

CITY of ALBUQUERQUE

TWENTY SECOND COUNCIL

COUNCIL BILL NO. R-17-262 ENACTMENT NO. _____

SPONSORED BY: Ken Sanchez

1 RESOLUTION

2 A NUISANCE DWELLING OR STRUCTURE IN NEED OF ABATEMENT AT 557
3 DOLORES DR NW 87105 WITHIN THE CITY LIMITS OF ALBUQUERQUE, NEW
4 MEXICO IS SO RUINED, DAMAGED AND DILAPIDATED AS TO BE A
5 MENACE TO THE PUBLIC COMFORT, HEALTH, PEACE OR SAFETY AND
6 THAT IT IS TO BE REQUIRED TO BE REMOVED.

7 WHEREAS, the building, structure or premises is located at 557
8 DOLORES DR NW ALBUQUERQUE NM 87105, which is located and is more
9 particularly described as: LOT 007 V LAVALAND ADDN; and

10 WHEREAS, the Safe City Strike Force of the City of Albuquerque has
11 investigated the condition of said Building, structure of premises and has
12 found same to be so ruined, damaged and dilapidated that it constitutes a
13 menace to the public comfort, health, peace or safety and warrants
14 abatement and removal.

15 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY
16 OF ALBUQUERQUE:

17 Section 1. That the findings of said Safe City Strike Force, in regard to
18 said building, structure or premises, be and are hereby approved and
19 adopted and that said building, structure or premises is found to be ruined,
20 damaged and dilapidated, as to be a menace to the public comfort, health,
21 peace or safety pursuant to Section 3-18-5, N.M.S.A., 1978.

22 Section 2. That GREEN HERBERT P, record owner of said building,
23 structure or premises shall commence removal of same within ten (10) days
24 after service of a copy of this Resolution or within said ten (10) day period,
25 file written objection to findings herein with the City Clerk/Recorder of the
26 City of Albuquerque, asking for a hearing before the City Council.

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1 Section 3. If there is a failure of compliance with the provision of Section
2 2 herein, the City of Albuquerque shall proceed to remove said building,
3 structure or premises and abate said unsafe condition and the cost thereof
4 shall constitute a lien against such property so removed and against said lot
5 or parcel of land from which such removal be made, all as required and
6 allowed by law

7 Section 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
8 clause, word or phrase of this resolution is for any reason held to be invalid
9 or unenforceable by any court of competent jurisdiction, such decision shall
10 not affect the validity of the remaining provisions of this resolution. The
11 Council hereby declares that it would have passed this resolution and each
12 section, paragraph, sentence, clause, word or phrase thereof irrespective of
13 any provisions being declared unconstitutional or otherwise invalid.

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CITY OF ALBUQUERQUE
Albuquerque, New Mexico
Office of the Mayor

Mayor Richard J. Berry

INTER-OFFICE MEMORANDUM

Date October, 20 2017

TO: Isaac Benton, President, City Council

FROM: Richard J. Berry, Mayor *RM for RJB*

SUBJECT: Resolution of Nuisance Abatement of Dangerous Building at: 557
DOLORES NW 87105


The attached resolution requests that the building located at 557 Dolores NW, Albuquerque, New Mexico 87105, be abated and removed. Council approval is required according to N.M.S.A. Section 3-18-5, 1978.

In the event that the owners fail to demolish the condemned structure, the Planning Department will contract for the demolition and place a lien on the property. The estimated cost for demolition is \$22,000.

I am submitting this resolution to the City Council for their consideration and action.

Resolution of Nuisance Abatement Dangerous Building at: 557 Dolores NW, Albuquerque, New Mexico 87105

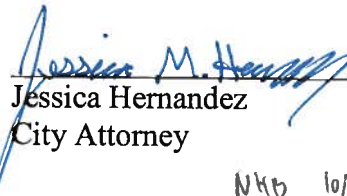
Approved:



Robert J. Perry
Chief Administrative Officer

11/13/17
Date

Approved as to Legal Form:




Jessica Hernandez
City Attorney

11/03/17
Date

NHB 10/30/17

Recommended:



Suzanne Lubar, Director
Director

10/27/17
Date

Cover Analysis

1. What is it?

A nuisance structure located at 557 Dolores NW and legally described as, LOT 007 V LAVALAND ADDN, in the City of Albuquerque.

2. What will this piece of legislation do?

Enable the removal of an unsafe/nuisance structure by a City Agency.

3. Why is this project needed?

Council approval is required for demolition of a Nuisance structure according to N.M.S.A. Section 3-18-5, 1998 and City Ordinance

4. How much will it cost and what is the funding source?

The estimated cost is \$11,000 General Fund and \$11,000 City Council fund activity 7528120 will be utilized. Upon completion of demolition, a lien will be filed which includes a demand for payment addressed to said owner(s).

5. Is there a revenue source associated with this Plan? If so, what level of income is projected?

None

FISCAL IMPACT ANALYSIS

TITLE: 557 Dolores NW Albuquerque NM 87105
LOT 007 V LAVALAND ADDN

R: X O:

FUND: 110

DEPT: Planning

- ☒ No measurable fiscal impact is anticipated, i.e., no impact on fund balance over and above existing appropriations.
- ☐ (If Applicable) The estimated fiscal impact (defined as impact over and above existing appropriations) of this legislation is as follows:

		2018	Fiscal Years 2019	2020	Total
Base Salary/Wages					-
Fringe Benefit:	47.036%		-	-	-
Subtotal Personnel		-	-	-	-
Operating Expenses			-		-
Property			-	-	-
Indirect Costs	%				-
Total Expenses		\$ -	\$ -	\$ -	\$ -
<hr/>					
[] Estimated revenues not affected					
[X] Estimated revenue impact					
			-	-	-
					-
					-
Total Revenue		\$ -	\$ -	\$ -	\$ -

These estimates do not include any adjustment for inflation.

* Range if not easily quantifiable.

Number of Positions created

COMMENTS :

Structure poses an extreme hazard due to severe fire damage and is substandard and a nuisance to the neighborhood surrounding community and to inquisitive minors. The structure will continue to dilapidate causing life safety issues. This is a substandard and a nuisance property.

COMMENTS ON NON-MONETARY IMPACTS TO COMMUNITY/CITY GOVERNMENT:

PREPARED BY:

Debbi Delvalle
FISCAL ANALYST

APPROVED:

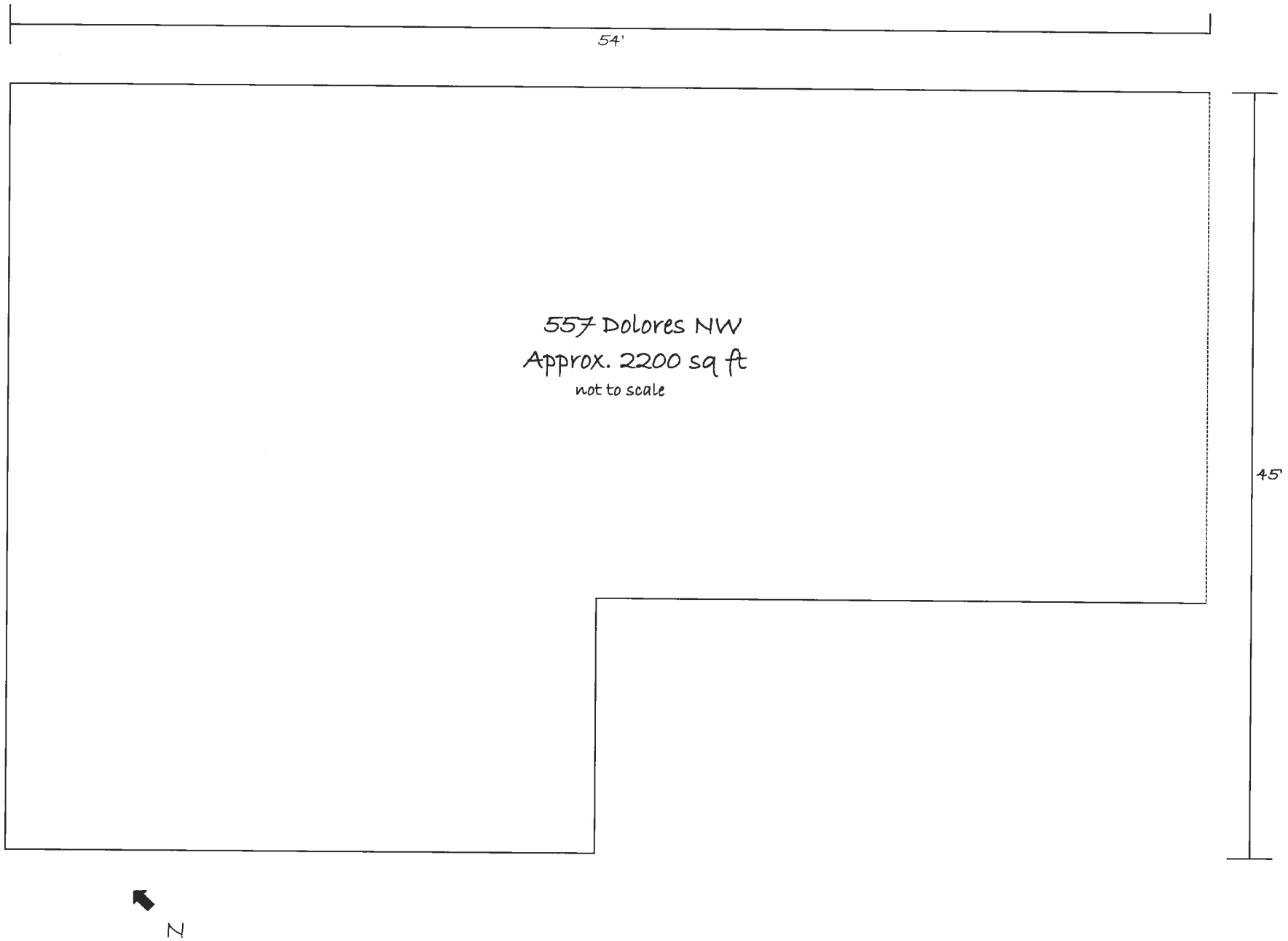
Juanita Tubas 10/27/17
DIRECTOR (date)

REVIEWED BY:

S. Ma
EXECUTIVE BUDGET ANALYST

Dudde Roman
BUDGET OFFICER (date)
11-7-17

Jacques Blair
CITY ECONOMIST





Stewart Title of Albuquerque, LLC
6759 Academy Road NE
Albuquerque, NM 87109
(505) 828-1700 Phone
(505) 821-6065 Fax

SEARCH REPORT

Dated: January 23, 2017

Issued to: City of Albuquerque
Angelo D. Metzgar
600 2nd St., NW, Suite 500
Albuquerque, NM 87102

Our Ref. No.: 01147-35447

Your Ref. No.:

Date and time of issuance: January 20, 2017 at 8:00 A.M.

