



Resolution # 2017-15 .

**RESOLUTION FINDING BUILDINGS, STRUCTURES,
RUINS, RUBBISH, WRECKAGE OR DEBRIS ON 4
CONTIGUOUS LOTS OFF RIPLEY AVE IN MOUNTAINAIR
TO BE A MENACE TO PUBLIC COMFORT, HEALTH,
PEACE OR SAFETY AND REQUIRING REMOVAL**

WHEREAS, Lands of Bruce Wilson AKA per B/144 Tract 3-A-1 (1.29) Tract 3-A-2 (1.09), Tract 3-A-3 (3.82) Tract 3-A-5 (7.54) T3 R7 Section 6 are within the jurisdiction of Torrance County and Rudy & Marcella Montano are the record owners of said properties; and

WHEREAS, the above described properties (the "Properties") are contiguous 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 3; 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: Lands of Bruce Wilson AKA per B/144 Tract 3-A-1 (1.29) Tract 3-A-2 (1.09), Tract 3-A-3 (3.82) Tract 3-A-5 (7.54) T3 R7 Section 6

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**, Rudy & Marcella Montano other owner(s), occupant(s) or agent(s) in charge of Lands of Bruce Wilson AKA per B/144 Tract 3-A-1 (1.29) Tract 3-A-2 (1.09), Tract 3-A-3 (3.82) Tract 3-A-5 (7.54) T3 R7 Section 6 to remove the Debris from said properties; 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 26TH day April of 2017.



[Handwritten Signature]

County Clerk

TORRANCE COUNTY COMMISSION

[Handwritten Signature]

Javier Sanchez , Chair

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Jim Frost

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Julia DuCharme



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