# CITY OF LOVINGTON REGULAR MEETING OF PLANNING AND ZONING COMMISSION

Tuesday, February 13, 2024 4:00 PM TO BE HELD AT 214 SOUTH LOVE STREET

#### **AGENDA**

Notice of this meeting has been given to the public in compliance with Section 10-15-4 NMSA 1978

## **OPEN MEETING**

Call To Order

**Roll Call** 

Invocation

Pledge of Allegiance and Zia

**Approval of Agenda** 

**Consideration of Minutes** 

## COMMISSIONERS AND STAFF REPORT

## **PUBLIC COMMENT**

## NON-ACTION ITEMS

603 W Ave I compliance issue

## **ACTION ITEMS**

- Variance request for 507 W Ave G Carport size and setback
- Special use permit for El Sazon Mexicano food truck

## **ADJOURNMENT**

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 575-396-2884 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the City Clerk at 575-396-2884 if a summary or other type of accessible format is needed 72 HOURS PRIOR TO THE MEETING.

# CITY OF LOVINGTON COMMISSION STAFF SUMMARY FORM

MEETING DATE: 2/13/2024



Item Type: Other Action

SUBJECT: 603 W Ave I compliance issue

DEPARTMENT: Planning and Zoning

SUBMITTED BY: Crystal R Ball, CFM, CZO

**DATE SUBMITTED: 11/27/2023** 

#### **COMPREHENSIVE PLAN IMPLEMENTATION:**

LU 2.0 Support neighborhood initiatives to address concerns and improvements

## STAFF SUMMARY:

discussion with the commission on the issues and violations on the property and the best approach to resolve.

## FISCAL IMPACT:

#### RECOMMENDATION:

#### **ATTACHMENTS:**

Description

electrical permit
application and owners floor plan
floor plan
Google earth view
Cover Memo
Cover Memo
Cover Memo



STATE OF NEW MEXICO MICHELLE LUJAN GRISHAM, GOVERNOR Linda M. Trujillo, Superintendent Clay Bailey, Director

#### STATE OF NEW MEXICO

CONSTRUCTION INDUSTRIES DIVISION Permit Date: 10/31/2023 **ELECTRICAL BUREAU** 2550 CERRILLOS RD SANTA FE, NM 87505

#### **Electrical Permit**

Permit Type: Residential

Permit No: ELER 20233317226

Project Name: ab kitchen Inspector: Aaron Moore **INSPECTION REQUESTS:** 

Albuquerque Area: (505) 222-9813 Rest of New Mexico: (877) 243-0979

Site Address: 603 West Avenue I, Lovington, Owner: lisa martin New Mexico, USA **Phone:** (575) 605-2958 Directions: on right off ave i Contractor: CIRCLE INNOVATORS LLC Phone: SCOPE OF WORK: Alteration/Renovation/Repair/ Replace to **Existing Electrical System or Equipment** Lighting/ Power **AMOUNT OF PERMIT FEE: 72.00 INSPECTOR:** Aaron Moore **PHONE:** 5057950335

The above permit has been approved by the Electrical Division of the Construction Industries, State of New Mexico it issue for the purpose shown. This Permit must be posted in a conspicuous place at the site where construction is located.

NOTICE: If no inspections are performed within 180 days, the permit will expire and will be required to be renewed at full price.

To schedule an inspection please contact our call center at 505-222-9813 or 1-877-243-0979. You may also request an inspection by email to CID.Inspection@state.nm.us. If by email you must include permit number, site address, contact name and phone number. The email submission is an easy, efficient method for requesting inspections. Upon receipt of emailed inspection request, a confirmation email will be sent to the requestor



Project Property Address: \_\_\_603 w avenue i street Lovington

City Planning & Zoning Coordinator: Crystal R. Ball, CFM, CZO

Email- cball@lovington.org Phone: (575) 396-9301

## **City Building Permit Application**

The following check list provides additional requirements for building application. Please attach all of the requested documentation, sign, and date.

