

CITY OF ROSWELL

RESOLUTION NO. 2421

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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.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 13th day of August, 1998.

CITY SEAL



Bill B. Owen, Mayor

ATTEST:



Timothy D. Stoessel, City Clerk

2401 North Mesa Ave Country Club Block 1 Lot 13 John Curtis P O Box 56 Roswell, NM 88202-0056	(o)	706 N Garden Ottersons Lots 1,2,3,4,5,6,&7 Two Fingers Inc. 1800 S. Pennsylvania Roswell, NM 88201 &	(o)
1202 Hall Drive Lomas Encantadas 3 Replat Block 38 Lot 9A Leszek Zekowski 1202 Hall Drive Roswell, NM 88201	(c)	Source Capital Corp. 1825 Hutchinson Spokane, WA 99212	
2401-2403 N Main St. Sales Lot 18 Less W18' Sales Lot 19 Less W18' Sales E 140' W 280' S 100' N 550' of open TR of land Graham Revocable Trust P O Box 2168 Roswell, NM 88202-2168	(o)	309 S. Beech Rose Sub. Lot 5 Valenzuela Trust 702 Brazos Roswell, NM 88201	(o)
308, 310, 312 S Holland Johnson Lots 18,19&20 Lorenzo Garcia 1 Filberto Lane Albuquerque, NM 87123	(o)	305 S. Sunset Avenue Pauly Blk 6 Lot 1 S.P. III & B.J. Johnson Trust/Jim Snell 205 W. 6th St., #A Roswell, NM 88201-4802	(c)
1005 E Hendricks Rose Sub. Lot 9 W50'E167.17' Albert S. Jimenez c/o Roberto Hernandez Auto Rt. West Box 936 Roswell, NM 88201	(o)	307 S. Sunset Avenue Pauly Blk 6 Lot 2 S.P. III & B.J. Johnson Trust/Jim Snell 205 W. 6th St., #A Roswell, NM 88201-4802	(c)
1009 E Hendricks Rose Sub. Lot 9 E110.17' Albert Jimenez c/o Roberto Hernandez Auto Rt. West Box 936 Roswell, NM 88201	(o)	309 S. Sunset Avenue Pauly Blk 6 Lot 3 S.P. III & B.J. Johnson Trust/Jim Snell 205 W. 6th St., #A Roswell, NM 88201-4802	(c)
314 S. Beech Rose Sub Lot 6 S62.5'E90.35' Reyes Herrera 2963 State Farm Rd. Apt. #1 Evans, CO 80620-1058	(o)	507 S. Michigan Avenue Sparks Blk 3 Lot 2 N58' Leonard F. Evans Jr./Rae A. Evans 1906 Brigade Way Odenton, MD 21113	(o)
Pecos Valley Village Tract J Eliander Trust 13485 S.W. Hyland Park Ct. Beaverton, OR 97008	(c)	705 W Albuquerque St Sparks Blk 3 Lot 8 E30' Sparks Blk 3 Lot 10 James H. Hodge 705 W. Albuquerque Roswell, NM 88201	(o)
		Approx 710 W Albuquerque St Sparks Addition Replat Lot 11,12 Blk 4 Lot 13 Habitat For Humanity of Roswell, Inc. P O Box 254 Roswell, NM 88202-0254	(o)

Resolution #2421
August 13, 1998

Exhibit A
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Approx 601 South Michigan Ave (o)
Sparks Addition Replat
Lot 11,12 blk 4 Lot 12A
Habitat For Humanity of Roswell, Inc.
P O Box 254
Roswell, NM 88202-0254

Approx 603 South Michigan Ave (o)
Sparks Addition Replat
Lot 11,12 Blk 4 Lot 11A
Habitat For Humanity of Roswell, Inc.
P O Box 254
Roswell, NM 88202-0254

610 South Michigan Ave (o)
Lewis 1st Amnd Blk 2 Lot 1
Sergio Saenz
P O Box 1061
Hatch, NM 87937-1061

512 E. Mathews (o)
South Roswell
Blk 49 Lot 13
J.C. & Maeola Smith
c/o Marva Washington
1023 Vermont, NE
Albuquerque, NM 87110

1608 N Ohio Ave (o)
Schnedar Redivision Blk 4 Lot 6
Danny Long
1608 N Ohio Ave
Roswell, NM 88201

City of Roswell