

★ Roll Call Number

16-2078

Agenda Item Number

33E

Date December 5, 2016

ABATEMENT OF PUBLIC NUISANCE AT 1937 COURTLAND DRIVE

WHEREAS, the property located at 1937 Courtland Drive, 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, Brones Rentals, LLC and the Mortgage Holder, Iowa State Bank, 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 The south 50 feet of the following described property: That part of Lot 6 lying South of Indianola venue (as now located) of the Official Plat of the SE 1/4 of Section 9, Township 78 North, Range 24, West of the 5th P.M. now in and forming a part of the City of Des Moines, Iowa (except that part beginning at a point 60 feet East of the Southwest Corner of said Lot 6, thence East on the South line of Lot 6, 205.5 feet to the Southeast Corner of Lot 6, thence Northwesterly along the South line of Indianola road as now located, 161 feet, thence Southwesterly to point of beginning.), and locally known as 1937 Courtland Drive, 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