



Roll Call Number

10-1105

Agenda Item Number

BDH IC

Date June 28, 2010

WHEREAS, the property located at 109 E. 28th Court, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure, garage structure, and accessory structure in their present conditions constitute not only a menace to health and safety but are also a public nuisance; and

WHEREAS, the Titleholders Charles L. Parcel and Dorothy L. Parcel and the Mortgage Holder Deutsche Bank National Trust Company, were notified more than thirty days ago to repair or demolish the main structure, garage structure, and accessory 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 main structure, garage structure, and accessory structure on the real estate legally described as VAC N/S ALLEY LYG E & ADJ LTS 50 & 51 & LOT 50 BLK O HARTLEYS ADD TO GRANT PARK, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 109 E. 28th Court, 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 main structure, garage structure, and accessory structure.

Moved by Griess to adopt.

FORM APPROVED:

Vicky Long Hill, Assistant City Attorney

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

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 Council Mayor

Diane Rauh City Clerk