

Date December 7, 2009

WHEREAS, the property located at 1919 Capitol Avenue, 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 Gary Oeth and Suzanne Oeth 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 structure on the real estate legally described as LOT 148 GOODE & LIKES ADDITION, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1919 Capitol Avenue 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 owners 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 _____ to adopt.

FORM APPROVED:


Vicky Long Hill, Assistant City Attorney

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

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.

Mayor

City Clerk



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

BDH-1-A

DATE OF NOTICE: October 26, 2009

DATE OF INSPECTION: October 21, 2009

CASE NUMBER: COD2009-07786

PROPERTY ADDRESS: 1919 CAPITOL AVE

LEGAL DESCRIPTION: LOT 148 GOODE & LIKES ADDITION

GARY OETH & SUZANNE OETH

Title Holder

6501 MADISON AVE

URBAN DALE IA 50322

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.

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.

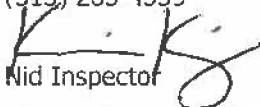
If you believe the building is beyond repair and decide to remove it, all debris must be removed from the property and the basement excavation if any, filled in the manner required by the City. You are encouraged to arrange for this demolition yourself; however a demolition permit must be obtained from 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.

Kevin King

(515) 283-4559


Nid Inspector

DATE MAILED: 10/26/2009

MAILED BY: JDH

Areas that need attention: 1919 CAPITOL AVE

Component:	Foundation	Defect:	Holes or major defect
Requirement:	Engineering Report	Location:	Main Structure
Comments:			
Component:	Hand Rails	Defect:	Structurally inadequate
Requirement:		Location:	Porch
Comments:			
Component:	Windows/WIndow Frames	Defect:	Cracked/Broken
Requirement:		Location:	Main Structure
Comments:			
Component:	Water Service	Defect:	Not Supplied
Requirement:		Location:	Throughout
Comments:			
Component:	Floor Joists/Beams	Defect:	Excessive rot
Requirement:	Building Permit	Location:	Porch
Comments:			
Component:	Smoke Detectors	Defect:	Not Supplied
Requirement:		Location:	Throughout
Comments:			
Component:	Flooring	Defect:	Deteriorated
Requirement:		Location:	Porch
Comments:			
Component:	Ductwork	Defect:	Not installed as required
Requirement:	Mechanical Permit	Location:	Throughout
Comments:			

<u>Component:</u> Electrical System <u>Requirement:</u> Electrical Permit <u>Comments:</u>	<u>Defect:</u> Not installed as required <u>Location:</u> Throughout
<u>Component:</u> Wiring <u>Requirement:</u> Electrical Permit <u>Comments:</u>	<u>Defect:</u> Not installed as required <u>Location:</u> Throughout
<u>Component:</u> Functioning Water Closet <u>Requirement:</u> Plumbing Permit <u>Comments:</u>	<u>Defect:</u> Not installed as required <u>Location:</u> Bathroom
<u>Component:</u> Exterior Walls <u>Requirement:</u> <u>Comments:</u>	<u>Defect:</u> Absence of paint <u>Location:</u> Main Structure
<u>Component:</u> Interior Walls /Ceiling <u>Requirement:</u> <u>Comments:</u>	<u>Defect:</u> In poor repair <u>Location:</u> Main Structure
<u>Component:</u> Furnace <u>Requirement:</u> Mechanical Permit <u>Comments:</u>	<u>Defect:</u> Not installed as required <u>Location:</u> Basement
<u>Component:</u> Water Heater <u>Requirement:</u> Mechanical Permit <u>Comments:</u>	<u>Defect:</u> Not installed as required <u>Location:</u> Basement

BDH1-A



(FRONT)

1919 Capitol 12/2/09 KKK

BDH1-A



(EAST)

