

CITY OF ROSWELL
RESOLUTION NO. 11-01

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.

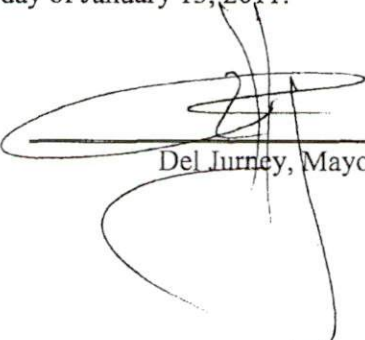
3. In the event the owner or other person aggrieved shall file a protest within the time provided, the City Council shall thereafter fix a date for hearing. At the hearing, the protestant shall be entitled to be heard in person, by agent or attorney and the City Council shall consider evidence whether 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 13th day of January 13, 2011.

CITY SEAL

ATTEST:


Del Jurney, Mayor



David A. Kunko, City Clerk

<p>Tijmor Subdivision (C) Tijmor Blk 1 Lots 1,2,4 - 7,9 - 17 Tijmor Blk 2 Lots 1 - 3,6 - 9,11,12 Tijmor Blk 3 Lots 1,3,4,7 - 9,12 - 21,25 - 27 Tijmor Blk 4 Lots 1,6 - 8,11,12 Tijmor LLC 516 Martinez Lane NE Albuquerque, NM 87107</p>	<p>3012 and 3013 N. Richardson (C) Overstreet Subdivision Blk 1 Lots 4,5 G. Frank Rhymes P.O. Box 729 Roswell, NM 88202</p>
<p>712 E. Third (C) Vista Verde Rediv. Amend Blk 2 Lot 3 W38' Vista Verde Rediv. Amend Blk 2 Lot 4 E22' Keith B. & Randi L. Cooper 3929 S. Orange Dr. Los Angeles, CA 90008-1109</p>	<p>714 & 716 E. Third (C) Vista Verde Rediv. Amend Blk 2 Lot 1 W14' Vista Verde Rediv. Amend Blk 2 Lot 2 E46' Federal Home Loan Mortgage Corp. c/o GMAC Mortgage LLC 500 Enterprise Rd. Suite 150 Horsham, PA 19044</p>
<p>1317 N. Maple (O) Keith Blk 2 Lot 10 William Knudson 1317 N. Maple Roswell, NM 88201</p>	<p>504 N. Missouri (C) Westside Blk 9 Lot 5 Frankie Nevelda Piatt P.O. Box 24 Salado, TX 76571-0024</p>
<p>204 W. 8th (C) Chambers Rediv. Lot 3 Terry & Terrie Holl 507 Carter Dr. Roswell, NM 88203</p>	<p>706 W. 10th (C) Riverside Heights Blk 6 Lot 4 W52.55' Riverside Heights Blk 6 Lot 5 E3.45' Simineo Inc. P.O. Box 139 Delta, CO 81416</p>
<p>1302 N. Washington (O) Keith Blk 3 Lot 3 Sylvia Henson 6590 Old Dexter Hwy Dexter, NM 88230</p>	<p>1012 N. Washington (O) Riverside Heights Blk 1 Lot 1 E66' John William & Verónica Lynn Lawrence 950 S. Garcia St. Unit 665 Port Isabel, TX 78578-4044</p>
<p>1213 N. Kansas (O) Arroyo Amend Blk 2 Lot 9 Daniel Living Trust Nathan M. & Wanda K. Trustees 116 W. Noakes St. El Cajon, CA 92019</p>	<p>900 W. College (O) 32-10-24 NW4 W78.42' E982.26'S164.74'N194.74 Gary Tonjes & Shirley McCanna 5012 Sunningdale Ave. NE Albuquerque, NM 87110</p>
<p>1000 & 1002 W. College (O) 32-10-24 NW4 W89.44'E1432.59'S165'N195' Victor & Socorro Ruiz 5040 W. Berrendo Rd. Roswell, NM 88201</p>	<p>1400 N. Maple (O) Keith Blk 1 Lot 4 Kathy M. Thatcher 1704 E. College Roswell, NM 88201</p>
<p>1602 & 1604 N. Missouri (O) Mountain View Blk 4 Lot 5 S2 Mountain View Blk 4 Lot 6 E225' Paul Pappas 1302 Highland Rd. Roswell, NM 88201</p>	<p>1622 N. Missouri (O) Mountain View Blk 4 Lot 1 Miller R. VanEaton P.O. Box 3671 Roswell, NM 88202</p>

