

★ Roll Call Number

20-1903

Agenda Item Number

436

Date November 23, 2020

ABATEMENT OF PUBLIC NUISANCE AT 3123 4<sup>th</sup> STREET

WHEREAS, the property located at 3123 4<sup>th</sup> Street, 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 Titleholders, Kent E Lehs and Beverly Lehs, and Mortgage Holder, Greater Iowa Credit Union, 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 The North 1/2 of Lot 15 and the South 1/2 of Lot 16 in Block 3 NORTHMORELAND, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3123 4<sup>th</sup> Street, 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.

FORM APPROVED:

Megan Norberg, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	1			
BOESEN	1			
GATTO	1			
GRAY	1			
MANDELBAUM	1			
VOSS	1			
WESTERGAARD	1			
TOTAL	7			

CERTIFICATE

I, P. Kay Cmelik, 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

P. Kay Cmelik City Clerk