

CITY OF ROSWELL

RESOLUTION NO. 02-36

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.

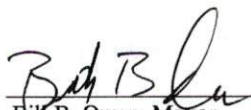
2. The owners, occupants or agents in charge of said premises are hereby ordered to remove such accumulated rubbish, weeds, wreckage or debris within ten (10) days of the receipt of notice by certified mail or from the date of publication of this resolution. In the event such removal is not commenced 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.

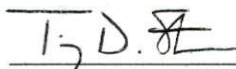
ADOPTED, SIGNED AND APPROVED the 10th day of October 2002.

CITY SEAL



Bill B. Owen, Mayor

ATTEST:



Timothy D. Stoessel, City Clerk

407 W. Hendricks St. (O)
Alameda Heights Blk 6 Lot 3 S50'
Stiffler Revocable Trust
Cipriana M. Stiffler Trustee
1802 W. 1st Street
Roswell, NM 88201

1503 Taylor Dr. (C)
Mesa Manor Blk 33 Lot 31
Harold F. Jr. & Sandra Pollard
205 Meadows Ave.
Greenville, SC 29605

601, 603, 605, 607, 609 Woody Dr. (C)
Hair Blk Lots 8, 9, 10, 11
Hair Blk 1 Lot 12 N5'
Western United Life Assurance
c/o Ocwen Federal Bank FSB Loan
1675 Palm Beach Lake Blvd.
Floor 9-C
West Palm Beach, FL 33401

600, 602, 604, 606 Woody Dr. (C)
Hair Blk 2 Lots, 3, 4, 5, 6
Western United Life Assurance
c/o Ocwen Federal Bank FSB Loan
1675 Palm Beach Lake Blvd.
Floor 9-C
West Palm Beach, FL 33401

611 Woody Dr. (C)
Hair Blk 2 Lots 1, 2
Western United Life Assurance
c/o Ocwen Federal Bank FSB Loan
1675 Palm Beach Lake Blvd.
Floor 9-C
West Palm Beach, FL 33401

1600 - 1700 Blk of W. Summit (C)
West Springs 1 Blk 1 Lots 4 - 11
West Springs 1 Blk 2 Lots 5 - 8
West Springs 1 Blk 3 Lots 4 - 11
West Springs 1 Blk 4 Lots 1 - 4
West Springs II Corp.
c/o First Federal Savings Bank
P O Box 340
Roswell, NM 88202-0340

2400 Carver Dr. (C)
Mesa Park 1 Blk 6 Lot 16 Less W30'
Kelly L. & Carmen D. Johnson
P O Box 5607
Roswell, NM 88202-5607

1700 W. 1st St. (O)
Sunset Heights Ammend Rediv Blk 2
Lots 1, 2, 3, 4
Steven W. Smith
3012 Diamond A Dr.
Roswell, NM 88201

311 S. Delaware Ave. (O)
Pauly Blk 3 Lot 5
Roswell Investment & Development Co.
1800 N. Grady
Tucson, AZ 85715

2 Cedar Dr. (C)
Stevenallen #2 Rediv Blk 2 Lot 4 S18'
Rosendo Casarez
P O Box 2052
Roswell, NM 88202-2052

2100 S. Pennsylvania Ave. (O)
Southern Plains 3 Blk 3 Lot 1
Allen Roofing Co. Inc.
Profit Sharing Trust
P O Box 89
Roswell, NM 88202-0089

2104 S. Pennsylvania Ave. (O)
Southern Plains 3 Blk 3 Lot 3
Allen Roofing Co. Inc.
Profit Sharing Trust
P O Box 89
Roswell, NM 88202-0089

2106 S. Pennsylvania Ave. (O)
Southern Plains 3 Blk 3 Lot 4
Allen Roofing Co. Inc.
Profit Sharing Trust
P O Box 89
Roswell, NM 88202-0089

2108 S. Pennsylvania Ave. (O)
Southern Plains 3 Blk 3 Lot 5
Allen Roofing Co. Inc.
Profit Sharing Trust
P O Box 89
Roswell, NM 88202-0089

2110 S. Pennsylvania Ave. (O)
Southern Plains 3 Blk 3 Lot 6
Allen Roofing Co. Inc.
Profit Sharing Trust
P O Box 89
Roswell, NM 88202-0089

