



Legislation Text

File #: R-16-119, Version: 1

CITY of ALBUQUERQUE
TWENTY SECOND COUNCIL

COUNCIL BILL NO. R-16-119 ENACTMENT NO. _____

SPONSORED BY: Patrick Davis, by request

RESOLUTION

A Nuisance Dwelling Or Structure In Need Of Abatement At 242 Espanola St NE Within The City Limits Of Albuquerque, New Mexico Is So Ruined, Damaged And Dilapidated As To Be A Menace To The Public Comfort, Health, Peace Or Safety And That It Is To Be Required To Be Removed (Davis, by request)

WHEREAS, the building, structure or premises is located at 242 Espanola St NE Albuquerque, NM 87108, which is located and is more particularly described as: 014 008LOMA VERDE SUBD ALBUQUERQUE NEW MEXICO; and

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

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

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

Section 2. That MAR DEL PLATA REALTY LLC, record owner of said building, structure or

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

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

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