

CITY OF ROSWELL  
RESOLUTION NO. 15-07

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agent or attorney and the City Council shall consider evidence whether or not its previous action shall be enforced or rescinded; if it shall be determined that the removal order should be enforced.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 February 2015.

CITY SEAL



ATTEST:

  
Sharon Coll, City Clerk

  
Dennis J. Kintigh, Mayor

806 E. WALNUT ST. ACEQUIA Block 3 Lot 65 & Lot 66 PEREZ, GUADALUPE; PEREZ, PETE 318 S. MAIN ST. ROSWELL, NM 88201	100 S. ELM AVE. ACEQUIA Block 1 Lot 2 & Lot 3 THRU Lot 5 AMADOR, JOHN G. P.O. BOX 501 ROSWELL, NM 88202-0501
313 S. ASH AVE. ROSE Lot 6 N 62.5' W 200' Quarter NE S 4 T 11S R 24E ARIAS, EDITH 1504 BLUE WILLOW CT. PFLUGERVILLE, TX 78660	600 E. DEMING ST. BARNETTS Block 9 Lot 13 SILVA, EDUVIGEN MRS. C/O LOUIS MENDOZA 600 EL PARAISO ALBUQUERQUE, NM 87107
800 E. DEMING ST. BARNETTS Block 11 Lot 13 BARNETT, EARSLEY JR.; MORONES, JOSEPHINE 1614 W. ALAMEDA ROSWELL, NM 88203	1718 S. MONROE AVE. 1720 S. MONROE AVE. SOUTH PARK Block 5 Lot 10 & Lot 11 ROSWELL TOWER INC. P.O. BOX 1168 ROSWELL, NM 88202
610 E. ALBUQUERQUE ST. BARNETTS Block 2 Lot 5 REYES, MAYRA ANGELICA 600 TRAILING HEART ROSWELL, NM 88201	612 E. ALBUQUERQUE ST. BARNETTS Block 2 Lot 3 REYES, DANIEL JOSE 600 TRAILING HEART ROSWELL, NM 88201
APPROX 701 E. ALBUQUERQUE BARNETTS Block 1 Lot 1 ANAYA, MARY S. 8208 COPPERLEAF TRAIL NE ALBUQUERQUE, NM 87122-1042	1003 PURDUE DR. MESA PARK 4 Block 15 Lot 2 STEWART, MICHAEL E.; STEWART, CARLA E. 1414 S. UNION AVE., A 5 ROSWELL, NM 88203
APPROXIMATELY 711 1/2 W. 12 <sup>TH</sup> ST. KEITH AMEND BLKS 4-5 TR ABC Block 4 Lot 2W 40' E104' MORGAN, NORMA DEAN NORRIS C/O RON MORGAN P.O. BOX 53 CANYON CITY, OR 97820	808 W. 8 <sup>TH</sup> ST. DUNNS REDIV Block 0 Lot 27 ELLINGTON, WILLIAM E.; ELLINGTON, DEBRA M. 808 W. 8 <sup>TH</sup> ST. ROSWELL, NM 88201
307 SUNRISE RD. TIERRA BERRENDA 4 Block 9 Lot 7 KOELLING, ERICA; KOELLING, JOSEPH C. 6 KILARY DR. DURHAM, NC 27713	707 W. 9 <sup>TH</sup> ST. RIVERSIDE HEIGHTS AMEND Block 6 Lot 9 AGUILAR, JOYCE 707 W. 9 <sup>TH</sup> ST. ROSWELL, NM 88201