



Roll Call Number

Agenda Item Number
BDH IC

Date June 28, 2010

WHEREAS, the property located at 109 E. 28th Court, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure, garage structure, and accessory structure in their present conditions constitute not only a menace to health and safety but are also a public nuisance; and

WHEREAS, the Titleholders Charles L. Parcel and Dorothy L. Parcel and the Mortgage Holder Deutsche Bank National Trust Company, were notified more than thirty days ago to repair or demolish the main structure, garage structure, and accessory structure and as of this date have failed to abate the nuisance.

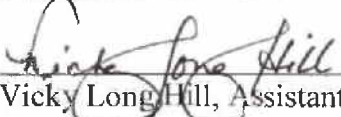
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA, AND SITTING AS THE LOCAL BOARD OF HEALTH:

The main structure, garage structure, and accessory structure on the real estate legally described as VAC N/S ALLEY LYG E & ADJ LTS 50 & 51 & LOT 50 BLK O HARTLEYS ADD TO GRANT PARK, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 109 E. 28th Court, have 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 main structure, garage structure, and accessory structure.

Moved by _____ to adopt.

FORM APPROVED:


Vicky Long Hill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAILAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

CERTIFICATE

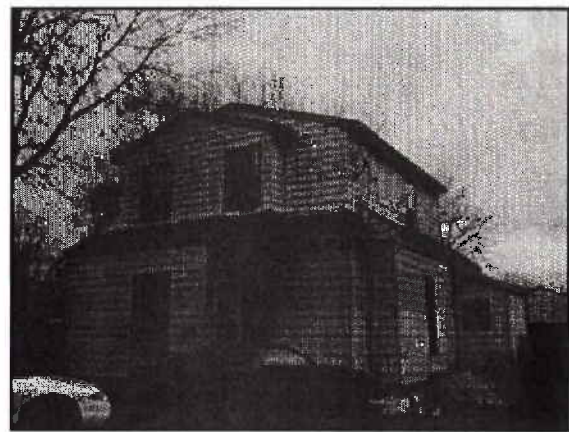
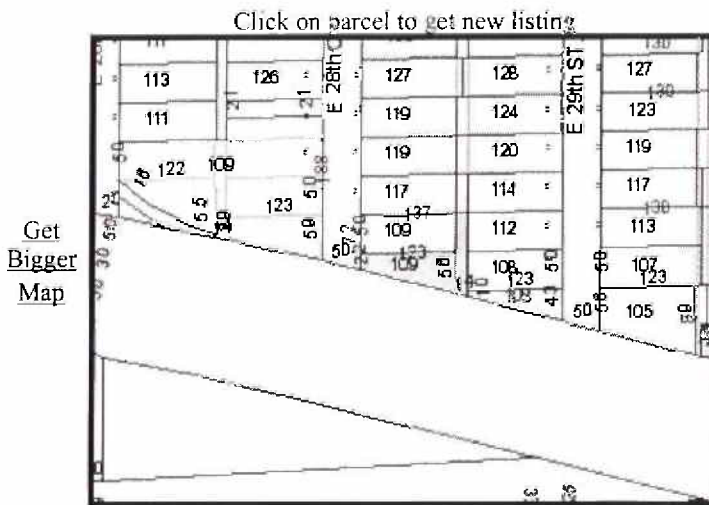
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ City Clerk

[[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
050/02124-002-000	7824-01-427-026	0439	DM16/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines	30/SE Ag Business Park UR				
Street Address			City State Zipcode		
109 E 28TH CT			DES MOINES IA 50317-7701		



Approximate date of photo 11/17/2004

Mailing Address
CHARLES L PARCEL 2712 CAPITOL AVE DES MOINES, IA 50317-2317

Legal Description
VAC N/S ALLEY LYG E & ADJ LTS 50 & 51 & LOT 50 BLK O HARTLEYS ADD TO GRANT PARK

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	PARCEL, CHARLES L	2003-08-19	10081/519	
Title Holder #2	PARCEL, DOROTHY L			

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	13,800	55,600	0	69,400

[Market Adjusted Cost Report](#) [Estimate Taxes](#) [Polk County Treasurer Tax Information](#) [Pay](#)

