

CITY OF ROSWELL
RESOLUTION NO. 14-09

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.

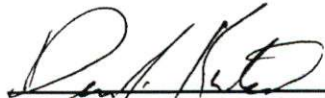
2. The owners, occupants or agents in charge of said premises are hereby ordered to remove such accumulated rubbish, weeds, wreckage or debris within ten (10) days of the receipt of notice by certified mail or from the date of publication of this resolution. In the event such removal is not commenced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

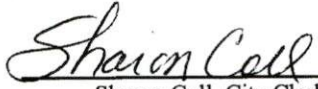
4. Persons aggrieved by the determination of the City Council have a right to appeal to a court of competent jurisdiction by giving notice of such appeal to the City Council within five (5) days after the day of issuance of such order or decision, together with a petition for court review duly filed 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 March 2014.

CITY SEAL


Dennis J. Kintigh, Mayor

ATTEST:


Sharon Coll, City Clerk

18 B ST. PECOS VALLEY VILLAGE Block 12 Lot 29 RIGUNAY, FAUSTINO C.; RIGUNAY, EUNICE L. 2009 ERWIN RD. EL CENTRO, CA 92243	22 W. BYRNE ST. PECOS VALLEY VILLAGE Block 1 Lot 30 EVANS, JEFFREY T. 22 W. BYRNE ST. ROSWELL, NM 88203-8063
1605 S. RICHARDSON AVE. GRAND VIEW Block 1 Lot 22 NAVY FEDERAL CREDIT UNION PO BOX 3800 MERRIFIELD, VA 22119-3800	1103 S. MICHIGAN AVE. WASHINGTON Block 3 Lot 9 GARCIA, LOUIS M; GARCIA, KATHLEEN E. 1103 S. MICHIGAN AVE. ROSWELL, NM 88203
307 & 309 W. ALBUQUERQUE ST. HEDGCOXES Block 24 Lot 7 E 75' O'KELLEY, EDWARD W. 2315 N. COLE AVE. ROSWELL, NM 88201	55 WILDY DR. NORTH PLAINS PARK 3 Block 4 Lot 12 LOWMAN, CARSON F. 55 WILDY DR. ROSWELL, NM 88203
1503 S. WASHINGTON AVE. SOUTH HIGHLANDS EXT C Block 6 Lot 2 COOK, ANTHONY; COOK, ERIN 1503 S. WASHINGTON AVE. ROSWELL, NM 88203	801 S. WASHINGTON AVE. MISSOURI AVENUE SCHOOL Block 1 Lot 13 CONTRERAS, CONNIE M. 2958 WINSTON DR. STOCKTON, CA 95209-2716
601 E. VAN BUREN ST. JOHNSON & ALLISON Lot 4 Block 1 FRUITLAND Block A Lot 12 WALKER, MONROE C/O WAYMAN WALKER PO BOX 6238 SAN ANTONIO, TX 78209	902 NORRIS PL. PURDY-NORRIS AMEND Block 2 Lot 15 PURCELLA, GLENDA J.; ETAL 824 N. PARK MT. VIEW, AK 99508
300 E. VAN BUREN SOUTH HIGHLANDS REDIVISION Block 2B Lot 21 SABUR, DARUS MAURICE 21 COLEMAN RD. PENSACOLA, FL 32503	200 S. ASH AVE. ACEQUIA Block 5 Lot S 1 2 ARTIAGA, MERCY A. 200 S. ASH AVE. ROSWELL, NM 88203
APPROX. 77 1/2 LIGHTHALL PECOS VALLEY VILLAGE Tract J ELIANDER TRUST; HARRY F. JR. TRUSTEE C/O KEVIN ELIANDER 29 ROBINSON ST. NEWNAN, GA 30263	604 E. VAN BUREN ST. JOHNSON & ALLISON Lot 4 Block 1 FRUITLAND Block B Lot 7 CONTRERAS, BOBBY R. ETAL; CONTRERAS, FLORA 207 E. SUMMIT ST. ROSWELL, NM 88203
1012 N. MISSOURI AVE. WEST SIDE Block 4 Lot 2 LESS N5' OF W60' MC CARTY, MICHAEL R.; MC CARTY, BARBARA 1012 N. MISSOURI AVE. ROSWELL, NM 88201	407 N. KANSAS AVE. WILDYS Block 1 Lot 12 LEHRMAN, MELFORD; LEHRMAN, BETTY JO 900 COY LN. ROSWELL, NM 88201
809 W. 10 TH ST. RIVERSIDE HEIGHTS Block 2 Lot 3 E50' OF W 2/3 LONGORIA, DOMINIC 1401 SONORA RD. NE RIO RANCHO, NM 87144-7738	1111 W. 14 TH ST. HOWARD PLACE Block 2 Lot 13 SILVA, LEORNARD 22 FERMIN CHAVEZ RD. BELEN, NM 872002-7300