

CITY OF ROSWELL

RESOLUTION NO. 00-31

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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.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 12th day of October, 2000.

CITY SEAL


Biff B. Owen, Mayor

ATTEST:


Timothy D. Stoessel, City Clerk

908 Purdy Place (O)
Purdy-Norris Amend Blk 3 Lt 5
Guadalupe Barrandey
908 Purdy Pl.
Roswell, NM 88201

300 E. Hendricks St. (O)
South Roswell Blk 19 Lt 1
Loretta Mendoza
c/o Teresa Juarez
P O Box 81975
Albuquerque, NM 87198

319 E. Hendricks St. (O)
Lewis & Brown Rediv Blk 14 Lt 4 E22'
Lewis & Brown Rediv Blk 14 Lt 5 E22'
Lewis & Borwn Rediv Blk 14 Lt 6 E22'
Jackie H. Dominguez
319 E. Hendricks St.
Roswell, NM 88201
or
Jackie H. Dominguez
c/o 700 N. Greenwood Ave.
Roswell, NM 88201

508 E. Tilden St. (O)
South Roswell Blk 16 Lt 9
Guillermo Alvarez Est.
c/o Willie Alvarez
21 Forest Dr.
Roswell, NM 88203

206 E. Jefferson St. (C)
South Highlands Rediv Blk 9B Lt 15
Aurora Loan Services, Inc.
1675 Palm Beach Lakes Blvd.
West Palm Beach, FL 33401

302 E. Conner St. (O)
Keith's Southside 2 Blk 5 Lt 31
Gulf Coast Inv. Corp.
204 W. 19th St.
Houston, TX 77008-4064
and
G.E. Capital Mortgage Serv. Inc.
6th Floor
8435 Steemmons Freeway
Dallas, TX 75247

1416 E. Alameda St. (C)
3-11-24 NE4SW4NW4W67E132/S120N145'
William W. Washicheck
1471 S. Walnut St., #51
Anaheim, CA 92802

1418 E. Alameda St. (C)
3-11-24 NE4SW4NW4E65'S120'N145'
William W. Washicheck
1471 S. Walnut St., #51
Anaheim, CA 92802

811 S. Atkinson Ave. (O)
3-11-24 NW4SW4S200'N910'E165'W195'
Tony Melendez
811 S. Atkinson Ave.
Roswell, NM 88203

304 E. Forest St. (O)
South Highlands Rediv Blk 13B Lt 17
Porfirio C. Berrones
1712 N. Pontiac
Roswell, NM 88201

1021, 1023 S. Virginia Ave. (O)
Thompson Rediv Lt 12
Reggie Espinosa II
Rt. 7, Box 126 C E
Santa Fe, NM 87505

1600 E. Tilden St. (C)
Burton Tracts A, B, C, D
State of NM - Property Control Division
Joseph Montoya Bldg.
1100 St. Francis Dr.
Santa Fe, NM 87501

1206 N. Missouri (O)
West Side Blk. 2 Lt 4
Jesus Chico
Esther Chico
1206 N. Missouri
Roswell, NM 88201
or
Jesus Chico
Esther Chico
1400 N. Washington
Roswell, NM 88201

2707 Emerald Dr. (C)
S. Plains Park Replat
Blk 2A Lt 39
Maxine Alexander
2707 Emerald Dr.
Roswell, NM 88203

Resolution #00-31
October 12, 2000

Exhibit A
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1513 W. Hendricks St. (O)
Fair Park Blk 13 Lt 10
Secretary of Hud
First Freston Foreclosure Spec
Attn: Oklahoma Portfolio Spec
1888 Sherman St., Suite 375
Denver, CO 80203

705 E. Linda Vista Blvd. (C)
Linda Vista East summary Replat Lt 58
Victor S. & Patricia A. Gutierrez
P O Box 295
Burnsflat, OK 73624