

CITY OF ROSWELL

RESOLUTION NO. 00-28

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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.

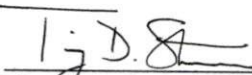
4. Persons aggrieved by the determination of the City Council have a right to appeal to a court of competent jurisdiction by giving notice of such appeal to the City Council within five (5) days after the day of issuance of such order or decision, together with a petition for court review duly filed 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 14<sup>th</sup> day of September, 2000.

CITY SEAL

  
Biff B. Owen, Mayor

ATTEST:

  
Timothy D. Stoessel, City Clerk

2505 South Sunset Ave Mesa Park 1 Blk 7 Lot 21 Aurio Almeda Benita Almeda 719 E. Pear St. Roswell, NM 88201	(C)	420 East 3 <sup>rd</sup> St. Lea Lot 84 Hiram Hudson, Jr. Belinda Rich 420 E. 3 <sup>rd</sup> St. Roswell, NM 88201	(O)
1100 West Mathews St. Beck Sub Blk 3 Lot 1 Donald C. Selover Grave A. Selover P O Box 5794 Roswell, NM 88202-5794	(O)	512 East 7 <sup>th</sup> St. Belle Plain Lot 57 E 44' Joyce White 512 E. 7 <sup>th</sup> St. Roswell, NM 88201	(O)
408 North Michigan Ave. Wildy's Blk 1 Lot 4 S48.6' Dwayne W. Hardwick P O Box 8161 Roswell, NM 88202-1861	(O)	514 East 7 <sup>th</sup> St. Belle Plain Lot 56 W. 40' Heather White 514 E. 7 <sup>th</sup> St. Roswell, NM 88201	(O)
905 & 905 ½ W. 2 <sup>nd</sup> St. Tuckers Lots 6, 7 N & N Investments 4906 97 <sup>th</sup> Lubbock, TX 79424	(O)	302 East Hendricks St. South Roswell Blk 19 Lots 3, 5 Lola Noels c/o Dolores Boyer 14808 Pine View Dr. Grandview, MO 64030-4573	(O)
3018 N. Garden Ave. Linda Vista Estates 2 Blk 22 Lot 20 Gregory D. Redmon P O Box 295 Hosston, LA 71043-0295	(C)	414 East Hendricks St. South Roswell Blk 18 Lot 13 Susie Thompson c/o Olivia Artiaga 1527 N. Michigan, Apt. A Roswell, NM 88201	(O)
2324 Mesa Ave. Country Club Blk 3 Lot 1 Lonnie Salazar 2408 Mesa Ave. Roswell, NM 88201	(C)	510 East Hendricks St. South Roswell Blk 17 Lot 11 Cecila Caballero 704 W. 20 <sup>th</sup> St. Clovis, NM 88101	(O)
904 W. 10 <sup>th</sup> St. Riverside Heights Blk 4 Lot 3 Gretchen S. White P O Box 533 Roswell, NM 88202-0533	(O)	Approx 406, 408, 410, 412 E. Tilden St. (C) South Roswell Blk 15 Lots 7, 9 South Roswell Blk 15 Lot 11 So. of ditch less N8' South Roswell Blk 15 Lot 13 Chris Papageorgion c/o Fairway Motors 408 N. Norris Clovis, NM 88101	(O)
703 N. Richardson Ave. Original Roswell Blk 7 Lot 9 Alfred C. & Roberta L. Shuman 501 N. Main St. Roswell, NM 88201	(O)	611 East Albuquerque St. Barnett's Blk 1 Lot 1 W 50' Samuel G. Flores P O Box 6371 Kinston, NC 28501-0371	(O)