

CITY OF ROSWELL

RESOLUTION NO. 03-23

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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.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 14th day of August 2003.

CITY SEAL



Bill B. Owen, Mayor

ATTEST:



Timothy D. Stoessel, City Clerk

1003 S. Lea Ave. (C)
Valley View Blk 1 Lot 23
Orlando L. & Adeline Armendariz
1018 S. Lea Ave.
Roswell, NM 88203

1605 N. Montana Ave. (C)
Schnedar Rediv Blk 5 Lot 13
Roberta W. Reischl
1605 N. Montana Ave.
Roswell, NM 88201

1109 S. Kentucky Ave. (C)
Roswell Homes Rediv. Blk 2 Lot 6
Rural Housing Inc.
5101 Copper NE
Albuquerque, NM 87108

1613 N. Montana Ave. (C)
Schnedar Rediv Blk 5 Lot 17
Isabel M. Bolanos
125 Willard
Dexter, NM 88230

700 W. Summit St. (C)
Lewis 1st Amend Blk 8 Lot 1
Jose E. Berrones Sr.
203 N. Kansas Ave.
Roswell, NM 88203

2308 N. Prairie Ave. (O)
Country Club Blk 4 Lot 9
Ronnie F. Wood
Chari C. Wood
2309 S. Union Ave.
Roswell, NM 88203

510 S. Kentucky Ave. (C)
Alameda Heights Blk 7 Lot 4 E141.7 S75'
John T. Diponzio
7 Berkley Rd.
Hull, MA 02045

407 Twin Diamond Rd. (O)
Tierra Berrenda 4 Blk 6 Lot 1
Steve Nunez
Mary Nunez
407 Twin Diamond Rd.
Roswell, NM 88201

1619 W. Summit St. (C)
6-11-24 SW4NW4SE4
W100' E209.07' N150' S180'
Connie Faulkner
1619 W. Summit St.
Roswell, NM 88203

206 E. Deming St. (O)
South Roswell Blk 45 Lot 17 - 19
Home Comings Financial Network
500 Enterprise Rd.
Suite 150
Horsham, PA 17044

89 W. Byrne St. (O)
Pecos Valley Village Blk 4 Lot 2
Mark Bunner
9069 Buckingham St.
Whilte Lake, MI 48386

404 E. Bland St. (O)
S. Roswell Blk 34 Lot 5
Robert Garcia
404 E. Bland St.
Roswell, NM 88203

65 E. Byrne St. (O)
Pecos Valley Village Blk 7 Lot 30
Country Investments, Inc.
P O Box 2167
Roswell, NM 88202-2167

632 E. Sixth St. (C)
Daugherty Blk 1 Lot 7
Felipe Medellin
Olga Ocon
P O Box 2944
Roswell, NM 88202-2944

29, 31 I St. (O)
Pecos Valley Village Blk 10 Lot 8
Roe, Inc.
c/o Main Street Auto
2300 W. 2nd St.
Roswell, NM 88201-1720

1001 Kings Dr. (O)
Crescent Heights Blk 1 Lot 16
George E. Finley
Myrtle C. Finley
P O Box 2292
Corrales, NM 87048