

CITY OF ROSWELL

RESOLUTION NO. 08-44

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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.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 20th day of November 2008.

CITY SEAL



Sam D. LaGrone, Mayor

ATTEST:



David A. Kunko, City Clerk

- | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 606 & 608 Hickory Dr.
Dale Bellamah Blk 5 Lot 6
Dale Bellamah Blk 5 Lot 7 W43.96'
John & Susan Ferguson
67 Stagecoach Rd.
Dexter, NM 88230 | (O) | 5040 W. Berrendo Rd.
Roswell, NM 88201
Approx 713 Bahia Dr. (C)
Leisure Garden Homes Summary Plat Lot 8
Campbell-Nesselrodt Development, LLC
308 N. Virginia Ave., Ste. A
Roswell, NM 88201 |
| 75 & 77 E. Wells St.
Pecos Valley Village Blk 10 Lot 16
Ronnie L. Bishop
P O Box 5783
Roswell, NM 88202-5783 | (O) | 501 W. 17 th St. (O)
Military Heights Blk 44 Amend Lot 44
S104.88' W91.99' E116.99'
Ramon Aguirre
Maria Aguirre |
| 300 W. Mathews St.
South Roswell Blk 56 Lot 13
Isaac Cotton
10023 E. Taron Dr.
Elk Grove, CA 95758-8190 | (O) | 1504 S. Poplar Ave.
Roswell, NM 88203 |
| 1007 S. Pennsylvania Ave
Roswell Homes Blk 1 Lot 4
Roman & Deborah K. Jenks
1007 S. Pennsylvania Ave.
Roswell, NM 88203 | (C) | 409 W. 17 th St. (C)
Military Heights Lot 45
S146'W158.14'E313.14'
Julie A. Vaz
1200 N. Penn. Ave.
Roswell, NM 88201-5049 |
| 2009 W. 1 st St.
Stevenallen Blk 1 Lot 10
William E. & Sally K. Dudley
1901 S. Sunset Apt. 708
Roswell, NM 88203 | (C) | Approx 1707 N. Lea Ave. (C)
Military Heights Lot 45
N50'S196.57'W158.14'E2
Leonard L. Kunko
Jeanne M. Kunko
1601 S. Kentucky Ave.
Roswell, NM 88203 |
| 410 S. Michigan Ave.
Sparks Blk 7 Lot 6
Sean Edward Schooley
200 W. 8 th St.
Roswell, NM 88201 | (O) | 3113 N. Richardson Ave. (C)
Buchanan Lot 4
Marjorie L. Muccie
2727 Wilshire Blvd, Apt 20A
Roswell, NM 88201
and/or |
| 605 S. Michigan Ave.
Sparks Blk 4 Lot 10
Tom R. & Jean Willmon
2800 Ashbury Dr.
Arlington, TX 76015 | (O) | Marjorie Melton
3113 N. Richardson Ave.
Roswell, NM 88201 |
| 1617 S. Stanton Ave.
South Park Blk 2 Lot 12
Albert E. Silva Jr.
1801 S. Monroe Ave.
Roswell, NM 88203 | (C) | Approx 615 Tierra Berrenda Rd. (C)
Tierra Berrenda No. 11 Tract A
Johnson Trust
S.P. III & Barbara Jo Johnson Trustees
2611 Coronado Dr.
Roswell, NM 88201 |
| 514 S. Sequoia Ave.
Shearman Addn Blk 1 Lot 8 S16.2'
Shearman Addn Blk 1 Lot 9 N50.1'
Victor Ruiz
Socorro Ruiz | (C) | 703 Broken Arrow Rd. (C)
Tierra Berrenda 5 Blk 9 Lot 6
Lupe Loving
17 Townsend Trail
Roswell, NM 88201 |

309 E. 19 th St. Military Heights Lot 33 N260.23'S397.34'W36.76'E255.75' & S137.05'W46.72'E265.705' F & L Associates, LLC 303 W. Country Club Rd. Roswell, NM 88201	(O)	204 E. Hendricks South Roswell Blk 20 Lots 9, 11 William R. & Barbara Lacy 5340 Hadley Ct. North Las Vegas, NV 89031	(O)
315 E. 29 th St. Military Heights Lot 33 W118.99' E218.99'S397.8'E2 F & L. Associate, LLC 303 W. Country Club Rd. Roswell, NM 88201	(O)	1021 & 1023 S. Virginia Thompson Rediv Lot 12 Reggie Espinosa II 12 Morningstar Dove Canyon, CA 92679	(O)
722 E. College Fred Pool Summary Replat Correction Lot 1 Arizona Medical LLC 11944 E. Parkview Ln. Scottsdale, AZ 85255	(O)	208 E. Reed South Highlands Rediv Blk 9A Lot 13 Ramiro Morales c/o Terry Lucero P O Box 473 Dexter, NM 88230	(O)
1402 S. Poplar Johnson & Allison S2 Blk2 Lots 5,6,7,8 Fruitland Blk 5 Lot 2 Henry & Chelsey Sena 1405 S. Poplar Roswell, NM 88203	(O)	913, 915 S. Garden Barnett's Blk 16 Lots 9, 10 Jean Collins c/o Marcee Clark 10295 Trailing Dalea Ave. Las Vegas, NV 89135-2084	(O)
601 E. Bland Barnett's Blk 2 Lot 14 Ronnie W. & Ishmael Lara 301 Western Skies Dr. NE Apt. #93 Albuquerque, NM 87123-3678	(O)	512 E. Mathews & 901 S. Sherman South Roswell Blk 49 Lot 13 Kathy M. Thatcher 1704 E. College Roswell, NM 88201	(O)
600 E. Bland Barnett's Blk 8 Lot 13 Sonny Romo & Vanessa Concepcion 111 W. Reese Ave Visalia, CA 93277	(O)	702 E. Fifth Belle Plain Lot 38 W85.2'S208.7'N253.70 Belle Plain Lot 38 E60'W145.2'S191.5'N236.5' Brian C. Gonzales P O Box 2855 Roswell, NM 88202-2855	(O)
911, 915 E. McGaffey 4-11-24 SE4SE4 N180' S210' W118' E1047.8' 4-11-24 SE4SE4 N180'S210'W50'E929.8' Judy or Robert S. Bates 3106 Rock Brook Dr. San Angelo, TX 76904	(O)	110 & 112 E. Hobbs 9-11-24 N2NE4NW4SW4E146.5' W171.5'156'N175'E131.5'W156.5'S19.55'N19 4.55 E65.5'W236.9' S107.7'N126.7' Lucero Evie Gonzales Ernesto D. Martinez 4102 W. McGaffey Roswell, NM 88203	(O)
414 E. Hendricks South Roswell Blk 18 Lot 13 Susie Thompson 1004 S. Plains Park Roswell, NM 88203	(O)		