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Taxes

Taxable Value Credit	Name	Number	Info
Homestead	PARCEL, CHARLES L	165769	

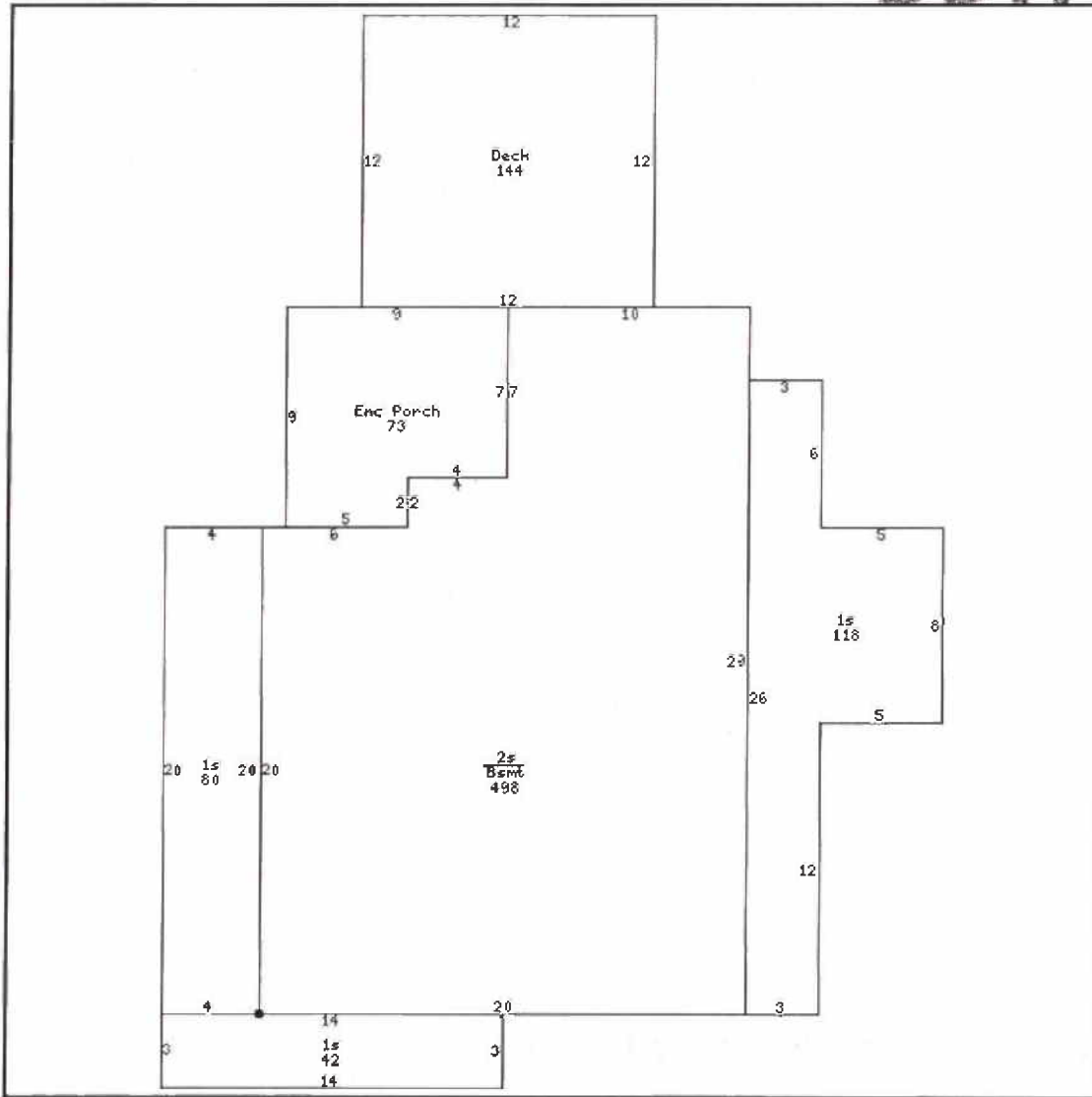
Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential

Source: City of Des Moines Community Development Published: 2010-03-05 Contact: Planning and Urban Design 515 283-4200

Land					
SQUARE FEET	6,181	ACRES	0.142	SHAPE	IR/Irregular
TOPOGRAPHY	N/Normal				

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S2/2 Stories	BLDG STYLE	CV/Conventional
YEAR BUILT	1901	YEAR REMODEL	2000	# FAMILIES	1
GRADE	4	GRADE ADJUST	-05	CONDITION	BN/Below Normal
TSFLA	1,236	MAIN LV AREA	738	UPPR LV AREA	498
BSMT AREA	498	ENCL PORCH	73	DECK AREA	144
FOUNDATION	B/Brick	EXT WALL TYP	MT/Metal Siding	ROOF TYPE	GB/Gable
ROOF MATERL	A/Asphalt Shingle	HEATING	A/Gas Forced Air	AIR COND	0
BATHROOMS	1	BEDROOMS	2	ROOMS	5

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Detached # 101					
OCCUPANCY	GAR/Garage	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	24	MEASURE2	24	STORY HEIGHT	1
GRADE	4	YEAR BUILT	1979	CONDITION	BN/Below Normal

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2009	Assessment Roll	Residential	Full	13,800	55,600	0	69,400
2008	Assessment Roll	Residential	Full	13,600	54,900	0	68,500

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BDH 1C

*Room 195, 111 Court Avenue, Des Moines, IA 50309
Phone 515 286-3140 / Fax 515 286-3386
polkweb@assess.co.polk.ia.us*



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

BDHIC

DATE OF NOTICE: April 7, 2010

DATE OF INSPECTION: January 12, 2010

CASE NUMBER: COD2010-00110

PROPERTY ADDRESS: 109 E 28TH CT

LEGAL DESCRIPTION: VAC N/S ALLEY LYG E & ADJ LTS 50 & 51 & LOT 50 BLK O HARTLEYS ADD TO GRANT PARK

CHARLES L PARCEL & DOROTHY L PARCEL

Title Holder
2712 CAPITOL AVE
DES MOINES IA 50317-2317

DEUTSCHE BANK NATIONAL TRUST COMPANY
Mortgage Holder - REAL ESTATE DIVISION
DENNIS GILLESPIE, REG. AGENT
1716 SAINT ANDREW PLACE
SANTA ANA CA 92705

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. 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.

