

Woods' Appeal
Special Meeting
County Commission
April 4, 2022
9:00 a.m.

Commission Chambers 205 S 9th Street Estancia, NM 87016

MEETING PACKAGE

PUBLIC HEARING FOR APPEAL

Chanta & Alyssa Woods

APPEAL TO THE TORRANCE COUNTY BOARD OF COUNTY COMMISSIONERS
TO REVERSE THE DECISION OF THE PLANNING & ZONING DIRECTOR'S
ENFORCEMENT OF A RULING BY THE PLANNING & ZONING BOARD THAT
PROHIBITS THE USE OF A SECOND MOBILE HOME AS A STORAGE BUILDING/STUDIO
ON TRACT D, LANDS OF MANOUSHAGIAN BEING 25 POLLO ROAD

List of Exhibits

Appellant Exhibit:

Exhibit A-1, Appeal Application and photographs provided by the Woods'.

Staff Exhibits:

Exhibit S-1: Survey plat of the Lands of Manoushagian, Excerpt from Torrance County Zoning Ordinance Section 4 Definitions, Excerpt from Torrance County Zoning Ordinance Section 11.B(1).

Exhibit S-2: Public Notice Ad, Purchase Orders, Ad proof, Public Notice letters to applicant, Public Notice letters to neighbors, Assessor's parcel map of neighborhood, and redacted mailing list from Assessor's parcel reports.

Exhibit A-1

Chanta & Alyssa Woods

25 Pollo Road

Moriarty, NM

Torrance County

Appeal application and documentation



TORRANCE COUNTY ZONING ACTION

Application for Zoning Appeal

DATE RECEIVED 2/23/27
TIME RECEIVED 9:30an
RECEIVED BY

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Appellant: (Manta ! Hlys	sa Woods Phone <u>505:270-8</u> 384
Mailing Address: 35 Pollu Roa	1 Morially MM 87035
Agent (if any):	Phone
Mailing Address:	
Reason for Appeal (Use additional sheets if necessar	De Wouldte appeal
about putting a office/s	Twork We would to appeal tudio/Trailer on are property
to do my auts : crafts.	There is no plumbing in it.
Do Kitchen, Bathroom.	Just office. We maintane
are property without	fust office. We maintane landscape and try are best
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skirt the trailer as te	but a sail for walking on
sit Jaile sigo is 14X	56 Date: 0: 22: 22
11/1/55/ 1/201	orm and filing fee to the County Zoning Officer within
thirty (30) days after a determination is made which i	s the subject of the appeal. Public Notice must be
given by legal advertisement prior to the hearing. The	appeal shall be decided by the Board of County
Commissioners within thirty (30) days after the date of	f filing.
3+4 is first choice	Car in grade
1 3" Phone	Il electuc

CW Woods

From:

CW Woods

Sent:

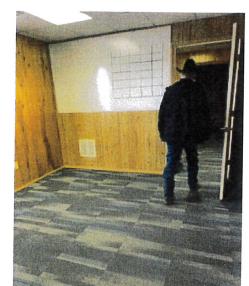
Tuesday, February 22, 2022 1:12 PM

To:

CW Woods

Subject:

Photos



Markin John Mil.





