

CITY OF ROSWELL
RESOLUTION NO. 13-30

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.

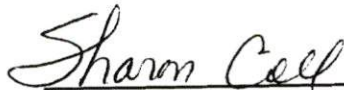
3. In the event the owner or other person aggrieved shall file a protest within the time provided, the City Council shall thereafter fix a date for hearing. At the hearing, the protestant shall be entitled to be heard in person, by agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.

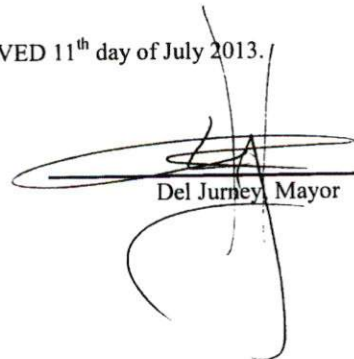
4. Persons aggrieved by the determination of the City Council have a right to appeal to a court of competent jurisdiction by giving notice of such appeal to the City Council within five (5) days after the day of issuance of such order or decision, together with a petition for court review duly filed 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 11th day of July 2013.

CITY SEAL

ATTEST:


Sharon Coll, City Clerk


Del Jurney, Mayor

<p>110 S. Elm Ave. (C) Acequia Blk 1 Lots 12, 13 Betty Hernandez 931 Foothill Rd. SW Albuquerque, NM 87105</p>	<p>1512 Stanton Ave. (O) Fruitland Blk 4 Lot 3 N50' S350' E132' Annie T. Aguilar 1511 Stanton Ave. Roswell, NM 88203</p>
<p>1203 E. Alameda St. (O) Doc Covington Blk 3 Lot 12 Richard Calvert; Jerrie Calvert 1203 E. Alameda St. Roswell, NM 88203</p>	<p>1610 Cahoon Ave. (C) Mayes Blk 8 Lot 6 Catherine Jojola c/o April Jojola 306 E. Deming St. Roswell, NM 88203</p>
<p>Approximately 738 E. Alameda St. (O) Flora Vista Blk 1 Lots 7,8,9,10,11,12 Joe Albarez 12 Forest Dr. Roswell, NM 88203</p>	<p>1612 Cahoon Ave. (O) Mayes Blk 8 Lot 7 Catherine Jojola; Daniel Jojola 5011 Meadowlark Dr. Roswell, NM 88203</p>
<p>Approximately 717 E. Hendricks St. (O) Flora Vista Blk 3 Lots 43, 44 Tom Benavides; Kathleen L. Benavides 2515 Harris Rd. SW Albuquerque, NM 87105-5311</p>	<p>1508 ½ Stanton Ave. (O) Fruitland Blk 4 Lot 3 N45' S445' E132' Annie T. Aguilar 1511 Stanton Ave. Roswell, NM 88203</p>
<p>1102 Cahoon Ave. (O) Fruitland Blk 1 Lot 8 E100' S50' N100' Jose R. Raya 1100 S. Cahoon Ave. Roswell, NM 88203</p>	<p>1510 Stanton Ave. (O) Fruitland Blk 4 Lot 3 N50' S400' E132' Annie T. Aguilar 1511 Stanton Ave. Roswell, NM 88203</p>
<p>1111 S. Michigan (C) Washington Blk 3 Lot 5 Wells Fargo Bank NA 1 Home Campus Mail Code X2504-017 Des Moines, IA 50328</p>	<p>2004 S. Sunset (O) Sunset Industrial Park Blk 1 Lots 2,3 Shannon A. Hellums 6223 Devonian Rd. Roswell, NM 88201</p>
<p>56 W. Byrne (O) Pecos Valley Village Blk 1 Lot 18 Raymond & Lisa Fresquez 2001 S. Sunset Ave. Apt. 239 K Roswell, NM 88203</p>	<p>3500 Pearson Dr. (O) Enchantment West Subdivision Lot 12 Dawn Turrieta P.O. Box 298 Hagerman, NM 88232</p>