



Roll Call Number

22-1268

Agenda Item Number

46 E

Date August 8, 2022

ABATEMENT OF PUBLIC NUISANCE AT 1102 VIRGINIA AVENUE

WHEREAS, the property located at 1102 Virginia Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the garage structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, Dee Dee M. Weatherly, was notified more than thirty days ago to repair or demolish the garage 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 garage structure on the real estate legally described as Lot 20 in VIRGINIA HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and that part of the right-of-way thirty feet wide, east of, and adjoining said Lot 20, AND all of the vacated East/West alley Right-of-Way lying South of and adjoining Lot 20, Virginia Heights, an Official Plat and lying South of and adjoining the West 30.0 feet of vacated Right-of-Way lying East of and adjoining said Lot 20, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1102 Virginia Avenue, 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 garage structure.

Moved by Gatto to adopt.
Second by Boesen

FORM APPROVED:

Judy K. Parks-Kruse
Judy K. Parks-Kruse, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, SHEUMAKER, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL (7 yeas).

CERTIFICATE

I, Laura Baumgartner, 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.

J. M. Frankin Cownie Mayor

Laura Baumgartner City Clerk