

★ Roll Call Number

14-1525

Agenda Item Number

BDH 1(C)

Date September 22, 2014

WHEREAS, the property located at 7085 Bloomfield Road Lot 221, 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, Des Moines Regency Manor, LLC, was notified via personal service; and Mortgage Holder, U.S. Bank, NA as Trustee for GE Commercial, 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 tract of land in the Southwest Quarter of the Northeast Quarter and in the Southeast Quarter of the Northwest Quarter of Section 35, Township 78 North, Range 24 West of the 5th P.M., Polk County, Iowa described as: Commencing at the center of Section 35, Township 78 North, Range 24 West of the 5th P.M., Polk County, Iowa, thence East along the South line of the Northeast Quarter of said Section 35, 87.0 feet to the point of beginning, said point being 100.0 feet normally distant from the Northeasterly of the center line of U.S. Highway No. 65-69 as it is presently established, thence continuing East along said south line 1237.2 feet to the Southeast corner of the Southwest Quarter of the Northeast Quarter of said Section 35, thence North along the East line of said Southwest Quarter of the Northeast Quarter of said Section 35, 1321.9 feet to the Northeast corner of the Southwest Quarter of the Northeast Quarter of said Section 35, thence West along the North lines of the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of said Section 35, 2534.3 feet to the Easterly Right of Way line of said U.S. Highway No. 65 and No. 69, thence southeasterly parallel to and 100.0 feet normally distant from the centerline of said U.S. Highway No. 65 and No. 69, 900.1 feet to station 1149+03.4, thence continuing Southeasterly along said right of way 402.6 feet to center line station 1145+00, said point being 80.0 feet normally distant from said station, thence continuing Southeasterly along said Right of Way 554.08 feet to the point of beginning, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 7085 Bloomfield Road, lot 221, 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

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.

T. M. Franklin
Mayor

Diane Rauh
City Clerk