

CITY OF ROSWELL

RESOLUTION NO. 02-17

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.

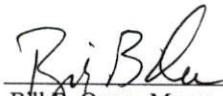
2. The owners, occupants or agents in charge of said premises are hereby ordered to remove such accumulated rubbish, weeds, wreckage or debris within ten (10) days of the receipt of notice by certified mail or from the date of publication of this resolution. In the event such removal is not commenced 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.

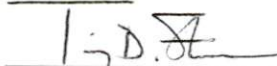
4. Persons aggrieved by the determination of the City Council have a right to appeal to a court of competent jurisdiction by giving notice of such appeal to the City Council within five (5) days after the day of issuance of such order or decision, together with a petition for court review duly filed 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 11<sup>th</sup> day of June 2002.

CITY SEAL

  
Bill B. Owen, Mayor

ATTEST:

  
Timothy D. Stoessel, City Clerk

313 E. Bonney St. Keith's South Side Blk 5 Lot 24 Juan & Sylvia Torres 313 E. Bonney St. Roswell, NM 88203	(O)	910 Davidson Dr. Farm Blk 2 Lot 1 Linda K. Stapleton 910 Davidson Dr. Roswell, NM 88203	(O)
317 E. Bonney St. Keith's South Side Blk 5 Lot 26 Michael E. Colsey Maria T. Colsey 317 E. Bonney St. Roswell, NM 88203	(O)	908 Davidson Dr. Farm Blk 2 Lot 24 Linda K. Stapleton 910 Davidson Dr. Roswell, NM 88203	(O)
302 E. Hervey St. Keith's South Side Rediv Blk 8 Lot 23 Alex B. & Betty L. Pankey Kenneth & Jeanine Sanders 611 Tierra Berrendo Dr. Roswell, NM 88201	(O)	1600-1700 W. Bland St. 6-11-24 NW4NW4SE4 Sun Valley Energy Corp. c/o Phelps Anderson P O Box 1000 Roswell, NM 88202-1000	(O)
709 E. Peach St. East Side B Blk 1 Lot 5 Felecita Vallejos Marina & Elizabeth Vallejos 709 E. Peach St. Roswell, NM 88201	(O)	1705 W. Bland St. Rhoads & Meyer Blk 2 Lot 26 Holland Living Trust Astrid E. Holland Trustee P O Box 9 Roswell, NM 88202-0009	(O)
2701 Emerald Dr. South Plains Park Replat Blk 2A Lot 42 Manuel & Juanita Andrade 2701 Emerald Dr. Roswell, NM 88203	(O)	306 N. Washington Ave. Home Place Blk 1 Lot 4 Julieta Q. Maese 10863 E. Iowa Dr. Aurora, CO 80012-5151	(C)
1511 S. Union Ave. Terrace Hill Blk 2 Lot 14 David Tilley 1511 S. Union Ave. Roswell, NM 88203	(O)	511 W. 6 <sup>th</sup> St. West Side Blk 23 Lot 8 W107.5' West Side Blk 23 Lot 9 S8'E25'W81.5'/S12.5' E26'W107.5' David W. McGee Mary P. McGee P O Box 1297 Roswell, NM 88202-1297	(O)
1023 S. Michigan Ave. Washington Blk 3 Lot 12 Eromelio S. Losoya Candelaria Losoya 1023 S. Michigan Ave. Roswell, NM 88203	(O)	905 N. Washington Ave. West Side Blk 5 Lot 10 Edward Lewis R. Keith & J. Richardson 1385 Sullivan St. Upland, CA 91784-1739	(O)
604 S. Sunset Ave. 6-11-24SE4SE4NE4W170'E200'N90'S200' Keith Rodibaugh & Shanna L. Rodibaugh 604 S. Sunset Ave. Roswell, NM 88203	(C)	1306 N. Missouri Ave. West Side Blk 1 Lot 4 Manufacturers & Traders Trust Co. Trustee for Securitization Series 1998-4 One M & T Plaza Buffalo, NY 14203-2399	(O)

1205 N. Kansas Ave. (O)  
32-10-24NE4NW4N43.56'  
S430°W30°E820' m/l  
Arroyo Amend Blk 2 Lot 5  
Ben Peralta  
Delores Peralta  
P O Box 2486  
Roswell, NM 88202-2486  
and  
The Money Store  
P O Box 13716  
Sacramento, CA 95853

1101 W. 3<sup>rd</sup> St. (C)  
Hinkle Rediv Blk 9 Central Park Lot 13 E11'  
Hinkle Rediv Blk 9 Central Park Lot 14  
Brad A. Hinds  
3005 Radcliff Dr.  
Roswell, NM 88203-2214  
and  
Brad A. Hinds  
1101 W. 3<sup>rd</sup> St.  
Roswell, NM 88201

Desert Rose (C)  
Mescalero Replat Lot 3  
Alan E. Tucker  
P O Box 1238  
Roswell, NM 88202-1238

Desert Rose (C)  
Mescalero Replat Lot 5  
Alan E. Tucker  
P O Box 1238  
Roswell, NM 88202-1238

30, 32 A St. (C)  
Pecos Valley Village Blk 11 Lot 2  
David Besing  
#B-39  
7303 Montgomery Blvd. NE  
Albuquerque, NM 87109

116, 118 E. Byrne St. (O)  
Pecos Valley Village Blk 6 Lot 35  
Western United Life Assurance Co.  
c/o Ocwen Federal Bank, FSB  
Loan Server  
1675 Palm Beach Lakes Blvd. Floor 9-C  
West Palm Beach, FL 33401

83 Lighthall Place (O)  
Pecos Valley Village Blk 21 Lot 8  
Gary Travis James  
Roxanna M. James  
310 W. Wildy St.  
Roswell, NM 88203

Pecos Valley Village Tract M (O)  
Roswell AFB Ltd.  
777 NE 2<sup>nd</sup> St., Suite D  
Corvallis, OR 97330

28 East Martin St. (O)  
Pecos Valley Village Blk 21 Lot 26  
Country Investments, Inc.  
P O Box 2167  
Roswell, NM 88202-2167

70 Vanderslice Pl. (O)  
Pecos Valley Village Blk 19 Lot 7  
Country Investments, Inc.  
P O Box 2167  
Roswell, NM 88202-2167

819 E. Dora Dr. (O)  
Westover Blk 1 Lot 20  
Bob and Flo A. Long  
P O Box 5281  
Ketchikan, AK 99901