



Roll Call Number

22-0796

Agenda Item Number

29D

Date May 23, 2022

ABATEMENT OF PUBLIC NUISANCES AT 3445 SW 31ST ST.

WHEREAS, the property located at 3445 SW 31st St., Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and garage structure in their present condition constitute not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholders, William C. Gogerty and Jeane L. Harrison, were notified more than thirty days ago to repair or demolish the main structure and garage structure and as of this date has failed to abate the nuisances.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure and garage structure on the real estate legally described as that part of the SE ¼ of the NE ¼ of Section 19, Township 79 North, Range 24, West of the 5th P.M., in Polk County, Iowa described as follows: Commencing at the Southwest corner of the SE ¼ of the NE ¼ of said Section 19, thence North 760.6 feet along the West line (center line of S.W. 31st Street) of said SE ¼ of the NE ¼ of said Section 19, thence east 233 feet, thence North 96 feet, thence West 233 feet to the center line of S.W. 31st Street, thence South 96 feet to the point of beginning, except the West 33 feet thereof, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, locally known as 3445 SW 31st St., have previously been declared public nuisances;

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 nuisances, and should the owner(s) fail to abate the nuisances, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structures.

Moved by Boesen to adopt,
Second by Mandelbaum

FORM APPROVED:

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

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| BOESEN | ✓ | | | |
| GATTO | | | | ✓ |
| SHEUMAKER | ✓ | | | |
| MANDELBAUM | ✓ | | | |
| VOSS | ✓ | | | |
| WESTERGAARD | ✓ | | | |
| TOTAL | 6 | | | 1 |

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.

MOTION CARRIED

APPROVED

J. M. Franklin Cownie
Mayor

P. Kay Cmelik

City Clerk