

CITY OF ROSWELL

RESOLUTION NO. 2294

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;

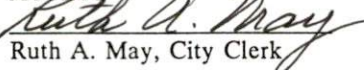
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, THE GOVERNING BODY OF THE CITY OF ROSWELL, NEW MEXICO, that:

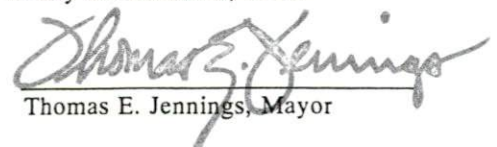
1. The premises set forth in Exhibit A are declared to be so covered with rubbish, weeds, wreckage or debris as to constitute a menace to the public comfort, health, safety and general welfare within the purview of Article 3-18-5 NMSA 1978.
2. The owners, occupants or agents in charge of said premises 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 14 day of December, 1995.

CITY SEAL

ATTEST:


Ruth A. May, City Clerk


Thomas E. Jennings, Mayor

- (o) 807 North Orchard
East Side Subd. A,
Lot 14, Block 1
Alexander J. Lucero
1615 South Monroe Ave.
Roswell, NM 88201
- (o) 916 North Pecan Drive
Pecan Acres Rediv.,
Block 2, Lot 3, S 55'
Erlando Storey
916 North Pecan Drive
Roswell, NM 88201
- (o) 205, 207, 215, 217 East
Alameda Street,
Thurber's Block 8, Lots 9, 10
Ora H. Hester
P. O. Box 309
Roswell, NM 88202-0309
- (c) 113 East Tilden Street
South Roswell, Blk 5, Lot 24
Ralph L. Gonzales, Jr.
1490 Gaviota Avenue
Long Beach, CA 90804
- (c) Approximately 113 1/2 East
Tilden Street, South Roswell, Blk
5, Lots 26, 28
Ralph L. Gonzales, Jr.
1490 Gaviota Avenue
Long Beach, CA 90804
- (o) Approximately 1014 South
Atkinson Avenue, 4-11-24
SE4 SE 4 NW 292.47',
SE1097.47', NE of R/R & N 40'S
990', W 176.65', E 206.65'M/L
James L. Matteucci
Anna Maria Matteucci
1437 East Marshall Avenue
Phoenix, AZ 85014
- (o) 608 1/2 East Deming Street
Barnett's, Blk 9, Lot 5
Jesusita R. Montoya
1610 North Missouri Avenue
Roswell, NM 88201
- (c) 206 East Mathews Street
South Roswell, Blk 52, Lots 5, 7,
9, 11, 13, 15, 17, 19, 21, 23, 25,
27
Roswell Investment &
Development Co.
1800 North Grady
Tucson, AZ 85715
- (o) 1623 South Mulberry Avenue
Mayes, Blk 7, Lots 13, 14
Robert S. Basinger
Rt. 2, Box 91
Eucha, OK 74342
- (o) 911-913 North Ohio Avenue
Dearr-Friend, Blk 2, Lots 16, 17
Thomas Joyner Armstrong
1100 North Kentucky Avenue
Roswell, NM 88201
- (o) 904-906 North Ohio Avenue
Dearr-Friend, Blk 3, Lots 7, 8
Thomas Joyner Armstrong
1100 North Kentucky Avenue
Roswell, NM 88201
- (o) 912-914 North Ohio Avenue
Dearr-Friend, Blk 3, Lot 2 S 33'
Dearr-Friend, Blk 3, Lots 3, 4
Thomas Joyner Armstrong
1100 North Kentucky Avenue
Roswell, NM 88201
- (c) 3110 North Montana Avenue
Cooley, Blk 1, Lot 1
Alfred M. Crow Family
Inter Vivos
Alfred & Irene Crow Trustees
15945 East Genoea Way
Fountain Hills, AZ 85268

- (o) 110 South Pennsylvania Avenue
West Side, Block 47, Lot 6 N 45'
Walter Moe
P. O. Box 507
Howard Lake, MN 55349
- (o) 619 Redwood Drive
Dale Bellamah, Block 4, Lot 37
Bellamah Community
Development
500 Marquette, NW, Suite 800
Albuquerque, NM 87102
- (o) 212 West Alameda Street
South Roswell, Blk 7, Lot 1 N
80'
Robert C. Castro
Cindy M. Castro
212 West Alameda Street
Roswell, NM 88201
- (o) 3100 South Lea Avenue
Dale Bellamah, Blk 4, Lot 37
Bellamah Community
Development
500 Marquette, NW, Suite 800
Albuquerque, NM 87102
- (o) 302 West Alameda Street
South Roswell, Blk 8, Lots 11, 13
Steven J. Gabaldon
2014 San Juan Blvd., Suite H
Farmington, NM 87401
- (o) 3204 South Lea Avenue
Dale Bellamah, Blk 6, Lot 20
Bellamah Community
Development
500 Marquette, NW, Suite 800
Albuquerque, NM 87102
- (o) 302 West Mathews Street
South Roswell, Blk 56, Lot 11
Mrs. J. B. Green
%Larry Lowe
2313 Broadway
Lubbock, TX 79401
- (c) 2300 Cornell Drive
Mesa Park 1, Blk 7, Lot 4
William V. Hudson
Donald C. Hudson
7345 Itchy Acres Road
Roseville, CA 95661
- (o) 502 Redwood Drive
Dale Bellamah, Blk 6, Lot 17
Bellamah Community
Development
500 Marquette, NW, Suite 800
Albuquerque, NM 87102
- (o) 514 Redwood Drive
Dale Bellamah, Blk 6, Lot 11
Bellamah Community
Development
500 Marquette, NW, Suite 800
Albuquerque, NM 87102