

CITY OF ROSWELL

RESOLUTION NO. 04-23

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 Roswell Municipal code section 16-12.

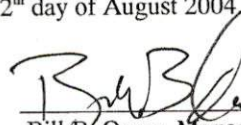
2. The owners, occupants or agents in charge of said premises are hereby ordered to remove such accumulated rubbish, weeds, wreckage or debris within ten (10) days of the receipt of notice by certified mail or from the date of publication of this resolution. In the event such removal is not commenced 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 12th day of August 2004

CITY SEAL


Bill B. Owen, Mayor

ATTEST:


Timothy D. Stoessel, City Clerk

Briar Ridge (O)
Units A Lots 25 - 29
Lela M. Wright
3010 W. Lincoln St.
Phoenix, AZ 85009

206, 206 1/2 S. Michigan Ave. (C)
Ovard's Blk 8 Lot 4
Smith C M E Church
206 S. Michigan Ave.
Roswell, NM 88203

204 S. Michigan Ave. (C)
Ovard's Blk 8 Lot 3
Smith C M E Church
206 S. Michigan Ave.
Roswell, NM 88203

Clover Lane, Heather Dr., Fern Dr. (C)
Ivy Dr., Poe St. (vacant lots)
The Meadows Amend Lots 4-42, 45-77, 85
87-93, 122, 145
CRA Properties LLC
P O Box 8279
Roswell, NM 88202-8279

1015 S. Kentucky Ave. (C)
Roswell Homes Blk 2 Lot 15
Arthur L. Sullivan et ux
1015 S. Kentucky Ave.
Roswell, NM 88203

411 S. Kansas Ave. (O)
Pauly Blk 12 Lot 6 W 110'
Gerald Rivera
Irene Rivera
411 S. Kansas Ave.
Roswell, NM 88203

1007 W. Walnut St. (O)
Wright's Blk 6 Lot 8 W60.43'
Wright's Blk 6 Lot 9 S 17 W 60.43'
Edward W. & Evie P. O'Kelley
Wallace W. O'Kelley
2315 N. Cole Ave.
Roswell, NM 88201

705 W. Albuquerque (O)
Sparks Blk 3 Lot 8 E 30'
Sparks Blk 3 Lot 10
James H. Hodge
c/o Laura Hudleton
2819 Van Horn Ave.
Fort Worth, TX 76111

604 S. Washington Ave. (O)
Sparks Blk 4 Lots 2, 3
Jack Willmon
Maxine Willmon
5306 Acuff Rd.
Lubbock, TX 79403

611 S. Michigan Ave. (C)
Lewis 1st Amend Blk 1 Lot 8
Sparks Blk 4 Lot 7 S 2.6'
Nina C. Edwards
P O Box 914
Roswell, NM 88202-0914

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

Venus Dr., Janus Dr, Juno Dr. (C)
Diana Dr., Camilla Dr.
Constellation Estates 2 Rediv
Lots 4, 6, 7, 9-15, 28, 29, 33-49, 51-58, 64-
74, 77-87, 91-93, 95-100, 104-112
Constellation Estates, Inc.
P O Box 2167
Roswell, NM 88202-2167

101 S. Kansas Ave. (C)
Ovard's Rediv Blk 5 Lots 13, 14
Cody D. Young
P O Box 8279
Roswell, NM 88202-8279

100 S. Kansas Ave. (C)
Ovard's Blk 4 Lot 1 E 74'
Ovard's Blk 4 Lot 2 E 74' N25'
Sergio Martinez, Jr.
3740 Arno St. NE
Albuquerque, NM 87107-2202

Approx 109 S. Kansas Ave. (C)
Ovard's Blk 5 Lots 8, 9, 10
Gerda White
P O Box 1234
Ruidoso, NM 88355

805 W. Walnut St. (O)
Ovard's Blk 5 Lot 6 W 2
Ovard's Blk 5 Lot 7 W 2
Constance Gordon Est.
c/o Marian Sturges
44867 Laszlo St.
Landcaster, CA 93534

Approx 212 W. Walnut St. (O)
Bonney's Rediv Lot 2
Weider Family Trust
Jeanette M. & Wayne C. Co-Trustees
3144 Stevely Ave.
Long Beach, CA 90808

111 E. Church St. (C)
Keith's Southside Blk. 11 Lot 16
Marisol Escarcega
111 E. Church St.
Roswell, NM 88203

Approx 214 W. Walnut St. (O)
Bonney's Rediv Lot 1
Weider Family Trust
Jeanette M. & Wayne C. Co-Trustees
3144 Stevely Ave.
Long Beach, CA 90808