Triside Miller







Sent from my iPhone

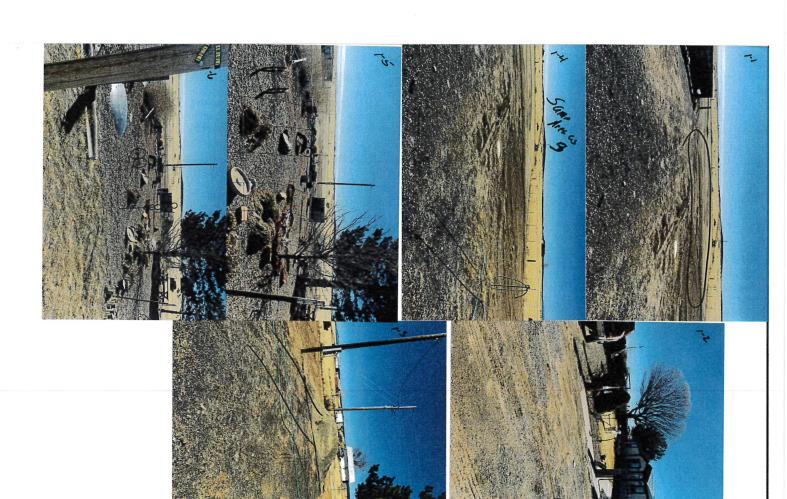


Exhibit S-1

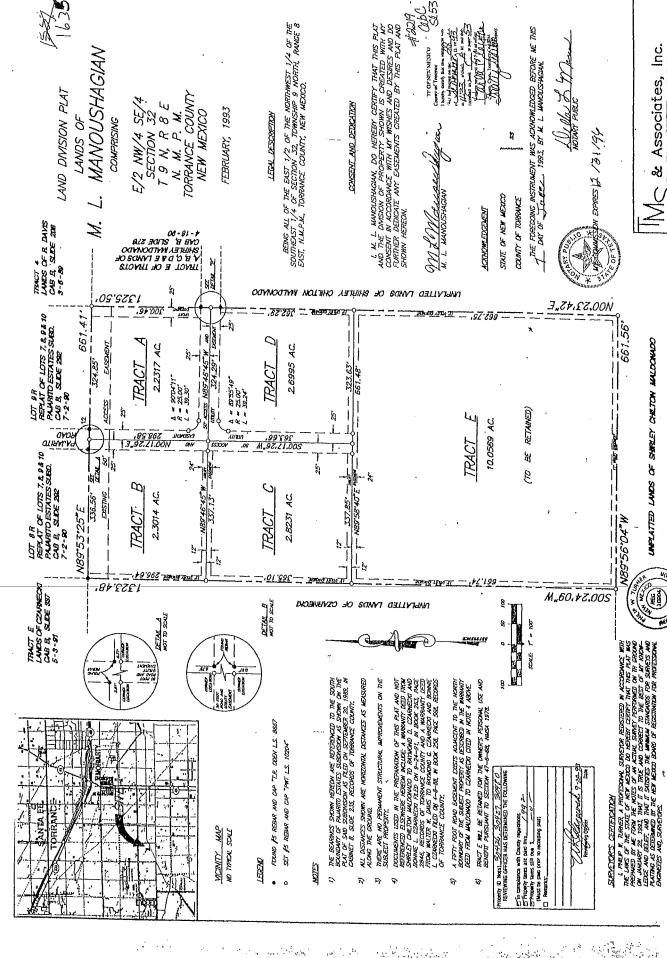
Chanta & Alyssa Woods

25 Pollo Road

Moriarty, NM

Torrance County

Manoushagian Survey Plat TCZO Section 4 Definitions TCZO Section 11.B(1)



& Associates, Inc.) BNAMERS - MARKETS - SANGERS SOOS MARKET, SANE 3

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SECTION 4 DEFINITIONS TOZO

- 9. "County Commission" means the Board of County Commissioners of Torrance County, New Mexico.
 [REV: Ord. No. 2008-003, 4/23/08]
- 10. "Dwelling Unit" means a structure or part of a structure containing one or more connected rooms designed for and occupied by no more than one family for living and sleeping purposes.
- 11. "Dwelling Unit, Singular" means a dwelling unit which is not physically connected to any other dwelling unit.
- 12. "Dwelling Unit, Multiple" means a structure containing two or more dwelling units.
- 13. "Dwelling Unit, Cluster" means a development pattern consisting of a grouping of dwelling units on a portion of available land, reserving not less than 40 percent of the development site as protected and permanent open space.

