



Roll Call Number

14-1524

Agenda Item Number

BDH 1(B)

Date September 22, 2014

WHEREAS, the property located at 4400 SW 26<sup>th</sup> 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, Ronald G Smith, Sr, was notified via publication; and Mortgage Holder, Citifinancial Servicing, LLC, was notified via personal service more than thirty days ago to repair or demolish the structure and as of this date has 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 on the real estate legally described as A parcel of land beginning at a point 25 feet West and 25 feet South of the Northeast corner of the NW ¼ of SW ¼ of the SW ¼ of Section 20 Township 78 North, Range 24, West of the 5<sup>th</sup> P.M., for a point of beginning; thence West along the South right of way line of Stanton Avenue, 143.18 feet; thence South 304.59 feet to a point which is 144.46 feet West of the West right of way line of Southwest 26<sup>th</sup> Street; thence East 144.46 feet to a point of the West right of way line of Southwest 26<sup>th</sup> street; thence North along the West right of way line to Southwest 26<sup>th</sup> street a distance of 304.48 feet to the point of beginning (except the South 200 feet thereof); all now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 4400 SW 26<sup>th</sup> 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 Latto to adopt.



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FORM APPROVED:

Vicky Long Hill Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
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.

MOTION CARRIED

APPROVED

Y. M. Franklin Cownie Mayor

Diane Rauh City Clerk