

CITY OF ROSWELL

RESOLUTION NO. 03-37

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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.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 9th day of October 2003.

CITY SEAL


Bill B. Owen, Mayor

ATTEST:


Timothy D. Stoessel, City Clerk

35 Brown Pl. (O)
Pecos Valley Village Blk 7 Lot 15
Ramona R. Perez
1210 Harvard Dr.
Roswell, NM 88203

506 S. Delaware Ave. (C)
Pauly Blk 16 Lot 4
Dale Haar
5102 Calumet Rd. #N
Roswell, NM 88203

507, 507 1/2 S. Delaware Ave. (C)
Pauly Blk 15 Lot 9
Pauly Blk 15 Lot 10 S2
Doris Jane Acosta
5910 Tokay Rd. NE
Albuquerque, NM 87107-4928

610 S. Washington Ave. (O)
Sparks Blk 4 Lot 5, 6
Felipe J. & Gloria E. Sanchez
16809 E. Brookport St.
Covina, CA 91722-2425

507 S. Michigan Ave. (O)
Sparks Blk 3 Lot 2 N 58'
E.J. Leonard & Rae A. Evans
1906 Brigade Way
Odenton, MD 21113

2903 Emerald Dr. (O)
South Plains Park Replat Blk 2A Lt 27
Ronald & Donna Gurbe
2002 S. Richardson Ave.
Roswell, NM 88203

2700 S. Largo St. (C)
South Plains Park Blk 4 Lot 6
Bank of America
1270 Northland Dr. Suite 200
Mendota Height, MN 55120

1404 Sunset Pl (C)
Mesa Manor Blk 33 Lot 7
Curtis D. & Ethel E. Gage
1404 Sunset Pl
Roswell, NM 88203

404 Saucedo Ave. (C)
Anthia Aboha Amend Blk C Lot 15
Paul D. & Candy A. Raines
1808 E. College Blvd.
Roswell, NM 88201

511 S. Aspen Ave. (O)
Thorne Blk 10 Lot 15
Frances V. Christian
3008 Beech Grove Ln.
Suffolk, VA 23435

1803 W. Juniper St. (O)
Dave Fresquez Blk 2 lot 5
Dave Fresquez Blk 2 Lot 6 E 3'
Arthur & Arthur R. Campbell
407 E. Sunrise Rd.
Roswell, NM 88201

28 W. Eyman St. (C)
Pecos Valley Village Blk 5 Lot 44
La Salle Bank National Assoc.
c/o EMC Mortgage Corp
Suite 200
909 Hidden Ridge Dr.
Irving, TX 75014-1358

70 Vanderslice Pl (O)
Pecos Valley Village Blk 19 Lot 9
Enrique Juarez Iglesias
Rita Macias Iglesias
70 Vanderslice Pl.
Roswell, NM 88203

118 G Street (O)
Pecos Valley Village
Sue A. Letcher
118 G. Street
Roswell, NM 88203

215 E. Van Buren St. (O)
South Highlands Blk 3 Lot 1
W 50' E 200' N 132.5' S 162.5'
Dick T. Montoya
Josephine S. Montoya
303 E. Mc Cune St.
Roswell, NM 88203

803 E. Deming St. (O)
Barnett's Blk 6 Lot 12
Johnnie Johnson
c/o Daniel Joseph King
805 East Deming Steet
Roswell, NM 88203

805 E. Deming St. (O)
Barnett's Blk 6 W 25'
Johnnie Johnson
c/o Daniel Joseph King
805 East Deming Steet
Roswell, NM 88203

512 E. Seventh St. (O)
Belle Plain Lot 56 E44'
Joyce White
512 E. Seventh St.
Roswell, NM 88201

514 E. Seventh St. (O)
Belle Plain Lot 56 W 40'
Heather White
514 E. Seventh St.
Roswell, NM 88201

404 E. Seventh St. (O)
Belle Plain Lot 57 W 44'
Antonio Gurrola
Maria Gurrola
404 E. Seventh St.
Roswell, NM 88201

911 E. Mathews St. (O)
Barnett's Blk 21 Lot 4
Richard S. Martinez
Christine A. Martinez
866 N. Milan St.
San Benito, TX 78586

908 - 910 S. Elm Ave. (O)
Barnett's Blk 15 Lots 5 - 6
Charles Wagoner
1060 Teller St. #202
Lakewood, CO 80215

1000 S. Cahoon Ave. (O)
Harshey's Lot 1,2,3,4,5,6
Shauer Trust
Stiff Revocable Trust
P O Box 0341
Roswell, NM 88202-0341

1000 S. Cahoon Ave. (O)
Harshey's Lots 7,8,9,10,11,12,13,14
Schauer Trust
Stiff Revocable Trust
P O Box 0341
Roswell, NM 88202-0341