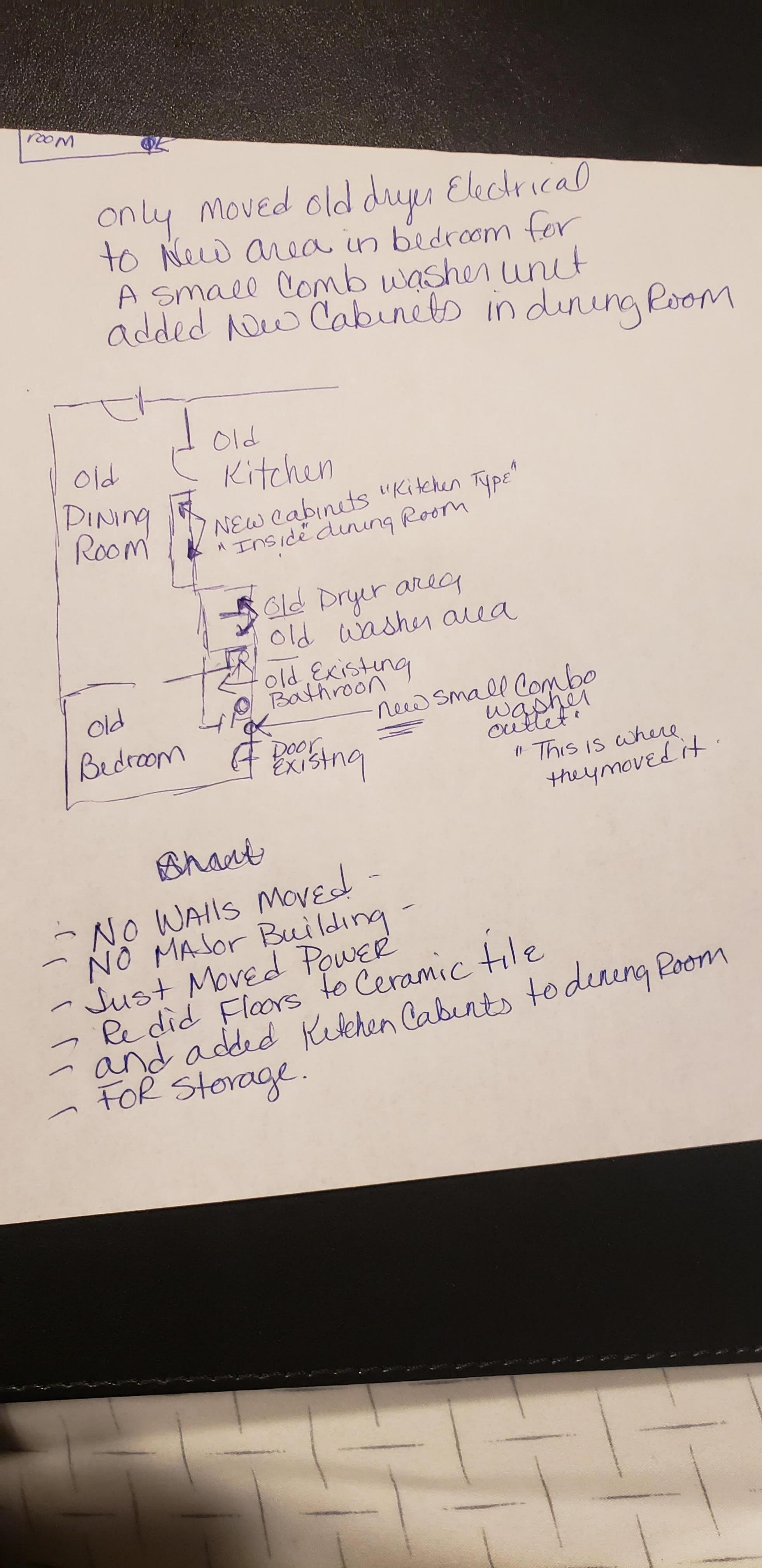
Bu	ilding Permit Requirements	
1)	Submit a completed legible, signed and dated Planning and Zoning Application. All fields must be completed in order to process the application. This document provides the City planning and zoning with the basic information for all permitting applications.	X
2)	<u>Provide proof of ownership or interest in the property.</u> A deed with a legal description or property lease will meet this requirement. If the applicant is not the owner, an Affidavit by Property Owner(s) is required.	
3)	Submit site plans for all structural work. Site plans must show the property lines, building dimensions (this includes height), lot area, lot dimensions, easements, building setbacks, road access points, and the location of utilities. No Structure wo	□ orK Dane
4)	Submit a Property Address for Lea County Enhanced 9-1-1 System.  To obtain this information submit proof of ownership and legal description of property of known address to Lea County Emergency Management, Cassie Corley, Admin Coordinate Email- <a href="mailto:ccorley@leacounty.net">ccorley@leacounty.net</a> Phone- (575) 391-2976 Fax- (575) 397-7413, Location- 103 Bender Blvd. Hobbs NM 88240	or
5)	Submit a Floodplain Determination Letter.  To obtain this letter submit the Lea County Enhanced 9-1-1 System letter to The City of Lovington Planning and Zoning Coordinator, Crystal R Ball, CFM Emailcball@lovington.org. Location 214 S Love, Lovington NM 88260.	
6)	Submit a complete State building permit (CID) application cover sheet for the City Planner and Floodplain manager signatures, which must be acquired prior to submitting to the State. Project must pass preliminary inspection before City Planner will sign State permit. Submit the approved State building permit to the City Planner.	o d
7)	Submit Access permit from NM DOT if site is on a State-owned Highway or Road	

