

★ Roll Call Number

15-1652

Agenda Item Number

58 C

Date September 28, 2015

ABATEMENT OF PUBLIC NUISANCE AT 2411 WOODLAND AVENUE

WHEREAS, the property located at 2411 Woodland Avenue, 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 Titleholder, Russell G Scharnberg, was 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:

The fire-damaged main structure on the real estate legally described as The East 40 feet of Lot 11 in Block "B" in WEST PARK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa and locally known as 2411 Woodland Avenue, has previously been declared a public nuisance;

The City Legal Department is hereby authorized to file an action in district court within 180 days of certified mail notice for fire escrow dated June 3, 2015, 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 structures.

(Council Communication No. 15-517)

Moved by Gatto 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			

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

T. M. Franklin Council Mayor