



Roll Call Number

23-1553

Agenda Item Number

35 D

Date November 6, 2023

ABATEMENT OF PUBLIC NUISANCE AT 101 JOHNSON COURT

WHEREAS, the property located at 101 Johnson Court, 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, Richard Hernandez and Linda K. Hernandez, and mortgage holder, U.S. Bank Trust Co., N.A. as Trustee of the LB-Dwelling Series V Trust, 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 Lot 7 of CORRECTED OFFICIAL PLAT of the North 272 feet of Lot 31 in BROOKS & CO'S ADDITION TO 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 101 Johnson Court, 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:

/s/ Molly E. Tracy

Molly E. Tracy, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL.

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.

Signature of J. M. Franklin Cownie, Mayor

Signature of Laura Baumgartner, City Clerk