

**STATE OF NEW MEXICO**  
**CITY OF RIO COMMUNITIES**  
**RESOLUTION 2023 – (10)**

The City Council of the City of Rio Communities (“City”), upon the report and recommendation of the City’s Code Compliance Officer, does hereby find and determine:

1. That a dangerous building located at 407 Horner ST., Rio Communities, New Mexico (hereinafter “Subject Property”) has excessive debris, refuse, trash, and other items that constitute a safety and health hazard.
2. That the safety and health and debris located within the Subject Property is a menace to the public comfort, health, safety, and wellness of the City of Rio Communities and its citizens.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RIO COMMUNITIES:**

- A. The Governing Body passed Resolution 2022 – 28 on September 12, 2022 dangerous building located at 407 Horner St, Rio Communities, New Mexico. The resolution was not implemented therefore is to be rescinded.
- B. The City will remove such ruins, rubbish, wreckage, or debris within the Subject Property at the cost and expense of the Property Owner. The cost of such removal shall be payable in full. Failure to pay within 30 days of billing shall result in a lien against the Subject Property that shall be subject to foreclosure in the manner provided by law.
- C. Should the Property Owner object to the City’s removal of such burnt down building, rubbish, wreckage or debris within the Subject Property, the Property Owner shall file a written objection within ten (10) days of the posting and publishing of this resolution to the City Clerk requesting a hearing upon this resolution before the City Council of the City of Rio Communities.
- D. If the Property Owner or his/her agents in charge of the Subject Property file a written objection with the City Council within the time frame described above, the City shall fix a date for hearing upon this resolution and all objections thereto presented by the Subject Property Owner or his/her agents and at such hearing shall determine if the resolution should be enforced or rescinded.
- E. The City’s Compliance Officer is hereby directed to serve a copy of this resolution upon the owners, occupants, or agents in charge of the Subject Property. In the event the owners, occupants, or agents in charge of the Subject Property cannot be served personally within the municipality, the City’s Compliance Officer shall post a copy of this resolution upon the premise of the Subject Property and publish a copy of this

resolution one time in a newspaper of general circulation in the City of Rio Communities.

**PASSED, APPROVED AND ADOPTED THIS 27<sup>th</sup> DAY OF MARCH 2023 BY THE GOVERNING BODY OF THE CITY OF RIO COMMUNITIES, NEW MEXICO.**

**City of Rio Communities Governing Body**

\_\_\_\_\_  
Joshua Ramsell,  
Mayor

\_\_\_\_\_  
Margaret R. Gutjahr,  
Mayor Pro-tem

\_\_\_\_\_  
Arthur Apodaca,  
Councilor

\_\_\_\_\_  
Lawrence R. Gordon,  
Councilor

\_\_\_\_\_  
Jimmie Winters,  
Councilor

ATTEST:

\_\_\_\_\_  
Elizabeth F. Adair,  
Municipal Clerk