As per your request, we have made a search of the public records of Bernalillo County, New Mexico, which include the real property records of the County Clerk of Bernalillo County, New Mexico Second Judicial District Court as to actions relating to real property, and the United States Bankruptcy Court for the District of New Mexico, as all are posted to the joint use plant leased by Stewart Title of Albuquerque, LLC.

THIS REPORT IS NOT TITLE INSURANCE. This report only provides title information contained in the above stated records and does NOT reflect unindexed or misindexed matters or any unrecorded or off record matters that may affect said land. This Company, in issuing this report assumes no liability on account of any instrument or proceedings in the chain of title to the property which may contain defects that would render such instruments or proceedings null and void or defective. All instruments in the chain of title to the property are assumed to be good and valid. This report is not a commitment to insure and therefore does not contain the requirements and exceptions which would appear in the commitment to insure or the exception which would appear in a title policy.

This Company's liability for this report is limited to the amount paid for this report and extends only to the party to which it is issued. No other party may rely on this report. This report contains no express or implied opinion, warranty, guarantee, insurance or other similar assurances as the status of title to the land.

Search has been made for the period of May 04, 1959, up to and including January 20, 2017, at 8:00 A.M., covering the following:

Legal Description:

Lot numbered Seven (7) in Block Lettered "V" of the Lavaland Addition, Plat of Blocks T, U, V, W and X, Albuquerque, Bernalillo County, New Mexico, as the same is shown and designated on the Plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico, May 15, 1946, in Plat Book D, Page 43.

Our search reveals the following placed of record:

1. Warranty Deed recorded May 4, 1959, in Book D 478, Page 519, records of Bernalillo County, New Mexico.
2. QuitClaim Deed recorded March 29, 1961, in Book D 588, Page 428, records of Bernalillo County, New Mexico.

3. Personal Representative Deed recorded November 4, 2011, as Doc. No. 2011100926, records of Bernalillo County, New Mexico.
4. Certification of Substandard Building recorded August 14, 2014, as Doc. No. 2014064090, records of Bernalillo County, New Mexico.
5. Claim of Lien filed by The City of Albuquerque, Claimant, recorded April 22, 2016, as Doc. No. 2016036741, records of Bernalillo County, New Mexico.
6. Name Search:
7. Probate Docket for Herbert G. Green filed on March 7, 2011, in Cause No. PB-2011-132, Bernalillo County, New Mexico, 2nd Judicial District Court.
8. Probate Docket for Herbert Green filed on October 12, 2011, in Cause No. PB-2011-576, Bernalillo County, New Mexico, 2nd Judicial District Court.

Taxes are Paid in Full for 2016.

Sincerely,
Eloy Bradford
Title Examiner
Stewart Title of Albuquerque, LLC

PROPERTY ADDRESS AND DESCRIPTION PARCEL
557 DOLORES NW
* 007 V LAVALAND ADDN

2016

PARCEL NUMBER: 101105812919632807



TREASURER BERNALILLO
COUNTY
PO BOX 627
ALBUQUERQUE, N.M. 87103-0627
(505) 468-7031
TREASURERS OFFICE
E-MAIL: TREAS@BERNCO.GOV

2016 TAX BILL

THIS TAX BILL IS THE
ONLY NOTICE YOU WILL
RECEIVE FOR PAYMENT
OF BOTH INSTALLMENTS
OF YEAR 2016
PROPERTY TAX

AFC

1 011 058 129 196 32807
GREEN HERBERT P
PO BOX 259
SOUTH FALLSBURG NY 12779

A1A TAX DISTRICT

PROPERTY	CODE	VALUE	AGENCIES	TAX RATE	NET TAXABLE VALUE	AMOUNT DUE
ASSESSED VALUE LAND		23,100	STATE	1.360	38,329	52.13
ASSESSED VALUE IMPROVEMENTS		91,900	COUNTY	8.561	38,329	328.14
ASSESSED VALUE PERS PROP		0	ALBUQ	11.315	38,329	433.70
TAXABLE VALUE LAND		7,699	SCHOOL APS	10.487	38,329	401.96
TAXABLE VALUE IMPROVEMENTS		30,630	CNM	3.776	38,329	144.73
TAXABLE VALUE PERS PROP		0	UNMH	6.198	38,329	237.56
TOTAL VALUATION		38,329	AMAFCA	0.848	38,329	32.50
STATUTORY EXEMPTION		0				
VETERAN EXEMPTION		0				
			TOTAL RATE	42.545	2016 TAX >>	1,630.72
NET TAXABLE VALUE		38,329				

1st half payment becomes delinquent after Dec 10, 2016

2nd half payment becomes delinquent after May 10, 2017

Postmark by these dates for each half is on time...

[CLICK HERE TO SEE TAX & PAYMENT HISTORY](#)

OTHER TAX DUE

YEAR	TAX	INTEREST	PENALTY	FEES	AMOUNT DUE
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TAX AND PAYMENT HISTORY FOR: 1 011 058 129 196 32807

YEAR	NET TAXABLE	TAX	INTEREST	PENALTY	FEES	PAID	AMOUNT DUE
2007	23,847	952.62	0.00	0.00	0.00	-952.62	0.00
2008	24,743	988.72	0.00	0.00	0.00	-988.72	0.00
2009	25,665	1,033.08	0.00	0.00	0.00	-1,033.08	0.00
2010	26,614	1,093.14	0.00	0.00	0.00	-1,093.14	0.00
2011	27,592	1,150.36	0.00	0.00	0.00	-1,150.36	0.00
2012	28,600	1,202.82	0.00	0.00	0.00	-1,202.82	0.00
2013	29,638	1,261.70	0.00	0.00	0.00	-1,261.70	0.00
2014	36,706	1,558.68	0.00	0.00	0.00	-1,558.68	0.00
2015	37,807	1,612.40	8.38	13.06	0.00	-1,633.84	0.00
2016	38,329	1,630.72	0.00	0.00	0.00	-1,630.72	0.00
Summary of Taxes Due		Payment information					Amount Due
1st Half Delinquent after Dec. 10, 2016		Current as of					Valid until
2nd Half Delinquent after May 10, 2017		1/22/2017					2/10/2017
	1ST HALF DUE	815.36	0.00	0.00	0.00	-815.36	0.00
	2ND HALF DUE	815.36	0.00	0.00	0.00	-815.36	0.00
	TOTAL DUE	1,630.72	0.00	0.00	0.00	-1,630.72	0.00

To get Current Pay online Now!

Note!! All payments will be applied to Penalty and Interest First
then the Oldest Tax Bill

Click on Pay Button to Continue or Change Amount

ENTER PAYMENTS:



WARRANTY DEED
(Joint Tenants)

15773

519

to JOHN J. JONES and
and GRACE V. JONES, his wife
as joint tenants the following described real estate in Bernalillo County, New Mexico:

Block 10, Subdivision 1, Section 10, T. 1 N., R. 1 E., S. 10 E., as the same is shown on the plat of said subdivision filed in the office of the County Clerk of Bernalillo County, New Mexico, on July 17, 1945.



with warranty of title.

WITNESS my hand and seal this 10th day of April, 1962.
(Seal) Thomas B. Smith (Seal)
(Seal) Thomas B. Smith (Seal)

STATE OF NEW MEXICO,

County of Bernalillo

ACKNOWLEDGMENT
INDIVIDUAL

On this 10th day of April, 1962, before me personally appeared JOHN J. JONES and GRACE V. JONES known to me to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Witness my hand and seal the day and year last above written.
My commission expires July 28, 1962 Thomas B. Smith Notary Public

STATE OF NEW MEXICO,

County of Bernalillo

ACKNOWLEDGMENT
CORPORATION

On this 10th day of April, 1962, before me personally appeared JOHN J. JONES and GRACE V. JONES to me personally known, who being by me duly sworn, did say that he is of the State of New Mexico a corporation organized under the laws of the State of New Mexico and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation, by authority of its board of directors, and said JOHN J. JONES and GRACE V. JONES acknowledged said instrument to be the free act and deed of said corporation.

Witness my hand and seal the day and year last above written.
My commission expires July 28, 1962 Thomas B. Smith Notary Public

STATE OF NEW MEXICO, County of Bernalillo. I hereby certify that this instrument was filed for record on the 10th day of May, 1962 at 3:03 o'clock P. M. and duly recorded in Book 428, page 519, of the Records of Deeds of said county, on this 10th day of May, A.D. 1962.

