

CITY OF ROSWELL

RESOLUTION NO. 2297

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;

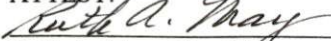
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, THE GOVERNING BODY OF THE CITY OF ROSWELL, NEW MEXICO, that:

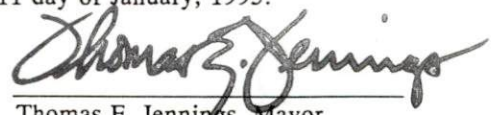
1. The premises set forth in Exhibit A are declared to be so covered with rubbish, weeds, wreckage or debris as to constitute a menace to the public comfort, health, safety and general welfare within the purview of Article 3-18-5 NMSA 1978.
2. The owners, occupants or agents in charge of said premises 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 11 day of January, 1995.

CITY SEAL

ATTEST:


Ruth A. May, City Clerk


Thomas E. Jennings, Mayor

- | | |
|---|--|
| (c) 507 West Mathews
Missouri Avenue School,
Block 1, Lot 22
Carolyn P. Gumfory
507 West Mathews
Roswell, NM 88201 | (o) 1104 West 8th Street
Riverside Heights, Blk 22, Lot 3
Ruth Flores Young
Monica Fernandez
805 West Mathews
Roswell, NM 88201 |
| (o) 701 West Greenbrier Drive
Cannon, Block 2, Lot 10
Taylor-Faust Construction Inc.
P. O. Box 344
Roswell, NM 88202-0344 | (o) 1418 South Stanton Avenue
South Highlands Redivision
Blk 28 B, Lot 10
Lillie S. Garcia
1702 Elm Avenue
Safford, AZ 85546 |
| (o) 900 Blk West Jaffa Street
Stacey Addition, Block 3, Lot 1,
2, 3, 4
John W. Carter
2 Robins Nest Place
Roswell, NM 88201 | (o) Approximately 1411 South
Stanton Avenue
South Highlands Redivision Blk
29 A, Lot 15
Jack Taylor
2001 McKinley
Carlsbad, NM 88220 |
| (c) 1705 South Pennsylvania Avenue
8-11-24 NE4 NE4 SE4 E
262.52' W 293.94' N 161.41' S
436.41' M/L
E 41.63' W 451.63' S 150' M/L
Brainerd-Mann
P. O. Box 1891
Roswell, NM 88202-1891 | (o) Approximately 1413 South
Stanton Avenue
South Highlands Redivision Blk
29 A, Lot 14
Jack Taylor
2001 McKinley
Carlsbad, NM 88220 |
| (o) 1303 West 7th Street
Riverside Heights Amend.
Blk 20, Lot 11, S 105' N 60' W
19.45'
Hilltop Corn Partnership
1312 North Richardson, Apt. 2
Roswell, NM 88201 | (o) 1521 South Jackson Avenue
Fruitland, Blk 4, Lot 1,
N 200', S 300', E 130', W 168'
W. L. Turley
Martha M. Turley
10595 Russell Road
La Mesa, CA 91941 |
| (o) 1301 West 7th Street
Riverside Heights Amend.
Blk 20, Lot 12, S 105'
Hilltop Corn Partnership
1312 North Richardson, Apt. 2
Roswell, NM 88201 | (c) 506 East Deming Street
South Roswell, Blk 48, Lot 7
Felix & Mary R. Rodriguez
%Petra Delara
502 East Deming Street
Roswell, NM 88201 |

- (o) 508 East Mathews Street
South Roswell, Blk 49, Lots 7, 9
Voilther Mae Green
2302 Nagle Street
Houston, TX 77004

- (o) 901 South Sherman Avenue
South Roswell, Blk 49, Lot 13
J. C. & Maeola Smith
%Lerene Smith
2702 Emerald Drive
Roswell, NM 88201

- (o) 611 East Bland Street
Barnett's, Blk 2, Lot 8
Alberta W. Ruelas
305 East Reed Street
Roswell, NM 88201

- (o) Approximately 1515 South
Jackson Avenue
Fruitland, Blk 4, Lot 1, S 50' N
396', E 130', W 168'
Floyd Garcia
622 East Orange Street
Roswell, NM 88201

- (o) 1509 South Monroe Avenue
Fruitland, Blk 4, Lot 3, S 50', N
344', W 150', E 282'
Sinnie McKnight
P. O. Box 2799
Roswell, NM 88202-2799