

CITY OF ROSWELL

RESOLUTION NO. 08-35

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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.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 11th day of September 2008.

CITY SEAL



Sam D. LaGrone, Mayor

ATTEST:



David A. Kunko, City Clerk

1618 & 1620 S. Elm Mayes Blk 7 Lots 10, 11 Beatrice Izquierdo 500 S. Lea Roswell, NM 88203	(C)	512 E. Summit South Highlands Blk 1 Lot 1 S65.5N165.5W158' South Highlands Blk 1 Lot 1 W114'N100' Joy Peralta P O Box 2980 Roswell, NM 88202-2980	(O)
321 E. Forest South Highlands Rediv Blk 13 A Lot 2 Lucille R. Curtis c/o Deanna Young P O Box 26383 Yuma, AZ 85367-6383	(C)	412 E. Albuquerque South Roswell Blk 31 Lot 13 Antonio LaRiva P O Box 1871 Albuquerque, NM 87103	(O)
308 E. Forest South Highlands Rediv Blk 13B Lot 11 W5' South Highlands Rediv Blk 13B Lot 13 Patsy Ortega 33 Brown Place Roswell, NM 88203	(C)	808 E. McGaffey Henderson's Lot 5 Joy Peralta P O Box 2980 Roswell, NM 88202-2980	(O)
500 E. Third Lea Lot 82 Petro Energy Transport Co. P O Box 32481 Amarillo, TX 79120-2481	(C)	208 E. Reed South Highlands Rediv Blk 9A Lot 13 Ramior Morales c/o Terry Lucero P O Box 473 Dexter, NM 88230	(O)
1301 E. Second 34-10-24 SW4SW4SW4E199'W229'N183'S213' Bell Realty P O Box 490 Roswell, NM 88202-0490	(O)	332 E. Eighth Belle Plain Lot 48 E50' Rheanna L. Hughes 332 E. Eighth Roswell, NM 88201	(O)
406 N. Elm Mapes Blk 2 Lot 6 Mark David Allen 1370 Taylor Penryn, CA 95663	(C)	308 E. Seventh Belle Plain Lot 60 W44' Alvaro & Isabel Ceballos 302 E. Seventh Roswell, NM 88201	(O)
400 E. Van Buren South Highlands Rediv Danny & Christinia Gonzales 205 N. Kansas Roswell, NM 88201	(O)	324 E. Seventh Belle Plain Lot 58 E44'W88' Daryl Brown & Justin Dean Franklin P O Box 1077 Wildomar, CA 92595	(O)
605 E. Summit 4-11-24 NE4SW4N140'S248'W50'E130' Miguel Angel Munoz 605 E. Summit Roswell, NM 88203	(O)	319 & 319 1/2 E. Seventh Belle Plain Lot 52 E54' Frank Salcido 319 E. Seventh St. Roswell, NM 88201	(O)
		324 E. Eighth Belle Plain Lot 48 W50' Roy D. & Lynnae T. Benson 13074 Poinsettia Ct. SE Albuquerque, NM 87123	(O)

410 E. Chisum Fruitland Blk 4 Lot 3 50'E182'N147' Nora Guajaca 1325 W. 219 th St. Torrance, CA 90501	(O)	1612 Pontiac Dr. Schnedar Rediv Blk 5 Lot 4 Stephen Crihfield 1717 N. Missouri Ave. Roswell, NM 88201	(O)
408 E. Chisum Fruitland Blk 4 Lot 3 N72'W100'E282' Leoppoldo Palma 1502 Sunset Place Roswell, NM 88203	(C)	1727 N. Ohio Ave. Crescent Heights Blk 4 Lot33 Nestor E. Anaya 1727 N. Ohio Ave. Roswell, NM 88201	(O)
501, 505 W. Reed St. Valley View Blk 2 Lot 11 E50'E100'W121.85' Meca Co. Inc. P O Box 1270 Roswell, NM 88202-1270	(O)	907 W. Third St. Wildy Blk 3 Lot 8 E50' Wildy Blk 3 Lot 9 E50' Wildy Blk 3 Lot 10 E50'S15.1 Genevieve Jones 3620 Scenic Dr. Redding, CA 96001-0115	(O)
503 W. Reed St. Valley View Blk 2 Lot 11 W100'E150' Elon Lucero Gliserio Lucero 505 Linda Dr. Roswell, NM 88201	(O)	909 W. Third St. Wildy Blk 3 Lot 8 W50'E100' Wildy Blk 3 Lot 9 W50'E100' Wildy Blk 3 Lot 10 W50'E100' Genevieve Jones 3620 Scenic Dr. Redding, CA 96001-0115	(O)
1020 S. Lea Ave. (rear) Valley View Blk 2 Lot 10 W100E250' Elvira Garcia 1606 S. Stanton Ave. Roswell, NM 88203	(O)	504 N. Missouri Ave. West Side Blk 9 Lot 5 W.F. & O.J. Jewell c/o Franki Piatt P O Box 24 Salado, TX 76571	(O)
401 S. Sequoia Ave. West View Amend Blk 1 Lot 20 Catarina McGhee 605 Johnson St. Clovis, NM 88101	(C)	1204 N. Union Ave. 32-10-24 NW4NW4N71.29'S431.29'E175' Gaby Nasrallah Linda Nasrallah 5108 W. Alameda St. Roswell, NM 88203	(O)
Approx 801 - 809 S. Lea Ave. 5-11-24 NW4SE4S300'N7880'W230'E460'm/l D.A. Summers Ethyel Summers P O Box 42675 Tucson, AZ 85733	(C)		
211 S. Pennsylvania Ave. Thurber's Blk 1 Lot 9 W100' Edwin Daryle Jones Gloria Cardenas 14 Sunshine St. Roswell, NM 88203	(C)		
1202 N. Ohio Ave. 32-10-24 NW4NW4S50'N992'E165'W330' Trinidad Chaeon 18209 N. 34 th Ln. Phoenix, AZ 85053	(C)		