NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE VILLAGE OF EAGLE NEST, NEW MEXICO, that the following ordinance entitled “Zone Change for PAUL and SUZANNE ATZBERGER” be adopted.

**ORDINANCE NO. 2020-02**

“Zone Change for Paul and Suzanne Atzberger”

AN ORDINANCE CHANGING THE ZONE OF PROPERTY LOCATED AT #227 SOUTH TOMBOY DRIVE, PROPERTY BELONGING TO PAUL AND SUZANNE ATZBERGER FROM COMMERCIAL TO RESIDENTIAL ZONE; SETTING AN EFFECTIVE DATE; AND ESTABLISHING PENALTIES FOR VIOLATION.

Section 1. Title
Section 2. Purpose and Intent
Section 3. Description of Property
Section 4. Ability for Inspection
Section 5. Purchase
Section 6. Penalties
Section 7. Savings Clause
Section 8. Time of Taking Effect

**Section 1. Title.** This Ordinance shall be known as the “Zone Change for Paul and Suzanne Atzberger”.

**Section 2. Purpose and Intent.** The purpose of this Ordinance is to change the zoning designation of property owned by Paul and Suzanne Atzberger, which is located at #227 South Tomboy Drive, from Commercial to Residential and for the purpose of separating the formally owned business, which is zoned Commercial, to zoning the Atzberger property to Residential. Specific uses which must comply with this zone are listed in E.N.O. #1983-3, Section 10, E.N.O. #1985-3, E.N.O. #1988-2 and E.N.O. #1990-3.

**Section 3. Description of Property.** Paul and Suzanne Atzberger, P.O. Box 6, Eagle Nest, NM, County of Colfax, owner of the following described property: one parcel of land consisting of three (3) lots on South Tomboy Drive, bordered by Neal Avenue.

The said property is located in North Lake Subdivision, Lot: 10, Block: 1 UPC 1089162346079, Land 1 DB133-P277, DB140-P471, DB143-P407, WD1-P3017 (Less DB143-P203 & 406), (M/H on PERM-1993), North Lake Subdivision Lot: 11, Block: 1 UPC 1089162346079, Land 2, North Lake Subdivision, Lot: 12, Block: 1 UPC 1089162346079, Land 3 WD 1 Page 3017.
Section 4. **Availability for Inspection.** A copy of this Ordinance as adopted herein is available for inspection during normal and regular business hours at the office of the Municipal Clerk and may be inspected by any interested parties.

Section 5. **Purchase.** A copy of this Ordinance as adopted herein may be purchased at the office of the Municipal Clerk during normal and regular business hours upon request and payment of a reasonable fee.

Section 6. **Penalties.** Any violation of this Ordinance shall be punishable by fine not to exceed $500, or by imprisonment not to exceed 90 days, or by both such fine and imprisonment. Each day this Ordinance is violated shall constitute a separate offense.

Section 7. **Savings Clause.** If any section, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 8. **Time of Taking Effect.** This Ordinance shall be in full force and effective five days from and after its publication by title and general summary as required by law.

PASSED, APPROVED, AND ADOPTED THIS 17th day of November, 2020, by a vote of 4 in favor, and 0 opposed.

VILLAGE OF EAGLE NEST, NEW MEXICO

By: [Signature]
RICHARD A. CORDOVA, MAYOR

ATTEST:

[Signature]
EMILY WEST, CLERK