



Roll Call Number

22-0251

Agenda Item Number

32E

Date February 21, 2022

ABATEMENT OF PUBLIC NUISANCE AT 800 NEW YORK AVE.

WHEREAS, the property located at 800 New York Ave., 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, SKJ 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 Lot Four (4), EXCEPT the East 310 feet and EXCEPT ALL THAT PART OF SAID Lot lying South of a line which is 200 feet North of and parallel with a line commencing at the Southwest Corner of said Lot 4 and running directly East to the Southeast corner of lot Thirty-Five (35) in Block One (1) in Home Park Addition and EXCEPT that part conveyed to the City of Des Moines recorded in Book 13641 Page 219 in the Office of the Recorder of Polk County, Iowa, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 800 New York Ave., 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,  
Second by Boesen

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