

RESOLUTION NO. 1965

A RESOLUTION OF THE CITY OF ROSWELL DECLARING CERTAIN PREMISES TO BE A MENACE TO THE PUBLIC COMFORT, HEALTH, PEACE OR SAFETY; REQUIRING THE ABATEMENT OF SAID MENACE; PROVIDING FOR ABATEMENT BY THE CITY; PROVIDING FOR APPEALS; PROVIDING FOR A LIEN FOR THE COSTS OF THE CITY'S ABATEMENT EFFORTS, AND PROVIDING FOR NOTICE TO THE SUBJECT PROPERTY OWNERS.

WHEREAS, Section 3-18-5 N.M.S.A. (1978) provides that a municipality may by resolution find that premises covered with ruins, rubbish, wreckage or debris is a menace to the public comfort, health, peace and safety, and

WHEREAS, the following properties are deemed to constitute menaces to the public comfort, health, peace and safety by reason of the debris, rubbish, and wreckage accumulated on each respective property, the properties being:

<u>Owner</u>	<u>Location</u>
1. George Kreutzer 911 W. 7th St. Roswell, NM 88201	911 W. 7th St.
2. Manuel Gonzales 1506 S. Cahoon Roswell, NM 88201	1506 S. Cahoon
3. E. K. Cannon 1021 S. Mulberry Roswell, NM 88201	1021 S. Mulberry
4. Ora Hester 1000 E. 2nd St. Roswell, NM 88201	1000 and 1000½ E. 2nd St.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE GOVERNING BODY, THE CITY COUNCIL, OF ROSWELL, NEW MEXICO, that

1. Declaration of Public Menace. The above described properties respectively constitute a menace to the public comfort, health, peace or safety by reason of the accumulated debris, rubbish and wreckage thereon.

2. Notice. A copy of this resolution shall be personally served on the owners, occupants or agents in charge of the above properties. Should such person as shown in the county real estate records not be available for service within the city then a copy of this resolution shall be posted on the premises and published one time.

3. Appeal to Governing Body. Within 10 days of such service, posting or publication the owner, occupant, or agent shall commence removal of the debris, rubbish and wreckage or file a written objection with the municipal clerk asking for a hearing before the governing body.

4. Abatement. If the owner, occupant, or agent in charge of the subject property shall fail to commence removal of the debris, rubbish and wreckage within a.) 10 days of the service, posting or publication or b.) within 5 days following the governing body's determination that this resolution shall be enforced or c.) following the district court's determination that sustaining the determination of the governing body then the City may remove the debris, rubbish and wreckage at the cost and expense of the owner.

5. Lien. The reasonable cost of the removal of the debris, rubbish and wreckage shall constitute a lien against the subject property.

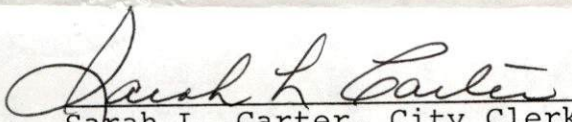
6. Other Proceedings. Other proceedings consistent with the provisions of Section 3-18-5 N.M.S.A. (1978) are hereby expressly authorized as such may be reasonable and necessary.

ADOPTED SIGNED AND APPROVED this 9th day of April, 1985.

CITY SEAL


PETER R. YORK, Mayor

ATTEST:


Sarah L. Carter, City Clerk