



Roll Call Number

16-1315

Agenda Item Number

28B

Date August 8, 2016

ABATEMENT OF PUBLIC NUISANCE AT 2424 MARTIN LUTHER KING JR PKWY

WHEREAS, the property located at 2424 Martin Luther King Jr Pkwy, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the structure (commercial building) in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, The Monahan Group, LLC, and Mortgage Holder, State Savings Bank, were notified more than thirty days ago to repair or demolish the structure (commercial building) 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 structure (commercial building) on the real estate legally described as Commencing at the South 1/4 corner of Section 28, Township 79 North, Range 24, West of the 5th P.M.; thence N 0 00' E along the West line of the SE 1/4 of said Section 28, 237.6 feet; thence N 79° 55 1/2' E along the center line of the now vacated Holcomb Avenue, 530.8 feet to the Westerly line of Harding Road, as it is presently established; thence N 10° 07' 1/2' W along said Westerly line of Harding Road 117.24 feet to the point of beginning; thence continuing N 10° 07 1/2' W along said Westerly Line of Harding Road, 201.56 feet; thence N 89° 32 1/2' W 205.0 feet; thence S 0° 27 1/2' W 198.0 feet; thence South 89° 32 1/2' E 241.85 feet to the point of beginning, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2424 Martin Luther King Jr Pkwy, 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 Hensley to adopt.

FORM APPROVED: Jessica D. Spoden, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED APPROVED T. M. Franklin Council Mayor

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