



Roll Call Number

21-0122

Agenda Item Number

46D

Date January 25, 2021

ABATEMENT OF PUBLIC NUISANCE AT 1601 ARMY POST ROAD
COMMON AREA, LOTS 4, 5, 8, 9, 10, 21, 24, 25, 26, 27

WHEREAS, the property located at 1601 Army Post Road, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structures in their present condition constitute not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholder and mobile home owner, McFadden Holdings, LLC, was notified more than thirty days ago to repair or demolish the main structure 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 structures on the real estate legally described as Lot 43 (except the South 10 feet thereof) and Lot 41 (except the South 104.24 feet of the West 12.5 feet and except the South 10 feet of the East 12.5 feet thereof) and Lot 42 (except the West 105.5 feet and except the North 10 feet of the East 45 feet and except the South 10 feet thereof) in GEIL PLACE PLAT 3, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1601 Army Post Road, Common Area, Lots 4, 5, 8, 9, 10, 21, 24, 25, 26, 27 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 Boesen to adopt.

FORM APPROVED:

/s/ Megan Norberg

Megan Norberg, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

J. M. Franklin 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