

GRANT COUNTY, NM
RESOLUTION NO. R-24-17

**A RESOLUTION DECLARING THE ABANDONMENT AND VACATION
OF A PORTION OF NORTH SWAN STREET**

WHEREAS, pursuant to NMSA 67-2-7, any owner of lands abutting any highway, street, or road, their heirs or assigns may petition that a section of any public road, street or highway is no longer needed for public purposes, and may petition for a formal determination of abandonment or vacation; and

WHEREAS, Mr. George Attiye submitted a petition (Exhibit A) for the county to abandon a portion of North Swan Street, approximately 0.135 acres, as described on the attached plat (Exhibit B) (hereinafter referred to as the "Road"); and

WHEREAS, records identify the portion of the Road as a public right-of-way and a county-maintained road; and

WHEREAS, the County Road Department Director has no objection to the County abandoning the portion of the Road (Exhibit C); and

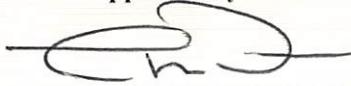
WHEREAS, the Board of County Commissioners appointed a Road Abandonment Committee pursuant to NMSA 67-5-4, the members of which reviewed the Road and recommend that it is not needed and that the County abandon and vacate a portion of the Road (Exhibit D); and

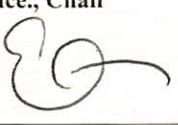
WHEREAS, the Grant County Board of Commissioners desires to abandon and vacate the Road which is approximately 0.135 acres.

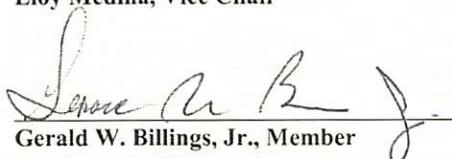
NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

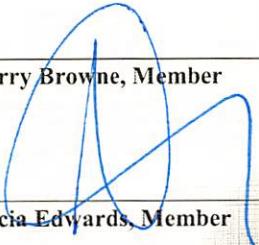
1. The Board of County Commissioners hereby abandons and vacates a portion of the Road, as described on the attached plat.
2. County staff shall order an appraisal and based on the value, County staff shall follow processes as outlined pursuant to NMSA 13-6-2D and NMSA 13-6-2.1A.
3. A copy of this Resolution and all exhibits shall be recorded in the Clerk's Office.

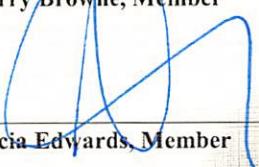
Passed and Approved by the Board County Commissioners this 14th day of March, 2024.

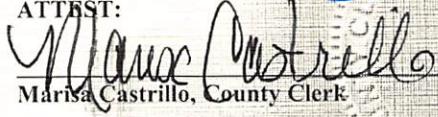

Chris M Ponce, Chair


Eloy Medina, Vice Chair


Gerald W. Billings, Jr., Member


Harry Browne, Member


Alicia Edwards, Member

ATTEST:

Marisa Castrillo, County Clerk



Charlene Webb

From: George Attiyeh <gattiyeh@hotmail.com> on behalf of George Attiyeh
Sent: Wednesday, October 11, 2023 10:42 AM
To: Charlene Webb
Subject: Request to Vacate

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Charlene,

This is a request to vacate the roadway immediately adjacent and leading to the property located at 4800 N Swan St, Silver City, NM 88061.

Please let me know if you need further information.

Best regards

George Attiyeh

Sent from my T-Mobile 5G Device
Get [Outlook for Android](#)

EXHIBIT C

Grant County Road Department

P.O. Box 1183
Silver City, NM 88062

Joe Grijalva
Road Director

November 14, 2023

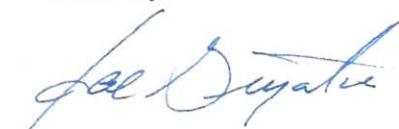
RE: end of North Swan Street

It has come to our attention that a resident of Swan Street would like to obtain a portion of right of way at the end of North Swan Street that is, currently, is not chip sealed or maintained by the county.

Grant County Road Department has no objections to the abandonment of this piece of North Swan Street. If the Road Abandonment committee supports the abandonment of said portion of road, the Road Department will be in full support.

If you have any questions feel free to contact me. (575) 597-1391

Sincerely.



Joe Grijalva
GC Road Director

EXHIBIT D

CHRIS M. PONCE
Commissioner
FLOY MEDINA
Commissioner
ALICIA EDWARDS
Commissioner

GRANT COUNTY



GERALD W. BILLINGS, JR.
Commissioner
HARRY BROWNE
Commissioner
CHARLENE WEBB
Commissioner

February 7, 2024

Grant County Board of Commissioners
Grant County Admin Center
PO Box 898
Silver City, NM 88062

Re: N. Swan St. Vacation

Dear Commissioners:

We, the Road Abandonment Committee, have reviewed the request for vacation of pt. of N. Swan St. in Silver City, NM, as identified on the attached map.

RECOMMENDATION: We find that the road is not needed by Grant County and recommend that the Board of Commissioners vacate the property. We find the abandonment/vacation:

- Is not a detriment to the public interest, or property rights of adjacent parcels.
- Does not derive any individuals a reasonable means of ingress and egress to their property
- Does not adversely affect connectivity
- Does not access restrict access to public lands
- Road is prescriptive Easement

The following documents have been submitted and reviewed:

- Property Owner request for abandonment/with neighboring owner's approval
- Road Superintendent Recommendation Letter
- Map of subject area
- Survey (Dos Griegos Subdivision Plat Map) & Survey provided by Requestor
- Appraisal

Sincerely,

Julian "J." Brandon
Road Abandonment Committee Member
4/13/2023 – 4/30/2026

Rosie Holguin
Road Abandonment Committee Member
4/13/2023 – 4/30/2026

Dolores R. Dominguez
Road Abandonment Committee Member
4/13/2023 – 4/30/2026

Office Of The Grant County Commissioners

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