



Roll Call Number

21-0714

Agenda Item Number

43E

Date May 10, 2021

ABATEMENT OF PUBLIC NUISANCE AT 7085 BLOOMFIELD ROAD LOT 225

WHEREAS, the property located at 7085 Bloomfield Road Lot 225, 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 of property and mobile home, Des Moines Regency Manor, LLC, Mortgage Holder, U.S. Bank, N.A., and Mortgage Holder, First Midwest 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 An Irregular shaped portion of the Southwest Quarter of the Northeast Quarter and in the Southeast Quarter of the Northwest Quarter of Section 25, Township 78 North, Range 24 West of the 5th P.M., Des Moines, Polk County, Iowa, described as: Commencing at the Center of Section 35, Township 78 North, Range 24 West of the 5th P.M., Polk County, Iowa, thence S89°01'42"E (East line of Diagonal Acres used for Bearing Basis) along the South line of the SW 1/4 of the NE 1/4 of said Section 35, a distance of 87.00 feet to the Easterly right-of-way line of Bloomfield Road (formerly U.S. Highway No. 65-69) as it is presently established and to the Point of Beginning, said point being 100 feet normally distant from and Northeasterly of the Center line of said Bloomfield Road; thence continuing S89°01'42"E along the South line of the SW 1/4 of the NE 1/4 said Section 35 and along the North line of Diagonal Acres, an Official Plat, Des Moines, Polk County, Iowa, a distance of 1236.81 feet to the Southeast Corner of the SW 1/4 of the NE 1/4 of the said Section 35 and to the Northeast Corner of said Diagonal Acres; thence N00°26'34"E along the East line of the SW 1/4 of the NE 1/4 of said Section 35, a distance of 1321.21 feet to the Northeast corner of the SW 1/4 of the NE 1/4 of said Section 35; thence N89°02'13"W along the North line of the SW 1/4 of the NE 1/4 of said Section 35 and along the South line of McCord Heights, an Official Plat, Des Moines, Polk County, Iowa, a distance of 1324.70 feet to the Northeast Corner of the SE 1/4 of the NW 1/4 of the said Section 35; thence N89°15'01"W along the North line of the SE 1/4 of the NW 1/4 of said Section 35, a distance of 1209.16 feet to the Easterly Right-of-Way line of said Bloomfield Road; thence S43°52'39"E along the Easterly Right-of-Way line of said Bloomfield Road parallel with and 100 feet Normally distant from and Northeasterly of the Center Line of said Bloomfield Road, a distance of 900.08 feet; thence S41°02'21"E along the Easterly Right-of-Way line of said Bloomfield Road, a distance of 403.90 feet to a point that is 80 feet normally distant from and Northeasterly of the Center line of said Bloomfield Road; thence S45°56'37"E along the Easterly Right-of-Way line of said Bloomfield Road, a distance of 552.40 feet to the Point of Beginning, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 7085 Bloomfield Road, Lot 225, 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



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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:

/s/ Megan Norberg

Megan Norberg, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED	APPROVED			
<i>J. M. Franklin Cownie</i> Mayor				

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.

P. Kay Cmelik

City Clerk