★ **Roll Call Number**

22-0348

Agenda Item Number

53A

Date .... March 7, 2022 ....

ABATEMENT OF PUBLIC NUISANCE AT 4116 E 28TH STREET

WHEREAS, the property located at 4116 E 28th 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 Contract Buyers, Scott Boodry and Rebecca Boodry, and Title Holder, David M. Klein, 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 ½ of Lot 191 in DOUGLAS ACRES PLAT 2, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 4116 E 28th 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.
Second by _____Boesen_____

FORM APPROVED:

Judy K. Parks-Kruse

Judy K. Parks-Kruse, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
SHEUMAKER	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED   APPROVED

T. M. Franklin Cownie , 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