



Roll Call Number

10-764

Agenda Item Number

BDH-1C

Date May 10, 2010

WHEREAS, the property located at 1312 E. Madison Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the fire-damaged garage structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholders LAS 2004 REV Trust and LRR 2004 REV Trust and the Contract Buyer Michelle L. Fetters a/k/a Michelle L. Butler, were notified more than thirty days ago to repair or demolish the fire-damaged garage 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, AND SITTING AS THE LOCAL BOARD OF HEALTH:

The fire-damaged garage structure on real estate legally described as S 421.75 F LOT 44 SHAWNEE ACRES, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1312 E. Madison Avenue, 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 fire-damaged garage structure.

Moved by Moore to adopt.

FORM APPROVED:

Vicky Dong Hill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

T. M. Franklin Council 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