 [REV: Ord. 2008-003, 4/23/08]
- 14. "Family" means one or more persons living together in a dwelling unit, provided that unless all members are related by blood, marriage, adoption, or legal assignment, no such family shall include or contain more than 5 unrelated persons.
- 15. "Feedlot" means a place for cattle, sheep, swine, or other such animals, which are restricted and confined to pens or corrals where feeding is other than grazing and which is operated as a year-round enterprise. For purposes of this Ordinance, a Small Feedlot shall contain from 20 to 200 head of animals, and a Large Feedlot shall contain more than 200 head of animals. A Small Feed lot shall be centered on at least 100 acres. A Large Feedlot shall not be allowed, except in a special use zone. [REV: Ord. No. 2008-003, 4/23/08]
- 16. "Flea Market" means an occasional or periodic sales activity held within a building, structure, or open area where groups of individual sellers offer goods, new and used, for sale to the public. A flea market shall not include temporary residential garage sales lasting no more than three days per sixmonth period, and seasonal agricultural produce stands.

 [REV: Ord. No. 94-2, 2/9/94]
- 17. "Floor Area" means the total area of all floors of a building.
- 18. "Floor Area Ratio" means the relationship of the floor area to the lot area, computed by dividing the floor area by the lot area.

SECTION 4 DEFINITIONS
TOZO

- 24. "Liquid Waste Disposal Regulations" means the Liquid Waste Disposal Regulations adopted by the Environmental Improvement Board of New Mexico and administered by the New Mexico Environment Department.
- 25. "Livestock" means all domestic or domesticated animals that are used or raised on a farm or ranch, including the carcasses thereof, and exotic animals in captivity and includes horses, asses, mules, cattle, sheep, goats, swine, bison, ostriches, emus, rheas, camelids and farmed cervidae (deer). For purposes of determining the number of livestock on a lot, one (1) horse or cow equals three (3) goats or three (3) sheep or combination thereof. [REV: Ord. No. 2008-003, 4/23/08]
- 26. "Lot" means a parcel of real property described by deed, or a tract of land described by metes and bounds on a plat and recorded in the County Clerk's records in accordance with appropriate laws, and with access to public right-of-way.

 [REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08]
- 27. "Mobile Home" (also known as Manufactured Housing) means a transportable structure, at least 8 feet by 32 feet, built to be towed on its own chassis, and designed to be used as a movable dwelling unit for connection to permanent utilities.
- 28. "Mobile Home Park" means an un-platted tract of land under one ownership on which spaces are leased or rented for occupancy for 30 days or more by mobile homes, and which contains a centralized system of connections for utility services.

 [REV: Ord. No. 95-5. 6/10/95]
- 29. "Nonconformities" are any structures or portions thereof, or uses of any land or structures, or lots which do not conform to the regulations of this Ordinance but which lawfully exist on the effective date of the regulations to which it does not conform.
- 30. "Permissive Use" means a use which is allowed in a particular zone district.
- 31. "Poultry" means domestic fowl, such as chickens, turkeys, ducks, and geese, but does not include any animal defined as livestock. [REV: Ord. No. 2008-003, 4/23/08]
- 32. "Premises" means any lot or combination of contiguous lots held in single ownership, together with the development thereon.
- 33. "Recreational Vehicle" means a vehicle which is designed or used as temporary living quarters for recreation, camping, or travel, and which may

SEC. A DEFINITIONS TC 20

be designated along the lot line bordering a roadway that is not designated as the front setback.

[REV: Ord. No. 94-2, 2/9/94]

- 41. "Shopping Center" means an integrated retail commercial development occupying a site of 3 or more acres under a single ownership, control or interest, and containing 5 or more connected stores or a total gross floor area in a single structure which is greater than 25,000 square feet.
- 42. "Structure" means anything constructed, placed, or erected on the ground or which is attached to something located on the ground. For purposes of this Ordinance, the term "structure" does not include vehicles, vegetation, or public utility poles.
- 43. "Supplemental Residential Dwelling Unit" means a secondary or auxiliary structure used for residential purposes on land not within a previously approved subdivision for use by family members or guests and which may not be leased or rented.

