



Roll Call Number

23-1355

Agenda Item Number

59 E

Date October 2, 2023

ABATEMENT OF PUBLIC NUISANCE AT 3848 E 14th STREET #55

WHEREAS, the property located at 3848 E 14th Street #55, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure (mobile home) in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder of the mobile home, Gerson Enoc Martinez; Titleholder of property, Radio City Mobile Home Park, Inc., and Mortgage Holders, Abby Investments, LLC and Fannie Mae, were notified more than thirty days ago to repair or demolish the main structure (mobile home) 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 North Half (N 1/2) of the South Half (S 1/2) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 23, Township 79 North, Range 24, West of the 5th P.M., (Except the North 25 feet for Street); except the South 91 feet of the North 116 feet of the West 150 feet of the East 183 feet; except beginning at a point 15 feet North of the Southeast corner thereof, thence North 100 feet, thence West 183 feet, thence South 90 feet, thence East 33 feet, thence South 10 feet, thence East 150 feet to the point of beginning; and except that part conveyed to the State of Iowa by Warranty Deed recorded in Book 5026, Page 323, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3848 E 14th Street #55, has previously been declared a public nuisance;

The City Legal Department 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:
Molly E. Tracy, Assistant City Attorney

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL.

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. Frankin Cownie Mayor

Laura Baumgartner City Clerk