



Resolution # 2013- 47 .

**RESOLUTION FINDING BUILDINGS, STRUCTURES,
RUINS, RUBBISH, WRECKAGE OR DEBRIS UPON LOT 2-B,
LANDS OF POWEL AS SHOWN ON THAT PLAT
RECORDED APRIL 16TH, 1986, IN CABINET B, SLIDE 33 ,
TO BE A MENACE TO PUBLIC COMFORT, HEALTH,
PEACE OR SAFETY AND REQUIRING REMOVAL**

WHEREAS, Lot 2-B, Lands of Powel as shown on that plat recorded April 16th, 1986, in cabinet B, Slide 33, known as 13 Chico is within the jurisdiction of Torrance County and, Wilfred Hamil, is the record owner of said property; and,

WHEREAS, the above described property constitutes 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 Property constituting the Site, as shown by the photographs attached to this Resolution as Exhibits P&Z 1 through 6; 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;

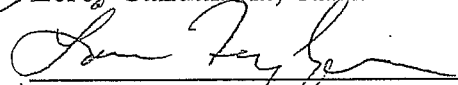
NOW, THEREFORE, BE IT RESOLVED, that the Torrance County Commission hereby:

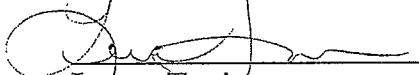
1. **FINDS**, that the Property described as Lot 2-B, Lands of Powel as shown on that plat recorded April 16th, 1986, in cabinet B, Slide 33, known as 13 Chico has upon it a building, structure, ruins, rubbish, wreckage or debris which is a menace to the public comfort, health, peace or safety; and,
2. **ORDERS** Wilfred Hamil , other owner, occupant or agent in charge of Lot 2-B, Lands of Powel as shown on that plat recorded April 16th, 1986, in cabinet B, Slide 33, known as 13 Chico , Moriarty NM to remove Debris from said property; and,
3. **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 9th day of October 2013.

TORRANCE COUNTY COMMISSION


Leroy Candalaria, Chair


Lonnie Freyberger


Leann Tapia

Attest:


County Clerk

