda & Maurice Jenkins are the record owners of said property; and,

WHEREAS, Lot Thirty Five (35), BLK Five (5), Unit Six (6), Estancia Ranchettes is within the jurisdiction of Torrance County and W Krause & S Inez are the record owners of said property; and,

WHEREAS, Lot Thirty Four (34), BLK Five (5), Unit Six (6), Estancia Ranchettes is within the jurisdiction of Torrance County and Arthur Nobilette is the record owner of said property; and,

WHEREAS, Lot Thirty Three (33), BLK Five (5), Unit Six (6), Estancia Ranchettes is within the jurisdiction of Torrance County and, Gail Shreve is the record owner of said property; and,

WHEREAS, Lot Thirty Two (32), BLK Five (5), Unit Six (6), Estancia Ranchettes is within the jurisdiction of Torrance County and K Uddin & Sohaily Meah are the record owners of said property; and,

WHEREAS, Lot Thirty One (31), BLK Five (5), Unit Six (6), Estancia Ranchettes is within the jurisdiction of Torrance County and Theodore Schloesser is the record owner of said property; and,

WHEREAS, Lot Nineteen (19), BLK Six (6), Unit Six (6) Estancia Ranchettes is within the jurisdiction of Torrance County and, Janet & James Moors are the record owners of said property; and,

WHEREAS, Lot Eighteen (18), BLK Six (6), Unit Six (6), Estancia Ranchettes is within the jurisdiction of Torrance County and, Van & Ngoc Nguyen are the record owners of said property; and,

WHEREAS, Lot Seventeen (17), BLK Six (6), Unit Six (6), Estancia Ranchettes is within the jurisdiction of Torrance County and, the Margret Billings Estate is the record owner of said property; and,

WHEREAS, Lot Sixteen (16), BLK Six (6), Unit Six (6), Estancia Ranchettes is within the jurisdiction of Torrance County and, Gerry Berman is the record owner of said property; and,

WHEREAS, Lot Fifteen (15), BLK Six (6), Unit Six (6), Estancia Ranchettes is within the jurisdiction of Torrance County and, Ernest Kane is the record owners of said property; and,

WHEREAS, Lot Fourteen (14), BLK Six (6), Unit Six (6), Estancia Ranchettes is within the jurisdiction of Torrance County and, Jaikaran Singh is the record owner of said property; and,

WHEREAS, Lot Twelve (12), BLK Six (6), Unit Six (6), Estancia Ranchettes and Lot Thirteen (13), BLK Six (6), Unit Six (6), Estancia Ranchettes are within the jurisdiction of Torrance County and Amando Herrera is the record owner of said properties; and,

WHEREAS, Lot Thirty Four (34), BLK 7, Unit Six (6), Estancia Ranchettes is within the jurisdiction of Torrance County and Norman Shepard is the record owner of said property; and,

WHEREAS, Lot Thirty Three (33), BLK Seven (7), Unit Six (6), Estancia Ranchettes is within the jurisdiction of Torrance County and Cecil Shepard is the record owner 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 10; 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 Eight (38), BLK Five (5), Unit Six (6), Estancia Ranchettes;
Lot Thirty Seven (37), BLK Five (5), Unit Six (6), Estancia Ranchettes;
Lot Thirty Six (36), BLK Five (5), Unit Six (6), Estancia Ranchettes;
Lot Thirty Five (35), BLK Five (5), Unit Six (6), Estancia Ranchettes;
Lot Thirty Four (34), BLK Five (5), Unit Six (6), Estancia Ranchettes;
Lot Thirty Three (33), BLK Five (5), Unit Six (6), Estancia Ranchettes;
Lot Thirty Two (32), BLK Five (5), Unit Six (6), Estancia Ranchettes;
Lot Thirty One (31), BLK Five (5), Unit Six (6), Estancia Ranchettes;
Lot Nineteen (19), BLK Six (6), Unit Six (6) Estancia Ranchettes;
Lot Eighteen (18), BLK Six (6), Unit Six (6), Estancia Ranchettes;
Lot Seventeen (17), BLK Six (6), Unit Six (6), Estancia Ranchettes;
Lot Sixteen (16), BLK Six (6), Unit Six (6), Estancia Ranchettes;
Lot Fifteen, (15) BLK Six (6), Unit Six (6), Estancia Ranchettes;
Lot Fourteen (14), BLK Six (6), Unit Six (6), Estancia Ranchettes;
Lot Twelve (12), BLK Six (6), Unit Six (6), Estancia Ranchettes;
Lot Thirteen (13), BLK Six (6), Unit Six (6), Estancia Ranchettes;
Lot Thirty Four (34), BLK 7, Unit Six (6), Estancia Ranchettes;
Lot Thirty Three (33), BLK Seven (7), Unit Six (6), 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** Virgil & Bunker Hill, other owner, occupant or agent in charge of Lot Thirty
Eight (38), BLK Five (5), Unit Six (6), Estancia Ranchettes to remove the Debris from
said property; and,
3. **ORDERS** K&A Hill other owner, occupant or agent in charge of Lot Thirty Seven (37),
BLK Five (5), Unit Six (6) to remove the Debris from said property; and,
4. **ORDERS** Brenda & Maurice Jenkins, other owner, occupant or agent in charge of Lot
Thirty Six (36), BLK Five (5), Unit Six (6), Estancia Ranchettes to remove the Debris
from said property; and,
5. **ORDERS** W Krause & S Inez, other owner, occupant or agent in charge of Lot Thirty
Five (35), BLK Five (5), Unit Six (6), Estancia Ranchettes to remove the Debris from
said property; and,
6. **ORDERS** Arthur Nobilette, other owner, occupant or agent in charge of Lot Thirty Four
(34), BLK Five (5), Unit Six (6), Estancia Ranchettes to remove the Debris from said
property; and,
7. **ORDERS** Gail Shreve, other owner, occupant or agent in charge of Lot Thirty Three
(33), BLK Five (5), Unit Six (6), Estancia Ranchettes to remove the Debris from said
property; and,

