

CITY OF ROSWELL  
RESOLUTION NO. 12-12

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.

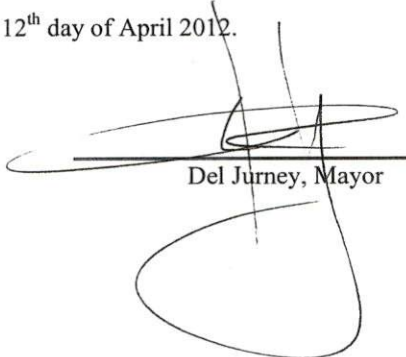
3. In the event the owner or other person aggrieved shall file a protest within the time provided, the City Council shall thereafter fix a date for hearing. At the hearing, the protestant shall be entitled to be heard in person, by agent or attorney and the City Council shall consider evidence whether 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 12<sup>th</sup> day of April 2012.



  
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David A. Kunko, City Clerk

  
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Del Jurney, Mayor

<p>709 N. Main St. (O)          UFO Museum Boundary Replat          International UFO Museum &amp;          Research Center          114 N. Main St.          Roswell, NM 88203</p>	<p>310 E. 6<sup>th</sup> St. (C)          Belle Plain          Blk 0 Lot 69W 22' And Lot 70 E 44'          Sudabeh &amp; Majid Properties, LLC          1245 Humbug Creek Court          Folsom, CA 95630</p>
<p>309 E. 6<sup>th</sup> St. (C)          Belle Plain          Blk 0 Lot 61 E 50' W 250'          Betty Lou Hernandez          10135 High Range Rd. SW          Albuquerque, NM 87121</p>	<p>507 W. Fourth St. (C)          West Side Blk 21 Lot 9 E50'          Lot 10 E50' Lot 11 E50'          Scott D. Ouillette          1615 Mesa Dr.          Roswell, NM 88201</p>
<p>401-403 S. Sunset (O)          Pauly Blk 7 Lot 1 &amp; 2          David &amp; Carlton Blewett          1612 W. Eighth St.          Roswell, NM 88201</p>	<p>401 S. Sequoia (C)          West View Amend          Blk 1 Lot 20          Warner McGhee          605 Johnson St.          Clovis, NM 88101</p>
<p>908 W. Hendricks (O)          Pauly Blk 14 Lot 10 E56.40'          Lot 11 E56.41' Lot 12 E56.41'          Dennis &amp; Debra Brewton          115 Dogwood St.          Henderson, NV 89015-5208</p>	<p>706 E. Deming St. (C)          Barnetts Blk 10 Lot 7          Eddie Mae Wesson          Geraldine Spencer          2344 W. 29<sup>th</sup> Place          Los Angeles, CA 90018</p>
<p>800 E. Tilden St. (C)          Flora Vista          Blk 4 Lot 26 thru Lot 28          Alfred Jaramillo c/o Debbie Jaramillo          P.O. Box 1165          Roswell, NM 88202-1165</p>	