

CITY OF ROSWELL

RESOLUTION NO. 00-23

A RESOLUTION REQUIRING THE REMOVAL OF CERTAIN RUBBISH, WEEDS, WRECKAGE OR DEBRIS; PROVIDING THAT THE CITY SHALL HAVE A LIEN FOR THE COST OF REMOVAL AND DECLARING CERTAIN PROPERTY TO BE SO COVERED WITH RUBBISH, WEEDS, WRECKAGE OR DEBRIS AS TO CONSTITUTE A PUBLIC NUISANCE PREJUDICIAL TO HEALTH, SAFETY AND GENERAL WELFARE.

WHEREAS, the City Council of the City of Roswell, New Mexico, finds that the premises listed in Exhibit A attached hereto and purportedly owned of record, or occupied by the parties named, have accumulated rubbish, weeds, wreckage or debris so as to be a menace to the public health, safety and general welfare of the inhabitants of the community; and further, that it is in the public interest to require the removal thereof, according to law;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, THE GOVERNING BODY OF THE CITY OF ROSWELL, NEW MEXICO, that:

1. The premises set forth in Exhibit A are declared to be so covered with rubbish, weeds, wreckage or debris as to constitute a menace to the public comfort, health, safety and general welfare within the purview of Article 3-18-5 NMSA 1978.

2. The owners, occupants or agents in charge of said premises are hereby ordered to remove such accumulated rubbish, weeds, wreckage or debris within ten (10) days of the receipt of notice by certified mail or from the date of publication of this resolution. In the event such removal is not commenced or written objection filed with the City Clerk within ten (10) days after service of a copy of this resolution, then the City Manager is authorized and directed to cause such accumulated rubbish, weeds, wreckage or debris to be removed at the sole cost and expense of the owner, or other parties having an interest in the properties, and further, that the reasonable cost of such removal shall be and become a subsisting and valid lien against such property so removed and the lot or parcel of land from which such removal was made and shall be foreclosed in the manner provided by law for the foreclosure of municipal liens.

3. In the event the owner or other person aggrieved shall file a protest within the time provided, the City Council shall thereafter fix a date for hearing. At the hearing, the protestant shall be entitled to be heard in person, by agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.

4. Persons aggrieved by the determination of the City Council have a right to appeal to a court of competent jurisdiction by giving notice of such appeal to the City Council within five (5) days after the day of issuance of such order or decision, together with a petition for court review duly filed with the Clerk of the Court within twenty (20) days of the date of issuance of the order or decision complained of.

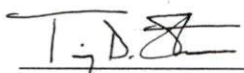
ADOPTED, SIGNED AND APPROVED the 10th day of August, 2000.

CITY SEAL



Bill B. Owen, Mayor

ATTEST:



Timothy D. Stoessel, City Clerk

1610 N. Delaware Ave. Yucca Blk 2 Lot 5 Russell B. Morgan 250 N. Cordova Burbank, CA 91505	(O)	1520 S. Cahoon Ave. Mayes Blk 1 Lot 10 Marc N. Estrada 106 ½ Delaware Ave. Alamogordo, NM 88310	(O)
607 W. 7 th St. West Side Blk 7 Lot 8 that part E2 S & E of N Spring River Roy E. Oldrup 708 N. Wyoming St. Roswell, NM 88201	(O)	1522 S. Cahoon Ave. Mayes Blk 1 Lot 11 Richard M. Dove 1522 S. Cahoon Ave. Roswell, NM 88201	(O)
408 E. Country Club Rd. Military Heights Lt 4 W130'E260'N31.96' Jennifer J. Powell 1620 N Ave. A Portales, NM 88130	(O)	1513 S. Washington Ave. South Highlands Ext C Blk 6 Lot 6 NationsBanc Mortgage Corp. 475 Cross Point Parkway Getzville, NY 14068-9000	(C)
1202 W. Mathews St. Lynwood Rediv Blk 1 Lot 18 Foundation Mortgage LLC P O Box 10847 Midland, TX 79702	(C)	3301 Estrellita Dr. Lomitas Encatadas 2 Blk 23 Lt 2 William Howard Mayne, Jr. 2024 S. 2 nd St. Tucumcari, NM 88401	(C)
1102 S. Kentucky Valley View Rediv N2Blk5 Lot 2 Jim Dunlap Debra A. Dunlap 1102 S. Kentucky Ave. Roswell, NM 88201	(O)	903 N. Washington Ave. West Side Blk 5 Lt 10 Edward Lewis 1385 Sullivan St. Upland, CA 91784-1739	(O)
1020 (rear) S. Lea Ave. Valley View Blk 2 Lt 10 W100'E250' Elvia Garcia 1606 S. Stanton Roswell, NM 88201	(C)	500 S. Delaware Ave. Pauly Blk. 16 Lt 1 Ronnie Chavez 145 N. Front St. New Port, PA 17074	(O)
306 W. Hendricks St. Hedgecoxe's Blk 24 Lot 1 W40' Hedgecoxe's Blk 24 Lot 2 W40' Felipe O. Reyna 500 Guadalupe Circle Irving, Texas 75068	(O)	100 S. Kansas Ave. Ovards Blk 4 Lt 1 E 74' Ovards Blk 4 Lt 2 E 74' Sergio Martinez, Jr. 100 S. Kansas Ave. Roswell, NM 88201 and Charter SW Mortgage 2130 Eubank Blvd. NE Albuquerque, NM 87112	(C)
900 Edgewood Ave. Purdy-Norris Amend Blk 5 Lot 6 Marcy Salazare et ux 408 E. Forest St. Roswell, NM 88201	(C)	1007 N. Garden Ave. 33-10-24 NW4NE4S449.11'N120.01' E387.49'W423.32"/E399.6'W840'S500/ E410.4'W440.4'S50'	(O)
901 S. Sherman Ave & 512 E. Mathews St. J.C. & Maeola Smith c/o Marva Washington 1023 Vermont NE Albuquerque, NM 87110	(O)	Belle Plain Lts 6,7,8 that portion N&W of S Channel North Spring River Roswell Investment & Development Co. 1800 N. Grady Tucson, AZ 85715	

403 E. Deming St. (O)
South Roswell Blk 34 Lt 4
Inez Griffin
306 Decagua Way
Sacramento, CA 95838

503 S. Cedar Ave. (C)
Thorne Blk 9 Lt 19
Peggy & Emmett McPherson
1602 W. Tilden St.
Roswell, NM 88201
and
Ocwen Federal Bank
1657 Palm Beach Lake Blvd., 6B
West Palm Beach, FL 33401

1019 A S. Mulberry Ave. (C)
Johnson Lt 2 Blk 1 Fruitland Lt 9
Robert Jimenez, Jr.
1019 S. Mulberry Ave.
Roswell, NM 88201
or
Robert Jimenez, Jr. #39855
C.N.M.C.F. - M.R.U.
P.O. Drawer 1328
Los Lunas, NM 87031-1328
or
Robert Jimenez, Jr.
c/o 406 Avenue A
Roswell, NM 88201
and
Carl Kelly, Jr.
102 Whitlock
Ruidoso, NM 88345
and
Javier Vera Hernandez
1019 S. Mulberry Ave.
Roswell, NM 88201
and
Samuel Chacon
1014 S. Mulberry Ave.
Roswell, NM 88201