

CITY OF ROSWELL

RESOLUTION NO. 05-23

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.

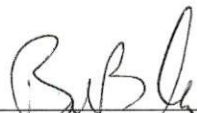
2. The owners, occupants or agents in charge of said premises are hereby ordered to remove such accumulated rubbish, weeds, wreckage or debris within ten (10) days of the receipt of notice by certified mail or from the date of publication of this resolution. In the event such removal is not commenced 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 11th day of August 2005.

CITY SEAL


Bill B. Owen, Mayor

ATTEST:


Timothy D. Stoessel, City Clerk

632 E. Sixth St. (C)
Daughtry Blk 1 Lot 7
Felipe Medellin & Olga Ocon
P O Box 2944
Roswell, NM 88202-2944

1416 E. Alameda (O)
3-11-24 NE4 SW4 NW4
W67' E132' S120' N145'
Robert Berry
32 Kiva Ct.
Sandia Park, NM 87047

1418 E. Alameda St. (O)
3-11-24 NE4 SW4 NW4
E65' S120' N145'
Robert Berry
32 Kiva Ct.
Sandia Park, NM 87047

322 E. Eighth St. (C)
Belle Plain Lot 49 E50'
Robert Berry
32 Kiva Ct.
Sandia Park, NM 87047

1420 E. Tilden St. (C)
Sunshine Acres Blk 2 Lot 1
Jeff & Connie Sue Grantier
1620 N. Kansas Ave.
Roswell, NM 88201

1015 S. Cahoon Ave. (C)
Compress Redivision Blk 1 Lot 7
S 1.87' Compress Redivision Blk 1 Lot 8
Jerry M. Bowen
5017 S. Elizabeth St.
Chicago, IL 60609

818-822 E. Albuquerque St. (O)
Flora Vista Blk 7 Lots 5, 6, 7, 8
Lanford Revocable Trust B.A. &
Dellie Lanford Trustees
PMB 504
1001 E. Harmony Rd. Unit A
Fort Collins, CO 80525-8888

341 E. Eighth St. (C)
33-10-24 NE4 SW4 E40' W1040' N82.7'
10-01057
Gerardo Garcia
1 Oak Dr.
Roswell, NM 88203

324 E. Eighth St. (C)
Belle Plain Lot 48 W50'
Roy D & Lynnae T. Benson
2717 San Mateo NE
Albuquerque, NM 87110

317 E. Eighth St. (C)
33-10-24 NE4SW4 E50'W450'N82.7'
Candido Vega
317 E. Eighth St.
Roswell, NM 88201

1011 S. Cahoon Ave. (O)
Compress Redivision Blk 1 Lot 6
Rameirez Revocable Trust
Isobel A. Ramirez Trustee
4810 Woodsman Loop
Placerville, CA 95667

1414 S. Jackson Ave. (C)
South Highland Redivision Blk 29 A
Lot 8 N45'
Carl Essary
732 South R R AF
Floyd, NM 88118

206 Newell Dr. (C)
Brasher Replat Blk 5 Lot 10
Maritza Sorg
Kurt Hans Isslieb
1713 N. Union Ave
Roswell, NM 88201

2910 S. Lea Ave. (O)
South Plains Park Replat Blk 2 A Lot 20
Regodio Rodriguez
Lupe Rodriguez
33 Pecos Loop SE
Rio Rancho, NM 87124-3302

1110 S. Union Ave. (C)
Farm Blk 1 Lot 16
Gaby Nasrallah
Linda Nasrallah
5108 W. Alameda St.
Roswell, NM 88203

Approx 1600-1700 Blk W Bland St. (O)
6-11-24 NW4 NW4 SE4
Phelps Anderson
c/o Sun Valley Energy Corp.
P O Box 1000
Roswell, NM 88202-1000

306 S. Sequoia Ave. (C)
Oak Knoll Blk 3 Lot 4
Mildred T. Astone
P O Box 3019
Roswell, NM 88202-3019

615 S. Michigan Ave. (O)
Lewis 1st Amnd Blk 1 Lot 7
James Beeman
Belinda Beeman
615 S. Michigan Ave.
Roswell, NM 88203

101 S. Missouri Ave. (O)
West Side Blk 17 Lot 14 W110'
Peer Revocable Living Trust
c/o First National Bank Trustee
P O Box 1857
Roswell, NM 88202

105 N. Missouri Ave. (O)
West Side Blk 18 Lot 10
Paula A. Beverage
Henry A. Grishaber
105 N. Missouri Ave.
Roswell, NM 88203

500 S. Delaware Ave. (O)
Pauly Blk 16 Lot 1
Ronnie Chavez
Lupe Salas Chavez
101 N. 6th
New Port, PA 17074

506 S. Delaware Ave. (C)
Pauly Blk 16 Lot 4
Dale Haar
5102 Calumet Rd., #N
Roswell, NM 88201-8965