

## RESOLUTION NO. 2023-26

### A RESOLUTION DECLARING THE BUILDING OR STRUCTURE, OR THE PREMISES LOCATED AT 1109 MICHIGAN AVENUE ALAMOGORDO, OTERO COUNTY, NEW MEXICO, TO BE RUINED, DAMAGED, AND DILAPIDATED TO BE A MENACE TO THE PUBLIC COMFORT, HEALTH, PEACE, OR SAFETY, AND ORDERING ITS ABATEMENT

**WHEREAS**, the governing body of the City of Alamogordo, New Mexico, finds that there is located within the City a certain building, structure, or premises at 1109 Michigan Avenue, as more particularly described on the attached Exhibit 1 (the "Property"); and,

**WHEREAS**, the governing body does further find that the Code Enforcement Manager has investigated the condition of the Property and has found the same to be so ruined, damaged, and dilapidated, or covered with ruins, rubbish, wreckage, or debris, that it constitutes a menace to the public comfort, health, peace or safety so as to warrant abatement.

#### **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION:**

Section 1. That the findings of said Code Enforcement Manager, in regard to the Property, attached hereto as Exhibit 2, are hereby approved and adopted, and that the Property is found to be ruined, damaged, and dilapidated, so as to constitute a menace to the public comfort, health, peace or safety pursuant to Section 3-18-5, NMSA, 1978.

Section 2. That Mr. Mathew C. Reynoso, the record owner of the Property, is hereby ordered to commence removal of the building or structure from the Property 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 of the City of Alamogordo, asking for a hearing before the City Commission.

Section 3. That if there is a failure of compliance with the provision of Section 2 herein, the City of Alamogordo shall proceed to remove said building or structure from the Property and abate said unsafe condition, at the cost and expense of said record, with said cost and expense constituting a lien against the building or structure so removed, and against the Property, as allowed by law.

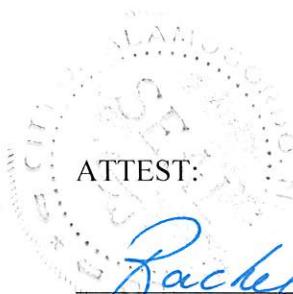
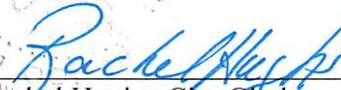
Section 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word, or phrase of this resolution is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this resolution. The Commission 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.

**PASSED, APPROVED AND ADOPTED**, this 11<sup>th</sup> day of July 2023.

CITY OF ALAMOGORDO, NEW MEXICO  
a New Mexico municipal corporation

By:   
Susan Payne, Mayor

ATTEST:

  
  
Rachel Hughs, City Clerk

APPROVED AS TO FORM:

  
Ashley Smith, City Attorney



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## Account: R011172

<u>Location</u>	<u>Owner Information</u>	<u>Assessment History</u>			
<b>Account Number</b> R011172	<b>Owner Name</b> REYNOSO, MATHEW C	<b>Actual (2023)</b>	\$94,172		
<b>Situs Address</b> 1109 MICHIGAN AVE	<b>Owner Address</b> 1109 MICHIGAN AVE	<b>Primary Taxable</b>	\$31,391		
<b>Previous Parcel ID</b> 01-01520	<b>ALAMOGORDO, NM 88310</b>	<b>Tax Area:</b> 01_R <b>Mill Levy:</b> 26.030000			
<b>Parcel Sequence</b>		<b>Type</b>	<b>Actual</b>	<b>Assessed</b>	<b>Acres SQFT</b>
<b>Neighborhood</b> A2 - Central Alamogordo		Residential Land	\$18,000	\$6,000	0.258
<b>Tax Area</b> 01_R		Residential Improvement	\$76,172	\$25,391	3089.000
<b>Parcel Number</b> 01N4055094152120					
<b>Legal Summary</b> Subd: ALAMO BLOCKS					
<b>Lot:</b> 13 S1/2, 14 Block: 60					
<b>Appraiser</b> Leah Silva					

### Transfers

<u>Sale Date</u>	<u>Sale Price</u>	<u>Doc Description</u>
		<a href="#">Deed</a>
<a href="#">11/17/2020</a>		<a href="#">Warranty Deed</a>
<a href="#">03/19/2021</a>		<a href="#">Warranty Deed</a>
		<a href="#">Warranty Deed</a>
		<a href="#">Warranty Deed</a>
<a href="#">11/07/2022</a>		<a href="#">Warranty Deed</a>

### Tax History

<u>Tax Year</u>	<u>Taxes</u>	
*2023	\$817.12	
2022	\$482.68	
* Estimated		

### Images

- [Map](#)
- [Photo](#)
- [Sketch](#)
- [GIS](#)

Focusing On: 1109 MICHIGAN AVE ALAMOGORDO 88310

Exhibit "2"



**Case #:** 202301003  
**Case Date:** 04/28/23  
**Address Number:** 1109  
**Street Name:** Michigan Ave  
**Complainant Phone:** 57543943337  
**Description:** Dilapidated Structure  
**Complainant Address:** 2010 Oregon Ave  
**Complainant Name:** Sides  
**Reinspection:** 05/24/2023  
**Compliance Inspection :**  
**Property Owners :** Mathew C Reynoso  
**Court case number:**  
**DOB:**  
**ID #:**  
**Court Date:**  
**Status:** Draft Resolution  
**Assigned To:** JOSH SIDES

**Property**

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
01N4055094152120	1109 MICHIGAN AVE	Subd: ALAMO BLOCKS Lot: 13 S1/2, 14 Block: 60	REYNOSO, MATHEW C		

**Activities**

Date	Activity Type	Description	Employee	Status
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On 04/28/2023, I, Code Enforcement Manager Josh Sides, was made aware of a dilapidated structure located at 1109 Michigan Ave., Alamogordo, Otero County, New Mexico.