 [REV: Ord. No. 2001-2, 3/14/01]
- 44. "Travel Trailer or Recreational Vehicle Park" means an area of land used for transient commercial parking of occupied travel trailers, pick-up campers, converted buses, recreational vehicles, tents, or any other similar devices used for temporary portable housing.
- 45. "Variance" means a relaxation of the terms of this Ordinance where such relaxation will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the results or actions of the applicant, a literal enforcement of this Ordinance would result in unnecessary hardship. As used in this Ordinance, a variance may be authorized only for area, height, dimension, distance, setback, walls, off-street parking, and off-street loading requirements. Financial gain or loss shall not be the only determining factor in deciding a variance.
- 46. "Wall" means a solid wall or fence which is visually solid, or a suitable screen of landscaping intended to provide a visual barrier. Materials used in the construction of a wall or fence shall not pose health or safety hazards to the community and shall not be disruptive to the character of surrounding properties.

[REV: Ord. No. 94-2, 2/9/94]

47. "Zone District" means a section of the County, designated in the text of this Ordinance and delineated on the Torrance County Zoning Map, in which requirements for the use of land and building and development standards are prescribed. Boundaries of zone districts shall follow existing property

- 1. All Conditional Uses allowed in the RR District. [REV: Ord. No. 2001-2, 3/14/01]
- 2. The Zoning Board may determine that a zone change or variance, instead of a Conditional Use Permit, is more appropriate for a proposed development in this zone district.
- D. <u>District Standards</u>. The following standards apply to all land uses within this zone district:
 - Lots shall not be further subdivided or re-platted into lots smaller than the nearest prevailing zone district. [REV: Ord. No. 2008-003, 4/23/08]
 - 2. In the event that contiguous lots within a specified area are assembled for readjustment and a master plan or site plan for future development is proposed, then such area shall be subject to the setback requirements established for the RR zone district. [REV: Ord. No. 95-5, 6/10/95]
 - 3. The Zoning Board may determine that a zone change or variance, instead of a Conditional Use Permit, is more appropriate for a proposed development in this zone district.

 [REV: Ord. No. 2008-003, 4/23/08]
 - 4. A proposed land use must comply with Section 23, pertaining to water usage.

 [REV: Ord. No. 97-7, 6/27/97]

SECTION 11. RURAL RESIDENTIAL DISTRICT (RR).

- A. Intent. This zone district accommodates rural residential development and certain agricultural uses such as irrigated croplands and limited livestock management. Large-lot residential land subdivision is characteristic of this district.
- <u>Permissive Uses</u>. Any of the following permissive uses are allowed in this zone district:
 - 1. One singular dwelling unit per lot subject to the provisions of Section 19 (F) of this Ordinance;
 - 2. Accessory uses and structures;
 - 3. Cultivation and harvesting of croplands;

Exhibit S-2

Chanta & Alyssa Woods

25 Pollo Road

Moriarty, NM

Torrance County

Newspaper Public Notice Ads, PO's, Ad Proof
Public Notice letter sent to applicant
Public Notice letter sent to neighbors
Assessor parcel map of neighborhood
Redacted mailing list from Assessor's parcel reports

Page:

1.

PURCHASE ORDER

Ship To:

37666

TORRANCE COUNTY
PO BOX 48
205 S NINTH STREET
ESTANCIA NM 87016 0048

ADDRESS ALL CORRESPONDENCE TO: TORRANCE COUNTY ATTN:ACCOUNTS PAYABLE E.O. BOX 48

ESTANCÍA, NEW MEXICO 87016

NOTICE: This-order number must appear on all invoices and shipping containers. Invoices are to be issued in DUPLICATE and CERTIFIED as follows:

..!If certify that the above bill is correct and just and that no payment therefore has been received. No state or total taxes included.

WWW.TORRANCECOUNTYNM.ORG

UNIT	QUANTITY		LINE ITEM	EST. ACTUAL COST
125.00	1.00	PUBLIC NOTICE WOODS APPEAL EDITIONS: THURSDAY 3/17 INCLUDES TAX AND PROCESSING	401-08-2221	125,00
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	# . # . #			
O BE PAID FROM:				125,00

VENDOR: 66
ALBUQUERQUE PUBLISHING CO.

