

CITY OF ROSWELL

RESOLUTION NO. 2436

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.

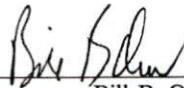
WHEREAS, the City Council of the City of Roswell, New Mexico, finds that the premises listed in Exhibit A attached hereto and purportedly owned of record, or occupied by the parties named, have accumulated rubbish, weeds, wreckage or debris so as to be a menace to the public health, safety and general 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 11th day of February 1999.

CITY SEAL



Bill B. Owen, Mayor

ATTEST:


Timothy D. Stoessel, City Clerk

1406 Simpson Drive
Lomitas Encantadas 3 Block 40 Lot 4
Javier Guzman
Sukie V. Guzman
2700 Custer Way
Las Cruces, NM 88011

3203 Dow Drive
Dow Moore Summary Plat Lot 2
Taylor Faust Construction
P.O. Box 0344
Roswell, NM 88202-0344

403 East Second Street
Lea Lot 97
Richard Smith
1205 West Stone Street
Roswell, NM 88201

506 East 6th Street
Lea Lot 3 W40'
The Salvation Army
P.O. Box 897
Roswell, NM 88202-0897

101 South Sherman Avenue
Haley's Blk 1 Lots 1, 2, 3, 4, 5, 6
Lowell L. Gilland
512 East 2nd Street
Roswell, NM 88201

819 East Albuquerque Street
Flora Vista Blk 5 Lots 47, 48
Roy Anderson
1744 North Ohio Avenue
Roswell, NM 88201

821 East Albuquerque Street
Flora Vista Blk 5 Lots 49, 50
Roy Anderson
1744 North Ohio Avenue
Roswell, NM 88201

1403 East Alameda Street
3-11-24 NW4NW4 E 376.53' W 788.95'
N 836.88' M/L S of J. H. Gregg
Subdivision
Winfield Scott Wright
1208 North Grand Avenue
Roswell, NM 88201

1104 East Walnut Street
Vaughn Block 6 Lot 5
Francisco Cobain
7 East Orchard Pard Road
Dexter, NM 88230

407 South Holland Ave
Johnson Lot 9
Joe C. & Angie Lopez
P.O. Box 713
Chimayo, NM 87522

619 South Atkinson Avenue
4-11-24 E2SE4SE4NE4
N 40' S 328' W 285' E 310'
Kenneth Carter
1803 North Michigan Avenue
Roswell, NM 88201

Approx. 700 Blk South Hemlock Avenue
6-11-24 S2SW4NW4SW4
N 135' W 210' E 417.7'
Jean M. Shea
3006 Bandolina Avenue
Roswell NM 88201

3502 Janus Drive
Constellation Estates 2 Rediv. Lot 22
Constellation Estates, Inc.
P.O. Box 2167
Roswell, NM 88202-2167

Janus Drive
Constellation Estates 2 Redivision
Lots 23, 29, 104-112
Constellation Estates, Inc.
P.O. Box 2167
Roswell, NM 88202-2167

Diana Drive
Constellation Estates 2 Rediv
Lots 77-87, 91-99
Constellation Estates, Inc.
P.O. Box 2167
Roswell, NM 88202-2167

Diana Drive
Constellation Estates 2 Rediv Lot 100
Constellation Estates, Inc.
P.O. Box 2167
Roswell, NM 88202-2167

Camilla Drive
Constellation Estates 2 Rediv.
Lots 50-60, 64-74
Constellation Estates, Inc.
P.O. Box 2167
Roswell, NM 88202-2167

Venus Drive
Constellation Estates 2 Rediv.
Lots 4, 7, 7, 9-13
Constellation Estates, Inc.
P.O. Box 2167
Roswell, NM 88202-2167

Brasher Road
Constellation Estates Amend.
Block 3 Lots 11, 12
Constellation Estates, Inc.
P.O. Box 2167
Roswell, NM 88202-2167

Approx. 905 West Brasher Road
Constellation Estates Amend.
Block 3 Lot 2
Constellation Estates, Inc.
P.O. Box 2167
Roswell, NM 88202-2167

Approx. 907 West Brasher Road
Constellation Estates Amend.
Block 3 Lot 1
Constellation Estates, Inc.
P.O. Box 2167
Roswell, NM 88202-2167

Approx. 618 Greenbrier Street
Dale Bellamah Block 4 Lot 1
Sandia Properties Ltd., Co.
10 Tramway Loop NE
Albuquerque, NM 87122