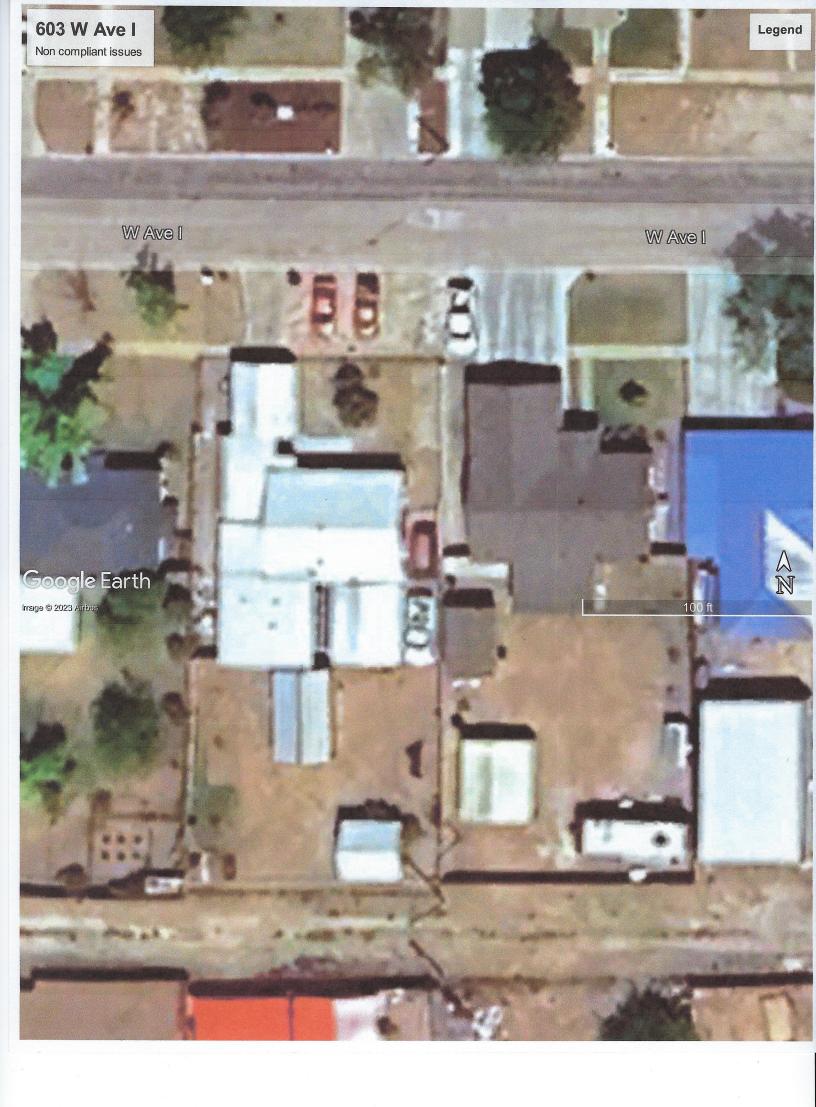
8)	Call 811 BEFORE YOU DIG – to locate buried utility lines.	No Digging Dorle	]
9)	<u>Preliminary inspections:</u> Outline project area on your lot with flags markers. Contact City Planner at (575)-396-9301 to request a preliminary to verify compliance with setbacks, zoning and land developments. All inspections will be done during business hours.	minary inspection.	]
10	) Pay City Permit Fee in the amount of \$ Date pai	d	]
11)	) <u>A final inspection is required</u> after construction to ensure work m regulations set forth above. Call City Planner (575) 396-9301 to re inspection.	eets all of the quest final	]
Appl	icant Name: Lisa Martin	\	
	icant Signature: Lisa Hard Date	11/16/2023 re:	
Note	es or recommendations for applicant from Planning and Zoning or	Code Enforcement.	
Pre	liminary Approval		
Plan	nning, Zoning, Codes Staff Name:		
Sign	nature: Da	te:	
Fina	al Inspection		
Plan	nning, Zoning, Code Staff Name:		
Sign	nature:	te:	

