

★ Roll Call Number
09-1052

Agenda Item Number
BDH 1-B

Date June 8, 2009

WHEREAS, the property located at 224 Guthrie Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the flood-damaged main structure and garage in their present conditions constitute not only a menace to health and safety but are also a public nuisance; and

WHEREAS, the Titleholder Terrence O'Connor was notified by personal service more than thirty days ago to repair or demolish the flood-damaged structure and as of this date has failed to abate the nuisance.

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 flood-damaged main structure and garage structure on the real estate legally described as LOTS 61 & 62 BLK 5 OLD ORCHARD BEACH, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 224 Guthrie Avenue have 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 flood-damaged main structure and garage structure.

Moved by Cownie 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	7			
MOTION CARRIED	APPROVED			

T. M. Franklin Cownie 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