P.O. BOX 95777 ALBUQUERQUE NM 87199 5777

DATE 3/15/22

PURCHASE ORDER NO.

37666

505-823-3332) Amanda Brumbaga

PURCHASING AGENT SIGNATURE

ALBUQUERQUE PUBLISHING COMPANY

7777 Jefferson St. NE, Albuquerque, NM 87109

Account Number

1005905

Ad Proof/Order Confirmation

Ad Order Number 0001541361

TORRANCE CNTY MANAGERS OFFICE PO BOX 48 ESTANCIA, NM 87016 USA

Ordered By Steven Guetschow

Customer Phone

5055444720

Joint Ad#

<u>Customer EMail</u>

khernandez@tcnm.us

PO Number

37666

Ad Cost

\$51.48

Sales Rep

erodriguez

Tax Amount

\$4.05

Order Taker

erodriguez

Total Amount

\$55.53

Payment Method

Credit Card

Amount Due

\$55.53

Payment Amount

\$0,00

<u>Affidavits</u>

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Pick Up#

0001489982

Product Ad Number Albuquerque Journal 0001541361-01

Ad Number
Ad Type

0 Legal Liner

Ad Size

1 X 60 Ii

Color

Placement Classification OLegal Notices
OGovernment

Sort Text

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ORRANCECOUNTYADMIN

Run Date 03/17/2022

03/17/2022 03/17/2022

WYSIWYG Content



PUBLIC NOTICE

A special meeting of the Torrance County Board of County Commissioners will be held on April 4th, 2022 at 9.00 a.m. In the Torrance County Admin Bullding at 205 9th St. S. Estanola, New Mexico. The purpose of the meeting is to hold a Public Hearing and render a decision upon the Appeal application presented by Chanta and Alyssa Woods. The applicants are aggrieved by the P&Z Director's enforcement of a ruling by the Planning & Zoning Board that prohibits the use of a second mobile home as a storage building/studio. The subject property is a 2 acre parcel described as Tract D, lands of Manoushagian within the E2 of the NW4, SE4 of Section 32, T.9N., R.8E. NMPM, being 25 Polio Rd. Zoning of the property is Rural Residential, (RR).

Journal: March 17, 2022

Page:

PURCHASE ORDER

Ship To:

37606

TORRANCE COUNTY
PO BOX 48
205 S NINTH STREET
ESTANCIA NM 87016 0048

ADDRESS ALL CORRESPONDENCE TO: ORRANCE COUNTY TTN:ACCOUNTS PAYABLE

ESTANCIA, NEW MEXICO 87016

NOTICE: This order number must appear on all invoices and shipping containers. Invoices are to be issued in DUPLICATE and CERTIFIED as follows:

"I certify that the above bill is correct and just and that no payment therefore has been received. No state or local taxes included.

WWW.TORRANCECOUNTYNM.ORC

UNIT	QUANTITY :	ARTICLE AND DESCRIPTION	LINE ITEM	EST. ACTUAL COST
41.48	1.00-	PUBLIC/NOTICE WOODS APPEAL EDITIONS: 3/4 & 3/11 INCLUDES TAX AND PROCESSING FEE	401-08-2221	41,48
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VENDOR:

NDOR: 5536 A COLUMN SOFTWARE PBC

PO BOX 208098 DALLAS TX 75320 8098

PURCHASE ORDER NO. 37606

> DATE 3/01/22

PURCHASING AGENT SIGNATURE



Torrance County Planning & Zoning

P.O. Box 48 205 S 9th Street

Estancia, NM 87016

(505) 544-4393 Main Line (505) 384-5294 Fax

<u>www.torrancecountynm.org</u>

Chanta & Alyssa Woods 25 Pollo Rd. Moriarty, NM 87035

March 15, 2022

Dear Chanta and Alyssa Woods,

A special meeting of the Torrance County Board of County Commissioners will be held on April 4th, 2022 at 9:00 a.m. in the Torrance County Admin Building at 205 9th St. S., Estancia, New Mexico. The purpose of the meeting is to hold a Public Hearing and render a decision upon the Appeal application presented by Chanta and Alyssa Woods. The applicants are aggrieved by the P&Z Director's enforcement of a ruling by the Planning & Zoning Board that prohibits the use of a second mobile home as a storage building/studio. The subject property is a 2 acre parcel described as Tract D, lands of Manoushagian within the E2 of the NW4, SE4 of Section 32, T.9N., R.8E. NMPM, being 25 Pollo Rd. Zoning of the property is Rural Residential, (RR). You and/or your agent must attend the meeting to present your proposal to the Board.

