

★ Roll Call Number

08-1705

Agenda Item Number

BDH 1-C

Date September 22, 2008

WHEREAS, the property located at 1241 E 38th Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the fire-damaged structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance that now requires emergency removal; and

WHEREAS, the titleholders listed as all living heirs to the Estate of Elnora B. Fields with one exception, Dorothy Wheeler, were served notice of the public nuisance; and

WHEREAS, during such time as the search for heir Dorothy Wheeler has taken place, the property has been damaged by a fire to such a point as to call for an emergency removal; and

WHEREAS, the Department of Engineering of the City of Des Moines shall take all necessary action to demolish and remove said fire-damaged structure and accessory structures; and

WHEREAS, the City of Des Moines should collect the costs of said demolition as an assessment to be levied against the real estate.

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

The structure on the real estate legally described as LOT 100 BROADACRE, now included in and forming a part of the city of Des Moines, Polk county, Iowa, and locally known as 1241 E 38th Street has previously been declared a public nuisance;

That this matter be referred to the Department of Engineering which will take all necessary action to demolish and remove said fire-damaged structure and all accessory structures as an emergency removal and the costs incurred for the demolition of the structure located at 1241 E 38th Street shall be collected by assessment.

Moved by Hensley to adopt.

FORM APPROVED:

Vicky Long Hill
Vicky Long Hill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN				✓
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	6			1

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.

T. M. Franklin
Mayor

Diane Rauh
City Clerk