



Roll Call Number

84-1271

Agenda Item Number

63B

Date September 16, 2024

ABATEMENT OF PUBLIC NUISANCE AT 17 E. OLINDA AVE.

WHEREAS, the property located at 17 E. Olinda Ave., 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, Wesley J. Desaulniers, and the Mortgage Holders, Mortgage Electronic Registration Systems, Inc., Rocket Mortgage LLC, and the Secretary of Housing and Urban Development, 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 on the real estate legally described Lot 233 in CRAWFORD PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa., and locally known as 17 E. Olinda Ave., 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 Gatto to adopt.
Second by Voss

FORM APPROVED:

Kristine Stone (signature)

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

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

Connie Boesen (signature) 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 (signature) City Clerk