

CITY OF ROSWELL

RESOLUTION NO. 05-31

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 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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.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 13<sup>th</sup> day of October 2005.

CITY SEAL

  
Bill B. Owert, Mayor

ATTEST:

  
Larry G. Fry, Deputy City Clerk

506 W. 12<sup>th</sup> St. (C)  
West Side Blk 28 Lot 1  
Joe C. Short  
Bank of the West as Custodian  
IRA Account  
1990 E. Lohman  
Las Cruces, NM 88001

510 S. Kentucky Ave. (C)  
Alameda Heights Blk 7 Lot 4 E141.7' S75'  
John T. Diponzio  
55 Main St.  
Blackstone, MA 01504-2204

1103 W. Summit St. (O)  
Beck Blk 3 Lot 11  
Larry Stanton  
43249 Carlyle Pl. Dr.  
Clinton Township, MI 48038

1411 W. Tilden St. (O)  
Fair Park Blk 11 Lot 19  
Javier Alonso  
1411 W. Tilden St.  
Roswell, NM 88203

1602 W. Tilden St. (O)  
Fair Park Blk 14 Lot 2  
Patti Shaheen  
2509 Mimosa Dr.  
Roswell, NM 88201

1606 W. Tilden St. (O)  
Fair Park Blk 14 Lot 4  
Robert Dave Boykin  
Georgan J. Boykin  
3409 E. Taylor  
Phoenix, AZ 85008

1705 W. Alameda St. (O)  
Rhoads & Meyer Blk 2 Lot 26  
Nancy E. Holland  
P O Box 9  
Roswell, NM 88202-0009

409 Chamisal Ave. (C)  
Antah Aboha Blk A Lot 5  
Taylor Faust Const. Inc.  
P O Box 344  
Roswell, NM 88202-0344

Approx 411 Chamisal Ave. (C)  
Antah Aboha Blk A Lot 6  
J. Joseph & George D. Martin Jr.  
May D. & Pamela Ann Mills  
2007 Monument Ave.  
Richmond, VA 23220

Approx 419 Chamisal Ave. (C)  
Antah Aboha Blk A Lot 10  
J. Joseph & George D. Martin Jr.  
May D. & Pamela Ann Mills  
2007 Monument Ave.  
Richmond, VA 23220

Approx 501 Chamisal Ave. (C)  
Antah Aboha Amend Blk A Lot 11  
J. Joseph & George D. Martin Jr.  
May D. & Pamela Ann Mills  
2007 Monument Ave.  
Richmond, VA 23220

Approx 503 Chamisal Ave. (C)  
Anatah Aboha Amend Blk A Lot 12  
J. Joseph & George D. Martin Jr.  
May D. & Pamela Ann Mills  
2007 Monument Ave.  
Richmond, VA 23220

Approx 505 Chamisal Ave. (C)  
Anatah Aboha Amend Blk A Lot 13  
J. Joseph & George D. Martin Jr.  
May D. & Pamela Ann Mills  
2007 Monument Ave.  
Richmond, VA 23220

Approx 515 Chamisal Ave. (C)  
Antah Aboha Amend Blk A Lot 18  
J. Joseph & George D. Martin Jr.  
May D. & Pamela Ann Mills  
2007 Monument Ave.  
Richmond, VA 23220

1308 S. Richardson Ave. (O)  
S. Highlands Blk 17 Lot 4 E140' S50' N265'  
Theodore M. Graham  
c/o First National Bank Trust Dept.  
P O Box 1857  
Roswell, NM 88202-1857

411 E. Forest St. (C)  
South Highlands Redivision Blk 12A Lot 12  
Jeff Roden  
Marina Cobb  
411 E. Forest St.  
Roswell, NM 88203

102 S. Union Ave. (C)  
Wright's Blk 6 Lot 2  
Gerald D. Clemens  
102 S. Union Ave.  
Roswell, NM 88203

408 N. Shartell Ave. (O)  
Lea Lot 16 N50' of E2  
Marco Mejia  
#4 Melton  
Dexter, NM 88230

804, 804 ½, 806, 808, (C)  
810, 810 ½ S. Atkinson  
4-11-24 E2E2NE4SE4 W294.42' E334.42'  
S228.8'N888.8' W.55' E334.42' S32.2'  
N920.2' E2W2E2NE4SE4E37.55'  
N150'E167.1'S734.8N884.8'  
A A & S Inc.  
P O Box 410  
Blackhawk, CO 80422

400 N. Elm Ave. (C)  
Mapes Blk 2 Lot 9  
Neota C. Cones  
Box 144  
Hagerman, NM 88232

306 E. Deming St. (C)  
South Roswell Blk 46 Lots 15, 17  
Daniel & Teresa Jojola  
1610 S. Cahoon Ave.  
Rowell, NM 88203

416 E. Third St. (O)  
Lea Lot 87  
Jesus & Maria G. Garcia  
212 W. Alameda St.  
Roswell, NM 88203

420 E. Third St. (O)  
Lea Lot 84  
Michael F. & Michael A. Copp  
PO Box 257  
Hartford, VT 05047