By

Deputy

QUITCLAIM DEED

GREGORY EUGENE GREEN

for consideration paid, quitclaim \$ to

HERBERT GREEN

the following described real estate in

BERNALILLO

County, New Mexico

Lots Numbered Six (6) and Seven (7) in Block
 Lettered "V", of the LAVALAND ADDITION,
 as the same are shown and designated on the
 Plat of Blocks T. U. V. W. X. of the Laval-
 land Addition, filed in the Office of the County
 Clerk of Bernalillo County, New Mexico, on
 May 15, 1946.

WITNESS my hand

and seal

this

13th

day of

March

1961

(SEAL)

Gregory Eugene Green

(SEAL)

(SEAL)

ACKNOWLEDGMENT
INDIVIDUAL

STATE OF NEW MEXICO

County of BERNALILLO

On this

13th

day of

March

1961, before me personally appeared

GREGORY EUGENE GREEN

to me known to be the person described in and who executed the foregoing instrument and acknowledged that she
 executed the same as her free act and deed.

Witness my hand and seal the day and year last above written.

My commission expires

June 1, 1961

W. H. Edwards
 Notary Public
 Bernalillo County, New Mexico

ACKNOWLEDGMENT
CORPORATION

STATE OF NEW MEXICO

County of

On this

day of

19

before me personally appeared

sworn, did say that he

of

organized under the laws of the State of

porate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation, by authority of its

board of directors, and said

deed of said corporation

and that the seal affixed to said instrument is the cor-
 porate seal of said corporation, by authority of its
 acknowledged said instrument to be his free act and

Witness my hand and seal the day and year last above written.

My commission expires

STATE OF NEW MEXICO, County of

BERNALILLO

for record on the

day of

recorded in Book

058, page

428

day of

March

of the Record of Deeds in said County, on this

day

A. H. H. H.

County Clerk

Deputy

SECOND JUDICIAL DISTRICT COURT
COUNTY OF BERNALILLO
STATE OF NEW MEXICO

PROBATE NO. PB-2011-132

IN THE MATTER OF THE ESTATE OF
HERBERT G. GREEN, Deceased.

Doc# 2011100926

11/04/2011 02:15 PM Page: 1 of 2
PREP R: \$10.00 M. Toulouse Oliver, Bernalillo County



PERSONAL REPRESENTATIVE DEED

Bertha G. Williams, personal representative of the estate of Herbert G. Green, deceased, appointed on March 10, 2011, by the District Court, County of Bernalillo, Second Judicial District, New Mexico, Probate No. PB- PB-2011-132, grants to Herbert P. Green, whose address is P.O Box 259 So Fallsbury, NY 12779; all the interest of the estate of Herbert G. Green, deceased, in and to the real estate located in Bernalillo County, New Mexico, and described as follows:

Address: 553 Dolores Dr NM 87105
557 Dolores NM 87105

Legal Description: Lots Number Six (6) and Seven (7) in Block

Lettered "V", of the LAVALAND ADDITION, as the same as shown and designated on the Plat of Blocks T, U, W, X, of the Lavaland Addition, filed in the Office of the County Clerk of Bernalillo County, New Mexico, On May 15, 1946.

SUBJECT TO: Taxes for the year 2011 and subsequent years, patent reservation, restrictive covenants, easements and rights-of-way of record, applicable zoning regulations and requirements, mineral reservations and all other matters of record.

SUBJECT TO: Any and all rights, liens, claims or equities in favor of the Bernalillo District, which may affect the insured Premises.

DATED: November 4, 2011

The Estate of Herbert G. Green, deceased

By: Ms. Bertha Williams, Personal Representative

Bertha Williams

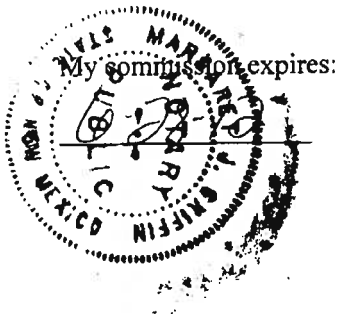
STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)

State of New Mexico)
)
County of Bernalillo)

Subscribed, sworn to and acknowledged before me by Bertha Williams, the personal representative, this 4th day of November, 2011.

Seal

M. J. [Signature]
Notary public



CERTIFICATION OF SUBSTANDARD BUILDING

In accordance with City Housing Code, which is City Ordinance enactment No. 34-1986 and codified at 14-3-1-1 ET. Seq. ROA 1994, the City of Albuquerque certifies that the property described below is a substandard building and that the owner(s) has/have been so notified.

Address of substandard building/legal description:

557 DOLORES NW 87105/* 007 V LAVALAND ADDN

Owner & Owner's address:

GREEN HERBERT P
PO BOX 259
SOUTH FALLSBURG NY 12779

The property described above is in violation of the City Housing Code: Notice and Order dated 06/23/14.

Attached Are Copies of Findings

Notice of the condition of the property was given to the owner in the following manner: Posted onto a front exterior door of the building and mailed certified mail.

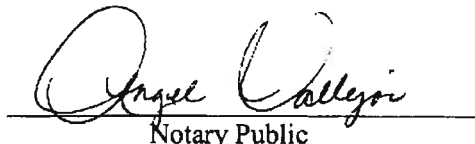


Brennon Williams, bnwilliams@cabq.gov
Code Enforcement Division
Planning, Code Compliance Manager
City of Albuquerque



STATE OF NEW MEXICO } SS
COUNTY OF BERNALILLO

The foregoing instrument was acknowledged before me by Brennon Williams this 14th day of August 2014.



Notary Public

Doc# 2014064090

08/14/2014 02:31 PM Page 1 of 10
NOT R \$25.00 H. Toulouse Oliver, Bernalillo County



My Commission Expires 12-2-17

857

Safe City Strike Force
Planning Department
600 2nd Street NW Suite 500
Albuquerque New Mexico 87102
June 23, 2014

NOTICE AND ORDER

Date: June 23, 2014

To: Herbert P Green
PO Box 259
South Fallsburg NY 12779

Re: Property located 557 Dolores NW ALBUQUERQUE, NM 87105

On June 20, 2014 the Safe City Strike Force Office made an inspection of the Building or structure owned, occupied or controlled by you at **557 Dolores NW**, Albuquerque 87105 New Mexico which is more particularly described as:
*** 007 V LAVALAND ADDN UPC # 1 011 058 129 196 32807**

Violations of the Uniform Code ("Code"), City Council Ordinance No., 34-1986 and codified at 14-3-1-1 et seq. ROA 1994, were found that must be corrected in order to maintain accepted standards of health and safety provided for in the Code.

The Safe City Strike Force has found the above-referenced structure to be substandard under the provisions of the Code. The findings of the inspection are listed below:

FINDINGS AND SPECIFIC CODE VIOLATIONS

14-3-4-1 Substandard Building: Any building or portion thereof, including any dwelling, guest room or suite of rooms, or the premises on which the same is located, in which there exists any of the following listed conditions [set for the in 14-3-4-2 et seq.] to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and declared a SUBSTANDARD BUILDING.

In Particular, a substandard building includes a Nuisance which is defined in section 14-3-4-4 which incorporates section 14-3-1-4 ROA, and includes "abandoned wells, shafts, basements or excavations; abandoned refrigerators; or any structurally unsound fences or structures; or any lumber, trash fences or debris which may prove a hazard for inquisitive minors." A nuisance also includes any "nuisance known at common law or in equity jurisprudence." The property is a nuisance under the ordinance and in common law because it is unsecured and open to vagrants, homeless people and those who may have a propensity for criminal activity have been found on the premises.

The structure has been found to be a Nuisance due to life safety issues. The City of Albuquerque has Codes and Ordinances for minimum requirements of a property owner. The interior of the property is so badly maintained to the extent that it endangers the life, limb, health, property, safety or welfare of the public or any occupants. The property has been POSTED SUBSTANDARD your vacant and/or abandoned building was also found to be unsecured, vandalized thru out the structure. The City of Albuquerque has utilized its administrative authority and secured your abandoned property. We were contacted by City Councilor Staff regarding complaints that they have received from the surrounding property owners. The complaint is that transient and/or vagrants were occupying the vacant abandoned unit in your control. The vagrants have gained access thru the broken window and front door which we have secured. The property is also covered trash and debris that must be removed from the property. A lien for all cost associated with the securing and cleaning will be filed against the property for all cost incurred. You are also required to register your vacant home with the City of Albuquerque. Please see the attached City Ordinance 14-3-5-14.

Section 14-3-4-4 Any nuisance as defined in this Code. Your property has become a Public Nuisance for the Neighborhood and the City of Albuquerque. The property must be brought up to code, secured and restored to a safe occupancy condition. You are also required by City ordinance to register you vacant building with the Planning Department. This property is to remain secured and clean at all times. A lien will be filed against the property for the securing of your property. The north bedroom window was found unsecured, west side of structure plumbing access panel under window was removed and south side entrance door was unlocked at the time of our inspection.

14-3-5-14 VACANT BUILDING MAINTENANCE.

(A) The owner of a vacant building shall apply to the Albuquerque Code Enforcement for and obtain a vacant building maintenance license 15 days prior to vacating the premises. The business maintenance license shall be renewed annually. The owner shall pay an annual fee to renew the business maintenance license. Albuquerque Code Enforcement shall establish the amount of the fee by regulation.

(B) Application for a vacant building maintenance license shall be made on a form provided by Albuquerque Code Enforcement and verified by the owner. The application shall disclose all measures to be taken to ensure that the vacant building will be kept weather tight and secure from trespassers, safe for entry by police officers and firefighters in times of emergency, and, together with its premises, free from nuisance and in good order.

