



Roll Call Number

22-0054

Agenda Item Number

37B

Date January 10, 2022

ABATEMENT OF PUBLIC NUISANCE AT 5902 HICKMAN RD.

WHEREAS, the property located at 5902 Hickman Rd., 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 public nuisance; and

WHEREAS, the Titleholder, Iowa HM, LLC, was 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 150 to 155, both inclusive, except that part of Lots 153 and 154 lying North of a line beginning at the Northwest corner of said Lot 154 thence to a point 4.0 feet South of the Northeast corner of said Lot 153 on the East line thereof, in LOOKOUT HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa and that part of Lot "M" in LOOKOUT HEIGHTS, lying East of and abutting Lots 150 and 151, excepting therefrom that portion of said Lot "M" which has heretofore been platted as 59th Street (Lot A) in Lookout Heights, Plat 2, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 5902 Hickman Rd., 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 Boesen to adopt.

FORM APPROVED:

Kristine Stone

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
SHEUMAKER	✓			
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