

CITY OF ROSWELL
RESOLUTION NO. 12-35

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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.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 13th day of September 2012.



A handwritten signature in black ink, appearing to read "D. Kunko", written over a horizontal line.

David A. Kunko, City Clerk

A handwritten signature in black ink, appearing to read "Del Junney", written over a horizontal line.

Del Junney, Mayor

<p>503 W. 17th St. MILITARY HEIGHTS Blk 44 AMEND Lot 44 Irene Crume P.O. Box 685 Farwell, TX 79325</p>	(o)	<p>1107 La Paloma TIJMOR SUBDIVISION Blk 1 Lot 4 Tijmor LLC 516 Martinez Ln NE Albuquerque, NM 87107</p>	(o)
<p>1006 N. Pennsylvania Ave. WESTSIDE Blk 57 Lot 4 AND Lot 5 Michael Douglas 1006 N. Pennsylvania Ave. Roswell, NM 88201</p>	(o)	<p>Approx. 1508-1510 N. Pontiac SCHNEDARS Tract A N 94 FT S234 FT S29 T10S R24E SW4SW4 N 94' S 274' E 100' W 330' Johnson Estate c/o Angie Brady 911 S. Plains Park Roswell, NM 88203</p>	(o)
<p>3900 N. Main BERRENDO IRRIGATED FARMS Blk 17 Lot 8 Marley Ranches LTD P.O. Box 1658 Roswell, NM 88202</p>	(o)	<p>501 W 17th St. MILITARY HEIGHTS Blk 44 AMEND Lot 44 Ramon or Maria Aguirre 1504 S. Poplar Roswell, NM 88203</p>	(o)
<p>1001 Le Ann Dr. ENCHANTMENT WEST SUBDIVISION Lot 62 Spectrum Consulting Company, Inc. 1112 N. Main St. Roswell, NM 88201</p>	(c)	<p>Approx. 1103½ W. 8th Riverside Heights Blk 11 Lot 1 Dorothy Kirkpatrick c/o Mickey Tinsley P.O. Box 1372 Mt. Juliet, TN 37121</p>	(o)
<p>607 Hermosa Del Norte Estates 2 Blk 5 Lot 7 Victoria or Monica Durant 15215 Berry Trail #804 Dallas, TX 75248</p>	(c)	<p>1819 N. Washington Ave. MILITARY HEIGHTS Lot 43 W2 S40 FT N110 FT W147.5 FT Quarter SE S 29 T 10S R 24E Vance or Alice Mikkelson P.O. Box 2711 Los Lunas, NM 87031</p>	(o)
<p>506 Twin Diamond Rd. Tierra Berrenda 4 Blk 4 Lot 24 & 25 Richard Kaminski c/o Brenda Quincy 7511 Ethans Way Burlington, NC 27215</p>	(c)	<p>1204 N. Union Ave. S32 T10S R24E NW4NW4 N71.29' S431.29' E 175' Gaby or Linda Nasrallah 5108 W. Alameda Ave. Roswell, NM 88203</p>	(o)
<p>1208 N. Union Ave. S32 T10S R24E NW4NW4 E175' N45' S535' Dave or Judy Hunt 1208 N. Union Ave. Roswell, NM 88201</p>	(o)	<p>1207 W. 8th St. Riverside Heights Amend Blk 12 Lot 4 Rafael & Aida Buenaluz Mark Buenaluz 1139 N. Heliotrope Dr. Los Angeles, CA 90029</p>	(o)