Regards,

Steve Guetschow

Planning & Zoning Director



Torrance County Planning & Zoning

P.O. Box 48 205 S 9th Street

Estancia, NM 87016

(505) 544-4393 Main Line (505) 384-5294 Fax

www.torrancecountynm.org

March 17, 2022

To whom it may concern,

A special meeting of the Torrance County Board of County Commissioners will be held on April 4th, 2022 at 9:00 a.m. in the Torrance County Admin Building at 205 9th St. S., Estancia, New Mexico. The purpose of the meeting is to hold a Public Hearing and render a decision upon the Appeal application presented by Chanta and Alyssa Woods. The applicants are aggrieved by the P&Z Director's enforcement of a ruling by the Planning & Zoning Board that prohibits the use of a second mobile home as a storage building/studio. The subject property is a 2 acre parcel described as Tract D, lands of Manoushagian within the E2 of the NW4, SE4 of Section 32, T.9N., R.8E. NMPM, being 25 Pollo Rd. Zoning of the property is Rural Residential, (RR). You and/or your agent must attend the meeting to present your proposal to the Board.

Regards,

Steve Guetschow

Planning & Zoning Director

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Property Pro	file Tor	rance Co	ounty		
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Remarks



Torrance County Property Profile

Account: Mill Levy: R028346

Tax Year: 2022

Account Type: Vacant Land

Version: 01/11/2022

Area ID: 8OUTEDGN

Estimated Ta

Parcel:1-044-049-410-254-

Map Number:

*This mill lev

ecent tax roll

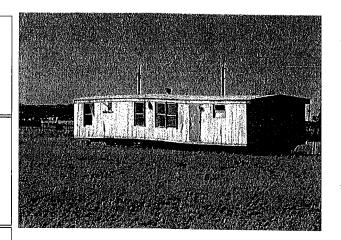
Status:

Active

Name and Address Information

MEDINA-LOPEZ JOSE G 236 GEN ARNOLD NE ALBUQUERQUE, NM 87123 **Property Location**

20 POLLO RD MORIARTY, NM 87035



Legal Description

S: 32 T: 9N R: 8E SITUS INFORMATION: 20 POLLO RD MORIARTY 87035, SECTION 32 T9N R8E TR-E LANDS OF WALTER DAVIS SURVEY B-276 A

Assessment Information

2022 Actual Assessed Sq Ft Acres Taxable

Land

Improvements

Exempt

Total

2021

Land

Improvements

Exempt

Total

User Remarks



Property Pro	ofile Toi	rance Co	unty		
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2022		7 :	Sq Ft	Acres	Taxable
2022 Land		7 :	Sq Ft	Acres	Taxable
2022 Land Improvements		7 :	Sq Ft	Acres	Taxable
2022 Land Improvements Exempt		7 :	Sq Ft	Acres	Taxable
2022 Land Improvements Exempt Total		7 :	Sq Ft	Acres	Taxable
2022 Land Improvements Exempt Total 2021		7 :	Sq Ft	Acres	Taxable
2022 Land Improvements Exempt Total 2021 Land		7 :	Sq Ft	Acres	Taxable
2022 Land Improvements Exempt Total 2021 Land Improvements		7 :	Sq Ft	Acres	Taxable

