

Date March 26, 2007

WHEREAS, the property located at 1427 10<sup>th</sup> Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the accessory structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the titleholder, Mary Flanery, and the contract buyer, Delfina Perez a/k/a Delfina Garcia, were notified by personal service more than thirty days ago to repair or demolish the 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, AND SITTING AS THE LOCAL BOARD OF HEALTH:

The accessory structure located on the real estate legally described as LOTS 20 & 21 BLK 1 HARLAN AND TUBBS REPLAT, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1427 10<sup>th</sup> 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 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 accessory structure.

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

*Vicky Long Hill by Mark Gula*  
Vicky Long Hill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

**CERTIFICATE**

I, DIANE RAUH, 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.

\_\_\_\_\_ City Clerk



**PUBLIC NUISANCE  
 NOTICE OF INSPECTION  
 NEIGHBORHOOD INSPECTION DIVISION  
 COMMUNITY DEVELOPMENT DEPARTMENT  
 CITY OF DES MOINES, IOWA**

**BDH 19**

**DATE OF NOTICE:** January 24, 2007

**DATE OF INSPECTION:**

**CASE NUMBER:** COD2007-00546

**PROPERTY ADDRESS:** 1427 10TH ST

**LEGAL DESCRIPTION:** LOTS 20 & 21BLK 1 HARLAN AND TUBBS REPLAT

MARY FLANERY  
 Title Holder  
 3128 6TH  
 DES MOINES IA 50315

DELFINA PEREZ A/K/A DELFINA GARCIA  
 Contract Buyer  
 1427 10TH ST APT #1  
 DES MOINES IA 50314

An inspection of the referenced property was conducted for its conformance to the Municipal Code of the City of Des Moines. It has been determined from that inspection that the dwelling currently constitutes not only a menace to health and safety, but is also a public nuisance. Accordingly, the dwelling will be placarded as unfit for human habitation pursuant to the Municipal Code of the City of Des Moines and the Code of Iowa.

If not occupied at the present time, the dwelling is to remain vacant and unoccupied until occupancy is authorized by this office. If the dwelling is occupied, it must be vacated immediately. If procedures to vacate the premises are not undertaken immediately upon receipt of this notice, and in no case later than seven (7) days, the City will issue a Municipal Infraction in accordance with Section 60-304 and 60-306 pursuant to the Municipal code of the City of Des Moines. Additionally, if the property had a Certificate of Inspection, it is hereby revoked.

Attached is a listing of the violations existing on the date of the inspection and a recommendation as to the remedial action required to correct such violations. Failure to correct these violations will result in legal action. The violations noted must be corrected within 30 days from the date of this notice. Failure to correct these violations will result in a request to the City Council, sitting as the board of Health, to approve legal action. As a result of this public nuisance action there will be costs incurred by the City. Costs will be billed out when the nuisance has been abated. Failure to pay the costs will result in collection by assessment to the property or personal judgment.

**ALL ELECTRICAL, MECHANICAL, PLUMBING, AND STRUCTURAL COMPONENTS IN NEED OF REPLACEMENT OR REPAIR, ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET CITY CODES.**

Appropriate building permits may be required for those violations noted in the "Special Requirements" section on the notice. Should you have questions regarding permits, contact the Permit and Development Center at 283-4200. All work performed by a contractor or you must be completed in a workmanlike manner. If you plan to renovate the structure and it has been vacant for a period in excess of one year, there may be zoning issues, which will affect the proposed use of the structure and/or real estate. Please contact the Development Zoning Division at 283-4207 to determine what the legal use for the structure and/or the real estate is prior to commencement of any renovation.

If you believe the building is beyond repair and decide to remove it, all debris must be removed from the property and the basement excavation if any, filled in the manner required by the City. You are encouraged to arrange for this demolition yourself; however a demolition permit must be obtained from the Building Department. In the event you are unable to arrange for demolition, you may sign a waiver voluntarily authorizing the City to do so. However, the city may take a personal judgment against you for the costs of removal.