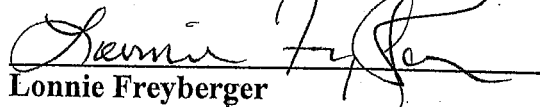
8. **ORDERS** K Uddin & Sohaily Meah, other owner, occupant or agent in charge of Lot Thirty Two (32), BLK Five (5), Unit Six (6), Estancia Ranchettes to remove the Debris from said property; and,
9. **ORDERS** Theodore Schloesser, other owner, occupant or agent in charge of Lot Thirty One (31), BLK Five (5), Unit Six (6), Estancia Ranchettes to remove the Debris from said property; and,
10. **ORDERS** Janet & James Moors, other owner, occupant or agent in charge of Lot Nineteen (19), BLK Six (6), Unit Six (6) Estancia Ranchettes to remove the Debris from said property; and,
11. **ORDERS** Van & Ngoc Nguyen, other owner, occupant or agent in charge of Lot Eighteen (18), BLK Six (6), Unit Six (6), Estancia Ranchettes to remove the Debris from said property; and,
12. **ORDERS** the Margret Billings Estate, other owner, occupant or agent in charge of Lot Seventeen (17), BLK Six (6), Unit Six (6), Estancia Ranchettes to remove the Debris from said property; and,
13. **ORDERS** Gerry Berman, other owner, occupant or agent in charge of Lot Sixteen (16), BLK Six (6), Unit Six (6), Estancia Ranchettes to remove the Debris from said property; and,
14. **ORDERS** Ernest Kane, other owner, occupant or agent in charge of Lot Fifteen (15), BLK Six (6), Unit Six (6), Estancia Ranchettes to remove the Debris from said property; and,
15. **ORDERS** Jaikaran Singh, other owner, occupant or agent in charge of Lot Fourteen (14), BLK Six (6), Unit Six (6), Estancia Ranchettes to remove the Debris from said property; and,
16. **ORDERS** Amando Herrera, other owner, occupant or agent in charge of Lot Twelve (12), BLK Six (6), Unit Six (6), Estancia Ranchettes and Lot Thirteen (13), BLK Six (6), Unit Six (6), Estancia Ranchettes to remove the Debris from said properties; and,
17. **ORDERS** Norman Shepard, other owner, occupant or agent in charge of Lot Thirty Four (34), BLK 7, Unit Six (6), Estancia Ranchettes to remove the Debris from said property; and,
18. **ORDERS** Cecil Shepard, other owner, occupant or agent in charge of Lot Thirty Three (33), BLK Seven (7), Unit Six (6), Estancia Ranchettes to remove the Debris from said property; and,
19. **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.

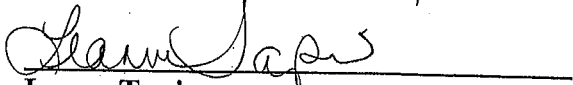
Attest:


Linda K. Spartz
County Clerk

TORRANCE COUNTY COMMISSION


Venessa Chavez Gutierrez, Chair


Lonnie Freyberger


Leann Tapia