Approx. 3002 South Lea Avenue
Dale Bellamah Block 2 Lot 7
Sandia Properties Ltd., Co.
10 Tramway Loop NE
Albuquerque, NM 87122

Approx. 3203 South Lea Avenue
Dale Bellamah Block 1 Lot 9
Sandia Properties Ltd., Co.
10 Tramway Loop NE
Albuquerque, NM 87122

Approx. 500 West Jaffa Street
South Plains Park 1 Block B Lot 1
Southern Sky Investment, Inc.
P.O. Box 2167
Roswell, NM 88202-2167

Approx. 408, 410 West Jaffa Street
South Plains Park 1 Block A Lots 1, 2
Sandia Properties Ltd., Co.
10 Tramway Loop NE
Albuquerque, NM 87122

501 West Gayle Street
South Plains Park Blk 12 Lot 3
George Jr. & Imogene Davis
2607 Emerald Drive
Roswell, NM 88201

Approx. 3100-Rear South Main Street
Fruitland Blk 20 Lot 1 W50E300N184
Fruitland Blk 20 Lot 2,3,4, N184
S. Elmo Henslee
150 W. Edith #19
Los Altos, CA 94022

Approx. 2105 South Pennsylvania Avenue
Southern Plains 3 Blk 2 Lot 11
Allen Roofing Co., Inc.
Profit Sharing Trust
P.O. Box 89
Roswell, NM 88202-0089

409 South Holland
Johnson Lot 10
Angie Bencomo
P.O. Box 713
Chimayo, NM 87522

Juno Drive
Constellation Estates 2 Rediv
Lots 33-37, 45-49
Constellation Estates, Inc.
P.O. Box 2167
Roswell, NM 88202-2167

Approx. 3104 Rear South Main
Fruitland Blk 20 Lot 3 S434.24
Lot 4 S434.24
Tommy Lee Weathers
#1 Bayou Ct.
Roswell, NM 88201

2318 Texas Avenue (c)
Eakin Lot 11 S 25'
Lynn Wooldridge
Reba Wooldridge
101 N. 6th Street
Artesia, NM 88210

2324 Texas Avenue (c)
Military Heights Lot 4
W 145' E325' S136'
Otto Fisher III
13207 Branford Street
Arleta, CA 91331

2316 Texas Avenue (c)
Eakin Lot 8 N 3', Eakin Lot 9
Clifford R. Losey
P O Box 6556
Pahrump, NV 89014-6556

802 S. Kentucky Avenue (o)
5-11-24N2SE4S90'N570'W201.7'
E1610'M/L
Frank J. Ulibarri
7362 Lochalene Ave.
Pico Rivera, CA 90660

404 S. Ohio Avenue (o)
Pauly Blk 8 Lot 3
Johnny W. McBride &
Debbie D. McBride
404 S. Ohio Ave
Roswell, NM 88201

207 W. Hendricks Street (o)
South Roswell Blk 10 Lot 8
Harold Ashcraft
1017 Rancho Rd.
Roswell, NM 88201

109 S. Sunset Avenue & (o)
108 S. Montana Avenue
Wright's Blk 14 Lot 5
Cynthia Brown
7733 W. Rankin
Richmond Heights, MO 63117

209 West Hendricks Street (o)
South Roswell Blk 10 Lot 6
Harold Wayne Ashcraft
Vicki L. Ashcraft
1017 Rancho Rd.
Roswell, NM 88201

105 S. Sunset Avenue & (o)
104 S. Montana Avenue
Wright's Blk 14 Lot 3
Clyde McKee
1007 W. McGaffey St.
Roswell, NM 88201

1109 W. First St. (o)
Wright's Blk 2 Lot 8 E58.3'W118.3'
Wright's Blk 2 Lot 9 E58.3'W118.3'
Gregory Joseph Shamas
9900 Spain Road NE, #2095
Albuquerque, NM 87411

410 S. Michigan Avenue (o)
Sparks Blk 7 Lot 6
Sean Edward Schooley
200 W. 8th St.
Roswell, NM 88201

607 W. Van Buren Street (o)
Myers Rediv Blk 1 Lot 7E51',
Myers Rediv Blk 1 Lot 8 & Lot 9 W36'
Marvin Dale Sutherland
910 Ortega, NW
Albuquerque, NM 87114

820 S. Kentucky Avenue (o)
5-11-24N2SE4N50'S360'E200'W1380'M/L
Angelita B. Aragon
900 W. Deming St.
Roswell, NM 88201