2105 S. Pennsylvania Ave. Southern Plains 3 Blk 2 Lot11 Allen Roofing Co. Inc. Profit Sharing Trust P O Box 89 Roswell, NM 88202-0089	(O)	1031 Crescent Dr. Crescent Heights Blk 1 Lot 5 Bank of the Southwest P O Box 1638 Roswell, NM 88202-1638	(C)
2107 S. Pennsylvania Ave. Southern Plains 3 Blk 2 Lot10 Allen Roofing Co. Inc. Profit Sharing Trust P O Box 89 Roswell, NM 88202-0089	(O)	1900 N. Mississippi Ave. Summersgill's Blk 2 Lot 6 S2' David E. Torrez 1900 N. Mississippi Ave. Roswell, NM 88201-3316 and Home Equity Servicing 4837 Watt, Suite 100 North Highland, CA 95660	(C)
2109 S. Pennsylvania Ave. Southern Plains 3 Blk 2 Lot 9 Allen Roofing Co. Inc. Profit Sharing Trust P O Box 89 Roswell, NM 88202-0089	(O)	1510 N. Kansas Ave. Maywood Blk 4 Lot 9 Jose P. Hernandez Catalina Hernandez 109 S. Missouri Ave. Roswell, NM 88203	(O)
2111 S. Pennsylvania Ave. Southern Plains 3 Blk 2 Lot 8 Allen Roofing Co. Inc. Profit Sharing Trust P O Box 89 Roswell, NM 88202-0089	(O)	1500 N. Kansas Avenue Maywood Blk 4 Lot 14 Melvin R. Dove Neva Dove H.C. 30 Box 938 Roswell, NM 88201-8822	(O)
204 S. Pennsylvania Ave. West Side Blk 46 Lot 3 English Revocable Trust c/o Margret English 2605 N. Washington Ave. Roswell, NM 88201	(O)	1205 Highland Rd. City Development Blk 29 Lot 11 City Development Blk 29 Lot 12 W. F. Madison Jr. exux General Delivery Ribera, NM 87560	(C)
206 S. Pennsylvania Ave. West Side Blk 46 Lot 3 English Revocable Trust c/o Margret English 2605 N. Washington Ave. Roswell, NM 88201	(O)	41 Kelly Place Pecos Valley Village Blk 12 Lot 39 BEA, Inc. P O Box 2167 Roswell, NM 88202-2167	(C)
605 S. Missouri Ave. Alameda Heights Blk 11 Lot 2 S50' Whitehead Revocable Trust R. G. & Grace Trustee 869 Broken Arrow Rd. Roswell, NM 88201 and James Gibson 605 S. Missouri Ave. Roswell, NM 88203	(C)	51 Kelly Place Pecos Valley Village Blk 12 Lot 44 Mark Bunner 9069 Buckingham St. White Lake, MI 48386	(C)
		34 B St. Pecos Valley Village Blk 12 Lot 21 James E. Tabor 34 B. St. Roswell, NM 88203	(O)

1201, 1205 W. Stone St. (C)
32-10-24NW4NW4E165°W330°S209°N1301'
Richard A. Smith
1205 W. Stone St.
Roswell, NM 88201

1622 S. Elm Ave. (O)
Mayes Blk 7 Lot 12
John Ortiz
1617 N. Pontiac
Roswell, NM 88201

206 W. 8th St. (C)
Chambers Rediv Lot 4
Bobby Bates
Tami Bates
1601 W. Hermosa Dr.
Artesia, NM 88210

1502 S. Garden Ave. (O)
Fruitland Blk 4 Lot 1 E90°N25'
S626.6'E135°N111.6'S601.6'
Frances Reed
c/o Corine Gonzales
P O Box 0191
Roswell, NM 88202-0191

2401 N. Mesa Ave. (O)
Country Club Blk 1 Lot 13
John M. Curtis
P O Box 792
Tularosa, NM 88352

408 S. Garden Ave. (C)
Randle Summary Plat Lot 2
David Randle
3703 Zinnia Road
Roswell, NM 88201

2404 N. Prairie Ave. (O)
Hutcheson's Summary Plat Lot 1
M. Curtis Hutcheson
600 Mary Stuart
El Paso, Tx 79912

410 S. Garden Ave. (C)
4-11-24 SE4NW4S50°N620'
W104.3'E121.3' M/L E of AT&SFRR
Ronnie F. Woods
2309 S. Union Ave.
Roswell, NM 88203

101A S. Elm Ave. (C)
Acequia Blk 1 Lot 1
Juan Renteria
78 Remy Place
Roswell, NM 88203

305 E. Van Buren St. (C)
Mitchell Redivision
Blk A Lot 13
Diana Salas
1707 N. Washington Ave.
Roswell, NM 88203

307 E. Van Buren St. (C)
Mitchell Redivision
Blk A Lot 14
George Provoost
505 Dakota SE
Albuquerque, NM 87108

1504 S. Mulberry Ave. (O)
McLemores Lots 3, 7 8
J. T. Randle
P O Box 0173
Roswell, NM 88202-0173

1623 S. Mulberry Ave. (O)
Mayes Blk 7 Lots 13, 14
Robert S. Basinger
Rt. 2 Box 91
Eucha, OK 74342