

# CITY of ALBUQUERQUE

## TWENTY THIRD COUNCIL

COUNCIL BILL NO. R-19-198

ENACTMENT NO. R-2020-005

SPONSORED BY: Diane G. Gibson

1 RESOLUTION

2 A NUISANCE, SUBSTANDARD DWELLING OR STRUCTURE IN NEED OF  
3 ABATEMENT AT 2405 QUINCY NE, ALBUQUERQUE NM 87110 WITHIN THE  
4 CITY LIMITS OF ALBUQUERQUE, NEW MEXICO IS SO RUINED, DAMAGED AND  
5 DILAPIDATED AS TO BE A MENACE TO THE PUBLIC COMFORT, HEALTH,  
6 PEACE OR SAFETY AND THAT IT IS TO BE REQUIRED TO BE REMOVED.

7 WHEREAS, the building, structure or premises is located at 2405 QUINCY NE,  
8 ALBUQUERQUE NM 87110, which is located and is more particularly described  
9 as: LOT 6-A-2 PLAT OF LOT 6-A-1 AND LOT 6-A-2 BLK 2 ROMAC-JEAN  
10 ADDITION BEING A REPLAT OF LT 6A BLK 2 ROMAC-JEAN ADDITION CONT  
11 0.5550 AC M/L OR 24,176 SQ FT M/; and

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

17 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
18 ALBUQUERQUE:

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

24 Section 2. That SANCHEZ CHARLES A, record owner of said building,

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

1 structure or premises shall commence removal of same within ten (10) days after  
2 service of a copy of this Resolution or within said ten (10) day period, file written  
3 objection to findings herein with the City Clerk/Recorder of the City of  
4 Albuquerque, asking for a hearing before the City Council.

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

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

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 22<sup>nd</sup> DAY OF January, 2020  
2 BY A VOTE OF: 6 FOR 1 AGAINST.

3  
4 Against: Peña

5 Excused: Harris

6  
7  
8  
9  
10 Patrick Davis, President  
11 City Council  
12

13  
14 APPROVED THIS 6 DAY OF February, 2020  
15

16  
17 Bill No. R-19-198

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

25  
26  
27 ATTEST:  
28  
29  
30  
31  
32  
33

Ethan Watson, Acting City Clerk