

**STATE OF NEW MEXICO
CITY OF RIO COMMUNITIES
RESOLUTION 2021- xx**

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 503 Vista Hermosa St., Rio Communities, New Mexico (hereinafter “Subject Property”) has burned down and has accumulated weeds, rubbish, wreckage, and debris.
2. That the burnt down building, wreckage, 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.
3. That the City has contacted the Subject Property’s owner, Elizabeth Lujan (“Property Owner”), who has agreed to pay the City—in the amount of \$200.00 per month until full reasonable payment has been recovered by the City—to remove the burnt down building, wreckage, and debris located within the Subject Property. Should the Property Owner fail to make the agreed upon payments, the cost of such removal shall constitute a lien against the Subject Property that shall be subject to foreclosure in the manner provided by law.

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

- A. The City will remove such ruins, rubbish, wreckage, or debris within the Subject Property at the cost and expense of the Property Owner—in the amount of \$200.00 per month until full reasonable payment has been recovered by the City. Should the Property Owner fail to make the agreed upon payments, the cost of such removal shall constitute a lien against the Subject Property that shall be subject to foreclosure in the manner provided by law.
- B. 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 positing 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.

- C. 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Subject Property Owner or his/her agents and at such hearing shall determine if the resolution should be enforced or rescinded.
- D. 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 XX DAY OF DECEMBER 2021 BY THE GOVERNING BODY OF THE CITY OF RIO COMMUNITIES, NEW MEXICO.

City of Rio Communities Governing Body

Mark Gwinn,
Mayor

Joshua Ramsell,
Mayor Pro-tem

Robert Chavez,
Councilor

Margaret "Peggy" Gutjahr,
Councilor

Jimmie Winters,
Councilor

ATTEST:

Elizabeth F. Adair,
Municipal Clerk