## PLANNING AND ZONING APPLICATION

Type(s): ADDITION		☐ PARK – RV	or MH	L AN	NEXATION	
BUILDING (Residenti	al)	PORCH		ALT	ERNATE SUMMAR	Y RE-PLAT
BUILDING (Commerce	cial)	ROOF / RE	-ROOF	RE-	-PLAT (Major)	
CAR PORT		SIGNAGE		SU SU	BDIVISION(Pre	eliminary)
☐ CURB CUT		☐ STORAGE	UNIT	☐ su	BDIVISION (Fil	nal)
FENCE		SEWER CO	NNECTION	Сог	NDITIONAL/SPEC	CIAL USE
MANUFACTURED H	HOME	☐ TOWER		☐ VA	CATION	
■ MODULAR HOME		WATER CO	NNECTION	U VA	RIANCE	
NEW HOME (Site b	uilt)	OTHER_ re	located dryer	outlet zo	NE CHANGE	
Applicant Name:	lisa ma	artin				
Mailing Address:	603 w	avenue i lovingto	n nm 88260			
Phone Number:	575 964 0919					
Property Address (Site Location):						
Property Owner(s):	lisa r	nartin				
<b>Brief Description of Request:</b>	relocate dryer electrical to bedroom from existing dining room					
		change existing d				l new
	L		and only to ex		19	
Subdivision:		Zone:	A	В	c	D
Block:Lot:						
Owner Number: Pag		Parcel Number:				
Present Use of Property:						
Present ose of Property.	_	1				
Applicant Signature:	1		Date:	11/15/2023		
To ensure placement on the agenda	, submit	all materials thre	e weeks in ad	vance of you	r scheduled m	eeting.
APPLICATION RECEIVED BY PLAN	INING A	ND ZONING				
Planning, Zoning, Code Staff Nam	ne:					
Signature:				Date:		
						ACCESS OF THE PARTY OF THE PART

