



Roll Call Number

15-0344

Agenda Item Number  
**BDH 1(A)**

Date February 23, 2015

WHEREAS, the property located at 1401 E 12<sup>th</sup> Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the structure (commercial building) and accessory buildings in their present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, Olivet University, was notified via publication more than thirty days ago to repair or demolish the structure (commercial building) and accessory buildings 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 structure (commercial building) and accessory buildings on the real estate legally described as Lots 175, 176, 177, 178, 179, 180, 181, 182, 247, 248, 249, 250, 251, 252, 253 and 254 in CAPITAL PARK, an Official Plat AND all that part of the vacated North-South alley lying between East 12<sup>th</sup> Street and East 13<sup>th</sup> Street, extending from the North line of Cleveland Avenue to a line South of and parallel to the Northerly line of lots 175 and 254, in CAPITAL PARK AND that part of the Former Des Moines & Minnesota Railroad company 50 feet right-of-way in SE ¼ of Section 35-79-24 between East 12<sup>th</sup> Street and East 13<sup>th</sup> Street, lying Southerly of Lots 177 and 253 and Northerly of Lots 178 and 252, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1401 E 12<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 owners 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 Gatto to adopt.

FORM APPROVED:

Vicky Long Hill  
Vicky Long Hill, Assistant City Attorney

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin  
Mayor