· Remarks



Torrance County Property Profile Tax Year: 2022 Account: R029277 Account Type: Vacant_Land Mill Levy: Version: 01/11/2022 Area ID: 8OUTEDGN Estimated 1 Parcel:1-044-049-381-184-Map Number: *This mill le Status: Active recent tax roll Name and Address Information **Property Location** HANSON MABLE J LOPEZ LAWRENCE R 13209 TURQUOISE AVE NE No Location Information Available ALBUQUERQUE, NM 87123-2063 **Legal Description** SEC 32 T9N R8E LANDS OF M L MANOUSHAGIAN TR E-1 WITHIN NW4SE4 SURVEY E/101 **Assessment Information** 2022 Actual Assessed Sq Ft Acres Taxable Land Improvements Exempt Total 2021 Land Improvements Exempt Total

emarks



Torrance County Property Profile Account: R029275 Tax Year: 2022 Account Type: Vacant_Land Mill Levy: Version: 01/11/2022 Area ID: 8OUTEDGN Estimated T Parcel:1-044-049-348-184-Map Number: *This mill le Status: Active recent tax roll Name and Address Information **Property Location** HANSON MABLE J LOPEZ LAWRENCE R 13209 TURQUOISE AVE NE No Location Information Available ALBUQUERQUE, NM 87123-2063 **Legal Description** LANDS OF M L MANOUSHAGIAN TR E-2 WITHIN NW4SE4 SURVEY E/101 Assessment Information 2022 Actual Assessed Sq Ft Acres Taxable Land Improvements Exempt Total 2021 Land Improvements Exempt Total

Remarks



Property Pro	<u>ifile</u> T	orrance (County		
	024720	Tax Year: Version:	2022 01/11/2022	Account Type: Area ID:	
Mill Levy: Estimated T			4-049-345-217-	Map Number:	8OUTEDGR
*This mill let		ecent tax re		Status:	Active
Name and A	ddress li			/ Location	
STULL DUANE R PO BOX 3541 EDGEWOOD, NM		<u>normation</u>	61 PAJARITO		
Legal Descri Quarter: SE S: 32 T (2.8231AC), SITUS	: 9N R: 8E L	ANDS OF MAN ION: 61 PAJAR	I OUSHAGIAN, 7 O000000 DR OTI	FR C IN E2NW4SE4	4, SURVEY C/53
Assessment	Informa	tion			
2022	Actual	Assesse	ed SqFt	Acres	Taxable
Land					
Improvements					
Exempt					
Total					
2021				•	
Land					
Improvements					
<u> </u>					
Exempt					

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Property Pro	///// IV	ланс	e Co	unty		
Account: I	R023569	ТахҮ	ear: 20	22	Account Type:	Residential
Mill Levy:		Versio	on: 01,	/11/2022	Area ID:	8OUTEDGR
Estimated		Parce	1:1-044-0	49-345-281-	Map Number:	
*This mill		t recent	tax roll		Status:	Active
Name and A MUSE ROBERT JE 47 PAJARITO MORIARTY, NM 8	37035	forma		Property 47 PAJARITO	Location DR	
					8-R M3582401, SI	.100
INFORMATION: 4	7 PAJARITO	DK.			Activities to the second se	7500
Assessment					10111	**************************************
INFORMATION: 4		ion	sessed	Sq Ft	Acres	Taxable
Assessment	Informat	ion	sessed	Sq Ft	Acres	Taxable
Assessment	Informat	ion	sessed .	Sq Ft	Acres	Taxable
Assessment 2022 Land	Informat	ion	sessed	Sq Ft	Acres	Taxable
Assessment 2022 Land Improvements	Informat	ion	sessed .	Sq Ft	Acres	Ta xa ble
Assessment 2022 Land Improvements Exempt	Informat	ion	sessed .	Sq Ft	Acres	Ta xa ble
Assessment 2022 Land Improvements Exempt Total	Informat	ion	se ssed	Sq Ft	Acres	Ta xa ble
Assessment 2022 Land Improvements Exempt Total 2021	Informat	ion	sessed	Sq Ft	Acres	Ta xa ble
Assessment 2022 Land Improvements Exempt Total 2021 Land	Informat	ion	sessed	Sq Ft	Acres	Taxable

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