

CITY OF ROSWELL

RESOLUTION NO. 01-2

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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.

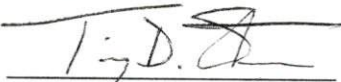
4. Persons aggrieved by the determination of the City Council have a right to appeal to a court of competent jurisdiction by giving notice of such appeal to the City Council within five (5) days after the day of issuance of such order or decision, together with a petition for court review duly filed 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 11th day of January 2001.

CITY SEAL


Bill B. Owen, Mayor

ATTEST:


Timothy D. Stoessel, City Clerk

316 South Evergreen Ave. McClellan Blk 1 Lot 10 Conti Mortgage 1 Contipark 338 South Warminster Hatboro, PA 19040-3430	(O)	3200 Blk. Notting Hill Delta West Sub. Unit 3 Lot 6 Roswell Escrow Services, Inc. P.O. Box 2224 Roswell, NM 88202-2224	(C)
2300 West 2 nd Street Sunset Heights Blk 6 Lot 1 S 1 ½ AC M/L of N 180' Anderson & Watkins Inc. 213 Orchard Park Rd. Dexter, NM 88230	(O)	3200 Blk. Notting Hill Delta West Sub. Unit 3 Lot 3 Jasper & Ethel Conner P.O. Box 14588 Albuquerque, NM 87101	(C)
10 Oak Dr. Oak Knoll Blk 1 Lot 10 Sandra Romero Edna Miller 10 Oak Dr. Roswell, NM 88203	(O)	3200 Blk. Notting Hill Delta West Sub. Unit 3 Lot 4 Jasper & Ethel Conner P.O. Box 14588 Albuquerque, NM 87101	(C)
911 East Mathews Street Barnett's Blk 12 Lot 4 Richard S. Martinez Christine A. Martinez 866 N. Milam Street San Benito, TX 78586	(O)	3200 Blk. Notting Hill Delta West Sub. Unit 3 Lot 5 Jasper & Ethel Conner P.O. Box 14588 Albuquerque, NM 87101	(C)
1316 East Hoagland Street Hoagland Amend Blk 2 Lot 5 United Companies Lending Corp. P.O. Box 1591 Baton Rouge, LA 70821	(O)	819 East Berrendo Road Tierra Berrendo 5 Blk 7 Lot 36 E 3' Tierra Berrendo 5 Blk 7 Lot 37 Taylor Faust Construction, Inc. P.O. Box 344 Roswell, NM 88202-0344	(O)
320 East Lewis Street Keith's Southside Blk 7 Lot 12 Jose Luis Licon Teresa Licon 3845 E. Glenrosa Ave. Phoenix, AZ 85018-4806	(O)	2111 North Garden Ave. Garden Square Blk 1 Lot 3 Charles Phillips 2111 North. Garden Ave. Roswell, NM 88201	(C)
3200 Blk. Notting Hill Delta West Sub. Unit 3 Lot 1 Roswell Escrow Services, Inc. P.O. Box 2224 Roswell, NM 88202-2224	(O)	8 Victoria Court Delta West Unit 1 Blk 2 Lot 8 P.T. Productions, Inc. P.O. Box 344 Roswell, NM 88202-0344	(C)
3200 Blk. Notting Hill Delta West Sub. Unit 3 Lot 2 Roswell Escrow Services, Inc. P.O. Box 2224 Roswell, NM 88202-2224	(O)	1200 West Stone Street New Melrose Height Blk 2 Lot 3 Bank One WI-4032 P.O. Box 2071 Milwaukee, WI 53201	(C)
		908 N. Beech Ave. East Side A Blk 1 Lot 1 Manufacturers & Traders Trust c/o Conti Mortgage Corp. 1 Conti Park 338 Warminster Rd. Hatboro, PA 19040	(O)

802 E. Tilden St. (O)
Flora Vista Blk 4 Lots 26, 27
Erwin D. & Evelyn Staeden
c/o Dara Cortina
209 Paloma Blanca
Chaparral, NM 88021

317 E. Bonney St. (O)
Keith's Southside Blk 5 Lot 26
Michael E. Colsey
Maria T. Colsey
317 E. Bonney St.
Roswell, NM 88203

200 Blk S. Pennsylvania Ave. (O)
Bonney's Rediv. Lot
Ora Hester
P O Box 390
Roswell, NM 88202-0390