

★ Roll Call Number

18-1594

Agenda Item Number

29 D

Date September 24, 2018

ABATEMENT OF PUBLIC NUISANCE AT 2221 STANTON AVENUE BUILDING 5

WHEREAS, the property located at 2221 Stanton Avenue Building 5, 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, Stanton Estates, LLC, and Mortgage Holders, MIP Investments, L.L.C., and FANNIE MAE, 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 The West 363 feet of the East 10 Acres of the South 15 Acres of the NE 1/4 of the SW 1/4, Section 20, Township 78 North, Range 24 West of the 5th P.M., now included in and forming a part of the City of Des Moines, Polk County, Iowa and locally known as 2221 Stanton Avenue Building 5, 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 Gatto to adopt.

FORM APPROVED:

Jessica D. Spoden

Jessica D. Spoden, Assistant City Attorney

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.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

J. M. Franklin Cownie Mayor

Diane Rauh

City Clerk