

★ Roll Call Number

22-1651

Agenda Item Number

39A

Date October 24, 2022

ABATEMENT OF PUBLIC NUISANCES AT 1203 15TH PL. AND 1207 15TH PL

WHEREAS, the properties located at 1203 15th Pl. and 1207 15th Pl., Des Moines, Iowa, were inspected by representatives of the City of Des Moines who determined that the main structures in their present condition constitute not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholder, 1203 15th Pl LLC, was notified more than thirty days ago to repair or demolish the main structures and as of this date has failed to abate the nuisances.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structures on the real estate legally described as Lots 18, 19 and 20 WOODSIDE ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and South 17 feet of Lot 17, and the West 56 feet of Lot 21 and the West 56 feet of the North 14 feet of Lot 22 Woodside, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa and the East 33 feet of the West 99 feet of Lot 21, 22, and 23 WOODSIDE, and the East 33 feet of the West 99 feet (Except the South 8.63 feet on the West line and the South 6.78 feet on the East line) Lot 142 KEOSAUQUA WAY PLAT 5, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1203 15th Pl. and 1207 15th Pl., have previously been declared public nuisances;

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 nuisances, and should the owner(s) fail to abate the nuisances, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structures.

Moved by Gatto to adopt.

Seconded 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 | | | |

MOTION CARRIED

APPROVED

Franklin Cowie 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