

RESOLUTION NO. R-22-021

A RESOLUTION DECLARING CERTAIN PROPERTIES, BUILDINGS, OR STRUCTURES TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE REQUIRING THE DEMOLITION AND/OR REMOVAL OF DAMAGED AND DILAPIDATED BUILDINGS, STRUCTURES, RUINS, RUBBISH, WRECKAGE, OR DEBRIS; PROVIDING THAT THE COUNTY SHALL PLACE A LIEN FOR THE COST OF DEMOLITION AND /OR REMOVAL; AND PRESCRIBING THE PROCEDURES INCIDENTAL TO SUCH REMOVAL/DEMOLITION.

WHEREAS, it is the opinion of the Board of Chaves County Commissioners, relying on its Building Inspector's and Code Enforcement Official's determination of such a hazard to the public wellbeing that the following properties:

<u>Site Address</u>	<u>Property Owner</u>
1.	
5205 S Lea Avenue	Gregorio Cervantes
Roswell NM 88203	PO Box 507
UPC # 4-135-066-431-093	Los Lunas, NM 87031
Legal Description: Subd: Claude Allison Acres Block: A Lot: 11 N 60FT W 146FT AND: Lot 12 S 10FT W 146FT	
2.	
1406 E McGaffey Street	Norman W. Cain Estate
Roswell NM 88203	815 C St. Apt. 2
UPC # 4-137-063-089-019	Fairbury, NE 68352-1962
Legal Description: Subd: Willie Porter Block: 0 Lot: 4	
3.	
2308 Urton Road	Bill and Angeline Merritt
Roswell NM 88201	712 Carper Dr.
UPC # 4-137-066-431-093	Artesia, NM 88210
Legal Description: S:27 T:10S R:24E NW4NW4 S 67' N 591.14' W 245.06' E 265.06'	
4.	
5001 S Main Street	Clara Garcia
Roswell NM 88203	5001 Smith Avenue
UPC # 4-136-065-023-475	Roswell, NM 88203
Legal Description: Subd: Johnson & Allison SW4 21-11-24 Block: 0 Lot: 5 W 301' Less S 53.5' W 150'	

5.

1900 Briggs Road	Roberto Magdaleno & Laura Cejo
Roswell NM 88201	3203 Vassar Drive
UPC # 4-137-056-284-362	Roswell, NM 88203
Legal Description: Berrendo Irrigated Farms Block: 3 Lot: 10 W2SW4 S:3 T:10S R:	
24E	

6.

4912 S Pennsylvania Avenue	Edwards, Sandra Fulfer & Norma Stidham
Roswell NM 88203	PO Box 753
UPC # 4-135-065-473-461	Moriarty, NM 87035
Legal Description: Johnson & Allison: A part of Lot: 22 being N135.9'x E 320.5'	

7.

401 Husky Road	Hector Solis
Roswell NM 88201	201 Charleston St. NE Apt. 1
UPC # 4-135-057-384-261	Albuquerque, NM 87108
Legal Description: Berrendo Irrigated Farms Block: 8 Lot: 7 S 206.75' E 417.50' S: 8 T:	
10S R: 24E	

8.

5600 Gramma Road	Toby Marrujo & Rebecca Rodriguez
Roswell NM 88201	42 Airport Road
UPC # 4-136-057-095-152	Los Lunas, NM 87031
Legal Description: Wheeler Block: 6 Lot: A1 and Lot: B1 and Lot: B2 and Lot: B3	
S: 9 T: 10S R: 24E	

9.

300 Elizabeth Drive	Geneva Bartlett, Dominic Gomez & Collette Candelaria
Roswell, NM 88203	2802 W. 4 th St. Apt. "A"
UPC # 4-131-062-496-138	Roswell, NM 88201
Legal Description: Lynndale Heights; Lot 18 Block 3	

Are covered with ruins, rubbish, wreckage, or debris, and/or contains buildings or structures that are in a state of disrepair, damage and /or dilapidation and are a menace to the health, safety, and general welfare of the inhabitants of the community based on facts submitted in Exhibit "A."

