



Roll Call Number

24-1085

Agenda Item Number

31C

Date August 5, 2024

ABATEMENT OF PUBLIC NUISANCE AT 6209 SE 5<sup>TH</sup> ST.

WHEREAS, the property located at 6209 SE 5<sup>th</sup> St., Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the garage structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, Measured 6209 SE 5<sup>th</sup> LLC, and the Mortgage Holder, First National Bank, Ames, Iowa, were notified more than thirty days ago to repair or demolish the garage 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 garage structure on the real estate legally described as Lot One (1) (EXCEPT the North 70 feet of the West 137 feet AND EXCEPT the West 6 feet of the South 261.15 feet) in HIGGINS ACRES, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa., and locally known as 6209 SE 5<sup>th</sup> St., has previously been declared a public nuisance;

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 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 Coleman to adopt.
Second by SIMONSON

FORM APPROVED:

Kristine Stone

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

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include BOESEN, COLEMAN, GATTO, MANDELBAUM, SIMONSON, VOSS, WESTERGAARD, and TOTAL. Includes MOTION CARRIED and APPROVED labels.

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.

Connie Boesen Mayor

Laura Baumgartner City Clerk