

CITY OF ROSWELL

RESOLUTION NO. 06-44

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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.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 14th day of September 2006.

CITY SEAL

ATTEST:



David A. Kunko, City Clerk



Sam D. LaGrone, Mayor

907 S. Washington Missouri Avenue School Blk 2 Lot 8 Missouri Avenue School Blk 2 Lot 9 N2' Gary L. & Glenda K. Seager 907 S. Washington Roswell, NM 88203	(C)	912 W. Eleventh St. Riverside Heights Blk 3 Lot 2 W35'E105' & W70' Alberta Woodard c/o Jeanetta Prince 8712 W. Spokane St. Milwaukee, WI 53224	(C)
111 S. Michigan Ovard's Blk 6 Lot 9 Inez Griffin c/o Mozella Wright 3916 Fargo Way North Highland, CA 95660	(O)	102 S Union Wright's Blk 6 Lot 2 Gerald D. Clemens 102 S. Union Roswell, NM 88203	(O)
113 S. Michigan Ovard's Blk 6 Lot 8 Mozella Oliver c/o Mozella Wright 3916 Fargo Way North Highland, CA 95660	(O)	1512 S. Kansas Terrace Hill Blk 2 Lot 2 Jr. Thiele & J.M. Tiffin 105 S. Francisca Ave. #112 Redondo, CA 90277	(O)
604 S. Sunset 6-11-24 SE4SE4NE4 170' E200' N90' S200' Keith W. & Shanna L. Rodibaugh 604 S. Sunset Roswell, NM 88203	(O)	1005 S. Kentucky Roswell Homes Blk 2 Lot 20 A & M investments 415 Mechem Dr. Ruidoso, NM 88345	(C)
1602 N. Kentucky Ave. Life Ministries Summary Plat Tract B Voyal Maudine Hickey c/o Voyal Joann Hickey Rice 122 N. Canyon Beeman Bldg. Carlsbad, NM 88220	(C)	411 S. Kansas Pauly Blk 12 Lot 6 W110' Gerald & Irene Rivera 411 S. Kansas Roswell, NM 88203	(C)
3609 N. Main St. Riverside North Summary Lots 3, 4, 5 E. Stanley Kroenke 1001 Cherry St. #308 Columbia, MO 65201	(C)	2903 S. Emerald South Plains Park Replat Blk 2A Lot 27 Ronald & Donna Grube 1717 SE Main Roswell, NM 88203	(C)
4601 N Main St. B & K Summary Plat Lot 3 Rogers Family Trust c/o Robert C. Marley 4702 Cornflower Rd. Roswell, NM 88201	(C)	611 S. Michigan Lewis 1 st Admen Blk 1 Lot 8 Sparks Blk 4 Lot 7 S2.6' Nina C. Edwards P O Box 914 Roswell, NM 88203	(C)
109 & 111 W. Seventh St. Original Roswell Blk 7 Lot 8 Jose & Maria Loya 220 Herb St. Clovis, NM 88101	(C)	315 E. 8 th St. 33-10-24 NE4SW4E50'W400'N827' Harvey Mordka 6720 Camino Principal, Suite 102 Tucson, AZ 85715	(O)
		322 E. 8 th St. Belle Plain Lot 49 E50' Robert Berry 32 Kiva Ct. Sandia Park, NM 87047	(O)

341 E. 8th St. (O)
33-10-24 NE4SW4E40'W1040'N82.7'
Roberta Rodriquez
Gerardo A. Garcia
612 W. Jaffa St.
Roswell, NM 88203

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

and/or

Erwin D. Staeden
Evelyn Staeden
c/o Evan Staeden
P O Box 161
Roswell, NM 88202-0161