

CITY OF ROSWELL

RESOLUTION NO. 05-33

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.

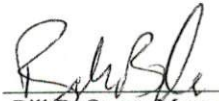
WHEREAS, the City Council of the City of Roswell, New Mexico, finds that the premises listed in Exhibit A attached hereto and purportedly owned of record, or occupied by the parties named, have accumulated rubbish, weeds, wreckage or debris so as to be a menace to the public health, safety and general 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 November 2005.

CITY SEAL


Bill B. Owen, Mayor

ATTEST:


David A. Kunko, City Clerk

2005 N. Garden Ave. (C)
Military Heights Lot 35 W134.07' S70' N100'
Olaf Thompson
Dorothy Thompson
112 E. Third St.
Roswell, NM 88201
and
Olaf Thompson
Dorothy Thompson
2005 N Garden Ave.
Roswell, NM 88201

Pecos Valley Village Tract A (O)
Eliander Trust
Harry F. Jr. Trustee
c/o Kevin S. Eliander
P O box 71144
Newnan, GA 30271

Approx 1001 N. Missouri Ave. (C)
West side Blk 27 Lot 8
Delbert Baier
810 Tocado Loop
Belen, NM 87002

Approx 807 E. 23rd St. (C)
Conner Summary Plat Tract B
CPT Operating LLC
400 W. 2nd St.
Roswell, NM 88203

Approx 809 E. 23rd St. (C)
Conner Summary Plat Tract C
CPT Operating LLC
400 W. 2nd St.
Roswell, NM 88203

Approx 900 Blk E. Country Club Rd.(C)
Country Club Place Lots 1 - 78
CPT Operating LLC
400 W. 2nd St.
Roswell, NM 88203

Approx 2315 N. Prairie Ave. (C)
Conner Summary Plat Tract A
CPT Operating LLC
400 W. 2nd St.
Roswell, NM 88203

2404 N. Prairie Ave. (C)
Hutcheson's Summary Plat Lot 1
M. Curtis Hutcheson
5255 Santa Elena Circle
El Paso, TX 79932

2408 N Prairie Ave. (C)
Country Club Blk 1 Lot 8
M. Curtis Hutchenson
5255 Santa Flena Circle
El Paso, Texas 79932

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

303 E. Reed St. (C)
South Highlands Rediv Blk 2B Lot 20
Mary Hobson
1577 Judson St.
Seaside, CA 93955-5031

101, 103 S. Michigan Ave. (C)
Ovard's Blk 6 Lots 13, 14
James Harold Corn
Corn & Whitner
Box 788
Alto, NM 88312

Approx 105 S. Michigan Ave. (C)
Ovard's Blk 6 Lot 12
Charles Lee Corn
1902 S. Richardson Ave.
Roswell, NM 88203

Approx 109 S. Michigan Ave. (C)
Ovard's Blk 6 Lot 10
Rhonda Sue corn
c/o James Corn
Box 788
Alto, NM 88312

111 S. Michigan Ave. (O)
Ovard's Blk 6 Lot 9
Inez Griffin
c/o Mozella Wright
3916 Fargo Way
North Highlands, CA 95660

113 S. Michigan Ave. (O)
Ovard's Blk 6 Lot 8
Mozella Oliver
c/o Mozella Wright
3916 Fargo Way
North Highlands, CA 95660

808 W. 1st St. & (C)
101 S. Kansas Ave
Ovards Rediv Blk 5 Lots 13, 14
Cody D. Young
P O Box 8279
Roswell, NM 88202-8279

805 W. Walnut St. (O)
Ovards Blk 5 Lot 6 W2
Ovards Blk 5 Lot 7 W2
Constance Gordon
c/o Marian Sturges
44867 Laszlo St.
Landcaster, CA 93534

312 S. Sycamore Ave. (O)
Oak Knoll Blk 4 Lot 7
Moore Equity
P O Box 3788
Evansville, IN 47736

908 Davidson Dr. (O)
Farm Blk 2 Lot 24
Linda Kay Stapleton
2401 S. Sunset Ave., Apt. A
Roswell, NM 88203-2454

1008 Rancho Rd. (C)
Washington Blk 2 Lot 16 less W24.5'
Washington Blk 2 Lot 17
Ivy Smith
115 Flint Ave.
Levelland, TX 79336

702 Adams Dr. (O)
South Highlands High School
Ext A Blk 4 Lot 2
Flor Rivera and Jose Guardado
3225 Pueblo Ave., #12
Los Angeles, CA 90032

2903 Emerald Dr. (C)
South Plains Park Replat Blk 2A Lot 27
Ronald Grube
Donna Grube
1717 SE Main St.
Roswell, NM 88203

614 Hickory Dr. (O)
Dale Bellamah Blk 5 Lot 3
Linda Marie Dobyns
4202 Val Verde
Chino Hills, CA 91709

616 Hickory Dr. (O)
Dale Bellamah Blk 5 Lot 2
Linda Marie Dobyns
4202 Val Verde
Chino Hills, CA 91709

Approx 400-500 Blks W Brasher Rd.(O)
Fruitland Blk 25 Lots 1, 2, 3, 4
Constellation Estates, Inc.
P O Box 2167
Roswell, NM 88202-2167

Approx 2 B.W. Byrne St. (O)
Pecos Valley village Blk 1 Lot 37
Ernest E. Gonzales
Helen Gonzales
P O Box 3976
Roswell, NM 88202-3976

13 Langley Pl (O)
Pecos Valley Village Blk 4 Lot 43
Rodolfo Garcia
316 S. Sequoia Ave.
Roswell, NM 88203

18 W. Wells St. (O)
Pecos Valley Village Blk 13 Lot 30
Jose L. Lopez
18 W. Wells St.
Roswell, NM 88203

Approx 3901 N Main St. (C)
Tierra Berrenda No. 11 Tract A
Johnson Trust
S.P. III & Barbara Jo Trustees
P O Box 1641
Roswell, NM 88202-1641
and
Johnson Trust
S.P. III & Barbara Jo Trustees
2611 Coronado Dr.
Roswell, NM 88201

Approx 400-500 Blks W. Brasher Rd.(O)
Fruitland Blk 25 Lots 5, 6
Constellation Estates, Inc.
P O Box 2167
Roswell, NM 88202-2167

Approx 400-500 Blks W. Brasher Rd. (O)
Fruitland Blk 25 Lot 8
Constellation Estates, Inc.
P O Box 2167
Roswell, NM 88202-2167