★ Roll Call Number 09-2163

Agenda Item Number

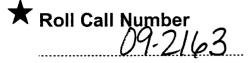
Date December 7, 2009

## RESOLUTION LEVYING ASSESSMENTS FOR COSTS OF NUISANCE ABATEMENT-NAC EMERGENCY ORDERS (COMMUNITY DEVELOPMENT) SCHEDULE NO. 2009-20, ACTIVITY ID 20-2010-001, AND PROVIDING FOR THE PAYMENT THEREOF

WHEREAS, pursuant to its powers and duties as set out in Chapter 364, Code of Iowa, the City, after the property owner's failure upon being given notice and opportunity to cure, has performed the required action to abate the public nuisance and now seeks, as provided in 364.12, Code of Iowa, to assess the costs of such action against each of the properties set out on the attached NAC Emergency Orders (Community Development) Schedule No. 2009-20, Activity ID 20-2010-001, for collection in the same manner as a property tax.

NOW, THEREFORE BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached NAC Emergency Orders (Community Development) Schedule No. 2009-20, Activity ID 20-2010-001, is hereby approved and adopted with the amounts shown thereon assessed and levied against each property for collection in the same manner as a property tax.

BE IT FURTHER RESOLVED: That said assessments shall be payable in one installment and shall bear interest at the rate of 5.20% percent per annum, from the date of the acceptance of this assessment schedule; the one installment of each assessment with interest on the whole assessment from date of acceptance of this schedule by the Council, shall become due and payable on July 1, 2010, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. Said assessment shall be payable at the office of the County Treasurer of Polk County, Iowa, in full or in part and without interest within thirty days after first date of publication of the Notice to Property Owners of filing of the schedule of assessments.



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BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to certify said schedule to the County Treasurer of Polk County, Iowa, and to publish notice of said certification once each week for two consecutive weeks in the Des Moines Register, a newspaper printed wholly in the English language, published in Des Moines, Iowa, and of general circulation in Des Moines, Iowa, the first publication of said notice to be made within fifteen days from the date of the filing of said schedule with the County Treasurer, the City Engineer shall send by regular mail to all property owners whose property is subject to assessment a copy of said notice, said mailing to be on or before the date of the second publication of the notice, all as provided and directed by Code Section 384.60, Code of Iowa.

Massis to adopt. Moved by FORM APPROVED: 1 Kathleen Vanderpool

Deputy City Attorney



COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT	CERTIFICATE
COWNIE	~				I, DIANE RAUH, City Clerk of said certify that at a meeting of the City said City of Des Moines, held on the among other proceedings the above wa IN WITNESS WHEREOF, I have here hand and affixed my seal the day an above written.
COLEMAN	~				
HENSLEY	~				
KIERNAN					
MAHAFFEY	~				
MEYER					
VLASSIS	V				
TOTAL	1				
T. M. Fia	gal.	nh	A	Mavor	Diane Fauch

City hereby Council of above date, s adopted.

unto set my d year first

\_\_City Clerk