



Roll Call Number

23-0657

Agenda Item Number

34 A

Date May 8, 2023

ABATEMENT OF PUBLIC NUISANCE AT 3416 4TH ST.

WHEREAS, the property located at 3416 4th St., Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and the garage structure in their present condition constitute not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholders, Thomas J. Reed and Kimberly A. Reed, and Mortgage Holders, VisionBank of Iowa, Wells Fargo Bank NA and the Secretary of the Department of Housing and Urban Development, were notified more than thirty days ago to repair or demolish the main structure and garage structure 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 and garage structure on the real estate legally described as Lot 8 in Block 24, in HIGHLAND PARK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3416 4th St., 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	6			1

MOTION CARRIED

APPROVED

J. M. Franklin 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