1710 S. Virginia Ave. (O)
9-11-24 NE4NW4SW4 S61.9'
N251.9' W136.6' E489.85'
Armando Matta
6336 Old Dexter Hwy.
Dexter, NM 88230

617 Hickory Dr. (C)
Dale Bellamah Blk 4 Lot 36
Southern Sky Investment, Inc.
P O Box 2167
Roswell, NM 88202-2167

1712 S Virginia Ave. (O)
9-11-24 NE4NW4SW4 S78.1'
N330' W136.6' E 489.85'
Armando Matta
6336 Old Dexter Hwy.
Dexter, NM 88230

204 Newell Dr. (C)
Brasher Replat Blk 5 Lot 19
Paul E. Maes
4236 Cottonwood
Clovis, NM 88101

1623 S. Mulberry Ave. (O)
Mayes Blk 7 Lots 13, 14
Robert S. Basinger
Rt. 2 Box 91
Eucha, OK 74342

206 Newell Dr. (C)
Brasher Replat Blk 5 Lot 10
Scott Douglas Isslieb
4016 Stonybrook Dr.
Bryant, AZ 72022

1504 S. Monroe Ave. (C)
Rice Lot 1
Imogene Davis
2607 S. Emerald Dr.
Roswell, NM 88203

401 S. Hemlock Ave. (C)
Thorne Blk 1 Lot 20
Kenneth L. Mitchell
103 Scheele Rd.
Boerne, TX 78006

1505 S. Grand Ave. (C)
Rice Lot 14
Imogene Davis
2607 S. Emerald Dr.
Roswell, NM 88203

1411 S. Stanton Ave. (O)
South Highland Rediv Blk 29A Lot 14,15
Jack Taylor
2001 McKinley St.
Carlsbad, NM 88220-6425

1507 S. Grand Ave. (C)
Rice Lot 13
Imogene Davis
2607 S. Emerald Dr.
Roswell, NM 88203

1205 Pecan Dr. (C)
College Park Blk 3 Lot 37
Spur Interprises
507 Barnett Dr.
Roswell, NM 88203

1516 S. Stanton Ave. (O)
Fruitland Blk 4 Lot 3 N 60'S
S 250' E 132'
May Lorene McCracken Hubble
555 N. Main St. Apt #208
River Falls, WI 54022-1560

Approx 400 S. Atkinson Ave. (O)
Vineyard Replat Tract B
Goodpasture Family LTD
755 N. 17th St.
Las Cruces, NM 88005

307 E. Van Buren St. Mitchell Rediv Blk 1 Lot 14 George Provoost 505 Dakota SE Albuquerque, NM 87108	(O)	406 W. 16 th St. Summary Plat Tract A International Church of Foursquare Gospel P O Box 486 Capitan, NM 88316	(O)
303 E. Van Buren St. Mitchell Rediv Blk A Lot 12 Richard J. Dillard III 3256 E. 147 th St. Cleveland, OH 44120	(O)	4001 N. Main St. 16-10-24 W2N838.16'S2964.16'E469.8' W529.8" south of S. Berrendo Creek Paul Klister P O Box 115 Appleton, WI 54914	(C)
509 E. Summit St. South Roswell Amend Blk 49 Blk 49 Blk 49 Lot 10 Caroline J. Sanchez P O Box 954 Tijeras, NM 87059	(O)		
500 E. Mathews St. South Roswell Blk 49 Lots 1, 3 Federal Home Loan Mortgage Corp. P O Box 9114 Van Nuys, CA 91409	(O)		
913 E. Bland St. Jackson's Lot 9 W. O. Havens 1605 Willow View Longview, TX 75601	(O)		
512 S. Holland Ave. 4-11-24 E2 SW4SE4NE4 W135' E158' N 50' S 300' Marco Parra 5000 Old Clovis Hwy. Roswell, NM 88201	(C)		
506 S. Holland Ave. 4-11-24 E2 SW4SE4NE4 W 135' E 158' N50' S 450' Mary Jane F. Propes 1001 CR 314 Cleburne, TX 76031-9801	(C)		
706 E. Hendricks St. Flora Vista Blk 6 Lot 12 W 61' Catarino N. & Mary B. Cardona 706 E. Hendricks St. Roswell, NM 88203	(O)		
727 E. Tilden St. Flora Vista Blk 1 Lot 31 Alberta W. Ruelas 305 E. Reed St. Roswell, NM 88203	(O)		