Standard Kitchen cabinets Installed to Existing wall for storage Exsisting Because my Kitchen is small updated washroom sink on exsisting Kitchen Plumbing. W/LIMITEd Home 1950 needed updating Basic Floms Existing CABINETS DOON No Major Construction DINING ROOM LisaMarked NEW Kitchen Cabinets Installed Into Dining Room old Dryer & washer closet Ecabinet Installed on Existing WAI DOOR SINK an Exsisting Plumbing Toilet Existing > old Existing Bathroom Exsisting Smk Exsisting BEdroom new area + outle+ (Power) For washer Dryer combo to Existing plumbing of Power & Permit Inspetion"





## CITY OF LOVINGTON COMMISSION STAFF SUMMARY FORM

MEETING DATE: 2/13/2024



Item Type: Other Action

SUBJECT: Variance request for 507 W Ave G Carport size and setback

DEPARTMENT: Planning and Zoning

SUBMITTED BY: Crystal R Ball, CFM, CZO

**DATE SUBMITTED: 12/14/2023** 

#### COMPREHENSIVE PLAN IMPLEMENTATION:

LU 2.0 Support neighborhood initiatives to address concerns and improvements

## STAFF SUMMARY:

Owner of 507 W Ave G is requesting a variance for the carport on the north side of his property. The carport is over the size limit of 720sqft and has no side yard setback.

No State or City permit was pulled for this structure, there is approximately 25' from property line to the back of curb. The carport is within the property line and is 1050sqft. which is 330sqft over the maximum size allowed by code.

The owner also built a metal porch on the opposite side of the mobile home without City of State permits. This structure has no setback issues but does require building permits.

#### FISCAL IMPACT:

#### RECOMMENDATION:

Due to the large easement on the side, Staff recommends conditional approval with final approval after the owners get required State building permit for the carport and porch structures and passes the State required inspection.

