

Resolution # 2012-35 .

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

WHEREAS, Lot Twenty Six (26), BLK Three (3), Unit Seven-A (7-A), Estancia Ranchettes is within the jurisdiction of Torrance County and the Judith Leone is the record owner of said property; and,

WHEREAS, Lot Seven (7), BLK Three (3), Unit Seven-A (7-A) Estancia Ranchettes is within the jurisdiction of Torrance County and William White is the record owner of said property; and,

WHEREAS, Lot Twenty Five (25), BLK Three (3), Unit Seven-A (7-A), Estancia Ranchettes, is within the jurisdiction of Torrance County and, Thomas Brooks 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 5; 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,

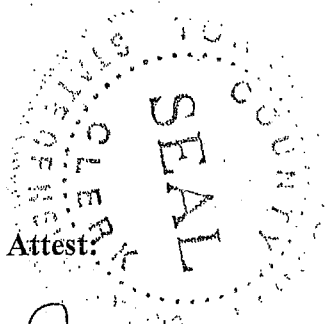
WHEREAS, it is in the interest of the citizens of Torrance County to maximize the County's limited resources to remove the illegal tire dump sites and illegal debris simultaneously; and,

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:

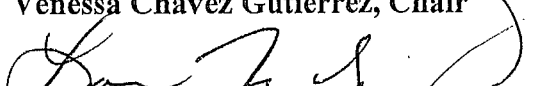
1. **FINDS** that the Properties described as
Lot Twenty Six (26) BLK Three (3) Unit Seven-A (7-A) Estancia Ranchettes;
Lot Seven (7) BLK Three (3), Unit Seven-A (7-A) Estancia Ranchettes;
Lot Twenty Five (25), BLK Three (3), Unit Seven-A (7-A), Estancia Ranchettes;
have upon them a building, structure, ruins, rubbish, wreckage or debris which is a menace to the public comfort, health, peace or safety; and,
2. **ORDERS** the Judith Leone, other owner, occupant or agent in charge of Lot Twenty Six (26) BLK Three (3) Unit Seven-A (7-A) Estancia Ranchettes to remove the Debris from said property; and,
3. **ORDERS** William White, other owner, occupant or agent in charge of Lot Seven (7) BLK Three (3), Unit Seven -A (7-A) Estancia Ranchettes to remove the Debris from said property; and,
4. **ORDERS** Thomas Brooks, other owner, occupant or agent in charge of Lot Twenty Five (25), BLK Three (3), Unit Seven-A (7-A), Estancia Ranchettes to remove the Debris from said property; and,
5. **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.

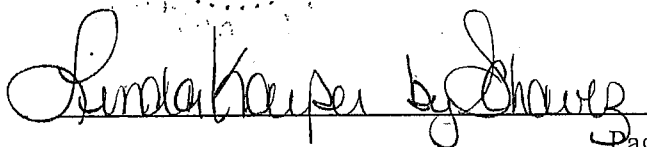
DONE at Estancia, New Mexico, Torrance County this 26th day of September, 2012.



TORRANCE COUNTY COMMISSION


Venessa Chavez Gutierrez, Chair


Lonnie Freyberger


Linda Kauper