(C) At the time of application, the owner shall arrange for inspection of the vacant building by Albuquerque Code Enforcement. If the owner fails or refuses to consent to and arrange for an inspection, Albuquerque Code Enforcement shall first obtain a search warrant from a court of competent jurisdiction to authorize inspection of the vacant building.

(D) Albuquerque Code Enforcement shall inspect the vacant building for the purpose of determining the structural integrity of the vacant building; the repairs

necessary to ensure its structural integrity; that it will be safe for entry by fire fighters and police officers in time of emergency; and that the vacant building and

its contents do not present a hazard to the public during the time that the building remains vacant.

(E) Albuquerque Code Enforcement shall issue any orders for work needed to:

(1) Adequately protect the vacant building from intrusion by trespassers and from deterioration by the weather; and

(2) Insure that allowing the vacant building to remain will not be detrimental to the public health, safety and welfare, will not unreasonably interfere with the reasonable and lawful use and enjoyment of other premises within the neighborhood, and will not pose any extraordinary hazard to police officers or fire fighters entering the vacant building in times of emergency.

(F) Within 45 days of the issuance of any orders, the owner shall bring the vacant building into compliance with any orders that may have been issued as conditions for the issuance of the license.

(G) Albuquerque Code Enforcement shall issue a vacant building maintenance license only after inspecting the building and concluding that the building complies with the Uniform Housing Code. The Mayor is authorized to administer and enforce the Uniform Housing Code as provided in §§ 14-3-5-1 et seq. if the vacant building does not comply with any other provisions of the Uniform Housing Code. Albuquerque Code Enforcement shall have the authority to inspect the vacant building at any time.

(H) The owner shall notify Albuquerque Code Enforcement 15 days before a vacant building becomes inhabited so that Albuquerque Code Enforcement can inspect the vacant building prior to occupancy.
(Ord. 45A-2004)

ORDER

You, as the owner of the building or structure are hereby ordered to:

SECURE AND CLEAN YOUR VACANT-ABANDONED PROPERTY or structure on or before June 23, 2014. After vacating the building or structure, you must repair the building or structure. In repairing the building or structure, all required permits must be secured and the work physically commenced within five days of the date of this Order. Your property must stay clean of all trash and/or debris. The repairs must be completed by July 23, 2014.

Notice of Intent to proceed administratively

IF THE PROPERTY IS NOT SECURED AND THE LOT CLEANED BY July 2nd, 2014 AT 5:00 PM, THE CITY MAY CAUSE ANY STRUCTURES TO BE SECURED AND CLEANED WITHOUT FURTHER NOTICE TO ANY PARTIES, AND A LIEN WILL BE PLACED AGAINST THE PROPERTY FOR THE CITY'S COSTS ASSOCIATED WITH CAUSING THE PROPERTY TO BE SECURED AND CLEANED. THE ADMINISTRATIVE ACTION CONTEMPLATED IN THIS PARAGRAPH SHALL NOT AFFECT ANY RIGHTS OF APPEAL.

Structure must be secured; all doors and windows that cannot be secured must be boarded up within 5 days of the Notice.

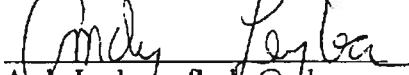
All repairs must be completed in a workman-like manner and in compliance with all applicable Codes with all Permits and Inspections required.

A form for filing an appeal is available in the Mayor's Office 11th floor, 1 Civic Plaza NW. This form, however, is not required as the required information is included in the appeal. Pursuant to Section 14-3-5-4 ROA 1994, the required information includes the names of the appellants participating in the appeal. A brief statement setting forth the legal interest of each of the appellants in the building of the land involved in the appeal. A brief statement of the specific order or action protested, together with any material facts supporting the appellant's contentions. A brief statement of the relief sought and the reasons why it is claimed the protested order or action should be reversed modified or otherwise set aside. The signatures of all parties named and their official mailing addresses and verification, by declaration under penalty of perjury, of at least one appellant as to the truth of the matters stated in the appeal.

An appeal from the Notice and Order will stay enforcement of the Notice and Order. Failure to file an appeal, however, shall constitute a waiver of the right to an administrative hearing and adjudication of the Notice and Order or to any portion thereof.

A hearing on a properly and timely filed appeal to the Housing Advisory and Appeals Committee will be scheduled with in ten (10) days prior to the date of the hearing. Only those matters or issues specifically raised by the appellant shall be considered in the hearing.

If you have any questions concerning this Notice and Order of the cited violations, please call me at 505-924-3456

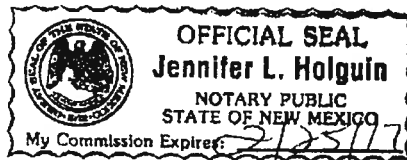

Andy Leyba / afleyba@cabq.gov
Safe City Strike Force Supervisor
Planning Department
600 2nd Street NW Suite 500
Albuquerque, New Mexico 87102

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

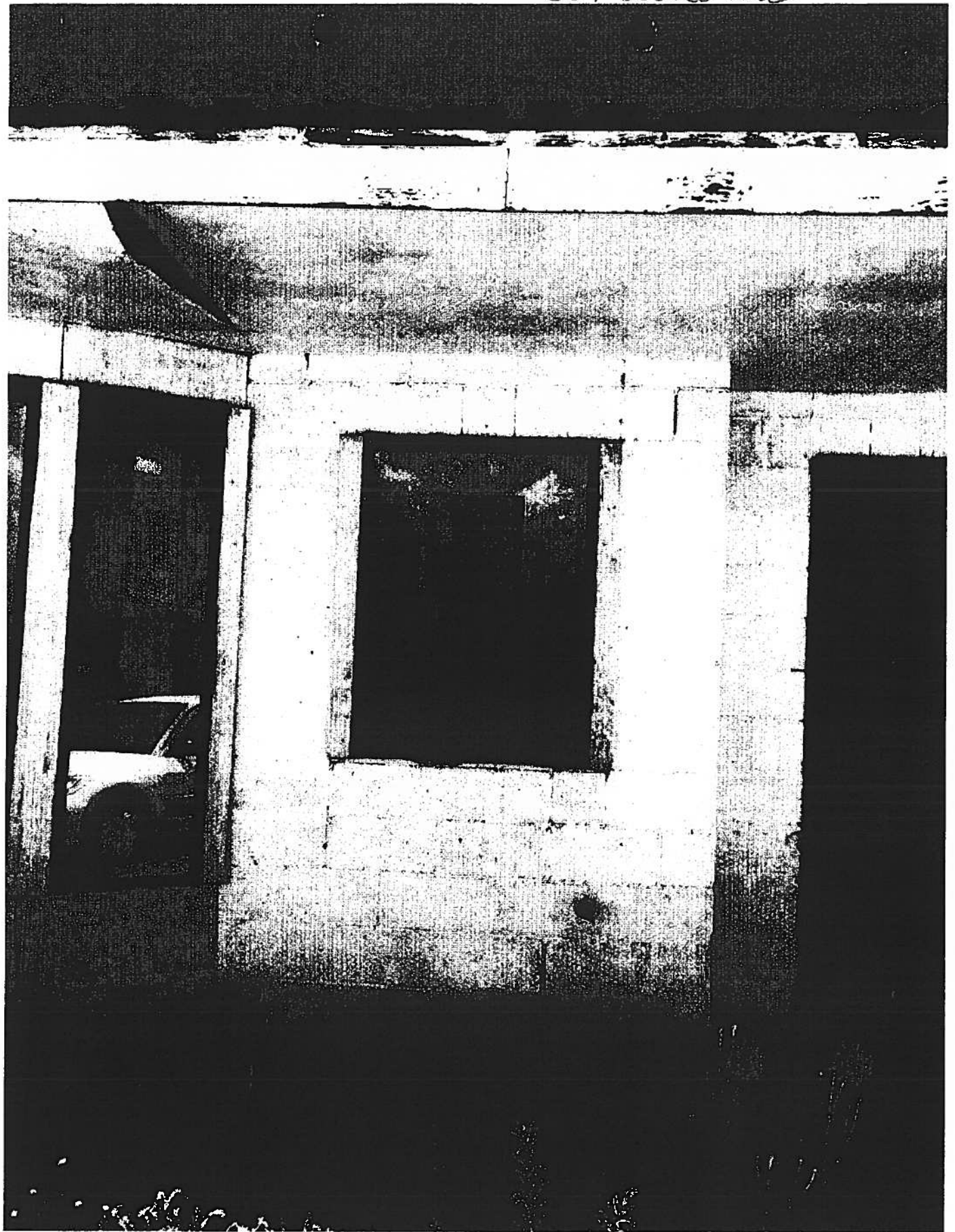
The foregoing instrument was acknowledged before me this 23th day of June, 2014.



My commission expires: 2/25/17



557 Dolores NW



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

HERBERT P. GREEN
P.O. Box 259
South Palisburg
N.Y. 12979

2. Article Number

(Transfer from service label)

7012 3460 0001 6879 9931

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-44-15X

COMPLETE THIS SECTION ON DELIVERY

A. Signature


☐ Agent

B. Received by (Printed Name)

514 Mrs. M. Green

☐ Addressee

C. Date of Delivery

5/14/05

D. Is delivery address different from item 1? ☐ Yes ☐ No

If YES, enter delivery address below:

4102 32 NINT

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No
U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only; No Insurance Coverage Provided
For delivery information visit our website at www.usps.com.