1919 CAPITAL 12/2/09 KLL

BDH1-A



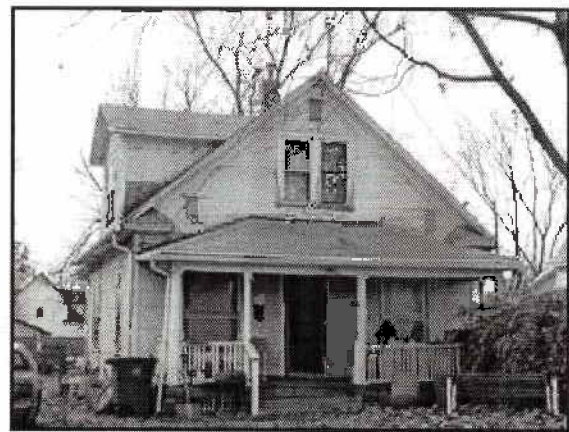
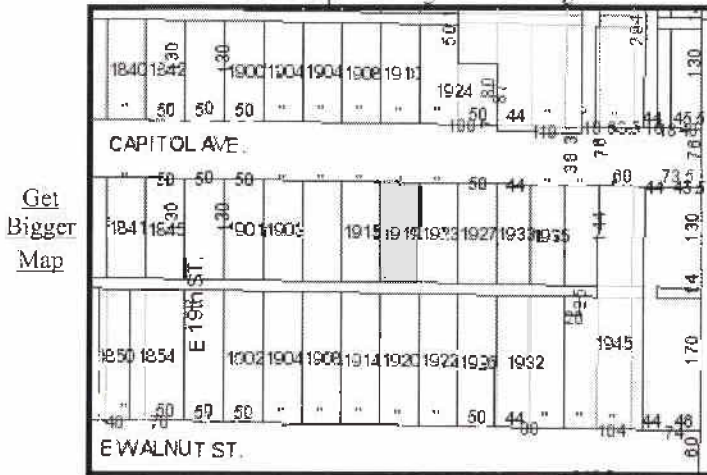
(REAR)

1919 USPTOL 12/2/09 KKK

[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
040/02411-000-000	7824-02-255-005	0406	DM16/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
1919 CAPITOL AVE			DES MOINES IA 50316-3717		

Click on parcel to get new listing



Approximate date of photo 11/24/2004

Mailing Address
GARY OETH 6501 MADISON AVE URBANDALE, IA 50322-2735

Legal Description
LOT 148 GOODE & LIKES ADDITION

Ownership	Name	Transfer	Book/Page	RevStamps
Title Holder #1	OETH, GARY	2009-05-29	13060/513	16.00

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	14,900	29,400	0	44,300

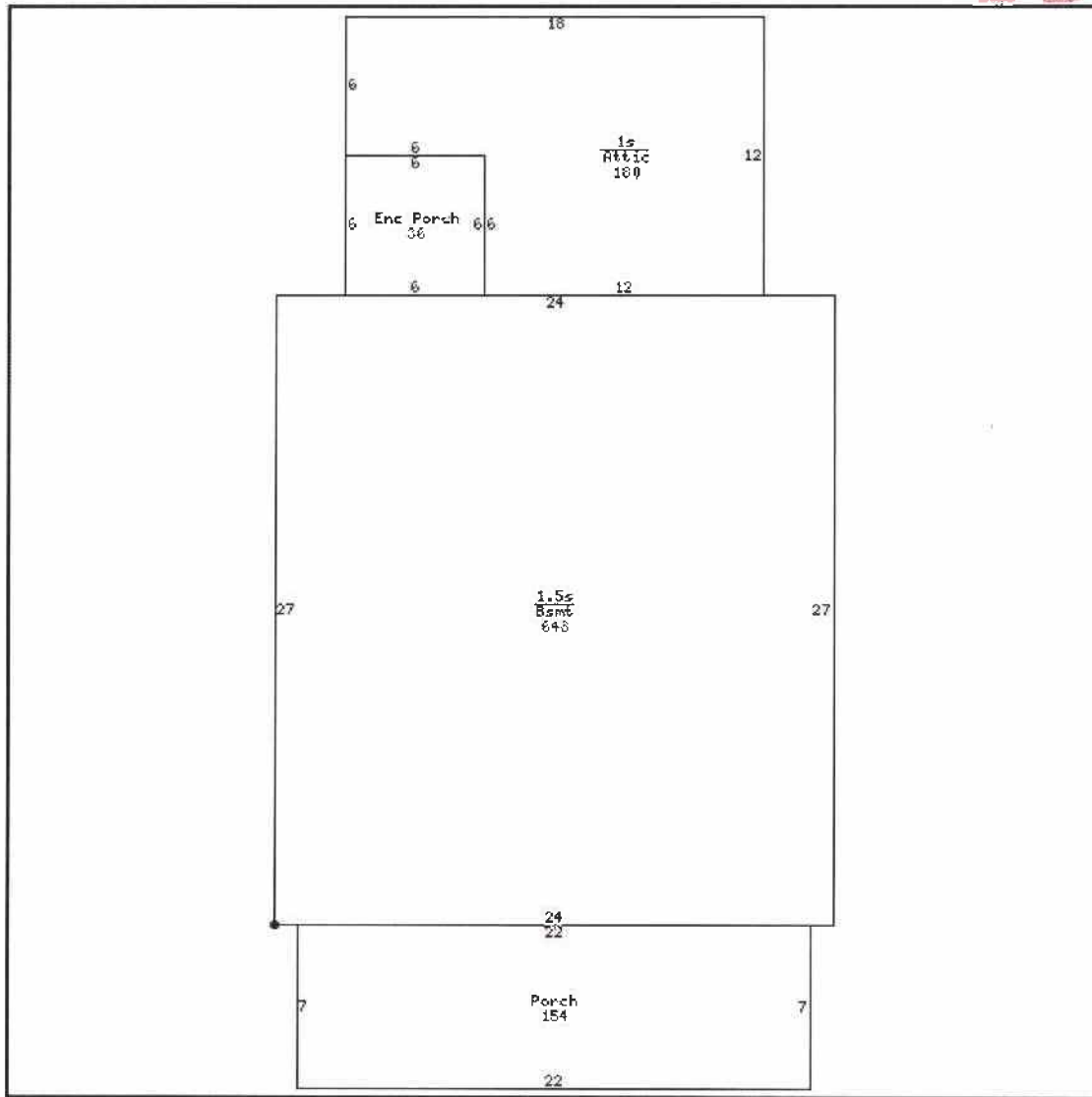
[Market Adjusted Cost Report](#) [Assessment Roll Notice](#) [Estimate Taxes](#) [Polk County Treasurer](#)
[Tax Information](#) [Pay Taxes](#)

Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District	6500	Residential
Source: City of Des Moines Community Development Published: 2009-06-15 Contact: Planning and Urban Design 515 283-4200			

Land					
SQUARE FEET	6,500	FRONTAGE	50.0	DEPTH	130.0
ACRES	0.149	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	SH/1.5 Stories	YEAR BUILT	1909
# FAMILIES	1	GRADE	4	GRADE ADJUST	-05
CONDITION	PR/Poor	TSFLA	1,325	MAIN LV AREA	828
UPPR LV AREA	434	ATTIC FINISH	63	BSMT AREA	648
OPEN PORCH	154	ENCL PORCH	36	FOUNDATION	B/Brick
EXT WALL TYP	WS/Wood Siding	ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle
HEATING	A/Gas Forced Air	AIR COND	0	BATHROOMS	1
BEDROOMS	2	ROOMS	7		

BDH1-A



Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
ROSE LAND AND FINANCE CORP.	OETH, GARY	2009-05-27	10,500	D/Deed	13060/513
ROSE LAND AND FINANCE CO.	SCHIEFFER, DAVID	2007-03-21	27,500	C/Contract	12117/198
SCOTT, MARY J ESTATE % MARSHAYNE FRANKLIN	STEFFES, ALDEN	1996-10-17	16,810	D/Deed	7518/744

Year	Type	Status	Application	Permit/Pickup Description
Current	U/Pickup	TW/To Work	2009-08-26	RV/Review Value PER SALE

Year	Type	Class	Kind	Land	Bldg	AgBd	Total

2009	<u>Assessment Roll</u>	Residential	Full	14,900	29,400	0	44,300
2007	<u>Assessment Roll</u>	Residential	Full	14,700	29,000	0	43,700
2005	<u>Assessment Roll</u>	Residential	Full	13,000	29,500	0	42,500
2003	<u>Assessment Roll</u>	Residential	Full	10,990	24,700	0	35,690
2001	<u>Assessment Roll</u>	Residential	Full	11,100	24,910	0	36,010
1999	<u>Assessment Roll</u>	Residential	Full	6,720	28,100	0	34,820
1997	<u>Assessment Roll</u>	Residential	Full	6,090	25,450	0	31,540
1995	<u>Assessment Roll</u>	Residential	Full	5,300	22,160	0	27,460
1993	<u>Assessment Roll</u>	Residential	Full	4,700	19,650	0	24,350
1990	Board Action	Residential	Full	4,700	16,700	0	21,400
1990	<u>Assessment Roll</u>	Residential	Full	4,700	18,600	0	23,300

[email this page](#)

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 Phone 515 286-3140 / Fax 515 286 3386
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