

RESOLUTION NO. 2020-1765

A RESOLUTION DIRECTING THE REMOVAL OF DANGEROUS AND DILAPIDATED BUILDINGS AND OF RUINS, RUBBISH, WRECKAGE AND DEBRIS FROM 301 AND 401 AIRPORT DRIVE IN THE CITY OF FARMINGTON, NEW MEXICO

The City Council of the City of Farmington, upon the report and recommendation of the Chief Code Compliance Officer, does hereby find and determine:

1. That unsanitary and dangerous buildings located at 301 and 401 Airport Drive, Farmington, New Mexico, are in a broken down dilapidated condition with the windows broken out, a large accumulation of refuse, structure, trash and debris on the property, and fire damage to the buildings. Weeds, rubbish, wreckage and debris have been permitted to accumulate upon the properties. The legal description of the properties situated in the City of Farmington, County of San Juan and State of New Mexico, are as follows:

TRACT 1

Lots Sixteen (16), Seventeen (17), and Eighteen (18) in Block Four (4) of the MISSION HEIGHTS ADDITION, in the City of Farmington, San Juan County, New Mexico, as shown on the Replat of said Addition filed for record April 2, 1956;

AND

TRACT 2

Lot Three (3) of MISSION HEIGHTS SUBDIVISION REPLAT B, in the City of Farmington, San Juan County, New Mexico, as shown on the Replat of said Subdivision filed for record May 2, 1989.

2. That the dilapidated buildings and wreckage and debris on the above described properties in paragraph one above are a menace to the public comfort, health, safety and welfare.

3. That the owners, occupants or agents in charge of such properties should be ordered to remove the dangerous, ruined and damaged and dilapidated buildings and to remove all ruins, rubbish, wreckage or debris from the above described premises.

4. That the owners, occupants or agents in charge of such properties as disclosed by an investigation of the county records of the premises is:

Oham Shiv Ganesh, Inc., a New Mexico corporation

5. That by reason of the properties being covered by such ruins, rubbish, wreckage, debris and dilapidated structures, the premises are a menace to the public comfort, safety and welfare of the municipality.

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

A. That Oham Shiv Ganesh, Inc., a New Mexico corporation, and all owners or reputed owners, occupants and agents in charge of the properties and premises herein described are hereby ordered to remove the dangerous, ruined, damaged and dilapidated buildings and other structures and to remove all ruins, rubbish, wreckage or debris from the following described premises in the City of Farmington, San Juan County, New Mexico, to-wit:

TRACT 1

Lots Sixteen (16), Seventeen (17), and Eighteen (18) in Block Four (4) of the MISSION HEIGHTS ADDITION, in the City of Farmington, San Juan County, New Mexico, as shown on the Replat of said Addition filed for record April 2, 1956;

AND

TRACT 2

Lot Three (3) of MISSION HEIGHTS SUBDIVISION REPLAT B, in the City of Farmington, San Juan County, New Mexico, as shown on the Replat of said Subdivision filed for record May 2, 1989.

B. Oham Shiv Ganesh, Inc., a New Mexico corporation, the entity named above, and all owners or reputed owners, occupants or agents in charge of the properties or premises above described are further ordered to commence the removal of the dangerous, ruined, damaged and dilapidated buildings and other structures and to remove such ruins, rubbish, refuse, wreckage or debris within ten days of the date of receipt by such persons of a copy of this resolution or of the date of posting and publishing a copy of this resolution unless such persons shall file a written objection within said time period with the City Clerk asking for a hearing upon this resolution before the City Council of the City of Farmington.

C. If the owners, occupants or agents in charge of such premises file a written objection with the City Council as aforesaid, the City Council shall fix a date for hearing upon this resolution and all objections thereto presented by the owners, occupants or agents of the premises and at such hearing determine if the resolution should be enforced or rescinded.

D. Following the hearing aforesaid, the owners, occupants or agents in charge of said premises may appeal to the District Court from any determination of the City Council by giving Notice of Appeal to the City Council within five days after such determination by the City Council and by filing a petition in the District Court within twenty days after determination made by the City Council.

E. The owners, occupants or agents in charge of such properties are further notified that if they fail to commence the removal of such ruins, rubbish, wreckage or debris and the removal of the dangerous and dilapidated buildings and other structures thereon:

- (a) within ten days of being served a copy of this resolution or of the posting and publishing of the resolution; or
- (b) within five days of the determination by the governing body after a hearing as specified in paragraph C above and the order of the City Council that such resolution shall be enforced; or
- (c) after the District Court enters judgment sustaining the determination of the governing body upon any appeal,

that the City will remove such ruins, rubbish, wreckage or debris at the cost and expense of the owners of such properties and that the reasonable cost of such removal shall constitute a lien against the above described real properties from which it was removed which lien shall be subject to foreclosure in the manner provided by law.

F. The Chief Code Compliance Officer is hereby directed to serve a copy of this resolution upon the owners, occupants or agents in charge of the properties or premises described herein, and in the event the owners, occupants, or agents cannot be served personally within the municipality, to post a copy of this resolution upon such premises and to publish a copy of this resolution one time in a newspaper of general circulation in the City of Farmington.


PASSED, SIGNED, APPROVED and ADOPTED this 25th day of August, 2020.



 Nate Duckett, Mayor

SEAL

ATTEST:



 Andrea Jones, City Clerk