



Roll Call Number

21-1017

Agenda Item Number

50H

Date June 28, 2021

ABATEMENT OF PUBLIC NUISANCE AT 1335 McCORMICK ST.

WHEREAS, the property located at 1335 McCormick St., 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, Kong J. Toang & Dukan D. Pal, 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 Lot 209 in the OFFICIAL PLAT OF THE SOUTH 50 ACRES OF THE E 1/2 OF THE SW 1/4 OF Section 36, Township 79 North, Range 24 West of the 5th P.M., Polk County, Iowa, also known as Witmers and Welch's Official Plat, and also known as Witmers, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1335 McCormick St., has previously been declared a public nuisance;

The City Legal Department, through Special Counsel Ahlers & Cooney, P.C., 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:

Kristine Stone

Kristine Stone, Special Counsel
Ahlers & Cooney, P.C.

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
T.M. Frankh Cowie Mayor

P. Kay Cmelik

City Clerk