



**Roll Call Number**

22-01620

**Agenda Item Number**

44A

**Date** April 18, 2022

**ABATEMENT OF PUBLIC NUISANCE AT 716 E. 18TH ST.**

WHEREAS, the property located at 716 E. 18th 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 public nuisance; and

WHEREAS, the Titleholder, Ellen K. Olson, was notified more than thirty days ago to repair or demolish the main structure and as of this date has 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 A and that part of Lots B and C of Official Plat of Lot 3 in Block 74 in STEWART'S ADDITION to City of Des Moines, now included in and forming a part of the City of Des Moines, Polk County, Iowa, described as follows: Beginning at a point 126 feet South of the Northeast corner of said Lot C, thence South along the East line of said Lot C 29.5 feet to the Southeast corner of said Lot C, thence in a Westerly direction along the South line of Lots B and C to the Southwest corner of Lot B, thence North along the West line of Lot B, 52 feet to a point 98 feet South of the Northwest corner of Lot B, thence in an Easterly direction 96.8 feet to a point of beginning, EXCEPT that part conveyed to the State of Iowa recorded in Book 10759 Page 128 and filed October 4, 2004, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 716 E. 18<sup>th</sup> 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,  
Second by Boesen

**FORM APPROVED:**

Kristine R. Stone

Kristine R. Stone, Special Counsel

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