



Roll Call Number

18-0778

Agenda Item Number

28C

Date May 7, 2018

ABATEMENT OF PUBLIC NUISANCE AT 4141 E 14<sup>th</sup> Street

WHEREAS, the property located at 4141 E 14<sup>th</sup> Street, 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, Imperial Properties, Inc., and Mortgage Holder, Great Western 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 Beginning at a point 33 feet East and 25 feet South of the NW corner of the SW 1/4 of Section 24, Township 79 North, Range 24, West of the 5<sup>th</sup> P.M.; thence East along the South line of Aurora Avenue 249.2 feet; thence South 180 feet parallel to the east line of 14<sup>th</sup> Street; thence West 249.2 feet parallel to the South line of Aurora Avenue; thence North 180 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 4141 E 14<sup>th</sup> Street, 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. If necessary, the City Legal Department may also seek authority 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:

Jessica D. Spoden, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO				✓
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	6			1

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