If you no longer own the property, notify us in writing of the name, address, and telephone number of the new owner. A copy of the real estate contract or deed, if it has not been recorded at the Polk county Recorder's Office, shall likewise be furnished to the Neighborhood Inspection Division.

Should you have any questions, feel free to call. I can usually be reached between 8:00am and 9:00am, Monday through Friday.

Robert Reynolds



Nid Inspector

DATE MAILED: 1/24/2007

MAILED BY: KMN

**Areas that need attention:** 1427 10TH ST

<b>Component:</b>	Exterior Doors/Jams	<b>Defect:</b>	In disrepair
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Garage
<b>Comments:</b>			
<b>Component:</b>	Exterior Walls	<b>Defect:</b>	In disrepair
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Garage
<b>Comments:</b>			
<b>Component:</b>	Exterior Walls	<b>Defect:</b>	Deteriorated
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Garage
<b>Comments:</b>			
<b>Component:</b>	Exterior Walls	<b>Defect:</b>	Severly peeling paint
<b>Requirement:</b>		<b>Location:</b>	Garage
<b>Comments:</b>			
<b>Component:</b>	Interior Walls /Ceiling	<b>Defect:</b>	Deteriorated
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Garage
<b>Comments:</b>			
<b>Component:</b>	Interior Walls /Ceiling	<b>Defect:</b>	In disrepair
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Garage
<b>Comments:</b>			
<b>Component:</b>	Roof	<b>Defect:</b>	Holes or major defect
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Garage
<b>Comments:</b>			
<b>Component:</b>	Shingles Flashing	<b>Defect:</b>	Holes or major defect
<b>Requirement:</b>		<b>Location:</b>	Garage
<b>Comments:</b>			

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<b><u>Component:</u></b> Shingles Flashing <b><u>Requirement:</u></b> <b><u>Comments:</u></b>	<b><u>Defect:</u></b> In disrepair <b><u>Location:</u></b> Garage
<b><u>Component:</u></b> Soffit/Facia/Trim <b><u>Requirement:</u></b> Building Permit <b><u>Comments:</u></b>	<b><u>Defect:</u></b> Deteriorated <b><u>Location:</u></b> Garage
<b><u>Component:</u></b> Soffit/Facia/Trim <b><u>Requirement:</u></b> <b><u>Comments:</u></b>	<b><u>Defect:</u></b> Severly peeling paint <b><u>Location:</u></b> Garage

**BDH 19**

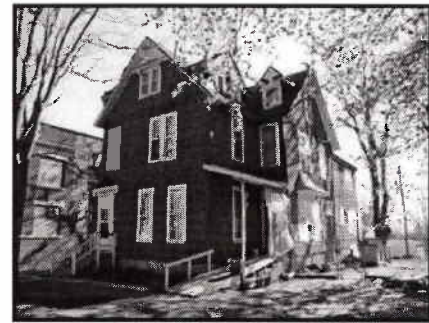


[ Home ] [ General Query ] [ Legal Query ] [ HomeOwner Query ] [ Book/Page Query ] [ Commercial Query ] [ Res Sales Query ] [ Comm Sales Query ] [ Help ]

District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
080/02979-001-000	7924-34-333-004	0129	DM76/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
1427 10TH ST			DES MOINES IA 50314-2859		

Click on parcel to get new listing

Get Bigger Map



Approximate date of photo 04/21/2006

**Mailing Address**

DELFINA PEREZ  
1427 10TH ST  
DES MOINES, IA 50314-2818

**Legal Description**

LOTS 20 & 21BLK 1 HARLAN AND TUBBS REPLAT

Ownership	Name	Transfer	Book/Page	RevStamps
Title Holder #1	FLANERY, MARY	09/19/2000	8592/469	
Contract Buyer #1	PEREZ, DELFINA	04/23/1997	7618/22	

Assessment	Class	Kind	Land	Bldg	AgBd	Total

**RDH** 1G

Current	Multiple	Full	7,600	70,500	0	78,100
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Assessment Roll Notice   Estimate Taxes   Polk County Treasurer Tax Information   Pay Taxes

