

CITY of ALBUQUERQUE

TWENTY THIRD COUNCIL

COUNCIL BILL NO. R-19-216

ENACTMENT NO. R-2020-077

SPONSORED BY: Isaac Benton, by request

1 RESOLUTION

2 A NUISANCE, SUBSTANDARD DWELLING OR STRUCTURE IN NEED OF
3 ABATEMENT AT 615 ARNO ST SE 87102 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 615 ARNO ST
8 SE ALBUQUERQUE NM 87102, which is located and is more particularly
9 described as: H H ADD L4 BLK 37 X L5 BK 2 C W LEWIS H AD; and

10 WHEREAS, the Planning Department, Code Enforcement Division of the
11 City of Albuquerque has investigated the condition of said building, structure
12 or 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, NMSA, 1978.

22 Section 2. That MCCLAIN DONNA LEIGH, 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, file
25 written objection to findings herein with the City Clerk/Recorder of the City of
26 Albuquerque, asking for a hearing before the City Council.

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 or
9 unenforceable by any court of competent jurisdiction, such decision shall not
10 affect the validity of the remaining provisions of this resolution. The Council
11 hereby declares that it would have passed this resolution and each section,
12 paragraph, sentence, clause, word or phrase thereof irrespective of any
13 provisions being declared unconstitutional or otherwise invalid.

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1 PASSED AND ADOPTED THIS 3rd DAY OF August, 2020
2 BY A VOTE OF: 7 FOR 1 AGAINST.

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4 Against: Peña

5 Excused: Harris

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10 Patrick Davis, President
11 City Council

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14 APPROVED THIS 17 DAY OF Aug, 2020

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16 Bill No. R-19-216

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19 Timothy M. Keller, Mayor
20 City of Albuquerque

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25 ATTEST:

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28 Ethan Watson, City Clerk