

CITY OF ROSWELL
RESOLUTION NO. 12-48

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.

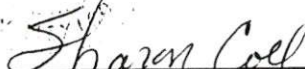
3. In the event the owner or other person aggrieved shall file a protest within the time provided, the City Council shall thereafter fix a date for hearing. At the hearing, the protestant shall be entitled to be heard in person, by agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.

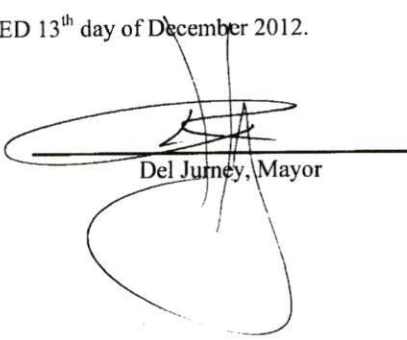
4. Persons aggrieved by the determination of the City Council have a right to appeal to a court of competent jurisdiction by giving notice of such appeal to the City Council within five (5) days after the day of issuance of such order or decision, together with a petition for court review duly filed 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 December 2012.

CITY SEAL

ATTEST


Sharon Coll, City Clerk


Del Juney, Mayor

205 S. Sherman Ave. Haleys Amend Blk 4 Lot 10 Martha & Jose Baca 900 E. Mathews St. Roswell, NM 88203	(o)	208 S. Sherman Ave. Haleys Amend Blk 5 Lot 5 Pablo Aguilar 208 S. Sherman Ave. Roswell, NM 88203	(o)
Approx. 300 S. Atkinson Ave. Vineyard Replat Tract A Felipe Vega 925 W. Atlanta Ave. Phoenix, AZ 85041	(o)	1403 E. Alameda Ave. S 3 T 11S R 24E NW4NW4 E 376.53' W 788.95' N 836.88' S 861.88' W S Wright LLC P.O. Box 127 Hondo, NM 88336	(c)
806 E. Walnut St. Acequia Blk 3 Lot 65 & 66 Guadalupe & Pete Perez 318 S. Main St. Roswell, NM 88203	(o)	901 S. Sherman Ave. 512 E. Mathews South Roswell Blk 49 Lot 13 Kathy M. Thatcher 1704 E. College Blvd. Roswell, NM 88201	(o)
1102 Cahoon Ave. Fruitland Blk 1 Lot 8 Jose Raya 1100 S. Cahoon Ave. Roswell, NM 88203	(o)	1210 Johnson Rd. Johnson & Allison Lot 2 Blk 2 Fruitland Blk 0 Lot 18 Harlon J. Gilbert 702 S. Diamond Ave. Deming, NM 88030	(o)
Approx. 1514 S. Stanton Ave. Fruitland Blk 4 Lot 3 Robert Reyna P.O. Box 564 Peoria, AZ 85345	(o)	Approx. 304 E. Chisum St. Clarence Taylor Summary Plat Blk 0 Lot Tract A Jacklyn Dennard 1900 Lee LP NE Rio Rancho, NM 87144	(o)
Approx. 304 1/2 E. Chisum St. Clarence Taylor Summary Plat Blk 0 Lot Tract B Jacklyn Dennard 1900 Lee LP NE Rio Rancho, NM 87144	(o)	Approx. 201 E. Conner St. Keiths Southside 2 Blk 4 Lot 18 Henry & Belinda Garcia 201 E. Conner Roswell, NM 88203	(o)
Approx. 607 E. Mathews St. Barnetts Blk 9 Lot 8 Karina Garcia 7618 W. Weldon Ave. Phoenix, AZ 85033	(o)	Approx. 609 E. Mathews St. Barnetts Blk 9 Lot 6 Karina Garcia 7618 W. Weldon Ave. Phoenix, AZ 85033	(o)
Approx. 611 E. Mathews St. Barnetts Blk 9 Lot 4 Karina Garcia 7618 W. Weldon Ave. Phoenix, AZ 85033	(o)	507 E. Albuquerque St. South Roswell Blk 17 Lot 8 Pedro Franco 3849 Chimney Rock Way Sacramento, CA 95834	(o)

