

★ Roll Call Number
22-1444

Agenda Item Number
61E

Date September 12, 2022

ABATEMENT OF PUBLIC NUISANCE AT 1138 13th ST.

WHEREAS, the property located at 1138 13th 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 a public nuisance; and

WHEREAS, the Titleholders, Maureen Canada and Lillian A. Williams, were 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 The North Fifty-Six feet (N 56') of Lot One (1) of Subdivision of Lots Eight (8) and Nine (9) of the Official Plat of the Northwest Fractional Quarter of the Northwest Fractional Quarter, Section Four (4), Township Seventy-Eight (78) North, Range Twenty-Four (24), West of the 5th P.M., Polk County, Iowa, and locally known as 1138 13th 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 Stone
 Kristine Stone, Special Counsel
 Ahlers & Cooney, P.C.

COUNCIL ACTION	YEAS	NAVS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOION CARRIED

APPROVED

J. M. Franklin Cooney
 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