



Roll Call Number

23-1778

Agenda Item Number

45 A

Date December 18, 2023

ABATEMENT OF PUBLIC NUISANCE AT 1540 CAPITOL AVENUE

WHEREAS, the property located at 1540 Capitol Avenue, 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 Titleholder, CAM CAPITOL REDEVELOPMENT, LLC and Mortgage Holder, FIDELITY BANK, 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 Lot 11 in Block 45 in STEWART'S ADDITION to the City of Des Moines, Polk County, Iowa, and locally known as 1540 Capitol Avenue, 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:

/s/ Molly E. Tracy
Molly E. Tracy, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAVS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, COLEMAN, MANDELBAUM, 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. Franklin Cownie Mayor

Laura Baumgartner City Clerk