

★ Roll Call Number
15-2026

Agenda Item Number
60 A

Date November 23, 2015

ABATEMENT OF PUBLIC NUISANCES AT 1012 E 9th Street

WHEREAS, the property located at 1012 E 9th Street, 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, Zachary R. Nulph, and the mortgage holder, Wells Fargo Bank, NA, were notified more than thirty days ago to repair or demolish the main structure and as of this date have failed to abate the nuisance.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure on the real estate legally described as Lot 9 in block "D" in DEAN'S 2ND SUBDIVISION OF OUTLOTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa and locally known as 1012 e 9th 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 Gatto to adopt; refer to the City Manager to provide a report on the removal schedule and available funding for the existing list of nuisance structures.

FORM APPROVED:

Luke DeSmet
 Luke DeSmet, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN				✓
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	6			1

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 Council
 Mayor

Diane Rauh
 City Clerk