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

7012 3460 0001 6879 9931

Sent to **HERBERT P. GREEN**
 Street, Apt. No. **P.O. Box 259**
 or PO Box No. **South Palisburg N.Y. 12979**
 City, State, ZIP+4[®]
 PS Form 3800, August 2006 See Reverse for Instructions

**AFFIDAVIT OF SERVICE NOTICE AND ORDER BY
POSTING**

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

I Andy Leyba being first duly sworn upon Oath state that on June 23th, 2014, I posted a copy of the Notice and Order and mailed a copy by Certified Mail, Pertaining to the property at 557 Dolores NW, Albuquerque, New Mexico 87105 addressed to Herbert P Green the owner, occupant, agent or heir.

Signed: _____

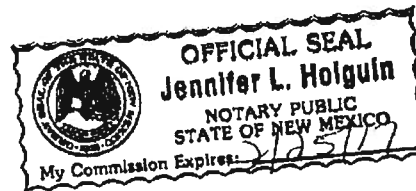
Andy Leyba

SUBSCRIBED AND SWORN TO before me this 23th day of June 2014

My commission expires: _____

2/25/17

Notary Public



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Today is June 23, 2014

[Home >](#) [Property Search >](#) [Property Search Result >](#) [Property Search Result Details](#)

Print

LINKS

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- [Treasurer's Home Page](#)

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- [Property Address](#)
- [Parcel ID](#)

ASSESSMENT RECORDS

- [Current Ownership Data](#)
- [Notice of Values](#)
- [Map](#)

TREASURER RECORDS

- [Tax Bill](#)
- [Property Tax Calculator](#)
- [Tax & Payment History](#)
- [***Pay Online***](#)

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PORTFOLIO

- [Add to Portfolio](#)
- [Portfolio Manager](#)

CURRENT OWNERSHIP DATA AS OF TAX YEAR 2014

OWNERSHIP DATA (CHANGES TO OWNERSHIP AND/OR ADDRESS ARE UPDATED WEEKLY THROUGH SEPTEMBER 2014)	
PARCEL ID:	1 011 058 129 196 32807
OWNER 1:	GREEN HERBERT P
MAILING ADDRESS:	PO BOX 259 SOUTH FALLSBURG NY 12779
LOCATION ADDRESS	557 DOLORES NW 87105
LEGAL DESCRIPTION	• 007 V LAVALAND ADDN

**CLAIM OF LIEN FOR
BOARDING, CLEANUP OR REPAIR**

The City of Albuquerque claims and establishes a lien on the property described below for the costs of boarding, cleaning a parcel of property or securing of a structure. The lien is provided by Ordinances numbered § 14-3-5-3A2c4, 14-3-5-6A3c and 14-3-5-7 ROA. The filing, enforcement and priority of this lien are governed by New Mexico statutes § 3-36-1 ET. Seq. Pursuant to NMSA §§ 3-36-2, 3-36-6M and 3-36-7, once filed this lien attains a super-priority status with respect to all other interests in the property other than ad valorem property taxes or other special assessment liens.

Legal description: LOT 007 V LAVALAND ADDN
Address of Lien: 557 DOLORES NW 87105
Owner & Owner's Address: GREEN HERBERT P
PO BOX 259
SOUTH FALLSBURG NY 12779

Certificate of Substandard Costs:

Private Contractor Costs: \$160.00

Title Search:

Posting & Publishing Fees:

Filing Fees: \$25.00

PRINCIPAL AMOUNT OF LIEN: \$185.00

CDBG Fund 205:

The principal amount of this lien shall bear interest at twelve percent 12% per annum from date of filing.

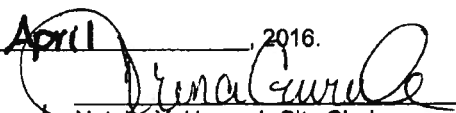
NMSA § 3-36-2C

WITNESS my hand and seal this 14th day of April, 2016.

Doc# 2016036741

04/22/2016 02:25 PM Page: 1 of 2
LIEN R: \$25.00 M. Toulouse Oliver, Bernalillo County




Natalie Y. Howard, City Clerk
City of Albuquerque
Bernalillo County, New Mexico

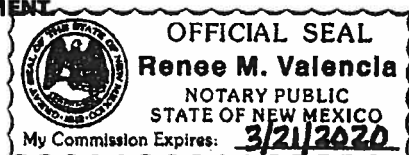
STATE OF NEW MEXICO
COUNTY OF BERNALILLO

On this 14th day of April, 2016 before me appeared Natalie Y. Howard, to me personally known, who being by me duly sworn or affirmed did say that she is the Clerk of the City of Albuquerque, County of Bernalillo, State of New Mexico, and that said instrument was signed and sealed on behalf of said City of Albuquerque, and said Natalie Y. Howard acknowledged said instrument to be the free act of Claim of Lien of said City of Albuquerque.


Notary Public

My commission expires 3/21/2020

PAYMENT OF THIS LIEN MUST INCLUDE THE FOLLOWING UPC#: 1 011 058 129 196 32807 ON THE CHECK/MONEY ORDER. FAILURE TO REFERENCE THE UPC NUMBER ON YOUR PAYMENT WILL CREATE DELAYS IN RESOLVING THIS ISSUE, INCLUDING POSSIBLE REFUSAL AND RETURN OF YOUR PAYMENT.



Native Son Real Estate Services

PO Box 27351
Albuquerque, NM 87125

Invoice

Bill To:

Angelo Metzgar
Senior Code Enforcement Specialist
Planning Department
City of Albuquerque

Date	Invoice No.	P.O. Number	Terms	Project
01/26/16	6872515	CRO# 952163		557 DOLORES NW

Item	Description	Quantity	Rate	Amount
Misc.	SERVICE DATE: 1/21/16		0.00	0.00
Board Up Door	EMERGENCY REQUEST DOOR BOARD UP	2	75.00	150.00
Trip Charge	TRIP CHARGE	1	10.00	10.00
			7.187%	0.00
EMERGENCY				
We appreciate your prompt payment.			Total	\$160.00

Skip to Main Content Logout My Account Search Menu New Civil Probate Family Search Refine Search Back

Location : Bernalillo County Images Help

REGISTER OF ACTIONS**CASE NO. D-202-PB-2011-00132****RE: GREEN HERBERT G**§
§
§
§
§
§Case Type: **Probate Estates**
Date Filed: **03/07/2011**
Location: **Bernalillo County**
Judicial Officer: **Nash, Nan G.****PARTY INFORMATION**

Decedent	GREEN, HERBERT G	Attorneys
	DOD: 02/14/2011	
Petitioner	WILLIAMS, BERTHA	David A. Standridge, Jr. <i>Retained</i> 505-880-8737(W)

EVENTS & ORDERS OF THE COURT

	DISPOSITIONS
11/01/2012	Dismissal by the Judge, Not for Lack of Prosecution (Judicial Officer: Nash, Nan G.)
02/03/2016	Dismiss/Decided By Dispositive Motion/Dismiss by Judge/Party (Judicial Officer: Nash, Nan G.)
	OTHER EVENTS AND HEARINGS
03/07/2011	OPN: APPLICATION FILING APPLICATION FOR INFORMAL APPOINTMENT OF PERSONAL REPRESENTATIVE IN INTESTACY
03/07/2011	RENUNCIATION FILING RENUNCIATION OF PERSONAL REPRESENTATIVE (DONALD GREEN)
03/07/2011	RENUNCIATION FILING RENUNCIATION OF PERSONAL REPRESENTATIVE (HERBERT P GREEN)
03/08/2011	ACCEPTANCE OF SERVICE (Judicial Officer: Nash, Nan G.) FILING ACCEPTANCE OF SERVICE OF APPLICATION FOR APPOINTMENT OF PERSONAL REPRESENTATIVE AND WIVING FUTHER NOTICE (DONALD GREEN)
03/10/2011	ACCEPTANCE OF SERVICE (Judicial Officer: Nash, Nan G.) FILING ACCEPTANCE OF SERVICE OF APPLICATION FOR APPOINTMENT OF PERSONAL REPRESENTATIVE IN INTESTACY (HERBERT P GREEN)
03/10/2011	ACCEPTANCE OF SERVICE (Judicial Officer: Nash, Nan G.) FILING ACCEPTANCE OF SERVICE OF APPLICATION FOR APPOINTMENT OF PERSONAL REPRESENTATIVE IN INTESTACY (DONALD GREEN)
03/10/2011	ORD: APPROVING PROBATE/APPOINTMENT OF PERSONAL REP (Judicial Officer: Nash, Nan G.) FILING ORDER FOR APPOINTMENT OF PERSONAL REPRESENTATIVE BERTHA G WILLIAMS TO SERVE WITHOUT BOND IN AN UNSUPERVISED ADMINISTRATION DIRECTING ISSUANCE OF LETTERS OF ADMINISTRATION
03/10/2011	ACCEPTANCE OF APPOINTMENT FILING ACCEPTANCE OF APPOINTMENT OF PERSONAL REPRESENTATIVE (BERTHA G WILLIAMS)
03/10/2011	LETTERS TESTAMENTARY OR ADMINISTRATION FILING LETTERS OF ADMINISTRATION ISSUED 03-10-11 TO BERTHA G WILLIAMS (CLERK)
03/17/2011	RENUNCIATION FILING RENUNCIATION OF PERSONAL REPRESENTATIVE (ROBERT GREEN)
03/17/2011	ACCEPTANCE OF SERVICE (Judicial Officer: Nash, Nan G.) FILING ACCEPTANCE OF APPOINTMENT (ROBERT GREEN)
06/21/2011	NTC: TO CREDITORS Notice to creditors
08/02/2011	AFFIDAVIT OF PUBLICATION Submission of affidavit of publication of Notice to creditors from 07/08/11 to 07/15/11 in the Health City Sun
11/01/2012	CLS: ADMINISTRATIVE CLOSE Disposition order disposing of case; all letters, bonds or any other process or orders already issued remain in full force and effect
12/17/2012	MTN: TO REINSTATE
04/30/2013	REQUEST FOR HEARING/ SETTING On Motion to Reinstate
05/21/2013	NTC: OF HEARING Motion to Reinstate on Monday, July 1, 2013 @ 10:00 a.m.
07/01/2013	MOTION HEARING (10:00 AM) (Judicial Officer Nash, Nan G.) Mtn to Reinstate Result: Held
07/17/2013	RPN: REOPEN NO FEE REQUIRED Inhouse Reopen
07/17/2013	ORD: APPROVING PROBATE/APPOINTMENT OF PERSONAL REP (Judicial Officer: Nash, Nan G.) Order for Appointment of Personal Representative Bertha G Williams to serve without bond in an unsupervised administration directing issuance of Letters of Administration