#### ATTACHMENTS:

Description

Streetview Picture

Streetview Picture 2

owners site plan

aerial view

Type

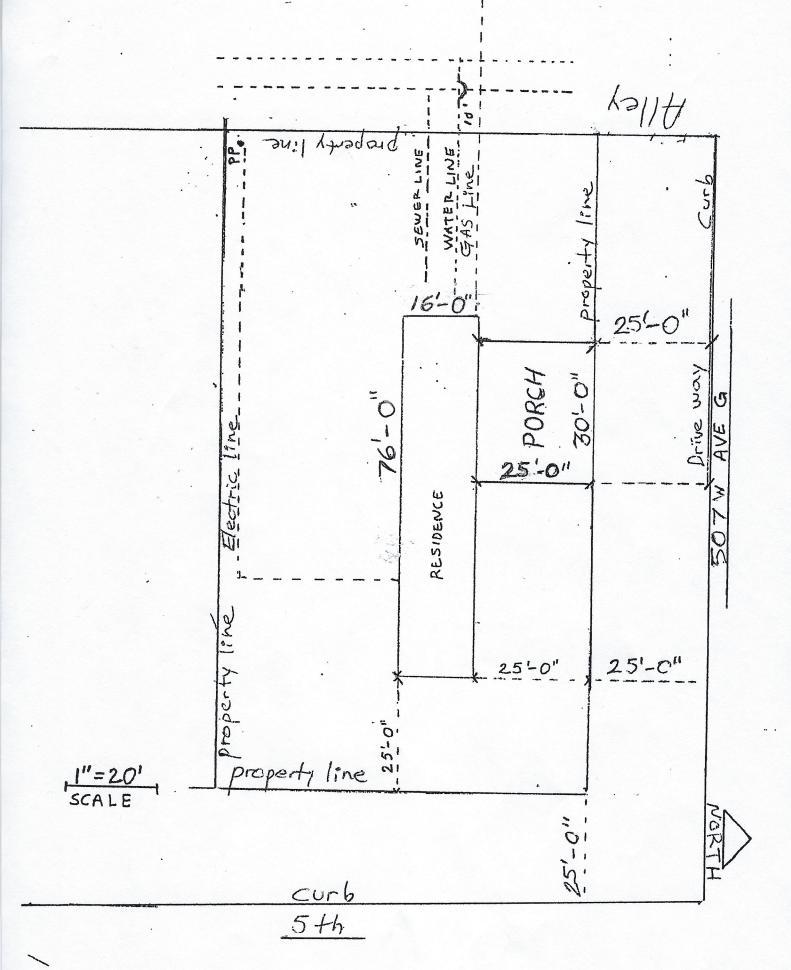
Exhibit

Exhibit

Cover Memo









## CITY OF LOVINGTON COMMISSION STAFF SUMMARY FORM

MEETING DATE: 2/13/2024



Item Type: Other Action

SUBJECT: Special use permit for El Sazon Mexicano food truck

DEPARTMENT: Planning and Zoning

SUBMITTED BY: Crystal R Ball, CFM, CZO

**DATE SUBMITTED: 12/20/2023** 

## COMPREHENSIVE PLAN IMPLEMENTATION:

LU 1.0 Encourage compact and compatible development

#### STAFF SUMMARY:

Owner of El Sazon Mexicano Food truck has requested a business registration for the truck to be located at 828 W Jackson Ave.

This lot is Zoned as an A Zone, Single Family dwelling district, although historically there has been a small covenant store, a grocery store, and a Dr Office in the existing buildings on site that does not allow a new commercial type business to be on the site.

With this lot being historically used as a commercial property staff feels it is adequate to allow a special use permit for the food truck on the lot.

There is adequate parking and the property owner has a written rental agreement with the food truck owner for parking space of the food truck and access to a restroom in the building.

Special use permits need to have a time frame attached to it or only the specified use and once the use is removed it is no longer valid.

#### FISCAL IMPACT:

None

#### RECOMMENDATION:

Staff needs recommendation for the special use from Planning and Zoning to take to City Commission.

#### ATTACHMENTS:

Description	Туре
Owners request letter	Cover Memo
application	Cover Memo
Streetview Picture	Cover Memo
aerial view of location	Cover Memo

The reason I am requesting a special use permit is to be given the opportunity to operate a mobile food business -El Sazon Mexicano-.

El Sazon Mexicano would be located in an area that is initially zoned for residence and not commercial use. That is why I am needing to be given permission to be stationed on the property of 828 W Jackson Ave. However at the moment it is a property that is used commercially and has an operating store at the moment. A store that hasn't been a negative impact on the neighborhood community. If given the opportunity to set up there, my business would contribute to the town in a positive way as well economically and give the citizens of Lovington another menu option for lunch and dinner.

Operating hours of El Sazon Mexicano will be 10:00AM - 5:00PM from Tuesday to Sunday.



Project Property Address: 828 W Jacks on Axe

City Planning & Zoning Coordinator: Crystal R. Ball, CFM

Email- cball@lovington.org Phone: (575) 396-9301

## **City Special Use Permit Application**

The following check list provides additional requirements for your specific application. Please

	cach all of the requested documentation, sign, and date. A <b>Special Use Permit (SUP)</b> is requented the context of the context in the context in the use is located.	ired
Zo	ning Requirements	
1)	Submit a completed Planning and Zoning Application. All fields must be completed and legible in order to process the application. This document provides the basic information required for all permitting applications.	Þ
2)	Pay the appropriate SUP permit fee(s) \$ 150.00 Date paid 12-14-23.	
3)	<u>Provide proof of ownership or interest in the property</u> . A deed with a legal description or property lease will meet this requirement. If the applicant is not the owner, an Affidavit by Property Owner(s) is required.	
4)	<u>Submit a site plan</u> . Site plans must show the property lines, existing or purposed buildings/structures, lot area, lot dimensions, easements, building setbacks, road access points, and the location of utilities.	
5)	<ul> <li>Proposed use</li> <li>Reason(s) why the request is being made</li> <li>Potential impacts (positive and negative) that may result from proposed use, including those related to safety, noise, odors, traffic, health, quality of life, and property values</li> </ul>	
	<ul> <li>For Proposed Commercial Uses and Home Occupation Requests the letter should specify the type of business (retail, manufacturing, etc.), days and hours of operation, proposed number of employees, and the anticipated traffic/clientele.</li> </ul>	
6)	Representation at 2 scheduled public hearings to present the request and answer questions, before the Planning and Zoning Commission and the City Commission.	
	licant Name: Ana Medina Date: 12/14/20	<u>023</u>

