

RESOLUTION NO. 2262

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.

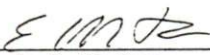
WHEREAS, the City Council of the City of Roswell, New Mexico, finds that the premises listed in Exhibit A attached hereto and purportedly owned of record, or occupied by the parties named, have accumulated rubbish, weeds, wreckage or debris so as to be a menace to the public health, safety and general 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 the 9th day of February, 1995.

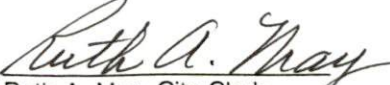
Reviewed and approved


Ernesto B. Martinez
City Attorney

City of Roswell


Thomas E. Jennings
Mayor

CITY SEAL
ATTEST:


Ruth A. May, City Clerk

- (o) #38 Lafayette Loop
Delta Acres, Block 5,
Lot 35
Fil Naranjo
Pegi Naranjo
P. O. Box 477
Roswell, NM 88202-0477
- (o) 207 W. Hendricks St.
South Roswell, Blk 10,
Lot 8
Harold Ashcraft
1017 Rancho Road
Roswell, NM 88201
- (o) 204 S. Pennsylvania Ave.
West Side, Block 46, Lot 3
English Revocable Trust
Frank A. & Margaret Trust.
2605 N. Washington Ave.
Roswell, NM 88201
- (o) 206 W. Mathews St.
South Roswell, Blk. 55,
Lt. 7 W 40'
William E. Smith
Donnie M. Smith
P. O. Box 83
Santa Teresa, NM 88008
- (o) 206 S. Pennsylvania Ave.
West Side, Blk 46, Lot 4
English Revocable Trust
Frank A. & Margaret Trust.
2605 N. Washington Ave.
Roswell, NM 88201
- (o) Approx. 1000 blk North
Orchard Ave., 33-10-24,
N2 NE 4 W 697.85',
E 1806.42' S of North
Spring River
United New Mexico Bank
of Roswell
P. O. Box 1977
Roswell, NM 88202-1977
- (o) 107 West Tilden Street
South Roswell, Blk. 6,
Lot 14, E 5', South
Roswell, Blk. 6, Lot 16
Gloria Noriega
P. O. Box 456
Roswell, NM 88202-0456
- (o) 1106 East Walnut Street
Vaughn, Blk 6, Lot 4 N 2
James T. Perkins
P. O. Box 8246
Roswell, NM 88202-8246
- (o) 1608 S. Richardson Ave.
Grand View, Blk. 2, Lt. 5
Louise S. Graham
%Lucia Silva
931 E. Canadian
Portales, NM 88130
- (o) 1106 1/2 E. Walnut Street
Vaughn, Blk 6, Lot 4 S 2
Pearl Perkins
P. O. Box 8246
Roswell, NM 88202-8246
- (o) 1604 S. Richardson Ave.
Grand View, Blk. 2, Lt. 3
William J. Wachtler
104 Jacob Brook Court
Mauldin, SC 29662
- (o) 825 E. Albuquerque St.
Flora Vista, Blk 5, Lots
53, 54
Perfecta C. Walters
P. O. Box 375
Mountainair, NM 87036
- (o) 514 W. McGaffey St.
South Highland, Blk
19, Lot 15
Bobby L. Wallace
3424 W. Nugent Ave #6
Temple, TX 76504
- (o) 108-110 East Hobbs Street
9-11-24, N 2, NE 4, NW4,
SW 4, E 146.5', W 171.5',
S 156', N 175' /E 131.5',
W 156.5, S 19.55', N
194.55'/E 65.5', W
236.9',
S 107.7', N 126.7'
Ignacio Lucero
Ernesto D. Martinez
502 Greenbrier Street
Roswell, NM 88201
- (o) Approx. 1800 S. Main
8-11-24, SE4NE4SE4,
E 130', W 469.61',
N 130'/E 290' W 629.61',
S 200' N 330'
B & B Consultants Inc.
750 North 17th Street
Las Cruces, NM 88005

- (o) 2003 South Main Street
South Manor, Tract A,
S 100', N 225'
Scholl Craig Corp.
2003 South Main Street
Roswell, NM 88201

- (o) 1001-1003 North Missouri
West Side, Blk 27, Lots
8, 9
Delbert Baier
810 Tocado Loop
Belen, NM 87002

- (c) Vacant area behind Indian
Mesa.
Directly across from
Bland on Eisenhower. 2-
11-23, Lot 1 NE 4. 2-11-
23, Lot 2 NW4NE4-Beg at
the SE corner of Lot 1,
Sec. 2-TH S 11 degrees
25' W along the E line of
Sec 2. 2-11-23 a
distance of 30.85' Th 89
degrees 5' W 271.1' Th N
40' from the POB Th N
315.50' Th E 324.9'. 2-
11-23 Th N Parallel with
the E line of 307', Th W
396.3', Th N 639.5' to
the S line of US Hwy. 2-
11-23 Th W along the S
line of the Hwy to a
point 660'E of the
quarter sec line Th S
678.25'. 2-11-23 Th W
708.71' Th S along the W
line of Lot 2 to the SW
cor thereof, Th E to the
POB and S2NE4. 2-11-23
except 1 AC Tr in the
NE4SE4 conveyed to Ivan
Gill, less 20.9 Ac to
Indian Mesa Subd.
Roswell Development Co.,
Inc.
%Robert Hays
608 Linda Vista
Pueblo, CO 81005