<p>Approx. 503 & 505 E. Albuquerque St. (o) South Roswell Blk 17 Lot 4 & 6 Mathew Simone 10266 Pebble Beach Drive Santee, CA 92071</p>	<p>500 ½ E. Albuquerque St. (o) South Roswell Blk 32 Lot 1 Ralph Gonzales 1490 Gaviota Ave. Long Beach, CA 90804</p>
<p>413 E. Albuquerque St. (o) South Roswell Blk 18 Lot 12 & 14 Jose & Maria Salvarrey 1502 S. Eisenhower Rd. Roswell, NM 88203</p>	<p>Approx. 410 E. Albuquerque St. (o) South Roswell Blk 31 Lot 11 Veronica Calzada 1230 Lincoln St. P.O. Box 1824 Anthony, NM 88021</p>
<p>Approx. 412 E. Albuquerque St. (o) South Roswell Blk 31 Lot 13 Antonio La Riva P.O. Box 11503 Albuquerque, NM 87192-1503</p>	<p>408 (Rear) E. Albuquerque St. (o) South Roswell Blk 31 Lot 9 Michael or Teresa Bickel 4036 Walnut Baldwin Park, CA 91076</p>
<p>407 E. Albuquerque St. (o) South Roswell Blk 18 Lot 8 Rita Aguirre 10 W. Byrne Roswell, NM 88203</p>	<p>Approx. 408 E. Albuquerque St. (o) South Roswell Blk 31 Lot 9 Saul Tovar 1403 S. Grand Ave. Roswell, NM 88203</p>
<p>214 E. Albuquerque St. (o) South Roswell Blk 29 Lot S 25 27 29 31 Earl or Jessie Roberts c/o Wilfered Brady 2906 Largo Dr. Roswell, NM 88203</p>	<p>300 E. Hendricks St. (o) South Roswell Blk 13 Lot 1 Loretta Mendoza ET AL c/o Teresa Juarez P.O. Box 918 Chimayo, NM 87522</p>
<p>Approx. 401 ½ S. Lincoln Ave. (o) South Roswell Blk 15 Lot 7, 9 and 11 Ralph Gonzales 1490 Gaviota Ave. Long Beach, CA 90804</p>	<p>Approx. 501 E. Hendricks St. (o) South Roswell Blk 16 Lot 2 Ralph Gonzales 1490 Gaviota Ave. Long Beach, CA 90804</p>
<p>Approx. 503 E. Hendricks St. (o) South Roswell Blk 16 Lot 4 Ralph Gonzales 1490 Gaviota Ave. Long Beach, CA 90804</p>	<p>Approx. 403 ½ S. Lincoln Ave. (o) South Roswell Blk 15 Lot 7, 9, 11 & 13 Chris Papageorgiou c/o Fairway Motors 799 SR 523 Clovis, NM 88101-1018</p>
<p>811 W. 9th St. (o) Riverside Heights Blk 5 Lot 3 Ronald Scacci 852 Avenida Ricardo Apt. 236 San Marcos, CA 92069</p>	<p>1400 N. Maple (o) Keith Blk 1 Lot 4 Kathy Thatcher 1704 E. College Blvd. Roswell, NM 88201</p>

<p>204 W. Tilden South Roswell Blk 10 lot 9 W37' Emma L. Olivas 5733 36th St. Lubbock, TX 79407</p>	(c)	<p>401 S. Sequoia West View Amend. Blk 1 lot 20 Catarina B. & Warner McGhee 605 Johnson St. Clovis, NM 88101</p>	(o)
<p>401 S. Aspen Thorne Blk 3 lot 20 Eliana Ledezma & Edmund Herrera 1205 W. Stone Roswell, NM 88201</p>	(o)	<p>502 Pinon Ave. Will Johnson Heights 2 Blk 4 lot 10 S2' & lot 11 Jessica M. Powers & Houston McCraw P.O. Box 97 Eldorado, OK 73537-0097</p>	(o)
<p>500 Pinon Ave. Will Johnson Heights 2 Blk 4 lot 9 S.7.5' & lot 10 less S.2' Larry D. & Priscilla Amador P.O. Box 3029 Roswell, NM 88202-3029</p>	(o)		