

CITY OF ROSWELL
RESOLUTION NO. 11-10

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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.

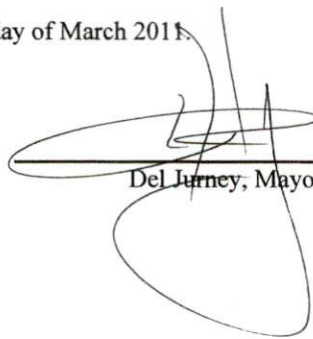
4. Persons aggrieved by the determination of the City Council have a right to appeal to a court of competent jurisdiction by giving notice of such appeal to the City Council within five (5) days after the day of issuance of such order or decision, together with a petition for court review duly filed 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 10th day of March 2011.





David A. Kunko, City Clerk



Del Journey, Mayor

<p>1103 W. Eighth St. (O) Riverside Heights Blk 11 lot 1 W32.8' E70.8' David Bennett Mary E Simmons 43 E Carmel Valley Rd. Apt. 2 Carmel Valley, CA 93924-9602</p>	<p>614 Orange (C) Purdy-Norris Amend Blk 4 lot 2 Alfredo Montoya c/o Rent Shoppe 200 W. Eighth St. Roswell, NM 88201</p>
<p>600 N Kentucky (O) Mc Alpine Summary Plat lot B James W. Beaver 87 Laurel Court Quakertown, PA 18951</p>	<p>1108 N. Union (O) 32-10-24 NW4NW4 E175' N250' S260' Jimmy J. Hooper P.O. Box 817 Roswell, NM 88202</p>
<p>1204 N Union (O) 32-10-24 NW4NW4 N71.29' S431.29' E175' Gaby & Linda M. Nasrallah 5108 W. Alameda Roswell, NM 88203</p>	<p>Approx. 1104 W. Eighth St. (O) Riverside Heights Blk 22 lots 1,2,3 Gutierrez, Ruth Flores Young P.O. Box 3423 Roswell, NM 88202-3423</p>
<p>900-1100 N. Sycamore (C) 36-10-23 S2 NE4 Less 80' For Hwy James C. Hedgcoth c/o Paul Slayton P.O. Box 2035 Roswell, NM 88201</p>	<p>Approx. 3504 Highland (C) Lomitas Encantadas 2 Blk 26 lot 4 Joseph & Amanda Nasrallah 1000 S. Plains Park Dr. Roswell, NM 88201</p>
<p>1902 thru 2000 N. Louisiana (C) Sorrento Subdivision lots 72 thru 77 Artistic Homes Inc. 4420 Tower Rd. SW Suite A Albuquerque, NM 87121</p>	<p>1213 N. Kansas (O) Arroyo Amend Blk 2 lot 9 Lydia Flores 1113 Caminisito St. Roswell, NM 88203</p>
<p>720 E. Tilden St. (O) Flora Vista Blk 3 Lots 3,4 Michelle Andrade 603 S. Ohio Ave. Roswell, NM 88203</p>	<p>706 E. Tilden St. (O) Flora Vista Blk 3 Lots 17,18 George F., George B, Jimmy, and Julian Jimenez 437 E. 231st St. Carson, CA 90745</p>
<p>300 E. Hendricks (O) South Roswell Blk 19 Lot 1 Loretta Mendoza ETAL c/o Teresa Juarez P.O. Box 918 Chimayo, NM 87522</p>	<p>505 S. Ash Ave. (O) 4-11-24 W2SW4SE4NE4 S50' N190' E137.85' W157.85' Edward Pinon 1720 Golf Course Rd. SE Rio Rancho, NM 87124</p>
<p>513, 515 S. Ash Ave. (O) Jacksons Lots 13,14 Tony & Avie Chavez 216 Wyoming SE Albuquerque, NM 87123</p>	<p>400 S. Kansas Ave. (O) Pauly Blk 11 Lot 1 Mark Garza & Cristy Garza 400 S. Kansas Ave. Roswell, NM 88203</p>

<p>908 W. Hendricks St. Pauly Blk 14 Lot 10 E56.40' Pauly Blk 14 Lot 11 E56.41' Pauly Blk 14 Lot 12 E56.41' Dennis Ray Brewton Debra Lynn Brewton 115 Dogwood St. Henderson, NV 89015-5208</p>	<p>(O)</p> <p>414 S. Hemlock Ave. West View Amend Blk 1 Lot 8 Keven L. Woody Andrea C. Woody 414 S. Hemlock Ave. Roswell, NM 88203</p> <p>(O)</p>
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