

★ Roll Call Number

18-17161

Agenda Item Number

33 B

Date October 22, 2018

ABATEMENT OF PUBLIC NUISANCE AT 2411 E 36TH COURT

WHEREAS, the property located at 2411 E 36th Court, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the garage structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholders, David J. Leinen and Dianna L. Leinen; and Mortgage Holder, Bayview Loan Servicing, LLC, were notified by personal service more than thirty days ago to repair or demolish the garage 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 garage structure on the real estate legally described as The North 30 feet of Lot 846 and all of Lots 847 and 848 in FOUR MILE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, AND the following described premises, situated in the County of Polk and State of Iowa, To-Wit: North 40 feet Lot 845 and South 20 feet Lot 846 FOUR MILE and locally known as 2411 E 36th Court, 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 garage structure.

Moved by Gatto to adopt.

FORM APPROVED:

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