07/17/2013 **ORD: ORDER** (Judicial Officer: Nash, Nan G.)*Order Reinstating*02/03/2016 **CLS: ADMINISTRATIVE CLOSE**
DISPOSITION ORDER

FINANCIAL INFORMATION

	Petitioner WILLIAMS, BERTHA		
	Total Financial Assessment		132.00
	Total Payments and Credits		132.00
	Balance Due as of 01/23/2017		0.00
03/07/2011	Transaction Assessment		132.00
03/07/2011	Counter Payment	Receipt # ALBD-V283536	STANDRIDGE LAW FIRM PC (132.00)

**SECOND JUDICIAL DISTRICT COURT
COUNTY OF BERNALILLO
STATE OF NEW MEXICO**

Robin Wilson

PROBATE NO. PB 2011-132

**IN THE MATTER OF THE ESTATE OF
HERBERT G. GREEN, Deceased.**

ORDER FOR APPOINTMENT OF PERSONAL REPRESENTATIVE

THIS MATTER, having come before the court on the Petition of Bertha G. Williams, for Petition for Appointment of Personal Representative in Intestate with respect to the estate of Herbert G. Green, deceased. The Court having considered the Petition, and being otherwise fully advised, FINDS that:

1. The Court has jurisdiction over this proceeding.
2. The proceeding is unopposed.
3. The Petition for informal probate and for informal appointment of personal representative is complete.
4. The Petitioner has made oath or affirmation that the statements contained in the Petition are true to the best of the applicant's knowledge and belief.
5. On the basis of the statement in the Petition, jurisdiction over this estate, proceedings and subject matter is proper in this court.
6. On the basis of the statements in the Petition, venue is proper.
7. Herbert G. Green died on February 14, 2011, in Bernalillo County, State of New Mexico. The decedent died leaving no will.
8. It appears from the Petition that the time limit for the original probate has not expired.

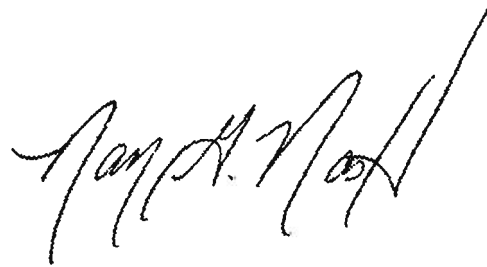
9. Petitioner is an interested person as defined by the laws of New Mexico and seeks appointment as personal representative. Petitioner is not disqualified to serve as personal representative of the decedent and has priority entitling petition to the appointment. Petitioner should be appointed, without bond, is not disqualified to act as a personal representative.
10. The Petition indicates that a personal representative has not been appointed in this or any other county within the State of New Mexico.
11. At least 120 hours have elapsed since the decedent's death.
12. The names and addresses of the heirs of the decedent are:

<u>NAME</u>	<u>ADDRESS</u>	<u>RELATIONSHIP</u>
Herbert P. Green	Neustadt, #9 Gottingen, Germany 37073	Son
Bertha Williams	PO Box 259 So. Fallsburg, NY 12779	Sister
Robert Green	1204-44 St. No. Birmingham, AL 35212	Brother
Donald Green	93 Town Rd. Uniontown, AL 36786	Brother

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that:

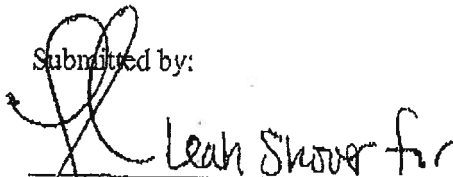
1. The Petition is hereby granted.
2. The decedent died intestate leaving no will.
3. The names and addresses of the heirs of the decedent are set forth in paragraph 12 of this order.

4. BERTHA G. WILLIAMS is hereby informally appointed as the personal representative of the estate of HERBERT G. GREEN without bond, in an unsupervised administration.
5. Letters of administration be issued to BERTHA G. WILLIAMS upon qualification and acceptance.

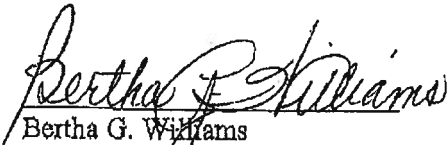


The Honorable Nan G. Nash

Submitted by:



David A. Standridge, Jr.
Attorney for Petitioner
1516 San Pedro Drive, NE
Albuquerque, NM 87110
(505) 880-8737



Bertha G. Williams
Personal Representative for the
Estate of Herbert G. Green, deceased

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Location : Bernalillo County Images Help

REGISTER OF ACTIONS**CASE NO. D-202-PB-2011-00576**

In The Matter Of Herbert Green

§
§
§
§
§
§Case Type: Probate Informal, Will
Date Filed: 10/12/2011
Location: Bernalillo County
Judicial Officer: Campbell, Clay**PARTY INFORMATION**

Applicant Paulos, Barbara A

Attorneys
Charles E. Buckland
Retained
505-903-7000(W)

In the Matter Of Green, Herbert

DOD: 09/13/2011

EVENTS & ORDERS OF THE COURT

DISPOSITIONS	
07/15/2013	Dismissal for Lack of Prosecution (Judicial Officer: Campbell, Clay)
OTHER EVENTS AND HEARINGS	
10/12/2011	OPN: APPLICATION <i>Application for Informal Probate of Will and Appointment of Personal Representative</i>
10/19/2011	ORD: APPROVING PROBATE/APPOINTMENT OF PERSONAL REP <i>Order of informal probate of will and appointment of Personal Representative Barbara A. Paulos to serve without bond in an unsupervised administration directing issuance of Letters Testamentary</i>
10/19/2011	LAST WILL & TESTAMENT <i>Last will and testament of Herbert Green</i>
10/19/2011	ACCEPTANCE OF APPOINTMENT <i>Acceptance of appointment by Barbara A. Paulos</i>
10/19/2011	LETTERS TESTAMENTARY OR ADMINISTRATION <i>Letters Testamentary issued 10/19/11 to Barbara A. Paulos by Clerk</i>
10/19/2011	NTC: TO CREDITORS
11/02/2011	AFFIDAVIT OF PUBLICATION
12/07/2011	CLAIM <i>Claim Against Estate</i>
12/16/2011	DEMAND FOR NOTICE <i>Request for Notice</i>
01/04/2012	NTC: NOTICE <i>Notice of Disallowance of Claim by Creditor American Express</i>
01/04/2012	NTC: NOTICE <i>Notice of Disallowance of Claim by Creditor GE Capital Retail Bank-Sams Club Through Their Agent Ascension Recovery Services LLC</i>
02/08/2012	NTC: NOTICE <i>Notice of Disallowance of Claim by Creditor Chase Freedom</i>
02/10/2012	NTC: NOTICE <i>Notice of Disallowance of Claim by Creditor Canvasback Financial Services LLC</i>
07/15/2013	CLS: ADMINISTRATIVE CLOSE (Judicial Officer: Campbell, Clay) <i>Disposition Order for Lack of Prosecution</i>

FINANCIAL INFORMATION

Attorney Buckland, Charles E.		
	Total Financial Assessment	132.00
	Total Payments and Credits	132.00
	Balance Due as of 01/23/2017	0.00
10/12/2011	Transaction Assessment	132.00
10/12/2011	Counter Payment Receipt # ALBD-2011-14712 Buckland, Charles E.	(132.00)

SECOND JUDICIAL DISTRICT COURT
COUNTY OF BERNALILLO
STATE OF NEW MEXICO

No. **PB 2011 000576**

IN THE MATTER OF THE ESTATE OF
HERBERT GREEN, Deceased.

ENDORSED
FILED IN MY OFFICE THIS

OCT 19 2011

Greg T. Ireland
CLERK DISTRICT COURT

SHANNARA GREEN

LETTERS TESTAMENTARY

The Last Will and Testament of HERBERT GREEN, deceased, has been informally probated by the District Court, and BARBARA A. PAULOS has been appointed Personal Representative of this Estate, and she has accepted such appointment.

These Letters Testamentary are issued to evidence her authority.

Dated: OCT 19 2011

GREGORY T. IRELAND

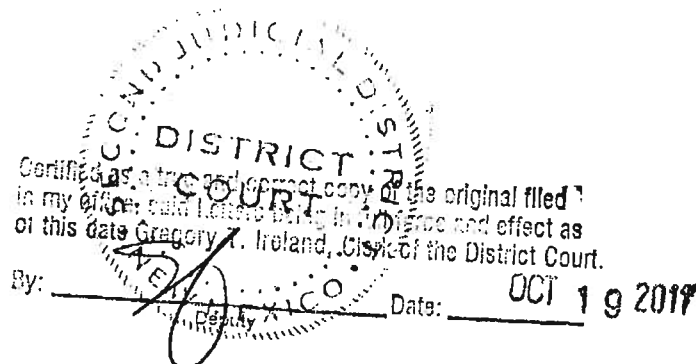
CLERK OF THE DISTRICT COURT

By: SHANNARA GREEN
DEPUTY CLERK

(SEAL)

Doc# 2012059363

06/13/2012 10:59 AM Page: 1 of 12
LTR R:\$10.00 M. Toulouse Oliver, Bernalillo County



COPY

SECOND JUDICIAL DISTRICT COURT
COUNTY OF BERNALILLO
STATE OF NEW MEXICO

ENDORSED
FILED IN MY OFFICE THIS

OCT 19 2011

No.

