

**Roll Call Number**15-1211**Agenda Item Number****BDH 1****Date** July 13, 2015

WHEREAS, the property located at 3140 Indianola Avenue, Lot 12, 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, Mark Ogden, was notified via personal service more than thirty days ago to repair or demolish the main 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 The East 10 feet of the South 30 feet of Lot Fifty-four (54) and the East 10 feet of Lots 64, 65, 66, 67, 68 and 76 in Block B, JEFFERSON HEIGHTS, No. 2, an Official Plat; and Lot 54 in OAK HILL, an Official Plat, except the North 95 feet, and except the South 25 feet and except that part of said Lot 54 in Oak Hill lying within the following described lines, to-wit: Commencing at a point in the Southeast corner of Lot 54 where the northerly line of Park Avenue intersects the Westerly line of Indianola Avenue, thence West along the South line of said Lot 54, 180.04 feet, thence North 23 degrees and 30 minutes East, 75 feet, thence North 58 degrees and 26 minutes East, 82.6 feet, thence south 35 degrees and 35 minutes East along the Easterly line of said Lot 54 and the Westerly line of Indianola Avenue 137.7 feet to the place of beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3140 Indianola Avenue, Lot 12, 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 Gatto to adopt.

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.

MOTION CARRIED

APPROVED

T. M. Franklin  
Mayor

Diane Rauh  
City Clerk