



Resolution # 2016- 046 .

RESOLUTION FINDING BUILDINGS, STRUCTURES, RUINS, RUBBISH, WRECKAGE OR DEBRIS UPON SIX CONTIGUOUS OR CONNECTED BY COMMON ROAD PROPERTIES IN THE BELLA VISTA SUBDIVISION TO BE A MENACE TO PUBLIC COMFORT, HEALTH, PEACE OR SAFETY AND REQUIRING REMOVAL

WHEREAS, LOT LETTERED G, BLOCK 23, TRACT C OF BELLA VISTA ESTATES (ALSO KNOWN A BELLA VISTA HOME AND DEVELOPMENT)are within the jurisdiction of Torrance County and DAVID G. NOVAT AND MARILYN A. NOVAT HUSBAND AND WIFE AS JOINT TENANTS are the record owners of said properties; and,

WHEREAS, LOT LETTERED C IN BLOCK NUMBERED TWENTY-ONE (21) OF TRACT LETTERED "C" IN BELLA VISTA ESTATES is within the jurisdiction of Torrance County and JOHNNY MAES IS the record owners of said property; and,

WHEREAS, LOT LETTERED H, BLOCK 22, TRACT C (ALSO) KNOWN AS BELLA VISTA HOME AND DEVELOPMENT is within the jurisdiction of Torrance County and KRYSTALANNE RUBENSTEIN IS the record owners of said property; and,

WHEREAS, BLOCK 23, BELLA VISTA LOT-F , TRACT C - is within the jurisdiction of Torrance County and AILEEN GARCIA is the record owner of said property; and,

WHEREAS, LOT I, BLOCK FORTY NINE, TRACT LETTERED C AND LOT C, TRACT C , BLOCK FORTY FIVE IN BELLA VISTA ESTATE is within the jurisdiction of Torrance County and DENIZ & IPEK TUNCA C/O MERT OKTEM are the record owners of said property; and,

WHEREAS, the above described properties (the "Properties") are contiguous or connect by common roads and constitute a single illegal 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 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 LETTERED G, BLOCK 23, TRACT C OF BELLA VISTA;
LOT LETTERED C IN BLOCK NUMBERED TWENTY-ONE (21) OF TRACT LETTERED "C" IN BELLA VISTA ESTATES;
LOT LETTERED H, BLOCK 22, TRACT C (ALSO) KNOWN AS BELLA VISTA HOME AND DEVELOPMENT ;
BLOCK -23, BELLA VISTA LOT-F TRACT C ;
LOT I, BLOCK FORTY NINE, TRACT LETTERED C AND LOT C, TRACT C , BLOCK FORTY FIVE IN BELLA VISTA ESTATE

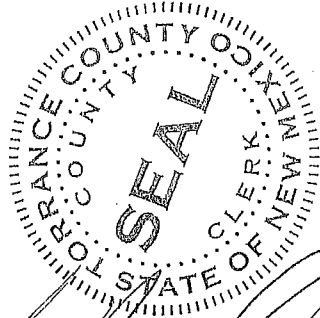
have upon them a building, structure, ruins, rubbish, wreckage or debris which is a menace to the public comfort, health, peace or safety; and,

2. **ORDERS** DAVID G. NOVAT AND MARILYN A. NOVAT HUSBAND AND WIFE AS JOINT TENANTS , other owner(s), occupant(s) or agent(s) in charge of LOT LETTERED G, BLOCK 23, TRACT C OF BELLA VISTA ESTATES (ALSO KNOWN A BELLA VISTA HOME AND DEVELOPMENT) to remove the Debris from said properties; and,
3. **ORDERS** JOHNNY MAES, other owner, occupant or agent in charge of LOT LETTERED C IN BLOCK NUMBERED TWENTY-ONE (21) OF TRACT LETTERED "C" IN BELLA VISTA ESTATES to remove the Debris from said property; and,
4. **ORDERS**, KRYSTALANNE RUBENSTEIN other owner, occupant or agent in charge of LOT LETTERED H, BLOCK 22, TRACT C (ALSO) KNOWN AS BELLA VISTA HOME AND DEVELOPMENT to remove the Debris from said property; and,
5. **ORDERS**, AILEEN GARCIA other owner, occupant or agent in charge of BLOCK 23, BELLA VISTA LOT-F TRACT C to remove the Debris from said property; and,
6. **ORDERS** , DENIZ & IPEK TUNCA C/O MERT OKTEM other owner, occupant or agent in charge of LOT I, BLOCK FORTY NINE, TRACT LETTERED C AND LOT C,

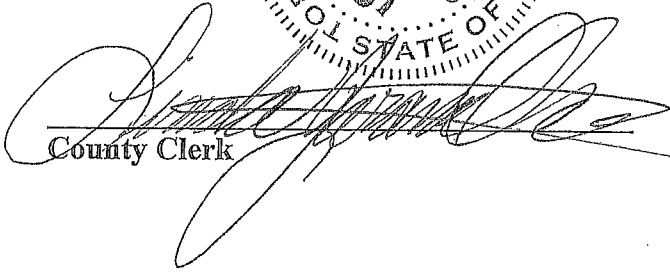
TRACT C , BLOCK FORTY FIVE IN BELLA VISTA ESTATE to remove the Debris from said property; and,

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 October , 2016.




Attest:


County Clerk

TORRANCE COUNTY COMMISSION


LeRoy Candelaria , Chair


James "Jim" Frost


Julia DuCharme