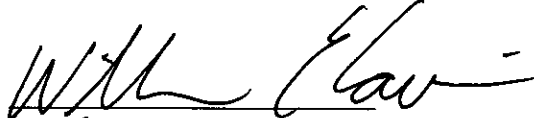
NOW, THEREFORE, BE IT RESOLVED:

1. That the buildings or structures set forth in Exhibit "A" are declared to be in such a state of disrepair, damage, and dilapidation as to constitute a dangerous building with the purview of Article 3-18-5 (NMSA, 1978), and/or that the properties defined in Exhibit "A" contains such ruins, rubbish, wreckage, and debris to be considered a menace to the public health, safety, and general welfare.
2. That such dangerous buildings or structures be removed if any cannot be reasonably be repaired so that they no longer pose a threat to the general safety and welfare of the public.
3. That any ruins, rubbish, wreckage, or debris be removed from the property so that the menace no longer exists.
4. Per NMSA 3-18-5(c) the owners, occupants, or agents in charge of said property are hereby ordered to remove such dangerous buildings, structures, ruins, rubbish, wreckage, or debris within a reasonable time not to exceed ten (10) days from the receipt of notice by certified mail or posting of a copy of this Resolution on the subject property and publishing of a copy of this Resolution in the local newspaper as hereinafter provided.
5. If such removal is not commenced by the owner, occupant or agent, or that written objection requesting a hearing is not filed with the County Clerk, within ten (10) days after having been served a copy of this Resolution by certified mail or posting of a copy of this Resolution on the subject property and publishing of a copy of this Resolution in the local newspaper, the County Manager is hereby authorized and directed to cause such dangerous buildings, structures, ruins, rubbish, wreckage or debris to be removed at the sole cost and expense of the owner, owners, or other parties having an interest in said property; and further, that the reasonable cost of such removal shall be and shall become a subsisting and valid lien against such property so removed, and the lot, parcel, or land from which such removal is made. Alternatively, the County Manager may act pursuant to Article 3-18-5 (g) (NMSA,1978) and cause the dangerous buildings, structures, ruins, rubbish, wreckage, or debris to be removed and grant to the person removing such materials the legal title to all salvageable materials in lieu of all other compensation.
6. If any aggrieved owner or other interested party shall file his or her protest within the time herein provided requesting hearing on the matter, the Chaves County Board of Commissioners shall fix a date for a public hearing, at which time said Protestants shall be entitled to be heard in person, by agent or attorney. The Commission shall consider evidence whether its previous action shall be enforced.

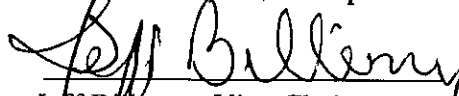
7. Upon the adoption of this resolution, it shall be the duty of the Code Enforcement Officer to notify the owner, occupant, or agent in charge of such property of the adoption of this resolution by serving a copy upon them by certified mail, return receipt requested; and in the event such owner, occupant, or agent cannot be found or served within said County as hereinabove provided, such notice may be served by posting a copy of this resolution upon the subject properties, followed by legal publication of said resolution one time in a newspaper of general circulation within the County.

PASSED, APPROVED, ADOPTED AND SIGNED this 26th day of MAY 2022.

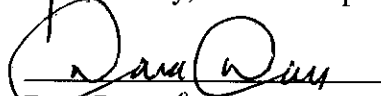
BOARD OF CHAVES COUNTY COMMISSIONERS:




William E. Cavin, Chairperson



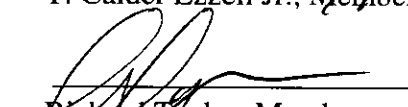
Jeff Berry, Vice Chairperson



Dara Dana, Member

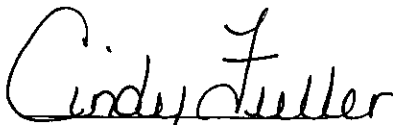


T. Calder Ezzell Jr., Member



Richard Taylor, Member

ATTEST:



Cindy Fuller, County Clerk