



Roll Call Number

22-1912

Agenda Item Number

49 E

Date December 12, 2022

ABATEMENT OF PUBLIC NUISANCE AT 826 E. 9<sup>TH</sup> ST.

WHEREAS, the property located at 826 E. 9<sup>th</sup> St., 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, all known and unknown heirs of Neva J. Davis, all known and unknown heirs of Shirley Farrell, all known and unknown heirs of Ernest Greenland, and Peggy Raney, through her guardian, and the 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 has 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 Lot 11 in E. KEASBY'S SUBDIVISION OF DEAN'S OUTLOTS TO FORT DES MOINES, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 826 E. 9<sup>th</sup> St., 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, Special Counsel
Ahlers & Cooney, P.C.

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, SHEUMAKER, VOSS, WESTERGAARD, and TOTAL.

Handwritten signature of J. M. Frankhu Cowrie

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.

Handwritten signature of Laura Baumgartner