



Roll Call Number

21-1015

Agenda Item Number

50F

Date June 28, 2021

ABATEMENT OF PUBLIC NUISANCE AT 1424 E VIRGINIA AVENUE LOT 28

WHEREAS, the property located at 1424 E Virginia Avenue Lot 28, 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 of the land, Capital MHP, LLC, Titleholder of the mobile home, James Clark Sands, and the Mortgage Holder of the land, Sentry Bank, were notified more than thirty days ago to repair or demolish the main structure and as of this date have 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 Lots 9, 10, 11, 12, 41, 42, 43, 44, 45 and 46 in Official Plat of the SW 1/4 SW 1/4 of Section 14, Township 78 North, Range 24 West of the 5th P.M. (except the North 20 feet), an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1424 E Virginia Avenue, Lot 28 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 (7 yeas).

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.

MOTION CARRIED APPROVED
J. M. Franklin Cownie Mayor

P. Kay Cmelik City Clerk