<p>1000 Mimosa Ln. (o) Linda Vista Estates 5 Blk 11 Lot 12 Alfredo or Alma Pacheco 1000 Mimosa Ln. Roswell, NM 88201</p>	<p>3500 Pearson (o) Enchanted West Subdivision Lot 12 Dawn Turrieta P.O. Box 298 Hagerman, NM 88232</p>
<p>511 W. 16th St. (o) A.L Fales Lot 8 Houston McCraw 210 E. Mountain View Rd. Roswell, NM 88203</p>	<p>511 W. 16th St. (o) A.L Fales Lot 9 William or Connie Powers 210 E. Mountain View Rd. Roswell, NM 88203</p>
<p>Approx. 404 E. Country Club Rd. (o) Shackelford Summary Plat Tract A Phillip or Michelle Shackelford 101 N. Sycamore Ave. Ste. A Roswell, NM 88201</p>	<p>1612 Pontiac Dr. (c) Schnedar Rediv Blk 5 lot 4 Stephen Crihfield 1717 N. Missouri Ave. Roswell, NM 88201</p>
<p>508 W. 19th St. (o) Baumgartners Rediv Blk 2 Lot 25 & 26 Bob Long Estate Florance Long P.O. Box 19475 Thorne Bay, AK 99919</p>	<p>600 E. Deming St. (o) Barnetts Block 9 Lot 13 Mrs Eduvigen Silva c/o Louis Mendoza 600 El Paraiso Albuquerque, NM 87107</p>
<p>108 S. Montana & 109 S. Sunset (o) Wright's Blk 14 lot 5 Gary Thomas & Associates LLC 298 W. Key West Dr. Casa Grande, AZ 85122</p>	<p>111-113 S. Sunset (o) Wright's Blk 14 lot 6, 7 Gary Thomas & Associates LLC 298 W. Key West Dr. Casa Grande, AZ 85122</p>
<p>1108 W. Alameda (o) Wright's Blk 11 lot 3 E. 58.4' Wright's Blk 11 lot 4 E. 58.4' Majidreza & Behnaz Moghisaei P.O. Box 1177 Folsom, CA 95763</p>	<p>1110 W. Alameda (o) Wright's Blk 11 lot 3 W. 50' E. 108.4' Majidreza & Behnaz Moghisaei P.O. Box 1177 Folsom, CA 95763</p>
<p>111 S. Michigan (o) Ovard's Blk 6 lot 9 Inez Griffin c/o Mozella Wright 3916 Fargo Way North Highlands, CA 95660</p>	<p>113 S. Michigan (o) Ovard's Blk 6 lot 8 Oliver Moseller c/o Mozella Wright 3916 Fargo Way North Highlands, CA 95660</p>

101-103 S. Michigan Ovard's Blk 6 lots 13,14 Corn & Whitner 1330 Little Creek Rd. Alto, NM 88312	(o)	105 S. Michigan Rhonda Sue Corn c/o James Corn Ovard's Blk 6 lot 12 1330 Little Creek Rd. Alto, NM 88312	(o)
307-309 W. Albuquerque Hedgcoxes Blk 24 lot 7 E. 75' Edward, Evie, Wallace O'Kelly 2315 N. Cole Roswell, NM 88203	(o)	105 N. Pennsylvania Fleck Summary Plat lot A F&G Properties 120 N. Windloop Roswell, NM 88201	(o)
401 S. Sunset - 403 S. Sunset Pauly Blk 7 lot 1 ,2 Carlton & David Blewett 1612 W. 8 th St Roswell, NM 88201	(o)	Approx. 501 S. Cypress Cypress-Hendricks Summary Plat Tracts A & B Phelps Anderson c/o Sun Valley Energy Corp. P.O. Box 1000 Roswell, NM 88202-1000	(o)
421 E. 3 rd St. Lea Lot 56 Manuel Lee Bustos 1021 12 th St. Las Vegas, NM 87701	(o)	523 E. 3 rd St. Lea Lot 70 S107.4' E77.67' John E. Lee; Julia B. Lee c/o Bonita Braasch 704 Parkland Cir. SE Albuquerque, NM 87108	(c)
709 N. Orchard Ave. Mc Dowell Eastside Blk 4 Lot 7 BOKF NA DBA Bank of Oklahoma, NA 7060 S. Yale Avenue, Suite 200 Tulsa, OK 74136	(o)	1315 E. Tilden St. Wallace Amend Blk 1 Lot 15 And Lot 16 Rodrigo Loya; Lorena R. Loya 78 Vista Largo Rd. Dexter, NM 88230	(o)