



Roll Call Number
23-0848

Agenda Item Number
45D

Date June 12, 2023

ABATEMENT OF PUBLIC NUISANCE AT 1401 STEWART ST.

WHEREAS, the property located at 1401 Stewart St., Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and the garage structure in their present condition constitute not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholders, Tiffany L. Oakley-McCreary, Anita Oakley Freeman, Marsha Love, All Known and Unknown Heirs of Pamela J. Oakley, the Estate of Monica Dickens, and Rebecca Oakley Shumpert were notified more than thirty days ago to repair or demolish the main structure and garage structure and as of this date have 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 South 68 feet of Lot D Block 1 in STALFORDS ADDITION; AND South 68 feet of Lot 5 in RIGHT OF WAY PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1401 Stewart 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 Gatto 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	✓			
MANDELBAUM	✓			
SHEUMAKER				✓
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1

MOTION CARRIED

APPROVED

J. M. Franklin Cownie
Mayor

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.

Laura Baumgartner
City Clerk