

CITY OF ROSWELL
RESOLUTION NO. 16-01

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.

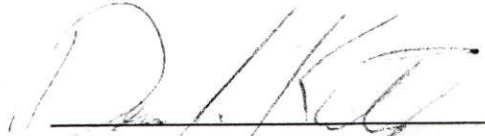
3. In the event the owner or other person aggrieved shall file a protest within the time provided, the City Council shall thereafter fix a date for hearing. At the hearing, the protestant shall be entitled to be heard in person, by agent or attorney and the City Council shall consider evidence whether 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 14th day of January 2016.

CITY SEAL





Dennis J. Kintigh, Mayor

ATTEST:



Sharon Coll, City Clerk

806 N. Pennsylvania Ave. West Side Block 55 Lot 4 Fusion Group, LLC 3257 N. Sycamore Ave. Roswell, NM 88201	Military Heights Drive Khorsand-NMMI Foundation Summary Plat Tract B N.M.M.I. Foundation 101 W. College Blvd. Roswell, NM 88201
1812 W. 3 rd St. Lincoln Place Annex Block 3 Lot 6 W17.8' and Lot 7 E47.2' Michael Bryce Guerrero 1812 W. 3 rd St. Roswell, NM 88201	Military Heights Drive Military Heights Com Prop Unit 2 Block 2 Lot 6 N.M.M.I 101 W. College Blvd. Roswell, NM 88201
1203 N. Michigan Ave. 32-10-24 NE4NW4 W182.2' E408' N50' S370' Virginia Valencia 709 Poplar St. Farmington, NM 87401	Approximately 3000 Block N. Kentucky Ave. Berrendo Irrigated Farms Block 20 Lot 8 N 636.54' W 667.36' Tierra Realty Trust, LLC P.O. Box 8270 Santa Fe, NM 87504
1203 N. Kansas Ave. Arroyo Amend Block 2 Lot 9 Lydia Flores 1316 Madera Dr. Great Falls, MT 59404	3900 N. Main St. Berrendo Irrigated Farms Block 17 Lot 8 S 132' N 944' E 330' Marley Ranches, Ltd. P.O. Box 1658 Roswell, NM 88202-1658
1805 N. Lea Ave. Baumgartners Redivision Block 1 Lot 16 Simpson Newman IV 312 S. Lea Ave. Roswell, NM 88203 Simpson Newman IV c/o Susan D. Mc Clure P.O. Box 4494 Roswell, NM 88202-4494	Area South of 4311 N. Main St. Blue Mountain Junction Center Lot 4 Blue MJ, LLC 6211 San Mateo NE, Suite 130 Albuquerque, NM 87109
1606 N. Michigan Ave. Lawrence & Hodges Block 5 Lot 8 Miguel Gonzales; Sandra Gonzales 603 Largo Dr. Roswell, NM 88203	517 W. College Blvd. Mountain View Block 3 Lot 8 Esperanza Developmental Services LLC P.O. Box 1536 Roswell, NM 88202-1536

1507 Pontiac Dr. Schnedars Block 3 Lot 14 Growing Investment Properties, LLC 13170 Central Ave. SE, # B 119 Albuquerque, NM 87123	2902 S. Emerald Dr. South Plains Park Replat Block 3A Lot 16 Lueras, Max L. P.O. Box 2522 Roswell, NM 88202
1512 S. Mulberry Ave. Mc Lemores Block 0 Lot 7 Randle, J. T. 3703 Zinnia Rd. Roswell, NM 88201-9522	1514 S. Mulberry Ave. Mc Lemores Block 0 Lot 8 Randle, J. T. 3703 Zinnia Rd. Roswell, NM 88201-9522
322 E. Bonney St. Keiths Southside Block 6 Lot 8 Tate, James Edward 18015 8th Ave., NW Shoreline, WA 98177	