



Roll Call Number

23-0045

Agenda Item Number

37C

Date January 9, 2023

ABATEMENT OF PUBLIC NUISANCES AT 518 WATROUS

WHEREAS, the property located at 518 Watrous, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure, garage structure and accessory structures in their present condition constitute not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholders, Frances J. Enbusk and all known and unknown heirs of Joanne Enbusk, and Mortgage Holders, Citibank, NA, US Bank NA, and Mortgage Electronic Registration Systems, Inc., were notified more than thirty days ago to repair or demolish the main structure, garage structure and accessory structures and as of this date have failed to abate the nuisances.

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

The main structure, garage structure and accessory structures on the real estate legally described as Lot 38 in WATROUS HEIGHTS PLAT 1, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 518 Watrous, 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 Boesen to adopt.

Second by Gatto

FORM APPROVED:

Kristine Stone

Kristine Stone, Special Counsel
Ahlers & Cooney, P.C.

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, SHEUMAKER, 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. Frankie Cowie Mayor

Laura Baumgartner City Clerk