

CITY OF ROSWELL

RESOLUTION NO. 00-35

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:

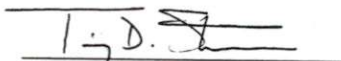
1. The premises set forth in Exhibit A are declared to be so covered with rubbish, weeds, wreckage or debris as to constitute a menace to the public comfort, health, safety and general welfare within the purview of Article 3-18-5 NMSA 1978.
2. The owners, occupants or agents in charge of said premises 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 9<sup>th</sup> day of November 2000.

CITY SEAL

  
Bill B. Owen, Mayor

ATTEST:

  
Timothy D. Stoessel, City Clerk

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| 602 S. Wyoming Ave.<br>Hair Block 1 Lot 3, 6<br>Tommy Candelaria<br>P O Box 0503<br>Dexter, NM 88230  | (O) | Approx 1102 N. Virginia Ave.<br>Dennis Lot 8<br>Marvin C. & Wynell Gross<br>Duran Living Trust<br>P O Box 358<br>Roswell, NM 88202-0358   | (C) |
| 1707 W. Walnut St.<br>Rhoads & Meyers Blk 1 Lot 25<br>Bank of Boston Home Equity Loan TR<br>First National Bank of Chicago<br>15 Westminister St.<br>Providence, RI 02903   | (O) | 802 E. 19 <sup>th</sup> St.<br>Military Heights Lot 39 W75'E401'N150'<br>Paul S. Leyba<br>Yolanda Leyba<br>5011 N. Cochran<br>Hobbs, NM 88240   | (O) |
| 100-102 S. Ohio Ave.<br>Wright's Blk 4 Lot 1<br>Wright's Blk 4 Lot 2<br>Celeste Michelle Zamora<br>603 East Hobson<br>Roswell, NM 88203                                     | (O) | Approx 119 S. Elm Ave.<br>Acequia Blk 6 Lot 23<br>Lydia Oosterlynck<br>Lumbeeckstraat 45<br>2660 Hoboken - Antwerp, Belgium   | (O) |
| 1723 N. Ohio Ave.<br>Crescent Heights Blk 4 Lot 31<br>Saul G. Sanchez<br>49 Phoenix Rd.<br>Dexter, NM 88230   | (O) | 809 E. Alameda St.<br>Acequia Blk 5 Lot 7 W50' S20'<br>Acequia Blk 5 Lot 8 W50'<br>Acequia Blk 5 Lot 9 W50'<br>El Centro De La Familia, Inc.<br>706 E. Albuquerque St.<br>Roswell, NM 88203 | (O) |
| 1102 N. Union Ave.<br>Levie's 1 Lot 2<br>Albert Hidalgo<br>P O Box 1622<br>Roswell, NM 88202-1622   | (O) | 811 E. Alameda St.<br>Acequia Blk 5 Lot 7 E40'<br>Acequia Blk 5 Lot 8 E40'<br>Acequia Blk 5 Lot 9 E40'<br>El Centro De La Familia, Inc.<br>706 E. Alameda St.<br>Roswell, NM 88203          | (O) |
| 500 La Fonda<br>Linda Vista Estates 2 Blk 18 Lot 1<br>Thomas J. Gallagher<br>P O Box 250<br>Mescalero, NM 88340-0250  | (C) | 411 S. Ash Ave.<br>Ronnie Otero Lot 7<br>Javier L. Munoz<br>Peggy Sue Munoz<br>411 S. Ash Ave.<br>Roswell, NM 88203   | (O) |
| Approx 1000 Blk N. Grand Ave.<br>North Spring River Blk 9 Lots 1,2,3,4,5,6,7<br>B. N. & S. F. R.R. Co.<br>Property Tax Dept.<br>P O Box 961089<br>Fort Worth, TX 76161-0089 | (C) | 910, 912 N. Virginia Ave.<br>North Spring River Blk 7 Lots 1,2, E98'<br>James W. McDevitt<br>2707 N. Montana Ave.<br>Roswell, NM 88201  | (O) |
| Approx 1104 N. Virginia Ave.<br>Dennis Lot 7<br>Marvin C. & Wynell Gross<br>Duran Living Trust<br>P O Box 358<br>Roswell, NM 88202-0358                                     | (C) | 819 E. Albuquerque St.<br>Flora Vista Blk 5 Lots 47, 48<br>Roy Anderson<br>816 Dakota SE<br>Albuquerque, NM 87108   | (O) |

