

CITY OF ROSWELL

RESOLUTION NO. 06-48

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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.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

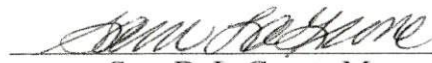
ADOPTED, SIGNED AND APPROVED 12th day of October 2006.

CITY SEAL

ATTEST:



David A. Kunko, City Clerk



Sam D. LaGrone, Mayor

911 W. Hendricks Pauly Blk 11 Lt 7 w68.33' Pauly Blk 11 Lt 8 w68.33' Ted Crawford 911 W. Hendricks Roswell, NM 88203	(O)	510 S. Kentucky Alameda Heights Blk 7 Lot 4 E141.7' S75' John T. Diponzio 55 Main St. Blackstone, MA 01504-2204	(C)
104 S. Lea Westside Blk 17 Lot 3 S44' Nina C. Edwards P.O. Box 914 Roswell, NM 88202-0914	(C)	1110 S. Union Farm Blk 1 Lot 16 Gaby & Linda Nasarallah 5108 W. Alameda Roswell, NM 88203	(C)
1700 S. Sunset 7-11-24 NE4SE4W80'E240'S82'N240' E240'S118'N158' Edward T. Torres P.O. Box 165 Roswell, NM 88202-0165	(O)	1018 S. Michigan Washington Blk 2 Lot 18 Artie B. Frauendorfer 6485 Alsea Rd. Dexter, NM 88230-9729	(C)
904 W. Mathews Lodewick Blk 7 Lt 3 Nicholas B. Russell 904 W. Mathews Roswell, NM 88203	(O)	613 & 615 W. Mathews Missouri Avenue School Blk 1 Lots 14, 15 Laura Y De La Torre 778 W. 27 th St. San Pedro, CA 90731	(O)
1010 W. Deming Sunset Blk 8 Lot 2 Mrs. Harry Finck Jr. 714 Post Avenue #51 Alamogordo, NM 88310	(C)	608 W. Hickory Dale Bellamah Blk 5 Lot 6 Dale Bellamah Blk 5 Lot 7 w43.96' John & Susan Ferguson 67 Stagecoach Rd. Dexter, NM 88230	(C)
104 S. Union Wright's Blk 6 Lot 3 Gary L. Desoto 3013 Piedras Carlsbad, NM 88220	(O)	1001 Kings Dr. Crescent Heights Blk 1 Lot 16 George & Myrtle Finley c/o Patrick Finley 1118 LaFayette, NE Albuquerque, NM 87106	(O)
908 Davidson Farm Blk 2 Lot 24 Linda Kay Stapleton 3105 Purdue Roswell, NM 88203	(C)	1719 N. Maryland Ave. Military Heights Blk 44 Amend Lot 44 S63' N190' W133' David G. & Gloria Rodriguez 506 S. Beech Ave. Roswell, NM 88203	(O)
306 S. Sequoia Oak Knoll Blk 3 Lot 4 Mildred T. Astone P. O. Box 3019 Roswell, NM 88202-3019	(C)	1300 W. College Blvd 32-10-24 NW4NW4E60' W350'S210'N240' Enrique & Faviola Villalobos 1300 W. College Blvd Roswell, NM 88201	(O)
915 Davidson Farm Blk 3 Lot 8 Nina C. Edwards 705 Estrellita Roswell, NM 88201	(C)		

1305 W. College Blvd. Willie Mulvihill Lot 3 Thomas H. Tannehill 4301 Bryn Mawr Dr. NE Albuquerque, NM 87107-4804	(O)	1404 N. Maple Ave. Keith Blk 1 Lots 1, 2 Clotario L. & Teresa Nunez 18 N. Linda Ave. Tucson, AZ 85745-2961	(O)
2407 N. Cole Ave. Coles Lot 9 JP Morgan Chase Bank c/o Homecomings Financial Network 9350 Waxie Way Suite 100 San Diego, CA 92130	(C)	639 E. Sixth St. Haymaker-Daughtry Blk 1 Lot 4 Leanee Griffin 639 E. 6 th St. Roswell, NM 88201	(C)
2301 N. Grand Ave. Howard Lewis Blk 2 Lot 19 W20' S46' Blk 2 Lot 20 S46' John P. & Shirley DiPaolo 3601 Woodhaven Ct. Bedford, TX 76021-2433	(C)	641 E. 6 th St. Haymaker-Daughtry Blk 1 Lot 2 Gary D. Skipper Linda M. Skipper 641 E. 6 th St. Roswell, NM 88201	(C)
1000, 1002 W. College Blvd. 32-10-24 NW4W89.44'E1432S165'N195' Bill B. Elkins P.O. Box 2676 Snowflake, AZ 85937	(C)	609 E. Deming St. Barnett's Blk 8 Lot 6 Juanita Palma 8 Crestwood Alamogordo, NM 88310	(C)
1400 N. Maple Ave. Keith Blk 1 Lot 4 Edward T. Strehlau P.O. Box 6522 Akron, OH 44312-6522	(O)	31 W. Wells St. Pecos Valley Village Blk 15 Lot 18 Paul b. Grothem 31 W. Wells St. Roswell, NM 88203	(O)
1308 N. Maple Ave. Ronnie Phillips Lot 2 La Morada LLC 2202 Palomar Dr. Roswell, NM 88203	(O)	601 Moore Lomitas Encantadas Blk 19 Lot 7 Lynn R. Martinez 601 Moore Roswell, NM 88201	(O)
707 W. 12 th St. Keith Amend Blks 4-5 Tr A,B,C Blk 4 Lot 2 E64' Louis J. Valdez 781 Pecos Loop Rio Rancho, NM 87124	(O)	2710 Highland Rd. Lomitas Encantadas Blk 5 Lot 10 W21.9' Lot 11 less W12.9' Sylvia A. Herrera 2710 Highland Rd. Roswell, NM 88201	(C)
900 W. College Blvd. 32-10-24NW4W78.42'E982.26' S164.74'N194.74' Gary Tonjes Shirley McCanna 4707 Winnetka Ct. NE Albuquerque, NM 87111	(O)		