

CITY OF ROSWELL
RESOLUTION NO. 10-40

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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.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

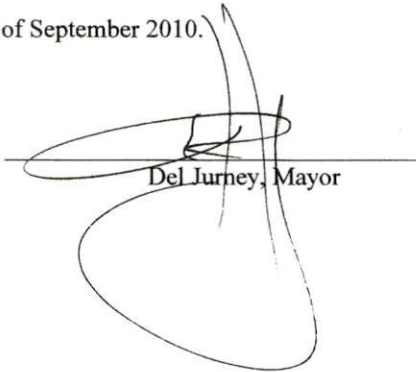
ADOPTED, SIGNED AND APPROVED 9th day of September 2010.

CITY SEAL

ATTEST:



David A. Kunko, City Clerk



Del Jurney, Mayor

617 E Apple Green Acres Blk 1 Lot 19 Phillip Gonzales and Irma Fernandez 617 E. Apple Roswell, NM 88201	(C)	1412 S. Mulberry Johnson & Allison S2 Blk 2 Lots 5,6,7,8 Fruitland Blk 6 Lot 7 Conferina S. Baca PMB 430 1840 S. McGaffey St. San Pedro, CA 90731-5361	(C)
500 E. Third Lea Lot 82 Petro Energy Transport Co. P O Box 32481 Amarillo, TX 79120	(O)	2509 Cambridge Wide Acres Amend Blk 2 Lot 8 Edie Points & Michael Points 2509 Cambridge Roswell, NM 88201	(C)
414 E 5 th Lea Lot 6 E 70' Carl & Zora Tate Cordelia Tate 414 E. 5 th Roswell, NM 88201	(C)	607 Hermosa Del Norte Estates 2 Blk 5 Lot 7 Victoria J. Duran 1512 Berry Trail #804 Dallas, Texas 75248	(C)
709 N. Main Original Roswell Blk 8 Lot 10 International UFO Museum & Research Center 114 N. Main St. Roswell, NM 88201	(O)	202 Tierra Berrenda Dr. Tierra Berrenda 1 Blk 5 Lot 4 J P Morgan Chase Bank Natl. Asso. 780 Delta Drive Monroe, LA 71203	(C)
511 W. Fourth West Side 21 Lot 9 W50'E100' Karen Maynes 311 W. 7 th Roswell, NM 88201	(O)	1304 W 7 th City Development Blk 30 Lot 3 Valley Bank of Commerce 217 W. 2 nd Roswell, NM 88201	(O)
703 N. Union Riverside Heights Blk 24 Lot 9 W115' Hermilinda J. Duran 4530 Maverick Kst. Apt D 313 Amarillo, TX 79109	(C)	1001 LeAnn Enchantment West Subdivision Lot 62 Paul Garcia 609 Greenbrier St. Roswell, NM 88203	(C)
407 S. Holland Johnson Lot 9 Joe C. Lopez Angie Lopez HCR 64 Box 170 Chimayo, NM 87522	(C)	2001 N. Garden Sherrell Heights Blk 1 Lot 2 Lots 3 N5.5' Richard T. & Sandra A. Andrews 2001 N. Garden Ave. Roswell, NM 88201	(O)
606 W. 7 th West Side Blk 8 Lot 13 E60' Lot 14 E60' Barry G Coats P O Box 5623 Roswell, NM 88202-5623	(C)	2403 N. Mesa Country Club Blk 1 Lot 14 Arthur E. & Mary C. Young 910 Pequino Camino Roswell, NM 88203	(C)
501 W. 17 th Military Heights Blk 44 Amend Lot 44 Ramon & Maria Aguirre 1504 S. Poplar Roswell, NM 88203	(C)	1207 LeAnn Enchantment West Subdivision Lot 71 Kevin & Emma Murray 304 S. Virginia Roswell, NM 88203	(C)

1013 N. Kentucky West Side Blk 57 Lot 13 N2 Lot 14 Barbara R. Waggoner 1548 SE 9 th St. Deerfield Beach, FL 33441-5834	(C)	Approx. 2700 Blk W. Juniper Kundomal Redivision Lots A-G Yashdev Kundomal 2 London Ct. Roswell, NM 88201-0412	(C)
309 W. 1 st St. West Side Blk 48 Lot 8 George L. Scott P O Box 40 Cedar Crest, NM 87008-0040	(C)	1100 Lusk St. Mesa Park 6 Blk 28 Lot 4 David Alvarez Hilda Alvarez 2101 New Mexico Dr. Roswell, NM 88203	(C)
300 W. Mathews St. South Roswell Blk 56 Lot 13 Issac Cotton 10023 E. Taron Dr. Elk Grove, CA 95758-8190	(O)	1102 Lusk St. Mesa Park 6 Blk 28 Lot 5 David Alvarez Hilda Alvarez 2101 New Mexico Dr. Roswell, NM 88203	(C)
211 S. Pennsylvania Ave. Therber's Blk 1 Lot 9 W100' Edwin Daryle Jones Gloria Cardenas 2300 N. Garden Ave. Roswell, NM 88201	(O)	617 Hickory Dr. Dale Bellamah Blk 4 Lot 36 Southern Sky Investment, Inc. P O Box 2167 Roswell, NM 88202-2167	(O)
708 S. Ohio Ave. Sunset Blk 3 Lot 5 S11' & Lot 6 Merrill W. Tucker 152 Heritage Pl., Apt. 246 Burlington, WA 98233-3777	(C)	608 Hickory Dr. Dale Bellamah Blk 5 Lot 6 Dale Bellamah Blk 5 Lot 7 W43.96' John Ferguson Susan Ferguson 67 Stagecoach Rd. Dexter, NM 88230	(C)
1106 W. 1 st St. Wright's Blk 5 Lot 13 E 1/3 Wright's Blk 5 Lot 14 E 1/3 Lane Russell Henley 1204 Mesquite Alamogordo, NM 88310	(C)	Approx. 3203, 3205 S. Lea Ave. Dale Bellamah Blk 1 Lots 9, 10 Charlie Scott Doyal 1406 Ladrones Rd. Roswell, NM 88201	(C)
106 S. Montana Ave. Wrights Blk 14 Lot 4 Ezell Ragsdale, Jr. 3535 Forest Denver, CO 80207	(C)	2110 S. Main St. Fruitland Blk 12 Lot 1 S358'N568'E175.08' Southern Sky Investment, Inc. P O Box 2167 Roswell, NM 88202-2167	(O)
203 S. Montana Ave. Wrights Blk 9 Lot 11 David Ernie Lovato Nancy Ann Lovato 2201 Virgin Wood Rio Rancho, NM 87124	(C)	33 W. Wells St. Pecos Valley Village Blk 15 Lot 17 Howard A. Lee 512 E. 5 th St., Apt. 3 Roswell, NM 88201	(O)
503 S. Sycamore Ave. Shermans Westward Tract B Tara J. Slocum 503 S. Sycamore Ave. Roswell, NM 88203	(O)	42 Geiger Place Pecos Valley Village Blk 12 Lot 14 Steven B. Anderson Vivien M. Anderson 5116 Temple Dr. Amarillo, TX 79110	(C)

Resolution #10-40
September 9, 2010

Exhibit A
Page 3

20 B St. (O)
Pecos Valley Village Blk 12 Lot 28
Lupe M. Carrasco
312 Broken Arrow Rd.
Roswell, NM 88201

3305 S. Lea Ave. (C)
Dale Bellamah Blk 1 Lot 15
Foundation for Building
4811 B Hardware Dr. NE
Albuquerque, NM 87109