<p>304 ½ E. Chisum St. (O) Clarence Taylor Summary Plat Tract B Jacklyn Dennard 1900 Lee LP NE Rio Rancho, NM 87144</p>	<p>1514 S. Stanton Ave. (O) Fruitland Blk 4 Lot 3 N50'S300'E132' Robert M. Reyna P.O. Box 564 Peoria, AZ 85345</p>
<p>408 E. Chisum St. (O) Fruitland Blk 4 Lot 3 N72'W100'E282' Leopoldo A. & Carmen Z. Palma 1502 Sunset Place Roswell, NM 88203</p>	<p>1410 S. Mulberry Ave. (O) Johnson & Allison S2 Blk 2 Lots 5,6,7,8 Fruitland Blk 6 Lot 6 Ignacio Renteria 501 S. Virginia Ave. Roswell, NM 88203</p>
<p>410 E. Chisum St. (O) Fruitland Blk 4 Lot3 W50' E182'N147' Nora Guajaca 1325 W. 219th St. Torrance, CA 90501</p>	<p>1412 S. Mulberry Ave. (O) Johnson & Allison S2 Blk 2 Lots 5,6,7,8 Fruitland Blk 6 Lot 7 Conferina Baca PMB 430 1840 S. Gaffey St. San Pedro, CA 90731-5361</p>
<p>602 E. Chisum St. (O) Fruitland Blk 4 Lot 1 N100'E130'W168' Socorro Armando & Irma T. Beltran 705 E. Dannum St. Hobbs, NM 88240</p>	<p>1414 S. Mulberry Ave. (O) Johnson & Allison S2 Blk 2 Lots 5,6,7,8 Fruitland Blk 6 Lot 8 Erminia Vegara 2811 S. Largo Dr. Roswell, NM 88203</p>
<p>1414 S. Jackson Ave. (O) South Highlands Rediv Blk 29A Lot N45' Carl Essary 732 South RRAF Floyd, NM 88118</p>	<p>1521 S. Jackson Ave. (O) Fruitland Blk 4 Lot 1 N200' S300' E130'W168' W.L. Turley 10595 Russell Rd. La Mesa, CA 91941</p>
<p>1210 S. Johnson Rd. (C) Johnson & Allison Blk 2 Lot2 Fruitland Blk 0 Lot 18 Lorenzo Leyba, Nancy Murillo 2322 N. Garden Ave. Roswell, NM 88203</p>	<p>1613 S. Richardson Ave. (O) Grand View Blk 1 Lots 18 Penny L. Kelley P.O. Box 2247 Roswell, NM 88202-2247</p>
<p>1617 S. Richardson Ave. (O) Grand View Blk 1 Lots 16 Penny L. Kelley P.O. Box 2247 Roswell, NM 88202-2247</p>	<p>1621 S. Pennsylvania Ave. (O) Grand View Blk 2 Lot 14 Irene A. Jones 4464 Gettysburg Fresno, CA 93726</p>
<p>1305 S. Pennsylvania Ave. (C) South Highlands Blk 17 Lot 4 Ernest E. Stephens 1305 S. Pennsylvania Ave. Roswell, NM 88203</p>	<p>1112 S. Washington Ave. (C) Washington Blk 3 Lot 28 US Bank National Association, As Trustee 1675 Palm Beach Lakes Blvd., STE 402 West Palm Beach, FL 33401</p>