



Roll Call Number

16-0083

Agenda Item Number

49A

Date January 11, 2016

ABATEMENT OF PUBLIC NUISANCE AT 420 ORCHARD AVENUE

WHEREAS, the property located at 420 Orchard Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the fire-damaged main structure and accessory structure in their present condition constitute not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholders, All Unknown Heirs of Irene Williams and All Unknown Heirs of Mack E Williams, were notified via publication more than thirty days ago to repair or demolish the fire-damaged main structure and accessory structure and as of this date have failed to abate the nuisances.

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

The fire-damaged main structure and accessory structure on the real estate legally described as NE 1/4 Lot 4 Official Plat Lots 51 and 52 Official Plat of SE 1/4 Section 34-79-24, City of Des Moines, Polk County, Iowa, and locally known as 420 Orchard Avenue, have previously been declared public nuisances;

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisances, and should the owner(s) fail to abate the nuisances, 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.

Moved by Gray to adopt.

FORM APPROVED:

Luke DeSmet, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
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.

Y. M. Franklin Council Mayor

Diane Rauh City Clerk