Upon arrival, I observed several violations of the International Property Maintenance Code which included:

- 304.1 General- Please repair or have repaired any defects in the walls so they are structurally sound and sanitary so as not to threaten public health, safety, or welfare.
- 304.2 Protective treatment- Please repair or have repaired all exterior surfaces in good condition and weather resistant with paint or sealant.
- 304.4 Structural members- Please repair or have repaired exterior walls (structural members) so they can support dead and live loads on them.
- 304.6 Exterior walls- Please repair or have repaired exterior walls so they are free from cracks, holes, or any other deterioration and are weatherproofed.
- 304.7 Roofs and drainage- Please repair or have repaired the roof of the building to include flashing so it is sound, tight, and free of defects that allow rainwater in.
- 304.13 Window, skylight, and door frames- Please repair or have repaired all doors and windows to good condition, good repair, and weather tight.
- 306.1.1 Unsafe Conditions- Please repair or have repaired all or replace all components of the residence with fire damage.

I mailed an IPMC letter to the property owner, identified as Mr. Mathew Reynoso by the Otero County Accessors Office.

04/28/2023	Inspection	<p>• 304.1 General- Please repair or have repaired any defects in the walls so they are structurally sound and sanitary so as not to threaten public health, safety, or welfare.</p> <p>• 304.2 Protective treatment- Please repair or have repaired all exterior surfaces in good condition and weather resistant with paint or sealant.</p> <p>• 304.4 Structural members- Please repair or have repaired exterior walls (structural members) so they can support dead and live loads on them.</p> <p>• 304.6 Exterior walls- Please repair or have repaired exterior walls so they are free from cracks, holes, or any other deterioration and are weatherproofed.</p> <p>• 304.7 Roofs and drainage- Please repair or have repaired the roof of the building to include flashing so it is sound, tight, and free of defects that allow rainwater in.</p> <p>• 304.13 Window, skylight, and door frames- Please repair or have repaired all doors and windows to good condition, good repair, and weather tight.</p> <p>• 306.1.1 Unsafe Conditions- Please repair or have repaired all or replace all components of the residence with fire damage.</p>	JOSH SIDES	Non-Compliance
06/05/2023	Inspection	<p>On 06/05/2023, I, Code Enforcement Manager Josh Sides, learned the IPMC letter sent to 1109 Michigan was returned to Code Enforcement undeliverable. I posted the IPMC letter to the residence as per IPMC code.</p>	JOSH SIDES	Closed
06/16/2023	Inspection	<p>On 06/16/2023, I, Code Enforcement Manager Josh Sides, applied for and was granted an Administrative Search warrant for 1109 Michigan from 12th Judicial District Court Judge Jessen.</p>	JOSH SIDES	Closed
06/21/2023	Inspection	<p>On 06/21/2023 at approximately 1500 hours, I, Code Enforcement Manager Josh Sides, along with Code Enforcement Officers Otero and Payan, Facility Maintenance Manager Paul Bennett, Deputy Fire Chief Ramirez, and Sgt. Watts executed the search warrant for 1703 Dewey. Sgt. Watts made contact with the people inside of the residence and informed them of the search warrant. Upon the residence being clear and safe, all members of the search warrant team entered the property to conduct an inspection. Photographs of the residence were collected as evidence. The property and a copy of the search warrant was given to Mr. Mathew Reynoso who was at the residence.</p>	JOSH SIDES	Closed

**Notes**

Date	Note	Created By:
2023-06-05	<p>Certified IPMC letter returned as "Return to Sender. UNCLAIMED. Unable to forward" The address is correct according to the Otero County website.</p>	Jessica Wing

**Uploaded Files**

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05/12/2023	<a href="#">15398636-Michigan_Ave_1109_Mathew_C_Reynoso_IPMC_pre-mailing.pdf</a>
05/08/2023	<a href="#">15333123-JoshSides-04-28-2023-20-09-13-UTC-1109_Michigan_Ave.jpg</a>
05/08/2023	<a href="#">15333124-JoshSides-04-28-2023-20-09-18-UTC-1109_Michigan_Ave.jpg</a>
05/08/2023	<a href="#">15333118-JoshSides-04-28-2023-20-10-07-UTC-1109_Michigan_Ave.jpg</a>
05/08/2023	<a href="#">15333119-JoshSides-04-28-2023-20-10-13-UTC-1109_Michigan_Ave.jpg</a>
05/08/2023	<a href="#">15333120-JoshSides-04-28-2023-20-08-38-UTC-1109_Michigan_Ave.jpg</a>
05/08/2023	<a href="#">15333121-JoshSides-04-28-2023-20-08-54-UTC-1109_Michigan_Ave.jpg</a>
05/08/2023	<a href="#">15333122-JoshSides-04-28-2023-20-09-06-UTC-1109_Michigan_Ave.jpg</a>
05/08/2023	<a href="#">15333115-JoshSides-04-28-2023-20-09-32-UTC-1109_Michigan_Ave.jpg</a>
05/08/2023	<a href="#">15333116-JoshSides-04-28-2023-20-09-38-UTC-1109_Michigan_Ave.jpg</a>
05/08/2023	<a href="#">15333117-JoshSides-04-28-2023-20-09-53-UTC-1109_Michigan_Ave.jpg</a>