

CITY OF ROSWELL

RESOLUTION NO. 03-05

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.

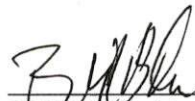
2. The owners, occupants or agents in charge of said premises are hereby ordered to remove such accumulated rubbish, weeds, wreckage or debris within ten (10) days of the receipt of notice by certified mail or from the date of publication of this resolution. In the event such removal is not commenced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

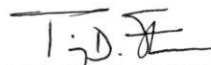
ADOPTED, SIGNED AND APPROVED the 13th day of March 2003..

CITY SEAL



Bill B. Owen, Mayor

ATTEST:



Timothy D. Stoessel, City Clerk

Approx 2204 S. Sunset Ave. (C)
18-11-24 NE4NE4 W300'E340'S300'N500'
Western Development Corp.
c/o Lewinger Co.
2340 Menaul Blvd. NE Ste. 200
Albuquerque, NM 87107-1815

1106 Purdue Dr. (O)
Mesa Park 4 Blk 16 Lot 8
Jesus G. Vega III and
Sylvia P. Vega
1106 Purdue Dr.
Roswell, NM 88203

1616 S. Richardson Ave. (O)
Grand View Blk 2 Lot 9
Daniel A. Coleman and
Sara J. Coleman
2617 Palomar Pl.
Roswell, NM 88203

806 E. Reed St. (O)
Fruitland Blk 1 Lot 8 E2W60'N100'
Charles Weldon Cook
806 E. Reed St.
Roswell, NM 88203

922 E. Jefferson St. (O)
4-11-24 SE4SE4N200'S410'W100'E830'
Robert Berry
32 Kiva Court
Sandia Park, NM 87047

207 W. 9th St. (O)
North Spring River Blk 5 Lot 8 S90'E50'
North Spring River Blk 5 Lot 9 S90'E50'
William Nelson Van Verth
Guadalupe Van Verth
P O Box 526
Animas, NM 88020-0526

1210 N. Washington Ave. (O)
32-10-24 NE4NW4E180'N50'S580'
Ronnie H. Proctor
Mary Ann Dudley
P O Box 10636
Golden Valley, AZ 86413-0636
and/or
Ronnie H. Proctor
Mary Ann Dudley
2340 Sanguinetti Lane, #G
Stockton, CA 95205
and/or
Lenora C. Finch
609 Turner
Las Cruces, NM 88005

1102 W. College Blvd. (O)
32-10-24 NW4W50'E1763.58'S179'N209'
Matthew T. Valencia
10635 Stanley Dr. NW
Albuquerque, NM 87114-5691

Approx 2315 N. Prairie Ave. (O)
Conner Summary Plat Tract A
Jasper Conner
Ethel J. Conner
10214 Theresa Pl.
Albuquerque, NM 87111

Approx 807 E. 23rd St. (O)
Conner Summary Plat Tract B
Jasper Conner
Ethel J. Conner
10214 Theresa Pl.
Albuquerque, NM 87111

Approx 809 E. 23 St. (O)
Conner Summary Plat Tract C
Jasper Conner
Ethel J. Conner
10214 Theresa Pl.
Albuquerque, NM 87111