

CITY OF ROSWELL  
RESOLUTION NO. 10-53

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;

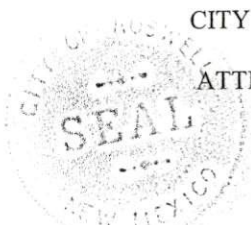
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, THE GOVERNING BODY OF THE CITY OF ROSWELL, NEW MEXICO, that:

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 9<sup>th</sup> day of December 2010,

CITY SEAL

ATTEST:



David A. Kunko, City Clerk

  
Del Jurney, Mayor

<p>500 ½ E. Albuquerque St. (O) South Roswell Blk 32 Lot 1 Ralph L. Gonzales, Jr. 1490 Gaviota Ave. Long Beach, CA 90804</p>	<p>1502 S. Garden Ave. (C) Fruitland Blk 4 Lot E90' N25' S626.6' E135' N111.6' S601.6' Daniel Ray &amp; Margie Pacheco P.O. Box 776 Roswell, NM 88202-0776</p>
<p>412 E. Albuquerque St. (O) South Roswell Blk 31 Lot 13 Antonio A. LaRiva c/o Eileen LaRiva P.O. Box 11503 Albuquerque, NM 87192-1503</p>	<p>1406 S. Garden Ave. (C) South Highlands Rediv Blk 29 B Lot 4 Julia Rodriguez 934 W. 15 ½ St. Houston, TX 77008</p>
<p>1001 E. Bland St. (O) 4-11-24 E2SW4SE4NE4 E50'W70'N160'S180' Bessie Mead 322 S. Park Ave. Apt 1 Aztec, NM 87410-2162</p>	<p>820 N. Garden (C) 33-10-24 NW4 S322.07' N2366.37' E300' Frontier Garage Door Mfg. Inc. P.O. Box 3188 Roswell, NM 88202</p>
<p>300 E. Bland St. (O) South Roswell Blk 19 Lot 1 Loretta Mendoza etal c/o Teresa Juarez P.O. Box 918 Chimayo, NM 87522</p>	<p>Approx 2301 N. Washington (O) La Sierra Unit 1-A Lot 21 Ron &amp; Alana Marotzke 92 W. Blevins Rd. Artesia, NM 88210</p>
<p>1600-1608 S. Mulberry Ave. (O) Denney's Lots 1,2,3,4,5 Helen C. Montgomery Janna Montgomery 12915 Greene Ave. Los Angeles, CA 90066</p>	<p>Approx 2305 &amp; 2307 N. Washington (O) La Sierra Unit 1-A Lots 23, 24 Larry Jessen 2716 N. Pennsylvania #57 Roswell, NM 88201</p>
<p>301 E. Bland St. (C) South Roswell Amend Blk 30 Lots 2, 4 Jamie &amp; María Rodríguez 301 E. Bland St. Roswell, NM 88203</p>	<p>420 E. 3<sup>rd</sup> St. (O) Lea Lot 84 Michael Copp P.O. Box 257 Hartford, VT 05047</p>
<p>414 E. Hendricks St. (O) South Roswell Blk 18 Lot 13 Susie Thompson 1004 S. Plains Park Dr. Roswell, NM 88203</p>	<p>500 E. Third (O) Lea Lot 82 Petro Energy Transport Co. P.O. Box 32481 Amarillo, TX 79120-2481</p>
<p>308 E. Forest St. (C) South Highlands Rediv Blk 13 B Lot 11 W5' Lot 13 Patsy Pauline Ortega 33 Brown Pl. Roswell, NM 88203</p>	<p>523 E. 8<sup>th</sup> St. (O) 33-10-24 NE4SW4 E86'W1336' N82.7' Daniel Loera Juarez &amp; Loretta Lara 644 E. Cherry Roswell, NM 88201</p>
<p>347 E. 8<sup>th</sup> St. (O) 33-10-24 NE4SW4 E120' W1250' N82.7' Alejandro N. Ogas &amp; Elisa Rodríguez 345 E. 8<sup>th</sup> St. Roswell, NM 88201</p>	<p>Approx 4300 Blk N. Main (C) Marley Rogers Plat Lot 2 Marley Ranches, LTD Rogers Family Trust P.O. Box 1753 Roswell, NM 88202</p>

Approx 2 ½ Walker Place Pecos Valley Village Blk 14 Lot 9 Eliander Trust Harry F. Jr. Trustee c/o Kevin Eliander 29 Robinson St. Newnan, GA 30263 (C)	Approx 501 S. Cypress Ave. (C) Cypress-Hendricks Summary Plat Tract A Phelps Anderson c/o Sun Valley Energy Corp. P.O. Box 1000 Roswell, NM 88202-1000
Approx 2 ½ Walker Place (C) Pecos Valley Village Blk 14 lot 10 Eliander Trust Harry F. Jr. Trustee c/o Kevin Eliander 29 Robinson St. Newnan, GA 30263	2308 W. Alameda St. (O) Thorne Blk 2 Lot 20 N73' Katherine McKenzie Norma R. Stromme 2308 W. Alameda St. Roswell, NM 88203
Approx 1600 Blk W. Summit St. (C) 6-11-24 SW4NW4SE4E129.86' W498.93' N50.75' Kenneth R. Maxwell P.O. Box 2746 Roswell, NM 88202-2746	409 S. Pine Ave. (C) Thorne Blk 2 Lot 16 BAC Home Loans Servicing L.P. 400 Countrywide Way SV35 Simi Valley, CA 93068
Approx 1600 Blk W. Summit St. (C) 6-11-24 SW4NW4SE N100' S480 E129.86 W630' Berry Cale Ina Mae Cale 6543 Y O Rd. Dexter, NM 88230	408 S. Sycamore Ave. (O) Will Johnson Heights Replat Blk 2 Lot 5 Michael L. Powers Veronica L. Powers 408 S. Sycamore Ave. Roswell, NM 88203
Approx 1700 Blk. W. Summit St. (C) 6-11-24 SW4NW4SE4 S52'N208'E140'W170' Guadalupe Pérez Pete Pérez 318 S. Main St. Roswell, NM 88203	1108 S. Lea Ave. (O) Swartzstaubers Rediv Blk 1 Lot 5 Theresa Ann Jordan 2321 N. Texas Ave. Roswell, NM 88201
1509 W. Tilden St. (C) Fair Park Blk 10 Lot 12 Guadalupe Almansa Baca Patricia Quintana Chavira 1509 W. Tilden St. Roswell, NM 88203	507 W. Mathews St. (C) Missouri Avenue School Blk 1 Lot 22 Carolyn P. Gumfory c/o John G. Amador P.O. Box 501 Roswell, NM 88202-0501
610 W. Deming St. (O) Missouri Avenue School Blk 1 Lot 11 Percilla Ripley 610 W. Deming St. Roswell, NM 88203	