

CITY OF ROSWELL
RESOLUTION NO. 15-02

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.

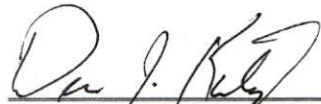
2. The owners, occupants or agents in charge of said premises are hereby ordered to remove such accumulated rubbish, weeds, wreckage or debris within ten (10) days of the receipt of notice by certified mail or from the date of publication of this resolution. In the event such removal is not commenced 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 8th day of January 2015.

CITY SEAL


Dennis J. Kintigh, Mayor

ATTEST:


Sharon Coll, City Clerk

1605 S. KANSAS AVE. PLAINS PARK Block 5 Lot 3 VARELA, DONALD L. 1605 S. KANSAS AVE. ROSWELL, NM 88203	801 W. ALBUQUERQUE ST. SPARKS Block 6 Lot 6 E 90' PRADO-GUERRERO, SERGIO 801 W. ALBUQUERQUE ST. ROSWELL, NM 88203
1102 CAHOON AVE. FRUITLAND Block 1 Lot 8 RAYA, JOSE R. 1756 KLAMATH DR. SALINAS, CA 93906	1415 STANTON AVE. SOUTH HIGHLANDS REDIVISION Block 29A Lot 13 PEREZ, GUADALUPE; PEREZ, PETE 318 S. MAIN ST. ROSWELL, NM 88201
1615 S. MAIN ST. LA RAZA SUMMARY REPLAT Block 0 Lot 1B KIPP, REGINA KIPP FAMILY TRUST 2626 HANOVER ST. PALO ALTO, CA 94304	2103 S. MAIN ST. S 16 T 11S R 24E NW4NW4 S60' N190' E180' W285' SOUTHLAND CORP, THE; ATTN: CORPORATE TAX DEPT PO BOX 711 DALLAS, TX 75221-0711
3801 S. MAIN ST. S 21 T 11S R 24E CHEW, DOUGLAS; C/O JACK CHEW 12 STEPHENS CIRCLE ROSWELL, NM 88201	APPROX: 3901 S. MAIN ST. S 21 T 11S R 24E CHRISTMAS BY KREBS CORP 3911 S. MAIN ST. ROSWELL, NM 88203
APPROX: 804 E. 19 TH MILITARY HEIGHTS Lot 39 N 150' E 326' M/L Quarter SE S 28 T 10S R 24E MATTEUCCI, JAMES L.; MATTEUCCI, ANNA MARIA PO BOX 464 ROSWELL, NM 88202-0464	1115 CAHOON AVE. S 4 T 11S R: 24E SE4SE4 N 60' S 270' W 100' E 1329' STAGNER, WAYNE J.; STAGNER, NEVA L. C/O EAST VALLEY FIDUCIARY SERVICES INC. 7165 E. UNIVERSITY DR., STE. 171 MESA, AZ 85207
1618 S. MULBERRY AVE. DENNEY Block 0 Lot 9 & Lot 10 GROVES, EVELYN; C/O AL GROVES PO BOX 468 CEDAR CREST, NM 87008-0468	704 E. ALAMEDA ST. FLORA VISTA Block 2 Lot 16 & Lot 17 MIRANDA, FELIBERTO; MIRANDA, RAMONA 6898 LINCOLN AVE. DEXTER, NM 88230
APPROX. 910 1/2 N. UNION AVE. DEARR-FRIEND Block 1 Lot 6 N30' S32' 32-10-24 SW4NW4 E132' N30' S595' SE4NW4 W8' N30' S595' ALBERTA WOODARD C/O JEANETTA PRINCE 8712 W. SPOKANE ST. MILWAUKEE, WI 53224	1304 E. COUNTRY CLUB RD. PENDERGRASS Lot 13 JOSE GUADALUPE MADRID; SHEILA MELINDA QUINTANA 403 S. KANSAS AVE. ROSWELL, NM 88203
1008 N. KENTUCKY AVE. WEST SIDE Block 34 Lot 2 S2 AND Lot 3 THOMAS E. BROWN; TRACEY SPENCER BROWN 1008 N. KENTUCKY AVE. ROSWELL, NM 88201-4933	805 W. 11 TH ST. 32-10-24 SE4NW4 W58.5' E615.5' N175' PABLO IBARRA 805 W. 11 TH ST., # A ROSWELL, NM 88201-8245
1613 N. MONTANA AVE. SCHNEDAR REDIV Block 5 Lot 17 CHARLES LEWIS BRAZELTON DETROIT, MI 48209	104 LINDA CIRCLE LINDA VISTA ESTATES Block 5 Lot 3 HILLER BROS., LLC 1074 PINON LP. LOS ALAMOS, NM 87544
APPROX. 900 BLOCK E. COUNTRY CLUB RD. BERRENDO IRRIGATED FARMS Block 21 Lot 23 CENTRAL CHURCH OF THE NAZARENE OF ROSWELL 901 E. COUNTRY CLUB RD. ROSWELL, NM 88201	