



Roll Call Number

19-1849

Agenda Item Number

44 A

Date November 18, 2019

ABATEMENT OF PUBLIC NUISANCE AT 217 SE 28<sup>th</sup> STREET

WHEREAS, the property located at 217 SE 28<sup>th</sup> Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholders, All Known & Unknown Heirs of William S. Hope, were notified by publication more than thirty days ago to repair or demolish the main structure and as of this date has failed to abate the nuisance.

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

The main structure on the real estate legally described as The North 50 feet of the South 90 feet of the East 130 feet of the West 155 feet of Lot 3 in the subdivision of the Official Plat of Lots 12 and 13, of the South 1/2 of Section 1, Township 78 North, Range 24, West of the 5<sup>th</sup> P.M., now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 217 SE 28<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, 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 Boesen to adopt.

FORM APPROVED:

Megan Norberg, 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, P. Kay Cmelik, 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.

P. Kay Cmelik City Clerk