## PLANNING AND ZONING APPLICATION

Type(s):	ADDITION		PARK – RV	or MH	ANNEXATION
	BUILDING (Residenti	ial)	PORCH		ALTERNATE SUMMARY RE-PLAT
	BUILDING (Commerc	cial)	ROOF / RE-	ROOF	RE-PLAT (Major)
	CAR PORT		SIGNAGE		SUBDIVISION(Preliminary)
	☐ CURB CUT		STORAGE U	JNIT	SUBDIVISION (Final)
	FENCE		SEWER CO	NNECTION	CONDITIONAL/SPECIAL USE
	MANUFACTURED I	НОМЕ	$\square$ TOWER		☐ VACATION
	■ MODULAR HOME			NNECTION	☐ VARIANCE
	NEW HOME (Site b	uilt)	OTHER M	phile Food	ZONE CHANGE
Applicant N Mailing Ad		Anna 1805 W	ueding utin Bu	iren uw. l	ovington nm 88260
Phone Nun Property A	nber: ddress (Site Location):	515 8:	-4412708 28 W	Jacks	on
Property Owner(s): 50		Sol	edud 6	willen	
Brief Descr	iption of Request:	Mo	bile Fea	d Xer	n los
Subdivision			Zone:	TAA	BCD
Block: Owner Nur	Lot: nber: 20307	P	 arcel Number: _	4000 203	3070007
Book: 2	7 /		27		
Present Us	e of Property:	ve/c	OMMERC	irl	
Applicant Sig	gnature: <u>Annoull</u>	whir	VC	Date: 12	14/23
	_			e weeks in advan	ce of your scheduled meeting.
APPLICA*	TION RECEIVED BY PLAN	NING ANI	D ZONING		
Planning	, Zoning, Code Staff Nam	ie: <u>C</u>	pabriel.	<u>/-Istorge</u>	
Signature	e: <i>Selinil</i>	Ü	tes	D	ate: <u>12-14-2</u> 3

### CITY OF LOVINGTON BUSINESS REGISTRATION APPLICATION RENEWAL NOTICE DUE BY MARCH 15, 2023 PLEASE REMIT REGISTRATION FEE OF \$25.00

RENEWAL NEW BUSINESS
NAME OF BUSINESS: EL SUZON MEXICONO
MAILING ADDRES 1805 W Vow Boren ave.
CITY, STATE, ZIP LOU (nyton nm 882.60
STREET LOCATION IN LOVINGTON: _ 828 W Jackson
NEW MEXICO C.R.S. TAX I.D. #: 03639281002
TYPE OF BUSINESS TOOM TWOK
NAME OF BUSINESS OWNER: Anna medina
BUSINESS PHONE # (575) 441-2708
DATE: 12/19/23 SIGNED: Annu. Ned me
Print name and title)
(That have and thie)
City of Lovington P.O. Box 1268 Lovington NM 88260 575-396-2884
**************************************
FOR OFFICE USE:
OFFICIAL RECEIPT NUMBER ISSUED:DATE PAID:
TYPE OF PAYMENT: CHECK/MONEYORDERCASHCREDIT CARD _
EXPIRATION DATE: December 31, 2023

