

CITY OF ROSWELL

RESOLUTION NO. 07-29

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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.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 8th day of November 2007.

CITY SEAL


Sam D. LaGrone, Mayor

ATTEST:


David A. Kunko, City Clerk

Approx 806 N. Garden Ave. (O) 33-10-24 SE4NW4 7.43' lying south of old Channel of North Spring River The B .N. & S. F. Railway Co. Property Tax Dept. P.O. Box 961089 Fort Worth, TX 76161-0039	Approx 613 E. Van Buren St. (O) Fruitland Blk 1 Lot 3 S176.7' of W50' of N2 Mortie Quarles Sr. 2085 Mariposa Seaside, CA 93955
Approx 1305 N. Garden Ave. (O) Wood's Lot 7 P. T. Productions, Inc. c/o Paul Taylor III P.O. Box 344 Roswell, NM 88202-0344	114 E. Mathews St. (C) South Roswell Blk 53 Lot 29 N90' South Roswell Blk 53 Lot 31 N90' Richard C. Duran Nicole Duran 403 Saucedo Ave. Roswell, NM 88203
911 Peach St. (C) Belle Plain Lot 2 W64' of S110' Frank J. Casey Barbara Casey 509 Raynolds Ave. Las Vegas, NM 87701-4323	810 E. Bland St. (C) Barnett's Blk 6 Lot 3 Elizabeth Gomez 810 E. Bland St. Roswell, NM 88203 and/or Elizabeth Gomez 1402 S.. Elm Ave. Roswell, NM 88203
300 E. Chisum St. (O) Fruitland Blk 4 Lot 4 N150' W150' Frank J. Casey Barbara Casey 509 Raynolds Ave. Las Vegas, NM 87701-4323	506 Holland Ave. (C) 4-11-24E2SW4SE4NE4 W135'E158'N50'S450' Marijane F. Propes 1001 CR 314 Cleburne, TX 76031-9801
1522 S Cahoon Ave. (O) Mayes Blk 1 Lot 11 Richard M. Dove HC30, Box 938 Roswell, NM 88201	1419 E. Tilden St. (O) Sunshine Acres Blk 1 Lot 2 Christopher Long 715 Grove St. Lawrenceville, VA 24541
Approx 505 E. Reed St. (C) Sherman-Reed Lot 6 Counseling Associates, Inc. 110 E. Mescalero Rd. Roswell, NM 88201	816 E. Tilden St. (C) Flora Vista Blk 4 Lots 11,12 Marina Villa 200 Moon Glow Ave. Apt. R Alamogordo, NM 88310
601 E. Van Buren St. (O) Johnson & Allison Lot 4 Blk 1 Fruitland Blk A Lot 12 Wayman Walker Monroe Walker P.O. Box 90002 San Antonio, TX 78209	2318 N. Texas Ave. (C) Eakin's Lot 10, Eakin's Lot 11 S25' The Housing Group Inc. P.O. Box 1432 Roswell, NM 88202-1432
Approx 611 E. Van Buren St. (O) Johnson & Allison Lot 4 Blk 1 Fruitland Blk A Lot 2 Mortie Quarles Sr. 2085 Mariposa Seaside, CA 93955	300 W. Country Club Rd. (O) Military Heights Comm. Prop. Unit 2 Blk 2 Lot 3 Roswell Medical Office II LLC 10800 Farley Suite 265 Overland Park, KS 66210

812 ½ E. Tilden St. (C)
Flora Vista Blk 4 Lot 14
Aureliana Gonzales
7555 S. Valley View
Las Vegas, NV 89114

814 E. Tilden St. (C)
Flora Vista Blk 4 Lot 13
Robert Berry
P.O. Box 436
Silver Lake, MN 55381-0436

2310 N. Texas Ave. (C)
Eakins Lots 6
William D.L. Brown
c/o Tillie Campos
2310 N. Texas Ave.
Roswell, NM 88201

17 North Sky Loop (C)
North Sky Estates Lot 17
Tucker Renovations, Inc.
P.O. Box 1267
Portales, NM 88130

500 S. Delaware (O)
Pauly Blk 16 Lot 1
Ronnie & Lupe Salas Chavez
101 N. 6th
Newport, PA 17074

511 S. Spruce (C)
Thorne Blk 8 Lot 15
Michael B. Reveley
415 Mechem Dr.
Ruidoso, NM 88345