

CITY OF ROSWELL

RESOLUTION NO. 2429

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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.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.

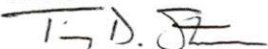
ADOPTED, SIGNED AND APPROVED the 8th day of October, 1998.

CITY SEAL



Bill B. Owen, Mayor

ATTEST:



Timothy D. Stoessel, City Clerk

115 E. Mescalero Rd. Berrendo Irrigated Farms Block 21 Lot 5 E 185'W315'S210' H.M. Winters Monte Vista #132 1575 Belvedere Street El Paso, TX 79912	(c)	113 E. Forest Levers & Johnson Blk 1 Lot 18 Smith Revocable Trust 1407 S. Sunset Roswell, NM 88201	(o)
904 N. Richardson Ave. North Spring River Blk 5 Lot 5 Baudelio Ramirez 112 S. Pennsylvania Roswell, NM 88201	(o)	508 E. Tilden South Roswell Blk 16 Lot 9 Guillermo Alvarez 21 Forest Dr. Roswell, NM 88201	(o)
1509 N. Kansas Ave. Maywood, Blk 3 Lots 18-19 Arthur Chavez 916 McDonald Wilmington, CA 90744	(o)	814 E. Tilden Flora Vista Blk 4 Lot 13 John Najar 109 E. Summit Roswell, NM 88201	(c)
900 W. College Blvd. 32-10-24 NW4 W78.42' E928.26' S164.74' N194.74' Gary Tonjes 13119 Cedarbrook Ave. NE Albuquerque, NM 87111	(c)	816 E. Tilden Flora Vista Blk 4 Lot 11,12 Jose Bernal 816 E. Tilden Roswell, NM 88201	(c)
36 Lafayette Loop Delta Acres Blk 5 Lot 34 Ernest Jimenez 2702 Chrysler Dr. Roswell, NM 88201	(c)	815 E. Hendricks Flora Vista Blk 4 Lot 44,45 Maria M. Horn 305 E. Poe Roswell, NM 88201	(c)
4401 N. Main St. Berrendo River North, Lot 1 Levi Revocable Trust J. Allen & Iwalani Levi Rt. 4, 4805 Old Clovis Hwy. Roswell, NM 88201	(o)	1514 S. Stanton Fruitland Blk 4 Lot 3 N50'S300'E132' Robert Reyna 1507 S. Monroe Roswell, NM 88201	(o)
2 Garden Place Country Club Heights 1 Blk 2 Lot 1 A. H. Norton 2 Garden Place Roswell, NM 88201	(o)	700 N. Atkinson Belle Plains Lot 17 E100'S145' Meca Co. Inc. P O Box 1270 Roswell, NM 88202-1270	(c)
111 E. Forest Levers & Johnson Blk 1 Lot 17 Smith Revocable Trust 1407 S. Sunset Roswell, NM 88201	(o)	303 E. Van Buren Mitchell Rediv. Blk A Lot 12 Richard J. Dillard 3256 E. 147th St. Cleveland, OH 44120	(o)
		407 S. Grand Lewis & Brown Rediv. Blk 14 Lot 9 Abundia Montero 402 S. Lincoln Roswell, NM 88201	(o)

805 N. Railroad (o)
Belle Plains Lot 50 N82'S12"W100'
Carmen Trujillo
P O Box 3148
Roswell, NM 88201

800 E. Tilden (o)
Flora Vista Subdiv. Blk 4 Lt 26,27,28
Erwin & Evelyn Staeden
209 Paloma Blanca
Chaparral, NM 80021

807 Cimarron Place (c)
Western Meadows 1 Blk 4 Lot 2
William O. Montoya
1417 Miracerros
Santa Fe, NM 87501

306 W. Hendricks St. (c)
Hedcoxe's Blk 24 Lot 1 W40'
Hedcoxe's Blk 24 Lot 2 W40'
Felipe O. Reyna
6000 Ernest Ave.
Los Angeles, CA 90034

1509 W. Albuquerque St. (c)
Binns Blk 2 Lots 17, 18
Bobby L. Jenks
Willie L. Jenks
Star Rt. Box 5272A
Wasilla, AK 99687

1814 N. Lea (o)
Baumgartner's Radio Blk 2 Lot 6
Ricky Allen Cox
Julie Elizabeth Tate
1814 N. Lea
Roswell, NM 88201