

CITY OF ROSWELL

RESOLUTION NO. 08-03

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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.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 14<sup>th</sup> day of February 2008.

CITY SEAL

  
\_\_\_\_\_  
Sam D. LaGrone, Mayor

ATTEST:

  
\_\_\_\_\_  
David A. Kunko, City Clerk

329, 331 E. 8 <sup>th</sup> St. 33-10-24 NE4SW4E150'W850'N82.7' Diana C. Aragon 335 E. 8 <sup>th</sup> St. Roswell, NM 88201	(O)	207 E. Bland St. South Roswell Blk 29 Lots 16, 18 Tony Melendez, Jr. Esperanza Melendez 149 Turquoise Las Cruces, NM 88001	(O)
332 E. 8 <sup>th</sup> St. Belle Plain Lot 48 E50' Rheanna L. Hughes 332 E. 8 <sup>th</sup> St. Roswell, NM 88201	(O)	107, 109 E. Bland St. South Roswell Blk 28 Lots 14,16,18,20 Mario R. Rivera Virginia K. Rivera 219 Flying H Road Roswell, NM 88203	(O)
340 E. 8 <sup>th</sup> St. Belle Plain Lot 47 W52.8'E105.6' Jesus Ontiveros Maria Ontiveros 2309 N. Shartelle Ave. Roswell, NM 88201	(O)	203 E. Deming St. South Roswell Blk 36 Lots 6, 8 Prison Door, Inc. P O Box 2790 Roswell, NM 88202-2790	(O)
341 E. 8 <sup>th</sup> St. 33-10-24 NE4SW4 E40'W1040'N82.7' Roberta Rodriquez Gerardo A. Garcia P O Box 5791 Roswell, NM 88202-5791	(O)	403 E. Deming St. South Roswell Blk 34 Lot 4 Inez Griffin c/o Mozella Wright 3916 Fargo Way North Highlands, CA 95660	(O)
622 N. Railroad Ave. 33-10-24 NE4NW4SW4S70'N220'120' B.N.S.F. Railway Co. P O Box 961089 Fort Worth, TX 76131-0089	(O)	1015 S. Cahoon Ave. Compress Redivision Blk 1 Lot 7 S1.87' Compress Redivision Blk 1 Lot 8 Jerry M. Bowen 7160 S. Vincennes Ave. Chicago, IL 60621	(O)
404 E. Albuquerque St. South Roswell Blk 31 Lot 5 Ralph L. Gonzales Jr. 1490 Gaviota Ave. Long Beach, CA 90804 500 ½ E. Albuquerque St.	(O)	1017 S. Cahoon Ave. Compress Redivision Blk 1 Lot 9 T. L. Willis 4114 45 <sup>th</sup> Ave. S Seattle, WA 98118	(O)
410 E. Albuquerque St. South Roswell Blk 31 Lot 11 Ignacio Ramirez 410 E. Albuquerque St. Roswell, NM 88203	(O)	925 E. Jefferson St. 4-11-24 S2 SE4SE4N200'S654.8'S50'W650' Jesus A. Mendoza 214 E. Deming St. Roswell, NM 88203	(O)
500 ½ E. Albuquerque St. South Roswell Blk 32 Lot 1 Ralph L. Gonzales Jr. 1490 Gaviota Ave. Long Beach, CA 90804	(O)	1210 Johnson Rd. Johnson & Allison Lot 2 Blk 2 Fruitland Lot 18 Lorenzo Leyba Nancy Murillo 5011 N. Cochran Hobbs, NM 88242	(O)
610 E. Bland St. Barnett's Blk 8 Lot 7 Elena P. Montano Elfigo M. Montano Richard G. Lucero 610 E. Bland St. Roswell, NM 88203	(O)		

1406 S. Elm Ave. Johnson & Allison S2Blk2 Lots 5,6,7,8 Fruitland Blk 7 Lot 4 Angela Gamboa 219 E. Frazier St. Roswell, NM 88203	(O)	901 S. Sherman Ave. South Roswell Blk 49 Lot 13 J. C. Smith Maeola Smith 804 N. Richardson Ave. Roswell, NM 88201	(O)
1416 S. Elm Ave. Johnson & Allison S2 Blk 2 Lots 5,6,7,8 Fruitland Blk 7 Lot 9 Edward A. Pacheco Loretta Pacheco 240 Itasca Rio Rancho, NM 87124	(O)	501 E. Mathews St. South Roswell Blk 48 Lot 2 Raymond C. Analla Rachel J. Analla 500 E. Deming St. Roswell, NM 88203	(O)
1522 S. Elm Ave. Bud Taylor Lots 3, 12 Margarita Montero Abundia Montero 402 S. Lincoln Ave. Roswell, NM 88203	(O)	605 E. Summit St. 4-11-24 NE4SW4N140'S248'W50'E130' Miguel Angel Munoz 605 E. Summit St. Roswell, NM 88203	(O)
307 E. Van Buren St. Mitchell Rediv Blk A Lot 14 George Provoost 505 Dakota SE Albuquerque, NM 87108	(O)	819 El Dora Dr. Westover Blk 1 Lot 20 Bob Long Flo A Long P O Box 5281 Ketchikan, AK 99901	(O)
303 E. Van Buren St. Mitchell Rediv Blk A Lot 12 Richard J. Dillard Shirley J. Dillard 3256 E. 147 <sup>th</sup> St. Cleveland, OH 44120	(O)	701 E. Greenwood Dr. East Side B Blk 3 Lot 18 W. S. Wright NM LTD Liability Co. P O Box 6460 Phoenix, AZ 85005-6460	(O)
509 E. Summit St. South Roswell Amend Blk 49 Lot 10 Caroline J. Sanchez P O Box 954 Tijeras, NM 87059	(O)	722 E. College Bld. Fred Pool Sub Sum Replat Correction Lot 1 Arizona Medical LLC 11944 E. Parkview Lane Scottsdale, AZ 85255	(O)
611 E. Bland St. Barnett's Blk 2 Lot 8 Alberta W. Ruelas 305 E. Reed St. Roswell, NM 88203	(O)	1403 E. Alameda St. 3-11-24 NW4NW4E376.43'W788.95' N836.88'S861.88' m/l S. of JH Gregg Sub. W. S. Wright c/o UCSC Ltd. Co. P O Box 6460 Phoenix, AZ 85005-6460	(O)
412 E. Albuquerque St. South Roswell Blk 31 Lot 13 Antonio A. LaRiva P O Box 1871 Albuquerque, NM 87103	(O)		