

CITY OF ROSWELL

RESOLUTION NO. 2285

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;

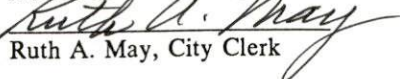
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, THE GOVERNING BODY OF THE CITY OF ROSWELL, NEW MEXICO, that:

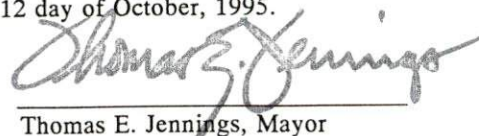
1. The premises set forth in Exhibit A are declared to be so covered with rubbish, weeds, wreckage or debris as to constitute a menace to the public comfort, health, safety and general welfare within the purview of Article 3-18-5 NMSA 1978.
2. The owners, occupants or agents in charge of said premises 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 12 day of October, 1995.

CITY SEAL

ATTEST:


Ruth A. May, City Clerk


Thomas E. Jennings, Mayor

Resolution No. 2285
October 12, 1995

Exhibit A

- (o) 514 West McGaffey
South Highland's
Blk 19 Lot 15
Bobby L. Wallace
3424 West Nugent Ave #06
Temple, Tx. 76504
- (o) 1813 North Michigan
Johnson-Allison Red.
Blk 1 Victoria Hts.
Blk A Lot 19
Michael Bozeman
911 North Delaware
Roswell, NM 88201
- (o) 508 East Tilden
South Roswell
Blk 16 Lot 9
Guillermo Alabarez Est.
1400 South Stanton
Roswell, NM 88201
- (o) 510 East Hendricks
South Roswell
Blk 17 Lot 11
Cecila Caballero
704 West 20th
Clovis, NM 88101
- (o) 223 East Hendricks
South Roswell
Blk 13 Lots 30,32
Lola Noels
% Dolores Boyer
14808 Pine View Drive
Grandview, MO 64030-4573
- (o) 200 East Mathews
South Roswell
Blk 52 Lots 1,3
Steve G. Metarelis
5121 Cedar Springs,
Suite 111
Dallas, Tx. 75235
- (o) 501, 503, 511, 513 E. Summit
South Roswell Amend.
Blk 49 Lots 2,4,12,14
Roswell Investment & Dev. Co.
1800 North Grady
Tucson, AZ 85715
- (o) 505 E. Summit
South Roswell Amend
Blk 49 Lot 6
Virginia Rutherford
% Ella Anthony
4511 Jamaica
Dallas, Tx. 75210
- (o) 1021, 1023 South Virginia
Thompson Rediv.
Lot 12
Reggie Espinosa II
% Trini Espinosa
P.O. Box 3
Santa Cruz, NM 87567
- (o) 1416 East Alameda
3-11-24
NE4SW4NW4 W67 E132
S120 N145
William W. Washicheck
1471 South Walnut #51
Anaheim, CA 92802
- (o) 1418 East Alameda
3-11-24
NE4SW4NW4 E65 S120 N145
William W. Washicheck
1471 South Walnut #51
Anaheim, CA 92802
- (o) 136, 138 E. Byrne
Pecos Valley Village
Blk 6 Lots 42,43
Roswell AFB Ltd.
% Stragetic Inv. of
Oregon Inc
P.O. Box 870
Corvallis, Oregon
97339-0870