Taxable Value Credit	Name	Number	Info
Homestead	PEREZ, DELFINA	35824	

Zoning	Description	SF	Assessor Zoning
R-3	Multiple Family Residential District	12548	Multi-Family Residential
*Condition	Docket_no 14361		

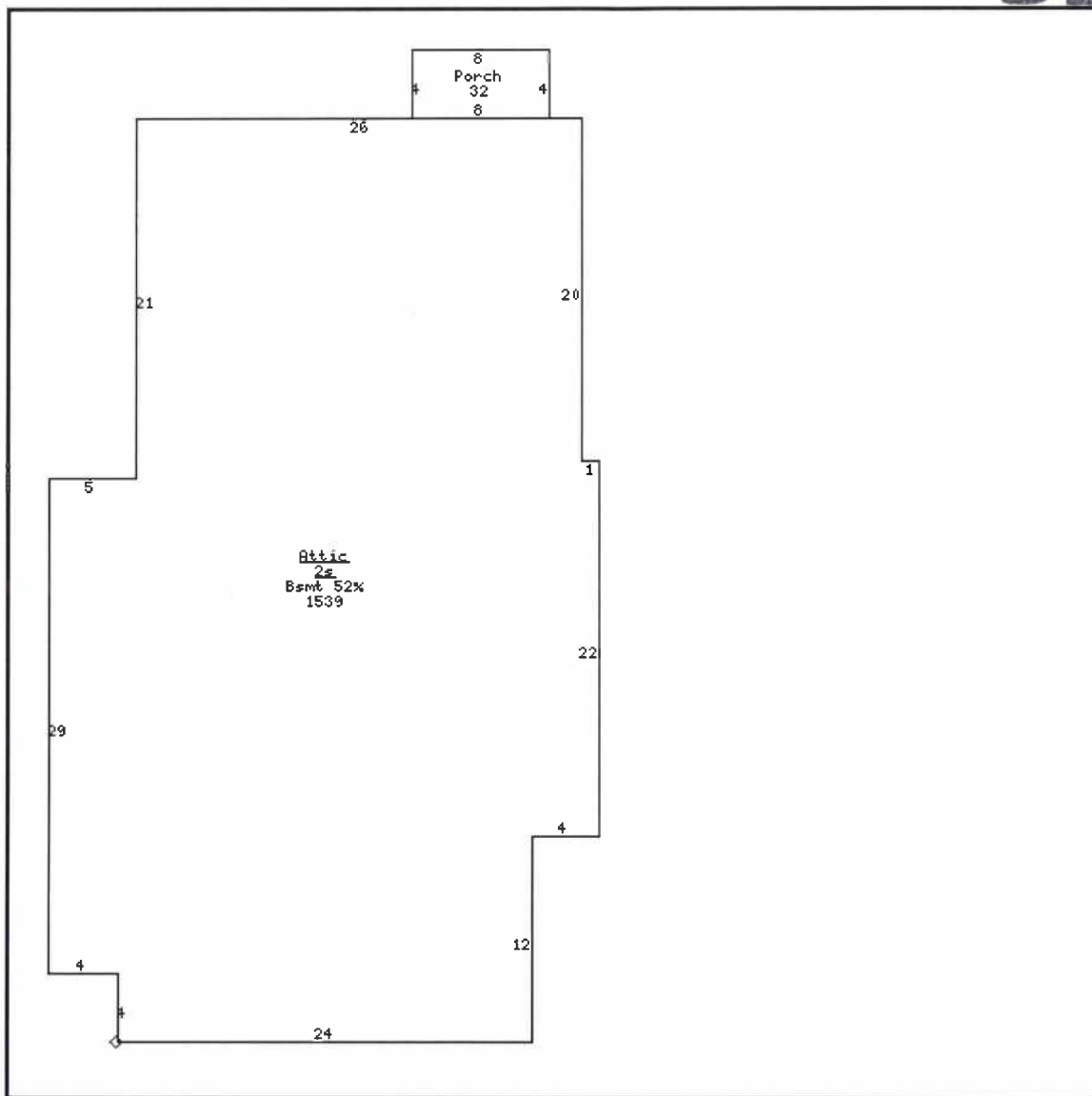
**Source:** City of Des Moines Community Development **Published:** 11/17/2006 **Contact:** Planning and Urban Design 515 283-4200

