

CITY OF ROSWELL

RESOLUTION NO. 2330

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:

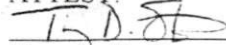
1. The premises set forth in Exhibit A are declared to be so covered with rubbish, weeds, wreckage or debris as to constitute a menace to the public comfort, health, safety and general welfare within the purview of Article 3-18-5 NMSA 1978.
2. The owners, occupants or agents in charge of said premises 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<sup>th</sup> day of September, 1996.

CITY SEAL

  
Thomas E. Jennings, Mayor

ATTEST:

  
Timothy D. Stoessel, City Clerk

- (o) 309 South Beech Avenue  
Rose Lot 5  
Valenzuela Trust  
Alfred O. & Margie Valenzuela  
702 Brazos  
Roswell, NM 88201
- (o) 801 East Bland Street  
Barnett's Blk 4 All  
Frank G. Morrison  
ETAL  
43 Half Moon Drive  
El Paso, TX 79915
- (c) 1600 East Tilden Street  
Burton's Tract A, B, C, D  
State of New Mexico  
Property Control Division  
1100 St. Frances Drive  
Joseph Montoya Bldg.  
Santa Fe, NM 87501
- (c) 404 East Hendricks Street  
South Roswell Blk 18, Lot 5  
Maria T. Horton Ramirez  
Gary Horton  
15330 Ella Blvd. #901  
Houston TX 77090
- (o) 809 East Alameda Street  
Acequia Blk 5, Lot 7, W 50' S 20'  
Acequia Blk 5, Lot 8, W 50'  
Acequia Blk 5, Lot 9, W 50'  
El Centro de La Familia  
%706 East Albuquerque Street  
Roswell, NM 88201
- (o) 811 East Alameda Street  
Acequia Blk 5, Lot 8 E 40'  
Acequia Blk 5, Lot 9, E 40'  
El Centro de La Familia  
%706 East Albuquerque Street  
Roswell, NM 88201
- (o) 315 East Hendricks Street  
Lewis & Brown Rediv., Blk 14,  
Lots 4, 5, 6, W 38', E 60'  
Fidel Neria  
P. O. Box 1322  
Roswell, NM 88202-1322
- (c) 207 South Kansas Avenue  
Ovard's, Blk 8, Lot 8, 9  
Roswell Radiology Associates  
809 West Alameda  
Roswell, NM 88201
- (o) 204 West 8th Street  
Chambers Rediv., Lot 3  
Mrs. H. R. Avery  
P. O. Box 3  
Roswell, NM 88202-0003
- (o) Approximately 606 Cobean Drive  
Lomitas Encantadas #2, Blk. 19,  
Lot 5  
Jay B. Riley Trust  
2401 West Mescalero Road  
Roswell, NM 88201
- (o) 203 North Michigan Avenue  
Home Place, Blk 2, Lots 8, 9  
Bill Groener  
P. O. Box 3  
Tatum, NM 88267
- (o) 511 East Tilden Street  
South Roswell, Blk 1, Lot 12  
Carolee Buis  
2137 7th Street Road  
Greeley, CO 80631
- (o) 510 East Hendricks Street  
South Roswell, Blk 17, Lot 11  
Cecilia Caballero  
704 West 20th Street  
Clovis, NM 88101

