

★ **Roll Call Number**

15-2029

Agenda Item Number

60 D

Date November 23, 2015

ADMINISTRATIVE REMOVAL OF PUBLIC NUISANCES AT 926 KIRKWOOD AVENUE

WHEREAS, the property located at 926 Kirkwood Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure on the date of inspection constituted not only a menace to health and safety but was also a public nuisance and now requires administrative removal; and

WHEREAS, the Titleholder, MMB Investments, LLC, has been served notice of the public nuisance and notice of administrative removal regarding the structure more than 14 days ago and have failed to abate the nuisance; and

WHEREAS, the Department of Engineering of the City of Des Moines shall take all necessary action to demolish and remove said main structure; and

WHEREAS, the City of Des Moines should collect the costs of said demolition as an assessment to be levied against the real estate.

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 Lots 4 and 5 in ROOPS SUBDIVISION, and Official Plat now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 926 Kirkwood Avenue has previously been declared a public nuisance;

BE IT FURTHER RESOLVED:

That this matter be referred to the Department of Engineering to take all necessary action to demolish and remove said main structure as an administrative removal and the costs incurred for the demolition of the main structure located at 926 Kirkwood Avenue shall be collected by assessment against the real estate property.

Moved by Gatto to adopt.

FORM APPROVED:

Luke DeSmet
Luke DeSmet, 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.

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

MOTION CARRIED

APPROVED

T. M. Franklin Mayor

Diane Rauh City Clerk