

CITY OF ROSWELL
RESOLUTION NO. 15-18

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:

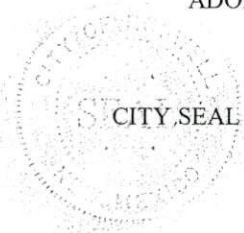
1. The premises set forth in Exhibit A are declared to be so covered with rubbish, weeds, wreckage or debris as to constitute a menace to the public comfort, health, safety and general welfare within the purview of Article 3-18-5 NMSA 1978.

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 9th day of April 2015.




Dennis J. Kintigh, Mayor

ATTEST:


Sharon Coll, City Clerk

1401 S. MULBERRY AVE. JOHNSON & ALLISON S2 Block 2 Lots 5-6-7-8 FRUITLAND Block 7 Lot 24 GONZALEZ-LARREA, HERLANDO 447 SUNRISE WEST DRIVE SW ALBUQUERQUE, NM 87121	702 E. 5TH ST. BELLE PLAIN Lot 38 W 85.2' S 208.7'N 253.70' & Lot 38 E 60 FT W 145.2 FT S 191.5 FT N 236.5' Quarter SE S 33 T 10S R 24E RAMIREZ, CARLOS A.; GARCIA, MARIA CELIA GUADALUPE PO BOX 805 CHULA VISTA, CA 91912
1406 S. GARDEN AVE. SOUTH HIGHLANDS REDIVISION Block 29B Lot 4 RODRIGUEZ, JULIA 934 W. 15-1/2 ST. HOUSTON, TX 77008 1210 JOHNSON RD. JOHNSON & ALLISON Lot 2 Block 2 FRUITLAND Block 0 Lot 18 GILBERT, HARLON J. 2970 RILLITO DR. LAS CRUCES, NM 88007	501 E. FOREST ST. BRUNS Block 1 Lot 6 VALADEZ, PAUL G. 501 E. FOREST ST. ROSWELL, NM 88203
1405 S. MULBERRY AVE. JOHNSON & ALLISON S2 Block 2 Lots 5-6-7-8 FRUITLAND Block 7 Lot 22 SIGALA, JONATHAN; SIGALA, GILBERT 308 W. ALBUQUERQUE ROSWELL, NM 88203	1006 AVENIDA DEL SUMBRE CASA BONITA Block 5 Lot 27 HEINE, FRED; HEINE, BARBARA 6100 OLD CLOVIS HWY. ROSWELL, NM 88201-8923
8 E. BYRNE ST. PECOS VALLEY VILLAGE Block 6 Lot 4 BK 163 WREN, HELEN R. 9120 NAPA VALLEY TRL. KELLER, TX 76248	1406 S. MULBERRY AVE. JOHNSON & ALLISON S2 Block 2 Lots 5-6-7-8 FRUITLAND Block 6 Lot 4 SURRATT, CHARLES ALFONSO; SURRATT, MARY LEE PO BOX 63 SAN PATRICIO, NM 88348
32 E. BYRNE ST. PECOS VALLEY VILLAGE Block 6 Lot 12 CARRASCO, MANUEL; CARRASCO, ELIDA & CARRASCO, ELISEO 502 FULKERSON DR. ROSWELL, NM 88203	10 E. BYRNE ST. PECOS VALLEY VILLAGE Block 6 Lot 5 LOPEZ, JUAN E RIVAS; RIVAS, ANDY ANTONIO 593 LEE RD. IMPERIAL, CA 92251
49 VAN LEUVEN PL. PECOS VALLEY VILLAGE Block 8 Lot 31 MENDOZA, VICTOR; MENDOZA, ESTELMA PO BOX 701 FARWELL, TX 79325	54 WERKHEISTER PL. PECOS VALLEY VILLAGE Block 17 Lot 24 BENAVIDES, TOM; BENAVIDES, KATHLEEN L. 2515 HARRIS RD. SW ALBUQUERQUE, NM 87105-5311
101 E ST. PECOS VALLEY VILLAGE Block 21 Lot 38 WRIGHT, ISAAC L.; WRIGHT, MARIE T. PO BOX 50131 ALBUQUERQUE, NM 87181	69 POWELL PL. PECOS VALLEY VILLAGE Block 16 Lot 5 BARR, MICHAEL J. 9180 HAGENSACK RD. BROOKINGS, SD 57006
VACANT LOT EAST OF 4501 N. MAIN ST. 16-10-24 NW4 S1440' N1470' E480' W1734.17' M/L SAMARCAN, INC. 149 COLONIAL ROAD PO BOX 1270 MANCHESTER, CT 06045-1270	911 HERMOSA DR. LINDA VISTA ESTATES 5 Block 5 Lot 18 KERMODE, CASSANDRA 303 HUNTERS CREEK DR. GOLDSBORO, NC 27534
413 S. ASH AVE. RONNIE OTERO Lot 6 GRAJEDA, PRISTINIA M. 413 S. ASH AVE. ROSWELL, NM 88203	511 W. 7 TH ST. WEST SIDE Block 24 Lot 8 W 106.66' and Lot 9 W 106.66' and Lot 10 W 106.66' S 40' MEDRANO, MANUEL; MEDRANO, YOLI 511 W. 7 TH ST. ROSWELL, NM 88201
413 S. ASH AVE. RONNIE OTERO Lot 6 GRAJEDA, PRISTINIA M. 413 S. ASH AVE. ROSWELL, NM 88203	2209 N. GARDEN AVE. BOOTH SUMMARY SUB TRACT B HARVEY GROOVER LONG ESTATE 3902 N. GARDEN AVE. ROSWELL, NM 88201