PB 2011 000576

IN THE MATTER OF THE ESTATE OF
HERBERT GREEN, Deceased.

Ant. R. Ld
CLERK DISTRICT COURT

STANLEY A. GREEN

ORDER OF INFORMAL PROBATE OF WILL
AND APPOINTMENT OF PERSONAL REPRESENTATIVE

BARBARA A. PAULOS, has filed an Application for Informal Appointment as the Personal Representative of the Decedent's Estate, and based on the statements in the Application the Court FINDS:

1. The Application for Informal Probate of Will and Appointment of Personal Representative is complete.
2. The Applicant has made oath or affirmation that the statements contained in the Application are true to the best of Applicant's knowledge and belief.
3. The Applicant is an interested person as defined by the laws of this State.
4. Jurisdiction of this Estate, proceeding and subject matter is proper.
5. Venue is proper because the Decedent was domiciled in Bernalillo County, New Mexico at the time of death.
6. An original, duly executed and apparently unrevoked Last Will and Testament of the Decedent is in the possession of this Court. It appears to be valid and it will be informally probated upon entry of this Order.
7. No notice is required by the laws of this State and none has been given.
8. The time limit for original probate has not expired.
9. The Applicant is nominated in the Last Will and Testament of Decedent as the

Personal Representative, without bond, and Applicant is not disqualified to serve as Personal Representative of Decedent's Estate, and is, therefore, entitled to be appointed Personal Representative.

10. No Personal Representative has been appointed in any county in New Mexico.

11. At least 120 hours have elapsed since the Decedent's death.

IT IS ORDERED that:

1. The Application is hereby granted.

2. The Last Will and Testament of Herbert Green, deceased, which Will was executed November 24, 2004, is informally probated.

3. BARBARA A. PAULOS, is informally appointed Personal Representative of the Estate of HERBERT GREEN, deceased, without bond, in an unsupervised administration.

4. Letters Testamentary shall be issued to BARBARA A. PAULOS, upon her filing of an Acceptance of Appointment.

ORIGINAL
SIGNED BY
CLAY CAMPBELL

DISTRICT JUDGE

Respectfully submitted,

WALK-IN WILLS CARLISLE, P.C.

By: _____

Charles E. Buckland, Esq.
2000 Carlisle Blvd., NE, Suite G
Albuquerque, NM 87110
(505) 903-7000

Attorneys for Applicant

COPY

SECOND JUDICIAL DISTRICT COURT
COUNTY OF BERNALILLO
STATE OF NEW MEXICO

No.

PB 2011 000576

IN THE MATTER OF THE ESTATE OF
HERBERT GREEN, Deceased.

ENDORSED
FILED IN MY OFFICE

OCT 19 2011

Ant. RLD
CLERK DISTRICT COURT

HERBERT GREEN

ACCEPTANCE OF APPOINTMENT

STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

I hereby accept the appointment as Personal Representative of the Estate of the above-named Decedent, and I do solemnly swear that I will perform, according to law, the duties of Personal Representative of the Estate.

Barbara A. Paulos
BARBARA A. PAULOS, Applicant
1701 Inez Drive NE
Albuquerque, NM 87110
(505) 296-6417

SUBSCRIBED AND SWORN TO before me this 12th day of October, 2011.

Notary Public

ENCURED
FILED IN MY OFFICE TH

OCT 19 2011

**Last Will and Testament
of
Herbert Green**

Ant. ALW
CLERK DISTRICT COURT
PB 2011 000576

I, Herbert Green, a resident of Bernalillo County, New Mexico, revoke any prior wills and codicils made by me and declare this to be my Last Will and Testament.

**Article One
Family Information**

I have one child, Barbara A. Paulos.

All references in my will to "my children" are references to this child.

I wish to honor the memories of my deceased family members: Ted Green and Patrick M. Green.

I intentionally have not named my former daughters-in-law, Elsa Green and Violet Green, as beneficiaries in this agreement.

**Article Two
Distribution of My Property**

Section 2.01 Disposition of Tangible Personal Property

I direct that my personal representative shall distribute my tangible personal possessions according to a separate "Personal Property Memorandum" or other similar writing, which shall be signed by me and kept with my Estate Planning Portfolio. It is my intent that such writing qualifies to distribute my tangible personal possessions under applicable state law. If such writing is not found at the time of my death, or ruled an improper disposition, this bequest shall lapse and my tangible personal possessions shall become part of my living trust. If any items of tangible personal property I happen to own are not mentioned in such list, such items shall become part of my living trust. If any such gift shall lapse, then such items shall become part of my living trust.

Section 2.02 Pour-Over to My Living Trust

All of my probate estate, excluding any property over which I might have a power of appointment, and after payment of expenses and taxes which are paid pursuant to this will, I give to the Trustee of the Herbert Green Revocable Living Trust dated November 24, 2004 and executed prior to this will, to be added to the property of that trust and direct that the Trustee administer the property as provided in the trust agreement and any amendments prior to my death.

Section 2.03 Alternate Disposition

If the trust referred to in Section 2.02 is not in effect at my death or if for any other reason the pour-over cannot be accomplished, I specifically and completely incorporate the terms of the trust into this will by reference. In such a situation, I direct my personal representative to establish a trust in accordance with the provisions of such trust and give the remainder of my estate, excluding any property over which I might have a power of appointment, to the Trustee of said trust to be administered as provided in the trust agreement.

Article Three Designation and Succession of Fiduciaries

Section 3.01 Personal Representative

I nominate Barbara A. Paulos as my personal representative. If Barbara A. Paulos fails or ceases to act as my personal representative, I nominate Kenneth Paulos as my successor personal representative.

Article Four Powers of Fiduciaries

Section 4.01 Grant

My personal representative may perform every act reasonably necessary to administer my estate and any trust established under my will.

Specifically, my personal representative may exercise the following powers: hold, retain, invest, reinvest, sell, and manage real or personal property, including interests in any form of business entity including, but not limited to, limited partnerships and limited

liability companies, and policies of life, health and disability insurance, without diversification as to kind, amount or risk of non-productivity and without limitation by statute or rule of law. My personal representative may partition, sell, exchange, grant, convey, deliver, assign, transfer, lease, option, mortgage, pledge, abandon, borrow, loan and contract. My personal representative may distribute the assets of my estate in cash or kind or partly in each at fair market value on the date of distribution, without requiring pro rata distribution of specific assets and without requiring pro rata allocation of the tax bases of such assets. My personal representative may hold in nominee form, continue businesses, carry out agreements, deal with itself, other fiduciaries and business organizations in which my personal representative may have an interest. It may establish reserves, release powers, and abandon, settle or contest claims. It may employ attorneys, accountants, custodians of the trust assets, and other agents or assistants as deemed advisable to act with or without discretionary powers and compensate them and pay their expenses from income or principal or both.

Section 4.02 Powers Granted by State Law

In addition to all of the above powers, my personal representative may exercise all powers granted under applicable state law as set forth in , as amended after the date of my will. I incorporate such Act as it exists today by reference and make it a part of my will.

Section 4.03 Distribution Alternatives

My personal representative may make any payments under my will:

Directly to the beneficiary;

In any form allowed by applicable state law for gifts or transfers to minors or persons under disability;

To the beneficiary's guardian, conservator, or caregiver for the benefit of the beneficiary; or

By direct payment of the beneficiary's expenses.

A receipt by the recipient for any such distribution, if such distribution is made in a manner consistent with the proper exercise of my fiduciaries' duties hereunder, shall fully discharge my fiduciaries.

Article Five

Administrative Provisions

Section 5.01 Court Proceedings

If any trust is established under my will that trust shall be administered in a timely and efficient manner consistent with its terms, free of active judicial intervention and without order, approval or other action by any court. It shall be subject only to the jurisdiction of a court being invoked by the trustees or other interested parties or as otherwise provided by law.

Section 5.02 No Bond

I direct that no fiduciary shall be required to give any bond in any jurisdiction, and if, notwithstanding this direction, any bond is required by any law, statute, or rule of court, no sureties be required.

Section 5.03 Compensation

Any fiduciary under this instrument shall be entitled to reasonable compensation commensurate with services actually performed and to be reimbursed for expenses properly incurred.

Section 5.04 Ancillary Fiduciary

In the event ancillary administration shall be required or desired and my domiciliary personal representative is unable or unwilling to act as an ancillary fiduciary, my domiciliary personal representative shall have the power to designate, compensate, and remove the ancillary fiduciary. The ancillary fiduciary may either be a natural person or a corporation. My domiciliary personal representative may delegate to such ancillary fiduciary such powers granted to my original personal representative as my personal representative may deem proper, including the right to serve without bond or surety on bond. The net proceeds of the ancillary estate shall be paid over to the domiciliary personal representative.

Article Six Tax Provisions

Section 6.01 Death Taxes and Payment of Expenses

The trustee of the trust referred to in this will is authorized to pay my funeral and burial expenses, claims against my estate, and expenses of estate administration. Accordingly, I direct my personal representative to consult with the trustee to determine the preferable source for payment of such amounts and which, if any, should be requested from the trust.