- (o) 611 East Bland Street  
Barnett's Blk 2, Lot 8  
Alberta W. Ruelas  
305 West Reed Street  
Roswell, NM 88201
- (o) 601 East Bland Street  
Barnett's Blk 2, Lot 14  
Ronnie W. & Ismael L. Lara  
183 Monte Largo NE #4  
Albuquerque, NM 87123
- (c) 506, 508 North Grand Avenue  
33-10-24 N 2, SW 4 S 322' N 1320'  
E 130.17' W 1360'  
Burch Revoc. Trust A & B  
Hymel Revoc. Trust A & B  
P. O. Box 26900  
Albuquerque, NM 87125-6900
- (o) 423 East 3rd Street  
Lea Lot 58  
Fall Properties, Inc.  
P. O. Box T  
Elephant Butte, NM 87935
- (c) 301 East 8th Street  
33-10-24 NE 4, SW 4, W 50', N  
82.7'  
Bobby W. Greer  
5100 Clayton Road  
Roswell, NM 88201
- (c) 303 East 8th Street  
33-10-24 NE 4, SW 4, E 50', W  
100', N 82.7'  
Bobby W. Greer  
5100 Clayton Road  
Roswell, NM 88201
- (o) Approximately 806 North Garden  
Avenue  
33-10-24 SE 4, NW 4, 7.43 lying S  
of old channel of North Spring  
River  
A.T. & S.F. Railroad  
Property Tax Department  
P. O. Box 1738  
Topeka, KS 66601-1738
- (c) 916 Pecan Drive  
Pecan Acres Rediv., Blk 2, Lot 3 S  
55'  
Erlando Storey  
916 Pecan Drive  
Roswell, NM 88201
- (c) 4 Park Place  
Pecan Acres 2, Blk 1, Lot 4  
David & Gloria Sanchez  
105 West Chisum Street  
Roswell, NM 88201
- (c) 1315 North Main Street  
33-10-24 NW 4, NW 4, E 198', W  
325.7', S 190.15', N 220.15'  
New Mexico Military Institute  
Foundation, Inc.  
101 West College Blvd.  
Roswell, NM 88201
- (c) 500 LaFonda Drive  
Linda Vista Estates #2, Blk 18, Lot  
1  
Thomas J. Gallagher  
P. O. Box 250  
Mescalero, NM 88340-0250
- (o) 3901 North Main Street  
16-10-24 W 2, N 838.16', S  
2964.16', E 469.8', W 529.8'  
South of South Berrendo Creek  
Scott E. French  
2610 E. Lynhurst  
Indianapolis, IN 46241

- (c) Approximately 4501 North Main Street  
16-10-24 NW 4, S 260', N 1654', W 200' M/L  
Samarcan, Inc.  
Vaughn Co, Doug C. Casteel AR  
2201 San Pedro Dr. NE #3-200  
Albuquerque, NM 87110-4155
- (c) Briar Ridge Unit D, Replat Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 4, 5, 6, 7, 8  
Briar Ridge Residence Limited Partnership  
3701 Fairbanks Ave., Ste A-1  
Yakima, WA 98902
- (c) Approximately 4501 North Main Street  
16-10-24 NW 4, S 370', N 400', E 400', W 450' M/L  
Samarcan, Inc.  
Vaughn Co. Doug C. Casteel AR  
2201 San Pedro Dr. NE #3-200  
Albuquerque, NM 87110-4155
- (c) Briar Ridge Unit E, Lots 1, 19, 82, 83, 84, 85, 86, 87, 88  
Briar Ridge Residence Limited Partnership  
3701 Fairbanks Ave., Ste A-1  
Yakima, WA 98902
- (c) Approximately 4501 North Main Street  
16-10-24 NW 4, S 825', N 1316.44' W 200.10' M/L  
Samarcan, Inc.  
Vaughn Co. Doug C. Casteel AR  
2201 San Pedro Dr. NE #3-200  
Albuquerque, NM 87110-4155
- (c) Briar Ridge Unit E, Lots 20, 21, 22, 23, 24, 25, 26, 27, 28, 77, 78, 79, 80, 81  
John Petty & Company, Inc.  
C. D. S. I. Holding Company  
3701 Fairbanks Ave., Ste A-1  
Yakima, WA 98902
- (c) Approximately 4501 North Main Street  
16-10-24 NW 4 S 1440', N 1470', E 480', W 1734.17' M/L  
Samarcan, Inc.  
Vaughn Co. Doug C. Casteel AR  
2201 San Pedro Dr. NE #3-200  
Albuquerque, NM 87110-4155
- (o) Approximately 819 El Dora Drive  
Westover Blk 1, Lot 20  
Bob & Flo A. Long  
P. O. Box 5281  
Ketchikan, AK 99901
- (o) East of 3901 North Main Street  
Tierra Berrenda No. 11, Tract A  
Johnson Trust  
S P III & Barbara Jo Trustees  
P. O. Box 1641  
Roswell, NM 88202-1641