

★ Roll Call Number

10-404

Agenda Item Number
BDH 1(A)

Date March 8, 2010

WHEREAS, the property located at 809 Lyon Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and the fire-damaged garage structure in their present conditions constitute not only a menace to health and safety but are also a public nuisance and that the fire-damaged garage structure now requires administrative removal; and

WHEREAS, the Titleholders Royetta Crawford and Mary Derry were served notice of the public nuisance and notice of administrative removal regarding the fire-damage garage more than 30 days ago and have failed to abate the nuisance; and

WHEREAS, during such time as the diligent search for Titleholder Artie Smith has taken place, the fire-damaged garage structure has deteriorated to such a point as to call for an administrative 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 garage structure; and

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

WHEREAS, the Legal Department of the City of Des Moines shall continue its diligent search for Titleholder Artie Smith and will proceed with Council action regarding the main structure upon completion of service upon Titleholder Smith.

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 main structure and fire-damaged garage structure on the real estate legally described as LOT 6 BLK M GRIFFITHS ADD NO 2 TO EAST FT DES MOINES, now included in and forming a part of the city of Des Moines, Polk County, Iowa, and locally known as 809 Lyon Street have previously been declared a public nuisance;

BE IT FURTHER RESOLVED:

That this matter be referred to the Department of Engineering to take all necessary action to demolish and remove said fire-damaged garage structure as an administrative removal and the costs incurred for the demolition of the fire-damaged garage structure located at 809 Lyon Street shall be collected by assessment against the real estate property.

Moved by Coleman to adopt.

FORM APPROVED:

Vicky Long Hill
Vicky Long Hill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
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