

CITY OF ROSWELL

RESOLUTION NO. 2360

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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.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 8th day of May, 1997.

CITY SEAL

ATTEST:


Timothy D. Stoessel, City Clerk


Thomas E. Jennings, Mayor

- (o) 910 North Missouri
Westside Blk. 5 Lot 2
Rosalio Bueno
1852 Dean Jones
El Paso, Tx 79936
- (o) 805 West 10th
Riverside Heights Blk 2 Lot 4
W78
Laurence D. Cosgrave Trust
10564 North 5370 West
Highland, UT 84003
- (o) 809 West 10th
Riverside Heights Blk 2 Lot 3 E50
of W2/3
Adan Barreras
1503 South Union
Roswell, NM 88201
- (o) 911 North Kansas
Riverside Heights Blk. 5 Lot 2
Pecos Construction
P. O. Box Q
Los Altos, CA 94023
- (o) 1516-18 North Missouri, back
area
Mountain View Blk 3 Lots 2,3
Morris R. Wheeler
609 North Missouri
Roswell, NM 88201
- (o) Approx. 605 S. Kansas
Pauly Blk 24 Lot 3
Sherald D. Melton
Janice K. Melton
612 W. Gayle
Roswell, NM 88201
- (o) Approx. 100-200 Blk W. Jaffa
Fruitland Blk 20 Lot 2 N 184'
Pecos Construction Co.
P O Box Q
Los Altos, CA 94023-4017
- (o) Approx: 100-200 Blk W. Jaffa
Fruitland Blk 20 Lot 3 N 184'
Pecos Construction Co.
P O Box Q
Los Altos, CA 94023-4017
- (o) Approx. 100-200 Blk W. Jaffa
Fruitland Blk 20 Lot 4 N 184'
Pecos Construction Co.
P O Box Q
Los Altos, CA 94023-4017
- (o) Approx: 2600 Blk S. Lea
Desert Acres Blk 1 Lots 1-8
Fred Teel
c/o James Robert Teel
61 Bittersweet
Lake Arthur, NM 88253
- (o) Approx. 2600 Blk S. Lea
Desert Acres Blk 2 Lots 1-4
Fred Teel
c/o James Robert Teel
61 Bittersweet
Lake Arthur, NM 88253
- (o) 805 W. Walnut
Ovards Blk 5 Lot 6 W2
Constance Gordon Est.
c/o Marion Sturges
44867 Lasglo St.
Landcaster, CA 93534
- (o) 805 W. Walnut
Ovards Blk 5 Lot 7 W2
Constance Gordon Est.
c/o Marion Sturges
44867 Lasglo St.
Landcaster, CA 93534
- (o) Approx. 509 W. Mathews
Missouri Ave School Blk 1 Lot 21
Soledad Nava
c/o A. Quintero & O. Quintero Jr.
320 E. Hervey
Roswell, NM 88201
- (o) Approx. 600 & 602 W. Mathews
Missouri Ave School Blk 2 Lot 1
& 2
Andy R. Garcia
Mary L. Garcia
3916 Futura Dr.
Roswell, NM 88201

- (c) 29-31 I Street
Pecos Valley Village
Lot 8 Block 10
Brian Trombly
Angela Trombly
31 I Street
Roswell, NM 88201
- (o) 17, 19 A Street
Pecos Valley Village Blk 3 Lot 5
Calvin V. Swearingin
Viva L. Swearingin
1135 Satara Ave. NW
Salem, OR 97304
- (c) 1011 South Cahoon Ave
Compress Redivision
Lot 6 Block 1
Ramirez Revocable Trust
A. Isobel Ramires Trustee
4810 Woodsman Loop
Placerville, CA 95667
- (c) 601 East Van Buren St.
Johnson & Allison Lot 4 Blk 1
Fruitland Block A Lot 12
Monroe Wlaker
2230 Webberville Road
Austin, TX 78702
- (o) 2319 North Texas Avenue
Eakins Lot 17
Ronald & Pearl Alexander
Alex & Betty Pankey
2821 N. Orchard Ave.
Roswell, NM 88201
- (o) 2321 North Texas Avenue
Eakin Lot 16
Ronald & Pearl Alexander
Alex & Betty Pankey
2821 N. Orchard Ave.
Roswell, NM 88201
- (c) Approx. 1002 Mimosa
Linda Vista Estate 5 Tract C
Poco Seco, Inc.
P O Box 1080
Clovis, NM 88101-1080
- (o) 4 A Street
Pecos Valley Village Blk 2 Lot 1
Calvin V. Swearingin
Viva L. Swearingin
1135 Satara Ave. NW
Salem, OR 97304