I direct my personal representative to follow any instructions contained in the Herbert Green Revocable Living Trust in making any tax election, including, but not limited to, the allocation of my GST Exemption. I direct that the taxes imposed by reason of my death upon property passing under and outside my will be apportioned and paid in the manner provided in the Herbert Green Revocable Living Trust, and I incorporate the tax apportionment provisions of the Herbert Green Revocable Living Trust as part of my will.

In no event shall any of such taxes be allocated to or paid from property which is not included in my gross estate for federal estate tax purposes or which qualifies for the federal estate tax charitable deductions.

Section 6.02 Tax and Administrative Elections

My personal representative may exercise any available elections under any applicable income, inheritance, estate, succession, or gift tax law. This authority specifically includes the power to select any alternate valuation date for death tax purposes and the power to determine whether any or all of the administration expenses of my estate are to be used as estate tax deductions or as income tax deductions, and no compensating adjustments need be made between income and principal as a result of such determinations unless my personal representative shall determine otherwise, in the discretion of my personal representative, or unless required by law.

My personal representative shall not be liable to any beneficiary of my estate for tax consequences occasioned by reason of the exercise or non-exercise of any such elections or by reason of the allocation and distribution of property in kind in full or partial satisfaction of any beneficiary's interest in my estate.

Article Seven General Provisions

Section 7.01 Applicable Law

The validity and construction of my will shall be determined by the laws of New Mexico.

Section 7.02 No Contract to Make Will

I have not entered into any contract, actual or implied, to make a will.

Section 7.03 Contest Provision

If, after receiving a copy of this paragraph, any person shall in any manner, directly or indirectly, attempt to contest or oppose the validity of my will or my living trust, including any amendments thereto, or commences, continues or prosecutes any legal proceedings to set my will or living trust aside, then such person shall forfeit his or her share, cease to have any right or interest in my property, and shall for the purposes of my will be deemed to have predeceased me.

This Section shall not apply so as to cause a forfeiture of any distribution otherwise qualifying for the federal estate tax charitable deduction.

Section 7.04 Construction

Unless the context requires otherwise, words denoting the singular may be construed as denoting the plural. Words of the plural may be construed as denoting the singular. Words of one gender may be construed as denoting another gender, if appropriate.

Section 7.05 Headings and Titles

The headings and paragraph titles are for reference only.

Section 7.06 Internal Revenue Code, IRC or Code

References to the Internal Revenue Code, the IRC or the Code shall refer to the Internal Revenue Code of the United States. References to specific sections of the Code shall be to any sections of like or similar import that replace the specific sections as a result of changes to the Internal Revenue Code made after the date of my will.

Will of Herbert Green
Page 6 of 8

Section 7.07 Other Definitions

Except as otherwise provided in my will, terms shall be as defined in the New Mexico Probate Code as amended after the date of my will and after my death.

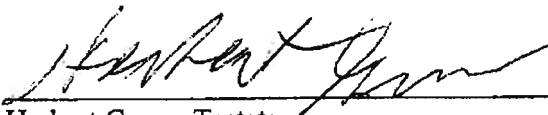
Section 7.08 Survivorship

For purposes of this will, any beneficiary shall be deemed to have predeceased me if such beneficiary dies within 60 days after the date of my death.

Section 7.09 Severability

If any part of this instrument shall be adjudicated to be void or invalid, the remaining provisions not specifically so adjudicated shall remain in full force and effect.

I, Herbert Green, the Testator sign my name to this instrument consisting of 8 pages on November 24, 2004 and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my last will and testament, that I sign it willingly (or willingly direct another to sign for me), that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen years of age or older, of sound mind, and under no constraint or undue influence.


Herbert Green, Testator

We, Yakima Hinson and Jessica Dolinger, the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that Herbert Green signs and executes this instrument as his last will and testament and that he signs it willingly (or willingly directs another to sign for him) and that each of us, in the presence and hearing of the Testator, hereby signs this will as witness to the Testator's signing, and that to the best of our knowledge the Testator is eighteen years of age or older, of sound mind, and under no constraint or undue influence.

Yakima Hinson

Yakima Hinson, Witness
11130 Lomas Blvd. NE, F-4
Albuquerque, NM 87112

Jessica Dolinger

Jessica Dolinger, Witness
11130 Lomas Blvd. NE, F-
Albuquerque, NM 87112

STATE OF NEW MEXICO

)

) ss.

COUNTY OF BERNALILLO

)

Subscribed, sworn to, and acknowledged before me by Herbert Green, Testator, and subscribed and sworn to before me by Yakima Hinson and Jessica Dolinger witnesses, on November 24, 2004.

Charles E. Buckland



OFFICIAL SEAL
CHARLES E. BUCKLAND
NOTARY PUBLIC-STATE OF NEW MEXICO
My commission expires: Nov. 15, 2007

Notary Public
Charles E. Buckland

My commission expires: November 15, 2007

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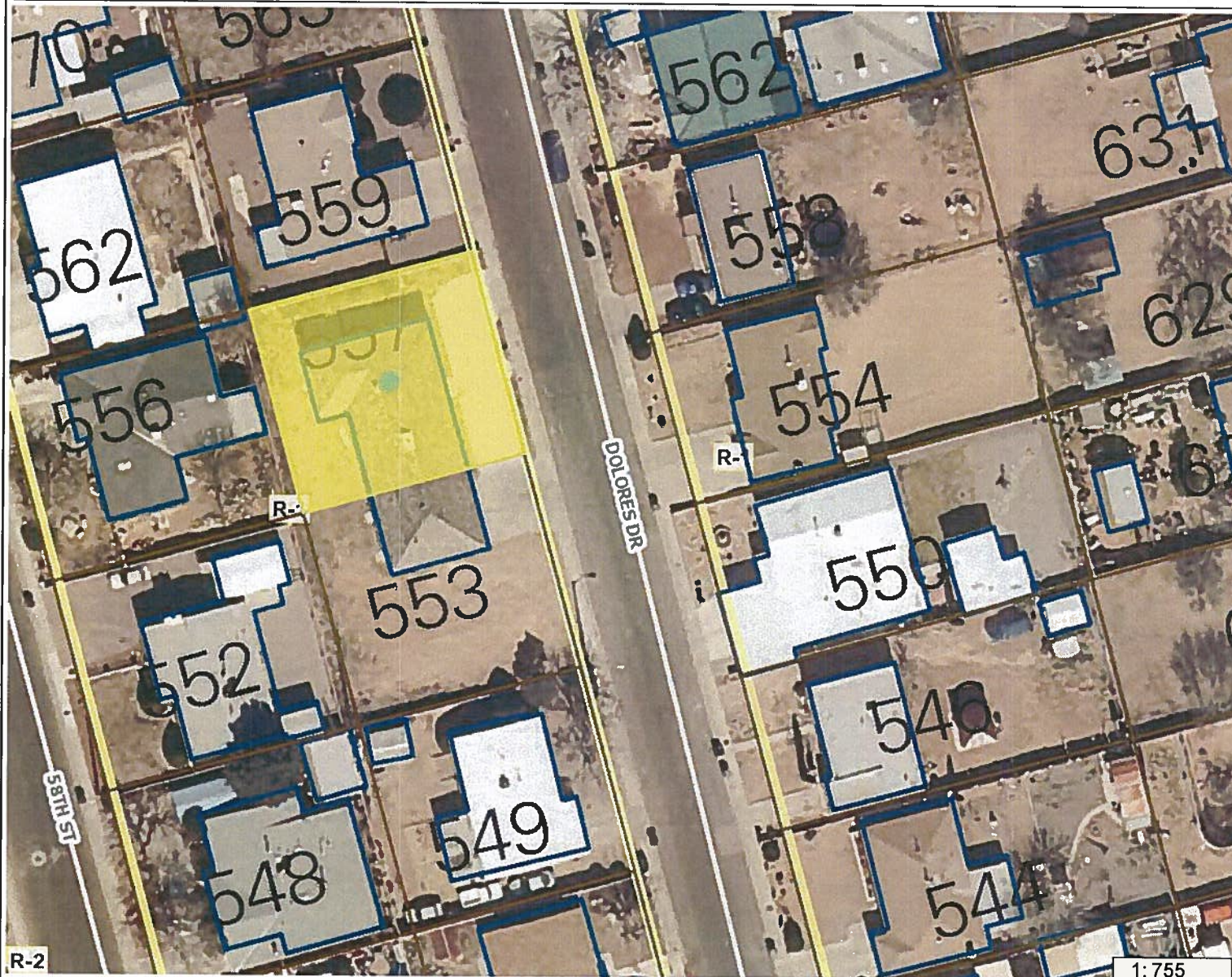
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- Primary Streets
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 - Principal Arterial
 - Minor Arterial
 - Local Streets
- BN and SF Railroad
- Other Streets
- Zoning
 - <all other values>
 - RESIDENTIAL
 - COMMERCIAL
 - OFFICE
 - INDUSTRIAL / WHOLESALE / MAI
 - INSTITUTIONAL / GOVERNMENT
 - UTILITIES / TRANSPORTATION
 - OPEN SPACE / RECREATION / A
 - RESIDENTIAL / AGRICULTURAL
 - MESA DEL SOL MIXED USE
 - NOT CLASSIFIED
- Municipal Limits
 - Corrales
 - Edgewood
 - Los Ranchos
 - Rio Rancho
 - Tijeras
 - UNINCORPORATED
- World Street Map

Notes

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OWNERSHIP DATA	
PARCEL ID:	1 011 058 129 196 32807
OWNER 1:	GREEN HERBERT P
MAILING ADDRESS:	PO BOX 259 SOUTH FALLSBURG NY 12779
LOCATION ADDRESS	
557 DOLORES NW 87105	
LEGAL DESCRIPTION	
• * 007 V LAVALAND ADDN	