



Roll Call Number

16-0086

Agenda Item Number

490

Date January 11, 2016

ABATEMENT OF PUBLIC NUISANCE AT 3800 MARTIN LUTHER KING BLVD, BUILDING 3

WHEREAS, the property located at 3800 Martin Luther King Blvd, Building 3, 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, Monahan & Associates, LLC and the Mortgage Holder, Northwest 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 have 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 Lot 1 (except the West 465 feet thereof) and all of Lot 2 in CARMEL HEIGHTS PLAT No. 1, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa and locally known as 3800 Martin Luther King Blvd, Building 3, 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(s) 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 Gray to adopt.

FORM APPROVED:

[Signature] Luke DeSmet, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and TOTAL (7 yeas).

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.

[Signature] Mayor

[Signature] City Clerk