★ **Roll Call Number**

15-1395

Agenda Item Number

BDH 1 (B)

Date .... August 10, 2015 ....

WHEREAS, the property located at 1405 Idaho Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the fire-damaged main structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholders, Stephen Lipovac dba LAS 2004 Rev Trust and Stephen Lipovac dba LRR 2004 Rev Trust; Contract Buyer, Paula J Rochon; and Mortgage Holder, West Bank, were notified via personal service more than thirty days ago to repair or demolish the fire-damaged 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 fire-damaged main structure on the real estate legally described as Lots 182 and 183 in ASHBROOK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa and locally known as 1405 Idaho 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 _Coleman_ to adopt.

FORM APPROVED:

Vicky Long Hill, Assistant City Attorney

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

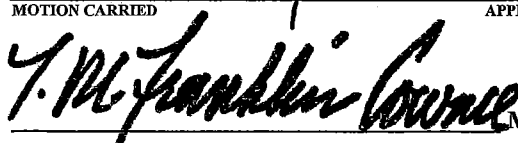MOTION CARRIED   APPROVED

_____ 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.

_____ City Clerk