

CITY OF ROSWELL

RESOLUTION NO. 2418

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.

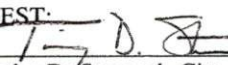
3. In the event the owner or other person aggrieved shall file a protest within the time provided, the City Council shall thereafter fix a date for hearing. At the hearing, the protestant shall be entitled to be heard in person, by agent or attorney and the City Council shall consider evidence whether 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 9th day of July, 1998.

CITY SEAL

  
\_\_\_\_\_  
Bill B. Owen, Mayor

ATTEST:  
  
\_\_\_\_\_  
Timothy D. Stoessel, City Clerk

201 E. Bland (c)  
So. Roswell Blk 29 Lots 2, 4, 6  
Juan Canales  
312 E McCune  
Roswell, NM 88201

214 E. Alameda (c)  
So. Roswell Blk 4 Lots  
17,19,21,23,25,27,29,31  
Dick & Reed Mulkey  
P O Box 1895  
Roswell, NM 88202

1102 N Virginia (c)  
Dennis Lot 7  
Marvin C. & Wynell Gross  
P O Box 358  
Roswell, NM 88201

1104 N Virginia (c)  
Dennis Lot 8  
Marvin C. & Wynell Gross  
P O Box 358  
Roswell, NM 88201

313 E. 8th (c)  
33-10-24 NE4SW4E50'W350'N32.7'M/L  
Madison Trust  
W.F. & Eliz Madison Trustees  
P O Box 255  
Roswell, NM 88201

1901 SE Main (c)  
Fruitland Blk 10 Lots 1,2,3  
Fruitland Blk 10 Lot 4 E of hwy 285  
Fruitland Bld 11 Lot 1 E of hwy 285  
Michael C. Shyne  
P O Box 554  
Alamogordo, NM 88311-0554

301 E. 8th (c)  
33-10-24 NE4 SW4 W50'N82.7'  
Bobby W. Greer  
5100 Clayton Rd.  
Roswell, NM 88201

303 E. 8th (c)  
33-10-24 NE4 SW4 E50'W100' N82.7'  
Bobby W. Greer  
5100 Clayton Rd.  
Roswell, NM 88201

201 E. Jefferson (c)  
So. Highland Redivision  
Blk 9A lot 20  
Lorenzo Baca  
P O Box 4353  
Sonora, CA 95370

1303 E. Tilden (c)  
Wallace Sub Blk 1 Lot 7  
Margarita Juarez  
P O Box 959  
Berryville, AR 72616-0959

61 A St. (c)  
Pecos Valley Village  
Blk 12 Lot 92  
Ocwen Federal Bank  
Palm Beach Lake Suite 411  
West Palm Beach, FL 33401

1416 & 1418 E. Alameda (c)  
3-11-24 NE4 SW4 NW4 W67' E132'  
S120' N145' 3-11-24 NE 4 SW4 NW4  
E65' S120' N145'  
William W. Washicheck  
1471 S. Walnut St. #51  
Anaheim, CA 92802

107 W Tilden Street (o)  
S. Roswell Blk 6 Lot 14 E5'  
S. Roswell Blk 6 Lot 16  
Gloria Noriega  
P O Box 456  
Roswell, NM 88202-0456

200 W. Mathews St. (c)  
S. Roswell Blk 55 Lots 11, 13  
Richard A. Smith  
1205 W. Stone St.  
Roswell, NM 88201

310 W. Deming St. (c)  
S. Roswell Blk 41, Lots 1, 3  
Louise N. Briggs  
300 W. Deming St.  
Roswell, NM 88201

108, 108 1/2 South Kansas Ave. (o)  
Ovard's Blk 4 Lot 5  
Peoples Baptist Church  
108 S. Kansas Ave.  
Roswell, NM 88201

113 S. Ohio Ave. Wright's Blk 5 Lot 8 Malte Rosdahl, Mabel Rosdahl c/o 3200 Mission Arch Roswell, NM 88201	(c)	2211 N. Main St. Military Heights Rediv Lot 22 W2 31 Block 3 Lot 4 N20°W290'S30.5'E187.5' Military Heights Redivi. Lot 22 W2 31 Blk 3 Lots 5-6 Ralph, Judith & Andrea McCracken ET AL 1011 Monterrey Drive Roswell, NM 88201	(c)
8 Oak Drive Oak Knoll Blk 1 Lot 8 Esther A. Way 8 Oak Drive Roswell, NM 88201	(c)		
901 W. Summit St. Lodewick Blk 7 Lot 12 Roger Greenlaw, Sharon Greenlaw 901 W. Summit St. Roswell, NM 88201 &	(c)		
Ocwen Federal Bank 1675 Palm Beach Lakes Blvd. Suite 409 West Palm Beach, FL 33401			
Approx 514 W. McGaffey St. S. Highlands Redivision Blk 19A Lot 15 Bobby L. Wallace 1801 W. Hwy 190 Belton, TX 76513	(c)		
1900 S. Richardson Ave. South Estates Blk 2 Lot 1 Poco Seco, Inc. P O Box 1080 Clovis, NM 88101	(c)		
1001 N. Missouri West Side Blk 27, Lot 8 Delbert Baier 810 Tocado Loop Belen, NM 87002	(c)		
2305 N Shartell Rogers Addition Blk 2 Lot 15 W. T. Clees Corlis J. Clees 2303 W. 19th St. Roswell, NM 88201	(c)		