

CITY OF ROSWELL

RESOLUTION NO. 05-08

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.

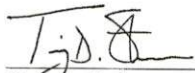
3. In the event the owner or other person aggrieved shall file a protest within the time provided, the City Council shall thereafter fix a date for hearing. At the hearing, the protestant shall be entitled to be heard in person, by agent or attorney and the City Council shall consider evidence whether 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 April 2005.

CITY SEAL

ATTEST:


Timothy D. Stoessel, City Clerk


Bill B. Owen, Mayor

400 South Atkinson (C)
Vineyard Replat Tract B
Goodpasture Family LTD
c/o Lew Goodpasture
755 North 17th
Las Cruces, NM 88005

512 East Mathews (O)
South Roswell Blk 49 Lot 13
J.C. & Maeola Smith
c/o Marva Washington
1023 Vermont, NE
Albuquerque, NM 87110

Approx. 509 East Summit (C)
South Roswell Amnd. Blk 49 Blk 49
Lot 10
Caroline J. Sanchez
P.O. Box 954
Tijeras, NM 87509

731 East Alameda (C)
Acequia Blk 3 Lots 9, 10
Marcello Saveda Jr.
7555 South Valley View Blvd.
Las Vegas, NV 89139-5958

735 East Alameda (C)
Acequia Blk 3 Lot 5,6
W.C. Hunter
P.O. Box 64
Roswell, NM 88202

1705 South Hahn Avenue (O)
9-11-24 NE4 NW4 SW4 S.50' N.240'
W. 135.5'E.646.5'
Evie Gonzales Lucero
Ernesto D. Martinez
4102 West McGaffey Street
Roswell, NM 88203

1707, 1709 South Hahn Avenue (O)
9-11-24 NE4 NW4 SW4 S.90' N.330'
W. 136.5' E.646.5
Evie Gonzales Lucero
Ernest D. Martinez
4102 West McGaffey Street
Roswell, NM 88203

1115 South Cahoon Avenue (C)
4-11-24 SE4 SE4
N.60' S270' W.100' E.1329'
Wayne J. Stagner
4050 North Valley Road
Toltec, AZ 85231

201 East Jefferson Street (O)
South Highlands Rediv Blk 9A Lot 20
Lorenzo Baca
P.O. Box 4353
Sorona, CA 95370

111 East Church Street (C)
Keith's Southside Blk 11 Lot 16
Marisol Escarcega
111 East Church Street
Roswell, NM 88203

1718 North Lea (O)
Military Heights Lot 45
N41.39' S182.78' E150' NW4
Anthony Roy Aguilar
710 South Georgia Avenue
Roswell, NM 88203

915 North Ohio (O)
Dearr-Friend Blk 2 Lots 19,20
City Financial Mortgage Co.
1111 North Point Suite 100, Building #4
Coppell, Texas 75109

905 West 14th Street (O)
Howard Place Blk 1 Lot 2
Manuel D. & Rosemary Torres
905 West 14th Street
Roswell, NM 88201

306 West McGaffey Street (O)
South Highlands Blk 18 Lot 3 N2
Joe Velasquez
Esperanza Velasquez
219 East McCune Street
Roswell, NM 88203

1513 South Washington Ave (O)
South Highlands Ext C Blk6 Lot 6
Wells Fargo Bank
c/o Option One Mortgage
6501 Irvine Center Drive
Irvine, CA 92618

Fern Drive, Ivy Drive, (C)
Poe Street, Clover Lane, Fern Drive
The Meadows Amend Lots 4-42; 45-77, 85,
87-93, 122, 145
CRA Properties LLC
P.O. Box 8279
Roswell, NM 88202-8271

Approx. 1000 Ivy Drive (C)
The Meadows Lot 139
New Dimension Diversified, Inc.
3408 South Union Ave.
Roswell, NM 88203

Approx. 1021 Fern Drive (C)
The Meadows Amend Lot 82
New Dimension Diversified, Inc.
3408 South Union Avenue
Roswell, NM 88203

Approx. 1023 Fern Drive (C)
The Meadows Amend Lot 83
New Dimension Diversified, Inc.
3408 South Union Avenue
Roswell, NM 88203

Approx. 1025 Fern Drive (C)
The Meadows Amend Lot 84
New Dimension Diversified, Inc.
3408 South Union Avenue
Roswell, NM 88203

Clover Lane Area (C)
The Meadows Lot 1
First Federal Bank
P.O. Box 340
Roswell, NM 88202-0340

Clover Lane Area (C)
The Meadows Lot 2
First Federal Bank
P.O. Box 340
Roswell, NM 88202-0340

Clover Lane Area (C)
The Meadows Lot 3
First Federal Bank
P.O. Box 340
Roswell, NM 88202-0340

2205 Baylor Avenue (C)
Mesa Park 1 Blk 1 Lot 3
Tim Scott
Jodie Scott
116 Elm Street
Borger, Tx 79007

2912 South Lea Avenue (O)
South Plains Park Replat Blk 2 A Lot 21
Manuel A. Perez
Delma Perez
P.O. Box 393
Dexter, NM 88230

Approx. 705, 707 Greenbrier Drive (C)
Cannon Blk 2 Lots 12, 13
Taylor Faust Construction, Inc.
P.O. Box 344
Roswell, NM 88202-0344

Approx 2-B West Byrne St. (C)
Pecos Valley Village Blk 1 Lot37
Ernest E. Gonzales
Helen Gonzales
P O Box 3976
Roswell, NM 88202-3976

33 West Wells Street (O)
Pecos Valley Village Blk 15 Lot 17
Donald A. Henry & Judith A. Henry
16 A Street
Roswell, NM 88203
and/or
Alegis Group
P.O. Box 10826
Greenville, SC 29603-0826

600 South Kansas Avenue (O)
Pauly Blk 23 Lot 1
Ramon Trejo
Maria S. Trejo
1006 West Deming Street
Roswell, NM 88203

101, 103 South Michigan Avenue (C)
Ovard's Blk 6 Lots 13, 14
James Harold Corn
Corn & Whitner
P.O. Box 788
Alto, NM 88312

Approx. 105 South Michigan Ave. (C)
Ovard's Blk 6 Lot 12
Charles Lee Corn
107 South Michigan Avenue
Roswell, NM 88203

Approx. 109 South Michigan Ave. (C)
Ovard's Blk 6 Lot 10
Rhonda Sue Corn
c/o James Corn
P.O. Box 788
Alto, NM 88312

805 West Walnut Street (C)
Ovard's Blk 5 Lot 6 W2
Ovard's Blk 5 Lot 7 W2
Constance Gordon Est.
c/o Marian Sturges
44867 Laszlo Street
Landcaster, CA 93534

Resolution #05-08
April 14, 2005

Exhibit A
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406 South Spruce Avenue (O)
Thorne Blk 4 Lot 4
Associates Financial Services Co.
100 High Tower Boulevard, Suite 200
Pittsburgh, PA 15205

418 South Aspen Avenue (O)
Thorne Blk 2 Lot 10
Jose Angel Raygoza
Eva Marquez Raygoza
416 South Aspen Avenue
Roswell, NM 88203