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| 821 E. Albuquerque St.<br>Flora Vista Blk 5 Lots 49, 50<br>Roy Anderson<br>816 Dakota SE<br>Albuquerque, NM 87108   | (O) | 806 E. Reed St.<br>Fruitland Blk 1 Lot 8 E2W60°N100'<br>Charles Weldon Cook<br>1505 16 <sup>th</sup> St.<br>Alamogordo, NM 88310-4814   | (O) |
| 624 S. Atkinson Ave.<br>1203 E. Bland St.<br>4-11-24 E2SE4SE4NE4<br>N228°S248°W295°E315'<br>Roger Whitcamp<br>1706 E. Bland St.<br>Roswell, NM 88203  | (O) | 905 E. McGaffey St.<br>4-11-24 SE4SE4N180°S210°W81°E1230'<br>Charles Alan Clees<br>P O Box 322<br>Ruidoso Downs, NM 88346-0322  | (O) |
| 804, 804 ½, 806, 808, 810, 810 ½ &<br>900 S. Atkinson Ave.<br>4-11-24 E2E2NE4SE4W294.42°E334.42'<br>S228.8°N888.8°/W55°E334.42°S32.2°N920.62°/<br>E2W2E2NE4SE4E37.55°N150°/E167.1°S734.8°N884.8°<br>Shane D. Olive<br>2604 Bay Meadows Dr.<br>Roswell, NM 88201 | (O) | 1506 S. Cahoon Ave.<br>Mayes Blk 1 Lot 3<br>Josephine S. Gonzales<br>John Cordova<br>1506 S. Cahoon Ave.<br>Roswell, NM 88203   | (C) |
| 200 E. Mathews St.<br>South Roswell Blk 52 Lots 1, 3<br>Steve G. Metarelis<br>829 Claudine NE<br>Albuquerque, NM 87123-1224   | (C) | 934, 934 ½ E. Jefferson St.<br>4-11-24 SE4SE4E50°W900°N200°S410'<br>Manuel R. Rivera<br>Lorenza Rivera<br>89 Lighthall Pl.<br>Roswell, NM 88203   | (O) |
| 713 E. Mathews St.<br>Barnett's Blk 10 Lot 2<br>Alex Guebara Jr.<br>1400 Sunset Pl.<br>Roswell, NM 88203  | (O) | 1507 S. Grand Ave.<br>Rice Lot 13<br>George Davis<br>2607 Emerald Dr.<br>Roswell, NM 88203  | (O) |
| Approx 801, 803 E. Mathews St.<br>Barnett's Blk 11 Lots 12, 14<br>David Christopher<br>c/o Peggy Roberts<br>5713 Dalhart<br>El Paso, TX 79924   | (O) | 803 E. Deming St.<br>Barnett's Blk 6 Lot 12<br>Johnnie Johnson<br>805 E. Deming St.<br>Roswell, NM 88203<br>or<br>Johnnie Johnson<br>c/o Ruth Crystal<br>604 E. Forest St.<br>Roswell, NM 88203 | (O) |
| 805 E. Deming St.<br>Barnett's Blk 6 Lot 10 W25'<br>Johnnie Johnson<br>805 E. Deming St.<br>Roswell, NM 88203<br>or<br>Johnnie Johnson<br>c/o Ruth Crystal<br>604 E. Forest St.<br>Roswell, NM 88203  | (O) |   |     |