



Roll Call Number

20-1136

Agenda Item Number

49 D

Date July 13, 2020

ABATEMENT OF PUBLIC NUISANCE AT 728 E BORDER STREET

WHEREAS, the property located at 728 E Border 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 Titleholder, Gary Reeser, was notified 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 SW 1/4 of the SE 1/4 of Section 3, Township 77 North, Range 24 West of the 5th P.M., Warren County, Iowa EXCEPT Parcel "A" of the survey of the SW 1/4 of the SE 1/4 of Section 3, Township 77 North, Range 24 West of the 5th P.M., Warren County, Iowa, as shown in Irregular Plat Book, 8, Page 13 of 77-24 in the office of the Warren County Recorder AND EXCEPT that part thereof condemned by the Condemnation Proceedings filed in the office of the Warren County Recorder in Book 270 Page 558, now included in and forming a part of the City of Des Moines, Warren County, Iowa, and locally known as 728 E Border 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 Gatto to adopt.

FORM APPROVED:

/s/ Megan Norberg
Megan Norberg, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL. Includes 'MOTION CARRIED' and 'APPROVED' labels.

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.

J. M. Franklin Cownie Mayor

P. Kay Cmelik City Clerk