

CITY OF ROSWELL
RESOLUTION NO. 12-29

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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.

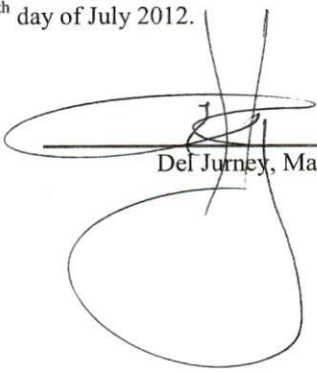
4. Persons aggrieved by the determination of the City Council have a right to appeal to a court of competent jurisdiction by giving notice of such appeal to the City Council within five (5) days after the day of issuance of such order or decision, together with a petition for court review duly filed 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 12th day of July 2012.





David A. Kunko, City Clerk



Del Jurney, Mayor

<p>Approx. 114 E. Mathews St. South Roswell Blk 53 Lots 29 N90' & Lot 31 N 90' Richard Craig Duran Nicole Duran 254 Adobe Mesa Roswell, NM 88201</p>	(o)	<p>911 E. 2nd St. Belle Plain Blk 0 Lot 44 E 70' S 200' Terry Johnson 1120 E. 2nd St. Roswell, NM 88201</p>	(c)
<p>1901 N. Garden Ave. Sherrell Heights Blk 1 Lot 5 Spencer Clarke c/o Saunsari Orona P.O. Box 291 Brookshire, TX 77423</p>	(c)	<p>Approx. 2301 N. Washington Ave. La Sierra Unit 1A Lot 21 Ron or Alana Marotzke 92 W. Blevins Rd. Artesia, NM 88210</p>	(o)
<p>414 N. Lea Ave. WEST SIDE Blk 21 Lot 1 & Lot 2 Daniel or Rebecca Clements 414 N. Lea Ave. Roswell, NM 88201</p>	(c)	<p>911 N. Michigan Ave. Riverside Heights Amend Blk 6 Lot 6 Jo Ann Green 911 N. Michigan Ave. Roswell, NM 88201</p>	(o)
<p>1210 N. Ohio Ave. Judge Summary Plat Lot All Bank of New York Mellon c/o Bank of America, NA; BAC Home Loans Servicing LP 400 Countrywide Way, SV-35 Simi Valley, CA 93065</p>	(o)	<p>Approx. 710 W. 11th St. Riverside Heights Blk 1 Lot 2 Harry Burkstaller 14011 Muirfield Village Dr. Houston, TX 77069</p>	(o)
<p>711 W. 12th St. Keith Amend Blks 4-5 TR A B C Blk 4 Lot 2 Louis Valdez 219 E. Lewis St. Roswell, NM 88203</p>	(o)	<p>707 W. 12th St. Keith Amend Blks 4-5 TR A B C Blk 4 Lot 2 Louis Valdez 219 E. Lewis St. Roswell, NM 88203</p>	(o)
<p>Approx. 709 W. 12th St. Keith Amend Blks 4-5 TR A B C Blk 4 Lot 2 Norma Morgan 529 N. 7th Avenue Sequim, WA 98382</p>	(o)	<p>809 W. 11th St. S 32 T 10S R 24E SE4NW4 N 160' W 50' E 715.5' Rita Chavez c/o John Amador P.O. Box 501 Roswell, NM 88202</p>	(o)
<p>Approx. 910 W. 11th St. Riverside Heights Blk 3 Lot 2 Sisto or Julia Duran 1246 Lagoon Ave. Willmington, CA 90744-3117</p>	(o)	<p>Approx. 911 & 913 W. 10th St. Riverside Heights Blk 3 Lot 3 Carolina Valdez 711 N. Lea Ave. Roswell, NM 88201</p>	(o)

1107 Highland Rd. Riverside Heights Amend Blk 28 Lot 5 Jenny Russell 1107 Highland Rd. Roswell, NM 88201	(o)	5 Lafayette Lp. Delta Acres Blk 3 Lot 1 Westa Hunt 5 Lafayette Lp. Roswell, NM 88201	(c)
2004 S. Sunset Ave. Sunset Industrial Park Blk 1 lot 2,3 Novak Summary Replat lot A & B Shannon A. Hellums 6223 Devonian Rd. Roswell, NM 88201	(o)	302 W. Alameda South Roswell Blk 8 lots 11,13 Michael L. & Jesse Smith P.O. Box 3136 Farmington, NM 87499	(o)
1113 S. Pennsylvania Ave. Roswell Homes Rediv Blk 1 lot 19 Virgie Louise Guss 1098 Windmill Rd. Ancho, NM 88301	(o)	503 S. Sycamore Shearman's Westward Tract B Tara J. Slocum 503 S. Sycamore Roswell, NM 88203	(o)
706 S. Michigan Lewis 1 st Amend Blk 2 lot 4 S 35' Lewis 1 st Amend Blk 2 lot 5 N 36.2' Ramon Galvan Jr. 706 S. Michigan Roswell, NM 88203	(o)	107 S. Delaware Wright's Blk 6 lot 11 less the E 65' Blanche Stephens 2904 W. Juniper Roswell, NM 88203	(o)
211 S. Pennsylvania Thurber's Blk 1 lot 9 W 100' Government Land Sales 2736 S. Gatewood Ct. Boise, ID 83709	(o)	109 S. Delaware Wright's Blk 6 lot 10 W 103' Blanche Stephens 2904 W. Juniper Roswell, NM 88203	(o)
207 S. Lea West Side Blk 45 lot 9 W 70' Karen Brown 207 S. Lea Roswell, NM 88203	(o)	111 S. Delaware Wright's Blk 6 lot 9 N 33' W 60.43' N2 E 107.9' Blanche Stephens 2904 W. Juniper Roswell, NM 88203	(o)

<p>200 S. Lea West Side Blk 16 lot 1 Stephanie or George Gale 200 S. Lea Roswell, NM 88203</p>	(o)	<p>1106 S. Richardson Roswell Homes Rediv. Blk 1 lot 4 Maricella Ayala 22 I Street Roswell, NM 88203</p>	(o)
<p>2608 S. Main Fruitland Blk 12 lot 8 S 106.6' E. 175' Bell Realty Co. PO Box 490 Roswell, NM 88202-0490</p>	(o)	<p>2004 S. Main St. South Estates Tract A S 110' N 265.5' Bell Realty Co. PO Box 490 Roswell, NM 88202-0490</p>	(o)
<p>2606 S. Main Fruitland Blk 12 lot 8 S. 110' N 1157.2 ' E. 175' Mark Nesselrodt III 309 N. Virginia Roswell, NM 88203</p>	(o)	<p>305-309 S. Sunset Pauly Blk 6 lots 1,2,3 Leroy Gonzales 114 Oliver Roswell, NM 88203</p>	(o)
<p>1906 N. Mississippi Summersgills Blk 2 Lot 5 Hugh Hess 4201 South Congress, Ste 303 Austin, TX 78745</p>	(c)	<p>504 E. Fourth Lea Lot 30 Federico Elizalde Rivera 4062 42nd St. Apt. #4 San Diego, CA 92105</p>	(c)