

CITY of ALBUQUERQUE

TWENTY THIRD COUNCIL

COUNCIL BILL NO. R-19-156 ENACTMENT NO. R-2019-081

SPONSORED BY: Pat Davis, by request

1 RESOLUTION

2 A NUISANCE, SUBSTANDARD DWELLING OR STRUCTURE IN NEED OF
3 ABATEMENT AT 8400 CHICO RD NE 87108 WITHIN THE CITY LIMITS OF
4 ALBUQUERQUE, NEW MEXICO IS SO RUINED, DAMAGED AND DILAPIDATED
5 AS TO BE A MENACE TO THE PUBLIC COMFORT, HEALTH, PEACE OR
6 SAFETY AND THAT IT IS TO BE REQUIRED TO BE REMOVED.

7 WHEREAS, the building, structure or premises is located at 8400 CHICO RD
8 NE ALBUQUERQUE NM 87108, which is located and is more particularly
9 described as: * 032 006MESA VERDE & 33; and

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

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

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

22 Section 2. That MONTES MANUEL & ENRRQUETA, record owner of
23 said building, structure or premises shall commence removal of same within
24 ten (10) days after service of a copy of this Resolution or within said ten (10)
25 day period, file written objection to findings herein with the City

[Bracketed/Underscored Material] - New
[Bracketed/Strikethrough Material] - Deletion

1 Clerk/Recorder of the City of Albuquerque, asking for a hearing before the City
2 Council.

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

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

16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

[Bracketed/Underscored Material] - New
[Bracketed/Strikethrough Material] - Deletion

1 PASSED AND ADOPTED THIS 21th DAY OF October, 2019
2 BY A VOTE OF: 8 FOR 1 AGAINST.

3
4
5 Against: Peña

6
7
8
9
10 Klarissa J. Peña, President
11 City Council
12

13
14 APPROVED THIS 7 DAY OF November, 2019
15
16

17 Bill No. R-19-156

18
19
20
21
22 Timothy M. Keller, Mayor
23 City of Albuquerque
24

25
26 ATTEST:

27
28
29 Katy Duhigg, City Clerk
30
31
32
33

[+ Bracketed/Underscored Material +] - New
[- Bracketed/Strikethrough Material -] - Deletion