16 W. WELLS ST. PECOS VALLEY VILLAGE Block 13 Lot 31 MARTIN, NORMAN THERLO; MARTIN, ELKE MARGARETE 16 W. WELLS ST. ROSWELL, NM 88203	42 GEIGER PL. PECOS VALLEY VILLAGE Block 12 Lot 14 PECOS VALLEY VILLAGE Lot TRACT D UNDIV 1/6 INT ANDERSON, STEVEN B.; ANDERSON, VIVIEN 5116 TEMPLE DR. AMARILLO, TX 79110
18 W. WELLS ST. PECOS VALLEY VILLAGE Block 13 Lot 30 LOPEZ, JUAN E. RIVAS 593 LEE RD. IMPERIAL, CA 92251	409 S. EVERGREEN AVE. WILL JOHNSON HEIGHTS 2 Block 1 Lot 5 ROMO, DOMINGO R. C/O VANESSA ROMO 2120 S. SALLEE VISALIA, CA 93277
1000 W. DEMING ST. LODEWICK Block 3 Lot 1 BANK OF AMERICA, NA 8501 FALL BROOK AVE. CANOGA PARK, CA 91304	1615 S. UNION AVE. PARK UNION TOWNHOUSE Block 0 Lot 8 OCHSENIUS, MAX E. 1615 S. UNION AVE. ROSWELL, NM 88203
1503 S. WASHINGTON AVE. SOUTH HIGHLANDS EXT C Block 6 Lot 2 COOK, ANTHONY; COOK, ERIN 1503 S. WASHINGTON AVE. ROSWELL, NM 88203	500 S. LEA AVE. ALAMEDA HEIGHTS Block 8 Lot 1 N 50' GRAY, GREGORY MARC 500 S. LEA AVE. ROSWELL, NM 88203
521 W. REED ST. MYERS REDIV Block 3 Lot 14 BURNETT LIVING TRUST, 1996 VINNIE LUELLA C/O BURNETT, VINNIE LUELLA – TRUSTEE 3215 FIR AVE. ALAMEDA, CA 94502	201 S. MICHIGAN AVE. OVARDS Block 7 Lot 12 BREWER, LINUS MONROE; DENTON, MARGARET PMB 317 1380 US HIGHWAY 95A N. STE. 2 FERNLEY, NV 89408
204 S. PENNSYLVANIA AVE. WEST SIDE Block 46 Lot 3 ENGLISH REVOCABLE TRUST W; MARGARET M. C/O MARGARET M. ENGLISH 313 W. COUNTRY CLUB RD. STE. 4 ROSWELL, NM 88201-5804	206 S. MICHIGAN AVE. 206 S. MICHIGAN AVE. #1/2 OVARDS Block 8 Lot 4 SMITH C M E CHURCH C/O CHRISTINE RAGSDALE 400 N. LIGHT PLANT ROAD, SP. #32 AZTEC, NM 87410