

CITY OF ROSWELL  
RESOLUTION NO. 12-43

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.

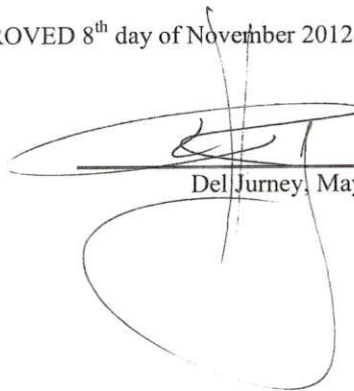
3. In the event the owner or other person aggrieved shall file a protest within the time provided, the City Council shall thereafter fix a date for hearing. At the hearing, the protestant shall be entitled to be heard in person, by agent or attorney and the City Council shall consider evidence whether 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 8<sup>th</sup> day of November 2012.



  
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David A. Kunko, City Clerk

  
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Del Jurney, Mayor

<p>401 N. Orchard Ave., 407 N. Orchard Ave. (c) Greenwood Rediv Tract A Carpenter Properties, LLC 505 Broken Arrow Rd. Roswell, NM 88201</p>	<p>803 S. Atkinson Ave. (o) 3-11-24 NW4SW4 E 165' W 195' S 50' N 710' S / 3-11-24 NW4SW4E475.75' W 670.75' S 100' N760'/ E317' W 670.75' S 15' N 775' Ismael S. Ornelas 605 Greenbrier Roswell, NM 88203</p>
<p>Approx. 407 ½ N. Orchard Ave. (c) Greenwood Rediv Tract B Carpenter Properties, LLC 505 Broken Arrow Rd. Roswell, NM 88201</p>	<p>804, 804½, 806, 808, (o) 810, 810½, 900 S. Atkinson Ave. 4-11-24 E2E2NE4SE4 W294.42' E334.42' S228.8' N888.8'/W55' E334.42' S32.2'N920.62'/E2 W2E2 NE4SE4E37.55' N150'/ E167.1' S734.8' N884.8' AA &amp; S, Inc. 1337 Mc Call Loop Roswell, NM 88203</p>
<p>Approx. 611 E. Bland St. (o) Barnetts Blk 2 Lot 8 Alberta W. Ruelas P.O. Box 5 Torreon, NM 87061</p>	<p>322 E. Lewis St. (o) Keiths Southside Blk 7 Lot 11 Julius W. Snow, Doris M. Snow c/o Tracie Cooper 11823 E. Canal Aurora, CO 80011</p>
<p>Approx. 610 E. Bland St. (o) Barnetts Blk 8 Lot 7 Mario R. Rivera Sr. Rt. 219 Flying H Roswell, NM 88203</p>	<p>Approx. 701 E. Alameda St. (o) Acequia Blk 3 Lots 39,40 Manuel Gonzales 10 Jardin Ct. Roswell, NM 88201</p>
<p>203 S. Elm Ave. (o) Acequia Blk 5 Lots 17, 18 Robert E. Maples 508 N. Missouri Ave. Roswell, NM 88201</p>	<p>705 E. Alameda St. (o) Acequia Blk 3 Lot 35 and Lot 36 Leon Gonzales 705 E. Alameda St. Roswell, NM 88203</p>
<p>600 E. Bland St. (o) Barnetts Blk 8 Lot 13 Sonny Romo 833 N. Crumal Ct. Visalia, CA 93292-6817</p>	<p>714 E. Alameda St. (o) Flora Vista Blk 2 Lot 5 and Lot 6 Manuel Marquez c/o Carlos Marquez 714 E. Alameda St. Roswell, NM 88203</p>
<p>908 E. Deming St. (c) Barnetts Blk 12 Lot 3 and Lot 5 Tom Benavides; Kathleen L. Benavides 605 Greenbrier Roswell, NM 88203</p>	<p>Approx. 731 E. Alameda St. (o) Acequia Blk 3 Lots 9, 10 Marcello Savedra Jr. 7555 S. Valley View Blvd. Las Vegas, NV 89139-5958</p>
<p>734 E. Alameda St. (o) Flora Vista Blk 1 Lot 15 Catherine M. Flores c/o Angelica Flores 2301 S. Boss. Apt. 2303 Houston, TX 77057</p>	<p>626 E. Orange St. (o) Purdy- Norris Amend Blk 1 Lot 8 Robert Lucero; Blanca R. Lucero 705 Swinging Spear Rd. Roswell, NM 88201</p>
<p>802 E. Walnut St. (c) Acequiq Blk 3 Lot 61 and Lot 63 W 6' Eldridge Hunter P.O. Box 64 Roswell, NM 88202-0064</p>	<p>Approx. 114 S. Elm Ave. (o) Acequia Blk 1 Lots 15, 16 Travois, Ltd. 4721 Sierra Madre El Paso, TX 79904</p>
<p>712 E. Walnut St. (o) Acequia Blk 3 Lots 51 and Lot 52 Virginia E. Medina c/o Arias Medina 109 S. Elm Ave. Roswell, NM 88203</p>	<p>Approx. 119 S. Elm Ave. (o) Acequia Blk 6 Lot 23 Lydia Oosterlynck Lumbeekstraat 45 2660 Hoboken- Antwerp, Belgium</p>

100 S. Elm Ave. Acequia Blk 1 Lots 2,3,4,5 John G. Amador P.O. Box 501 Roswell, NM 88202-0501	(o)	805 N. Lea Ave. West Side Summary Plat Lot 9A Wilson or Onie Hicks 1516 S. Kentucky Ave. Roswell, NM 88203	(o)
1001 W. 14 <sup>th</sup> St. Howard Place Blk 2 Lot 1 Michael or Tessa Chavez 1509 S. Adams Ave. Roswell, NM 88203	(o)	1302 N. Washington Ave. Keith Blk 3 Lot 3 Sylvia Henson 6590 Old Dexter Hwy Dexter, NM 88230	(o)
1604 N. Michigan Ave. Lawrence & Hodges Blk 5 Lot 9 Secretary Of Veterans Affairs P.O. Box 25126 Denver, CO 80255	(o)	3101 Onate Rd. Delta West Unit 4 Lot 12 Stephen Hawkyns 3101 Onate Rd. Roswell, NM 88201	(o)
Approx. 3600 N. Main St. Henry Summary Replat Blk 17 Lot 1 Turner Properties LLC 5026 Frankford Avenue Lubbock, TX 79424-1131	(o)	510 S. Hemlock Shearman Addn Blk 2 Lot 6 Max or Aide Lueras 1019 S. Plains Park Dr. Roswell, NM 88203	(o)
404 S. Sycamore Ave. Will Johnson Heights Replat Blk 2 Lot 3 Andrew Fresquez c/o Dela Neria P.O. Box 1322 Roswell, NM 88202	(o)		