



Roll Call Number

19-1331

Agenda Item Number

34B

Date August 19, 2019

ABATEMENT OF PUBLIC NUISANCES AT 1544 E 36<sup>th</sup> STREET

WHEREAS, the property located at 1544 E 36<sup>th</sup> Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and accessory structures in their present conditions constitutes not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholder, Tandem Capital, LLC, was notified more than thirty days ago to repair or demolish the main structure and accessory 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 main structure and accessory structures on the real estate legally described as Lot 42 in GRAYS WOODS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1544 E 36<sup>th</sup> Street, 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(s) 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 structures.

Moved by Gatto to adopt.

FORM APPROVED:

*Luke DeSmet*  
Luke DeSmet, Assistant City Attorney

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

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.

*J. M. Franklin Cownie*  
Mayor

*Diane Rauh*  
City Clerk