Land					
<b>SQUARE FEET</b>	12,548	<b>ACRES</b>	0.2880	<b>TOPOGRAPHY</b>	B/Blank

Commercial Summary					
<b>OCCUPANCY</b>	1B/Apartment Conversion	<b>WEIGHTED AGE</b>	1891	<b>STORY HEIGHT</b>	3
<b>LAND AREA</b>	12,548	<b>GROSS AREA</b>	3,924	<b>FINISH AREA</b>	3,924
<b>BSMT UNFIN</b>	800	<b>BSMT FINISH</b>	0	<b>NUMBER UNITS</b>	8

Residence # 1					
<b>OCCUPANCY</b>	CV/Conversion	<b>RESID TYPE</b>	SP/Over 2 Stories	<b>YEAR BUILT</b>	1891
<b># FAMILIES</b>	8	<b>GRADE</b>	4	<b>GRADE ADJUST</b>	+00
<b>CONDITION</b>	BN/Below Normal	<b>TSFLA</b>	3,924	<b>MAIN LV AREA</b>	1,539
<b>UPPR LV AREA</b>	1,539	<b>ATTIC FINISH</b>	846	<b>BSMT AREA</b>	800
<b>OPEN PORCH</b>	32	<b>FOUNDATION</b>	T	<b>EXT WALL TYP</b>	CO/Composition
<b>ROOF TYPE</b>	GB/Gable	<b>ROOF MATERL</b>	A/Asphalt Shingle	<b>HEATING</b>	A/Gas Forced Air
<b>AIR COND</b>	0	<b>BATHROOMS</b>	8		

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**Detached # 101**

<b>OCCUPANCY</b>	GAR/Garage	<b>CONSTR TYPE</b>	FR/Frame	<b>MEASCODE</b>	D/Dimensions
<b>MEASURE1</b>	20	<b>MEASURE2</b>	32	<b>GRADE</b>	4
<b>YEAR BUILT</b>	1940	<b>CONDITION</b>	PR/Poor		

<b>Seller</b>	<b>Buyer</b>	<b>Sale Date</b>	<b>Sale Price</b>	<b>Instrument</b>	<b>Book/Page</b>
FLANERY, MARY	PEREZ, DELFINA	04/18/1997	40,000	C/Contract	7618/22

<b>Year</b>	<b>Type</b>	<b>Status</b>	<b>Application</b>	<b>Permit/Pickup Description</b>
1998	P/Permit	NA/No Add	11/20/1997	AL/MISC (Cost \$1,800)



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Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2006	<u>Assessment Roll</u>	Multiple	Full	7,600	70,500	0	78,100
2005	<u>Assessment Roll</u>	Multiple	Full	7,600	54,900	0	62,500
2003	<u>Assessment Roll</u>	Multiple	Full	6,600	45,900	0	52,500
2001	<u>Assessment Roll</u>	Multiple	Full	6,270	31,200	0	37,470
1999	Assessment Roll	Multiple	Full	4,600	31,200	0	35,800
1997	Assessment Roll	Multiple	Full	4,430	28,870	0	33,300
1997	Was Prior Year	Multiple	Full	4,430	28,870	0	33,300

[email this page](#)

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Room 195, 111 Court Avenue, Des Moines, IA 50309  
 Phone 515 286-3140 / Fax 515 286-3386  
[polkweb@assess.co.polk.ia.us](mailto:polkweb@assess.co.polk.ia.us)



**1427 10<sup>TH</sup>  
EAST VIEW OF GARAGE.**



**1427 10<sup>TH</sup>  
EAST GARAGE WALL.**



**1427 10<sup>TH</sup>  
WEST VIEW OF GARAGE ROOF.**



**1427 10<sup>TH</sup>  
NORTH VIEW OF GARAGE.**