

CITY of ALBUQUERQUE

TWENTY FOURTH COUNCIL

COUNCIL BILL NO. R-21-132 ENACTMENT NO. R-2021-029

SPONSORED BY: Lan Sena

1 RESOLUTION

2 A NUISANCE, SUBSTANDARD DWELLING OR STRUCTURE IN NEED OF
3 ABATEMENT AT 5912 SWEET WATER DR NW 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 5912 SWEET
8 WATER DR NW ALBUQUERQUE NM 87120, which is located and is more
9 particularly described as: *15 1 AMENDED SUMMARY PLAT MONTANO WEST
10 SUBD 0.1326 AC; and

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

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

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

23 Section 2. That ZERBE DARY & DEBORAH, record owner of said
24 building, structure or premises shall commence removal of same within ten
25 (10) days after service of a copy of this Resolution or within said ten (10) day

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1 period, file written objection to findings herein with the City Clerk/Recorder of
2 the City of Albuquerque, asking for a hearing before the City 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.

1 PASSED AND ADOPTED THIS 7th DAY OF June, 2021
2 BY A VOTE OF: 7 FOR 1 AGAINST.

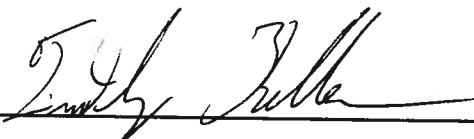
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4 Excused: Bassan

5 Against: Peña
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9 Cynthia D. Borrego, President
10 City Council
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14 APPROVED THIS 14 DAY OF June, 2021
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17 Bill No. R-21-132

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23 Timothy M. Keller, Mayor
24 City of Albuquerque
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28 ATTEST:

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31 Ethan Watson, City Clerk
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