

★ Roll Call Number  
08-180

Agenda Item Number  
**BDH 1-E**

Date January 28, 2008

WHEREAS, the property located at 4315 SE 14<sup>th</sup>, Lot 17, was inspected by representatives of the City of Des Moines who determined that the structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the titleholders, P & H Properties and Phyllis Rogers and contract buyers, Bonnie England and David England, were notified by personal service more than thirty days ago to repair or demolish the structure and as of this date have failed to abate the nuisance.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA, SITTING AS THE LOCAL BOARD OF HEALTH:

The structure on the real estate legally described as -EX S 10F- S 195F S 1/2 SW1/4 NW1/4 SW1/4 LES RD SEC 23-78-24 now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 4315 SE 14<sup>th</sup> Street, Lot 17, has previously been declared a public nuisance;

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisance, and should the owner fail to abate the nuisance, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structures.

Moved by Kiernan to adopt.

FORM APPROVED:

Rick Long Hill  
Vicky Long Hill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

MOTION CARRIED APPROVED  
T. M. Franklin Mayor

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Diane Rauh City Clerk