

CITY OF ROSWELL

RESOLUTION NO. 2335

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.

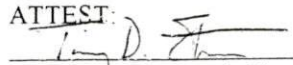
3. In the event the owner or other person aggrieved shall file a protest within the time provided, the City Council shall thereafter fix a date for hearing. At the hearing, the protestant shall be entitled to be heard in person, by agent or attorney and the City Council shall consider evidence whether 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 the 12th day of November, 1996.

CITY SEAL

ATTEST:


Timothy D. Stoessel, City Clerk


Thomas E. Jennings, Mayor

- (o) 1623 South Mulberry Avenue
Mayes Blk 7 Lots 13-14
Robert S. Basinger
Rt. 2, Box 91
Eucha, OK 74342
- (o) 1005 East Hendricks Street
Rose Lot 9 W 50' E 167.17'
Albert S. Jimenez
%Roberto Hernandez
Auto Route West, Box 936
Roswell, NM 88201
- (c) 340 East Lewis Street
Keith's Southside
Blk 7, Lot 2 W 50'
Keith's Southside
Blk 7, Lot 3 E 2'
Juanita Conley
%Mary L. Green
2011 Gila Road
Odessa, TX 79763-0223
- (o) 738-742 East Alameda Street
Flora Vista Blk 1, Lots 7, 8, 9, 10,
11, 12
Joe Alvarez
Socorro Blair
109 West Oliver
Roswell, NM 88201
- (c) 1504 South Monroe Avenue
Rice Lot 1
Imogene Davis
2607 Emerald Drive
Roswell, NM 88201
- (o) 814 East Tilden Street
Flora Vista, Blk 4, Lot 13
Juan Najjar
911 South Grand Avenue
Roswell, NM 88201
- (o) 1509 South Monroe Avenue
Fruitland Blk 4, Lot 3 S 50'N 344'
W
150' E 282'
Sinnie McKnight
P. O. Box 2799
Roswell, NM 88202-2799
- (c) 731 East Alameda Street
Acequia, Blk 3, Lots 9, 10
Marcello Savedra, Jr.
7555 S. Valley View Blvd.
Las Vegas, NV 89139-5958
- (c) 22 East Byrne Street
Pecos Valley Village Blk 6, Lot 17
Resolution Trust Corp. Receiver
%Simon Asset Manager
3417 Lytal Lane
Edmond, OK 73013
- (o) 1608 North Michigan Avenue
Lawrence & Hedges, Blk 5, Lot 7
Household Realty
2125 Louisiana Blvd, NE
Park Square Suite 110
Albuquerque, NM 87110
- (o) 1411-1413 South Stanton Avenue
South Highlands Rediv. Blk 29 A
Lots 14-15
Jack Taylor
2001 McKinley
Carlsbad, NM 88220
- (o) 610 West Van Buren
Myers Redivision, Lots 5, 6
Mildred T. Astone
Robert W. Angelone
P. O. Box 3019
Roswell, NM 88202-3019
- (c) Approximately 700 Crenshaw
Crenshaw Redivision, Blk 2, Lot 11
Eddie Don Edwards
P. O. Box 53
Ketchum, OK 74349-0053

- (c) 2300 Cornell Drive
Mesa Park #1, Blk 7, Lot 4
William V. Hudson
Donald C. Hudson
7345 Itchy Acres Road
Roseville, CA 95661
- (c) 2116 North Prairie Avenue
Garden Square Blk 2, Lot 11
Paul H. Taylor III
P. O. Box 344
Roswell, NM 88202-0344
- (c) 509 South Pinon
Will Johnson Heights #2, Lot 26,
Blk 3
Borica Oil Inc.
%Edgar Powell
P. O. Drawer H
Ft. Sumner, NM 88119
- (o) Approximately 1900 North
Atkinson Avenue
Military Heights Lot 38 E 200' S
218'
Gary D. Tonjes
13119 Cedarbrook Avenue, NE
Albuquerque, NM 87111-3019
- (o) Approximately 702 ½ East College
Boulevard
Wood's Lot 3, N 312.4' S
352.40'/W 35' N 400'
United New Mexico Bank of
Roswell
P. O. Box 1977
Roswell, NM 88202-1977
- (o) Approximately 2800 Wilshire
Boulevard
Anderson Summary Replat Tract B
Donald B. Anderson
6400 S. Fiddler's Green Circle,
Suite 1750
Englewood, CO 80111
- (o) 704 ½ East College Boulevard
Wood's Lot 2, N 309.40' S 354.40'
United New Mexico Bank of
Roswell
P. O. Box 1977
Roswell, NM 88202-1977
- (c) 3101 Delicado Drive
Linda Vista Estates 2, Blk 12, Lot 9
Peter A. Crist
Sandra Crist
3101 Delicado Drive
Roswell, NM 88201
- (o) 706 ½ East College Boulevard
Wood's Lot 1, N 320.20' S 390.40'
United New Mexico Bank of
Roswell
P. O. Box 1977
Roswell, NM 88202-1977
- (o) Approximately 3577 North Main
Street
Berrendo Venture Summary Plat
Lot 1
Visvas, Inc.
P. O. Box 1424
Tucumcari, NM 88401
- (o) Approximately 1811 North Garden
Avenue
Ainsworth Summary Plat Lot 1
Jerry Z. Ainsworth
Liza J. Ainsworth
2601 North Sycamore Avenue
Roswell, NM 88201
- (o) 102 West Byrne Street
Pecos Valley Village Blk 1, Lot 4
Genaro Gonzales
Irma R. Gonzales
102 West Byrne Street
Roswell, NM 88201

- (o) 100 South Elm Avenue
Acequia Blk 1, Lots 2, 3, 4, 5
John G. Amador
P. O. Box 501
Roswell, NM 88202-0501
- (o) 119 South Elm Avenue
Acequia Blk 6, Lot 23
James A. Williams
31849 Pacific Hiway South
Suite 122
Federal Way, WA 98003
- (o) 918 East 2nd Street
4-11-24 NW4NE4W 78' E 279.99'
North of Hondo River
Baldock & Singleton
P. O. Box 2388
Roswell, NM 88202-2388
- (o) 112 South Elm Avenue
Acequia Blk 1, Lot 14
Roswell Investment &
Development Co.
1800 North Grady
Tucson, AZ 85715
- (o) 912 East 2nd Street
4-11-24 NW4NE4 W 107' E
287.99'
North of Hondo River
Baldock & Singleton
P. O. Box 2388
Roswell, NM 88202-2388
- (o) 117 South Mulberry Avenue
Acequia Blk 1 Lots 26, 27
Roswell Investment &
Development Co.
1800 North Grady
Tucson, AZ 85715
- (o) 707 East Hendricks Street
Flora Vista Blk 3, Lots 29, 30
Robert Balderrama
Jesse & Cano Beatrice Burillo
11 Gillespie Place
Roswell, NM 88201
- (o) 222 South Virginia Avenue
Thurber's Blk 5, Lot 6
Nina Melanie Gomez ET AL
512 Gregory Street
El Paso, TX 79902
- (o) 905-907 East Alameda Street
Vaughn Blk 6, Lots 8, 9
Roswell Investment &
Development Co..
1800 N. Grady
Tucson, AZ 85715
- (o) 204 South Ash Avenue
Acequia Blk 5, Lots 3, 4
Acequia Blk 5, Lot 5 N 2'
Bill G. Taylor
Jack A. Taylor
1106 North Country Club Road
Carlsbad, NM 88220