



Roll Call Number

22-1272

Agenda Item Number

46I

Date August 8, 2022

ABATEMENT OF PUBLIC NUISANCE AT 3725 UNIVERSITY AVE.

WHEREAS, the property located at 3725 University Ave., Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the structure (commercial building) in its present condition constitutes not only a menace to health and safety but is also public nuisance; and

WHEREAS, the Titleholder, University Park Place LLC, and Mortgage Holder, Community Choice Credit Union, were notified more than thirty days ago to repair or demolish the structure (commercial building) 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 structure (commercial building) on the real estate legally described as the South 200 feet of the West 106.3 feet and the South 160 feet of the North 400 feet (except the West 31 feet thereof) of Lot 34; Lot 57 and the East 15 feet of Lot 58, all in CHETWYND, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3725 University 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	✓			
MANDELBAUM	✓			
SHEUMAKER	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOION CARRIED

APPROVED

J. M. Frankin Cownie Mayor

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.

Laura Baumgartner

City Clerk