

★ **Roll Call Number**

14-D246

Agenda Item Number

BDH /

Date February 10, 2014

WHEREAS, the property located at 1114 10th Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder Earnest W. White a/k/a Ernest W. White and the Mortgage Holder Bank of New York Mellon as Trustee for Holders EQCC Series 2001-1F were notified more than thirty days ago to repair or demolish the 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 SITING AS THE LOCAL BOARD OF HEALTH:

The main structure on the real estate legally described as Lot 18 in Block 3 in GRASS ROOTS 1, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1114 10th Street, 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 structure.

Moved by *Hensley* to adopt.

FORM APPROVED:

Vicky Long Hill
Vicky Long Hill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
VOSS	✓			
TOTAL	7			
MOTION CARRIED				
<u><i>T. M. Franklin</i></u> 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