

CITY OF ROSWELL

RESOLUTION NO. 03-14

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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.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

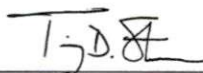
ADOPTED, SIGNED AND APPROVED the 12th day of June 2003.

CITY SEAL



Bill B. Owen, Mayor

ATTEST:



Timothy D. Stoessel, City Clerk

1617 W. Tilden St. Fair Park Blk 9 Lot 14 James E. Howes III 1617 W. Tilden St. Roswell, NM 88203	(C)	1204 N. Union Ave. 32-10-24 NW4NW4N71.29'S431.29'E175' Gaby Y. Nasrallah Linda M. Nasrallah Rt. 1, 5108 W. Alameda St. Roswell, NM 88203	(O)
1307 S. Adams South Highlands Ext A Francisco & Rosaura Sarellano 1307 S. Adams Roswell, NM 88203	(O)	1305 W. College Blvd. Willie Mulvihill Lot 3 Thomas H. Tannehill 4301 Bryn Mawr Dr. NE Albuquerque, NM 87107-4804	(O)
200 S. Michigan Ave. Ovard's Blk 8 Lot 1 Roe Inc. c/o Main St. Auto 2300 W. Second St. Roswell, NM 88203	(O)	500 La Fonda Dr. Linda Vista Estates 2 Blk 18 Lot 1 Thomas J. Gallagher P O Box 250 Mescalero, NM 88340-0250	(O)
201 W. Deming St. South Roswell Blk 39 Lot 14 Bank of America 475 Cross Point Parkway P O Box 9000 Getzville, NY 14068-9000	(C)	2111 N. Garden Ave. Garden Square Blk 1 Lot 3 Charles Phillips 2111 N. Garden Ave. Roswell, NM 88201	(O)
506 N. Garden Ave. Belle Plain Lot 66 SS50'E112' P.H.D. Financial Services P O Box 14906 Odessa, Texas 79768	(O)	23 Dunbar Place Pecos Valley Village Blk 7 Lot 85 Billy D. Price Joyce C. Price 668 S. Roosevelt Rd. T Portales, NM 88130	(O)
100 Lighthall Place Pecos Valley Village Blk 21 Lot 9 Ted Glass Amanda Tarvin 100 Lighthall Place Roswell, NM 88203 and Bobby Ramirez 200 W. 8 th St. Roswell, NM 88203	(O)	69 E. Byrne St. Pecos Valley Village Blk 7 Lot 32 John V. Simmons Christina Simmons 65 Stuyvesant Dr. San Anselmo, CA 94960	(O)
706 W. 10 th St. Riverside Heights Amend Blk 6 Lt 4 W52.55' Riverside Heights Amend Blk 6 Lt 5 E3.45' Simineo, Inc. Box 139 Delta, CO 81416	(C)	47 E. Byrne St. Pecos Valley Village Blk 7 Lot 21 Wells Fargo Bank Minnesota TTE for Res. Collateral Trust 2001-BC4 c/o Ocwen Federal Bank FSB 1655 Palm Beach Blvd. West Palm Beach, FL 34041	(O)
1109-A, 1109-B W. 7 th St. Riverside Heights Amend Blk 22 Lt 8 E56.95' Beal Bank, SSB 2626 B West Freeway Ft. Worth, TX 76102	(C)	45 E. Byrne St. Pecos Valley Village Blk 7 Lot 20 Bank One National Association c/o Homecomings Financial Network 9275 Sky Park Court, 3 rd Floor San Diego, CA 92123-4303	(O)

35 Brown Place (O)
Pecos Valley Village Blk 7 Lot 15
Ramona R. Perez
1210 Harvard Dr.
Roswell, NM 88203

128, 130 E. Byrne St. (O)
Pecos Valley Village Blk 6 Lot 39
Mario R. Rivera
Virginia K. Rivera
RR 2, 219 Flying H Rd.
Roswell, NM 88203

70 East Byrne St. (O)
Pecos Valley Village Blk 6 Lot 21
Country Investments, Inc.
P O Box 2167
Roswell, NM 88202-2167