

CITY OF ROSWELL

RESOLUTION NO. 04-31

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.

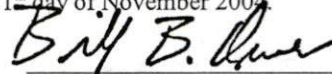
2. The owners, occupants or agents in charge of said premises are hereby ordered to remove such accumulated rubbish, weeds, wreckage or debris within ten (10) days of the receipt of notice by certified mail or from the date of publication of this resolution. In the event such removal is not commenced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

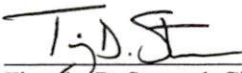
ADOPTED, SIGNED AND APPROVED the 11th day of November 2004.

CITY SEAL



Bill B. Owen, Mayor

ATTEST:



Timothy D. Stoessel, City Clerk

809 N. Beech Ave. East Side A Blk 2 Lot 15 John E. & Gloria D. Cannon 2710 S. Emerald Dr. Roswell, NM 88203	(C)	1308 E. Country Club Rd. Pendergrass Lot 11 Ernestina Nevarez 1306 E. Country Club Rd. Roswell, NM 88201	(O)
717 E. Hendrick St. Flora Vista Blk 3 Lots 43, 44 Delia Lucero 333 E. Lewis St. Roswell, NM 88203	(O)	1416 E. Alameda St. 3-11-24 NE4SW4NW4 W 67' E 132' S120' N145' Robert Berry 32 Kiva Court Sandia Park, NM 87047	(O)
600 E. Bland St. Barnett's Blk 8 Lot 13 Sony Romo 1040 S. Demaree St. Visalia, CA 92377-3423	(O)	1418 E. Alameda St. 3-11-24 NE4SW4NW4 E 65' S120' N145' Robert Berry 32 Kiva Court Sandia Park, NM 87047	(O)
600 E. Van Buren St. Johnson Allison Lot 4 Blk 1 Fruitland Blk B Lots 9, 11 George Jennings 303 S. Delaware Ave. Roswell, NM 88203	(O)	621 S. Atkinson Ave. 1303 E. Bland St. East Roswell Lots, 2, 3, 4, 5 Wilson Family Trust Marcus M. & Madelon A. Trustees 2102 N. Ridgeway Rd. Tucson, AZ 85712	(O)
911 E. Mathews St. Barnett's Blk 12 Lot 4 Richard S. & Christine A. Martinez 866 Milam St. San Benito, TX 78586	(O)	619 S. Atkinson Ave. East Roswell Lot 1 Robert Berry 32 Kiva Ct. Sandia Park, NM 87047	(O)
512 E. Mathews St. South Roswell Blk 49 Lot 13 J. C. & Maeola Smith c/o Marva Washington 1023 Vermont NE Albuquerque, NM 87110	(O)	100 S. Elm Ave. Acequia Blk 1 Lots 2, 3, 4, 5 John G. Amador P O Box 501 Roswell, NM 88202-0501	(C)
411 E. Forest St. South Highlands Redivision Blk 12 A Lot 12 Jeff Roden & Marina Cobb 342 E. Eighth St. Roswell, NM 88201	(C)	600 E. Deming St. Barnetts Blk 8 Lot 6 Eduvigen Silva 600 E. Deming St. Roswell, NM 88203	(O)
513 N. Railroad Ave. Holstun Redivision Tract A Simon Gonzales 513 N. Railroad Ave. Roswell, NM 88201	(O)	508 E. Tilden St. South Roswell Blk 16 Lot 9 Guillermlo Albarez c/o Joe Albarez 916 Vilal Crest Ct. Las Vegas, NV 89110	(O)
1306 E. Country Club Rd. Pendergrass Lot 12 Ernestina Nevarez 1306 E. Country Club Rd. Roswell, NM 88201	(O)		

501 W. 17th St. (C)
Military Heights Blk 44 Amend
Lot 44 S104.88' W91.99' E116.99'
Darryl S. Cordle
505 Marquette Ave. NW
Albuquerque, NM 87102-2181

503 W. 17th. (C)
Military Heights Blk 44 Amend
Lot 44 W59.21' E176.201'
Dorothy Talley
1429 Vermont Ave.
Alamogordo, NM 88310-6346

119 S. Elm Ave. (O)
Acequia Blk 6 Lot 23
Lydia Oosterlynck
Lumbeeckstratt 45
2660 Hoboken-Antwerp, Blegium

205 S. Elm Ave. (O)
Acequia Blk 5 Lot 14 N2 Acequia
Blk 5 Lot 15
Hilverto M. Lopez
709 Venus Dr.
Roswell, NM 88203

114 S. Elm Ave. (O)
Acequia Blk 1 Lots 15, 16
Travois LTD
4721 Sierra Madre
El Paso, TX 79904

811, 813 N. Garden Ave. (C)
Long Lots 4, 5
Erwin D. & Evelyn Staeden
7 Morningside Dr.
Roswell, NM 88201

1206 N. Kansas Ave. (O)
32-10-24 NE4NW4 E150' W400' N50' S405'
Rosemary and Manuel D. Torres
3532 Wyoming Blvd. NE
Albuquerque, NM 87111
or
Rosemary and Manuel D. Torres
905 W. 14th St.
Roswell, NM 88201

900 W. College Blvd (O)
32-10-24 NW4 W78.42' E982.25 S164.74'
N194.74'
Gary Tonjes
Shirley McCanna
4707 Winnetka Ct. NE
Albuquerque, NM 87111