## CITY OF LOVINGTON

214 S. LOVE STREET LOVINGTON, NM 882604219 5753962884

Cashier: Shannon 14-Dec-2023 4:08:56P

1 Special Use Permit-828 W

\$150,00

Jackson

Total

\$150.00

CASH SALE Cash lendered \$150.00

\$150.00

Online: https://clover.com/ p/2MZEB44CBSGYC

\*\*\* REPRINT \*\*\*

Clover ID: MFV30JAARR9MP Payment 2MZEB44CBSGYC

> Clover Privacy Policy https://clover.com/privacy

## CITY OF LOVINGTON

214 S. LOVE STREET LOVINGTON, NM 882604219 5753962884

Cashier: Shannon 19-Dec-2023 3:20:48P

Notary- A. Medina

\$5.00

Total

\$5.00

CASH SALE

\$5.00

Cash tendered

\$5.00

Online: https://clover.com/p/ VB842HR6GTC74

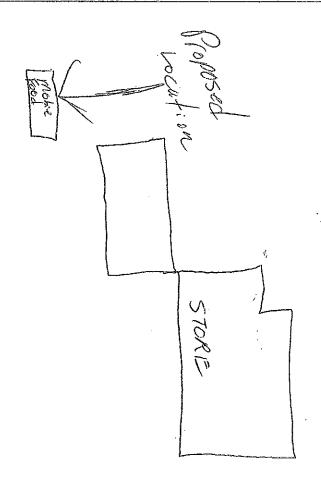
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> Clover Privacy Policy https://clover.com/privacy

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- · Horavio 10 am 5pm martes a Domingo

9th

Jacksor Ave



# GERTHFICAME OF THITLE

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			FOR THANSFEH W	VITHIN 30 DAYS FROM DAT	E OF SALE.	
I hereby certif	y, that interest in the vehicle descr	ibed above or	n this Certificate o	of Title is, hereby	released. 🧡 🐪	
RELEASE I OF LIEN I	ienholder	Full Clarectu	re of Authorized Agen	<b>↓</b> = 40, 00, 00, 00	Date	
This Certificate	of Title is evidence of legal ownership	p of the vehicle	described above.	Upon sale of this	vehicle, this certificate m	nust be properly
assigned below	v and presented by the purchaser to define the inconnection with this Certificate of	he Motor Vehic	le Division for tran	sfer. The Division i	is not responsible for fal	se or fraudulent
IMPORTANT: Buyer state the odometer i	(except for dealer) must apply to the Motor Vehic mileage upon transfer of ownership. ANYONE COM	e Division within 30 IVICTED OF A FALSI	days for transfer of tille a E ODOMETER STATEMEN	and registration. Federal NT WILL BE SUBJECT TO	and state law requires the seller O FINES AND/OR IMPRISONME	(including dealers) to NT.
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(New Mexico Motor Vehicle Division

## RENTAL AGREEMENT FOR A SITE

**PARTIES.** This State Lease Agreement (the "Agreement") entered into on 12/19/2023 is between:

Name of the owner: Jesús M Guillén (the "Owner")  Owner Address: \$28W Jackson Ave., Y
Tenant name(s): Anna Mavina (the "Tenant").
The Landlord and Tenant are collectively referred to in this Agreement as the "Parties."
PROPERTY. The owner rents a parking space located at the address \$28 W Jackson Ave to tenant.  1. They will be allowed to use the bathroom at the \$28 W Jackson Ave property.
Owner's signature: Jania Mahalla Date: 12-19-23 Printed name: Jesu's M. Swillen
Tenant Signature: Annu Ludina Date: 12/19/23 Printed name: Jesús M Guillén
Signed before men
5, and before men  Jesus Guillen + Anna Median STATE OF NEW MEXICO NOTARY PUBLIC WENDY PEREZ COMMISSION # 1138999 EXPIRES OCTOBER 18, 2026
Windy Perus
Whidy Perry Commission expires
10/18/2Le



