



Roll Call Number

19-1129

Agenda Item Number

50F

Date July 15, 2019

ABATEMENT OF PUBLIC NUISANCES AT 1915 E 38th COURT

WHEREAS, the property located at 1915 E 38th Court, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the foundation and garage structures in their present conditions constitutes not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholder, Divine Properties, LLC, was notified more than thirty days ago to remove or demolish the foundation and garage structures and as of this date has failed to abate the nuisances.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The foundation and garage structures on the real estate legally described as Lots 358, 359 and 360 of the SUNRISE PARK ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1915 E 38th Court, have previously been declared public nuisances;

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisances, and should the owner fail to abate the nuisances, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said foundation and garage structures.

Moved by Gatto to adopt.

FORM APPROVED:

Luke DeSmet, Assistant City Attorney

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

APPROVED

J. M. Frankhu Cownie, 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