BDH 1C

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.

Dennis Rule

(515) 283-4114



Nid Inspector

DATE MAILED: 4/7/2010

MAILED BY: TSY

Areas that need attention: 109 E 28TH CT

Component:	Accessory Buildings	Defect:	Deteriorated
Requirement:	Compliance with Int. Exiting Building Code	Location:	Garage
Comments:			
Component:	Accessory Buildings	Defect:	Deteriorated
Requirement:	Compliance with Int. Exiting Building Code	Location:	Shed
Comments:			
Component:	Electrical System	Defect:	Deteriorated
Requirement:	Electrical Permit	Location:	Throughout
Comments:			
Component:	Interior Stairway	Defect:	In poor repair
Requirement:	Compliance with Int. Exiting Building Code	Location:	Stairway
Comments:			
Component:	Interior Walls /Ceiling	Defect:	Deteriorated
Requirement:	Compliance with Int. Exiting Building Code	Location:	Throughout
Comments:			
Component:	Windows/Window Frames	Defect:	Deteriorated
Requirement:	Compliance with Int. Exiting Building Code	Location:	Throughout
Comments:			
Component:	Exterior Doors/Jams	Defect:	Deteriorated
Requirement:	Building Permit	Location:	Throughout
Comments:			
Component:	Plumbing System	Defect:	Deteriorated
Requirement:	Plumbing Permit	Location:	Throughout
Comments:			

Component: Bathroom Lavatory	Defect: Cracked/Broken
Requirement: Plumbing Permit	Location: Bathroom
Comments:	BDHIC
Component: Mechanical System	Defect: Improperly Installed
Requirement: Compliance, Uniform Mechanics Code	Location: Throughout
Comments:	
Component: Exterior Walls	Defect: In disrepair
Requirement: Compliance with Int. Exiting Building Code	Location: Throughout
Comments:	
Component: Soffit/Facia/Trim	Defect: Holes or major defect
Requirement: Compliance with Int. Exiting Building Code	Location: Throughout
Comments:	
Component: Soffit/Facia/Trim	Defect: Non-domestic Animal Habitation
Requirement: Compliance with Int Residential Code	Location: Throughout
Comments:	
Component: Water Heater	Defect: Improperly Installed
Requirement: Mechanical Permit	Location: Basement
Comments:	
Component: See Comments	Defect: Excessive rot
Requirement: Compliance with Int Residential Code	Location: Deck
Comments: very bad shape	
Component: Flooring	Defect: Deteriorated
Requirement: Compliance with Int. Exiting Building Code	Location: Throughout
Comments:	
Component: Exterior Walls	Defect: Deteriorated
Requirement: Compliance with Int Residential Code	Location: Garage
Comments:	

Component: Electrical System	Defect: Deteriorated	BDH 1C
Requirement: Electrical Permit	Location: Garage	
Comments:		
Component: Furnace	Defect: In disrepair	
Requirement: Compliance, Uniform Mechanics Code	Location: Garage	
Comments:		
Component: Interior Stairway	Defect: Deteriorated	
Requirement: Compliance with Int. Exiting Building Code	Location: Basement	
Comments:		
Component: Chimney Liner	Defect: Deteriorated	
Requirement: Mechanical Permit	Location: Basement	
Comments:		
Component: Exterior Stairs	Defect: Excessive rot	
Requirement: Compliance with Int Residential Code	Location: Deck	
Comments:		
Component: Smoke Detectors	Defect: Not Supplied	
Requirement: Compliance with Int Residential Code	Location: Throughout	
Comments:		
Component: Water Heater	Defect: Improperly vented	
Requirement: Mechanical Permit	Location: Basement	
Comments:		
Component: See Comments	Defect:	
Requirement:	Location:	
Comments: UNABLE TO VEIW ROOF		
Component: See Comments	Defect:	
Requirement:	Location:	
Comments: UNABLE TO VEIW FONDATION		

Component: Tub/Shower Walls
Requirement: Compliancance with Int Residential Code

Defect: Deteriorated
Location: Bathroom

BDH IC

Comments:

Component: Water Meter Jump
Requirement: Compliancance with Int Residential Code

Defect: Not Supplied
Location: Basement

Comments:

BDH/C



109 E. 28th Ct



109 E 28TH CT

11011 WORN



109 E. 28th Ct.



109 E 28TH + WASHORR