

Agenda Item Number BDHIA

Date September 13, 2010

WHEREAS, the property located at 2605 Lincoln Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the garage structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholders Paul Ekanem and Frances Evans Ekanem and the Mortgage Holder Equicredit Corporation were notified more than thirty days ago to repair or demolish the garage 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 garage structure on the real estate legally described as 33F E & ADJ & ALL LOT 6 ROSS PLACE. now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2605 Lincoln 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 garage structure.

Moved by to adopt.

FORM APPROVED: icky Long Hill, Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT | CERTIFICATE |
|----------------|------|------|------|---------|---|
| COWNIE | | | | | |
| COLEMAN | | | | | I, DIANE RAUH, City Clerk of said City hereb |
| GRIESS | | | | | certify that at a meeting of the City Council o said City of Des Moines, held on the above date |
| HENSLEY | | | - | | among other proceedings the above was adopted. |
| MAHAFFEY | | | | | |
| MEYER | | | | | IN WITNESS WHEREOF, I have hereunto set m |
| MOORE | | | | _ | hand and affixed my seal the day and year firs above written. |
| TOTAL | | | | | |
| MOTION CARRIED | | | A | PPROVED | |
| | | | | | |
| | | | | Mayor | City Clerk |

Mayor



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



DATE OF NOTICE: May 26, 2010

DATE OF INSPECTION:

August 04, 2009

CASE NUMBER: COD2009-05433

PROPERTY ADDRESS: 2605 LINCOLN AVE

LEGAL DESCRIPTION: 33F E & ADJ & ALL LOT 6 ROSS PLACE

PAUL EKANEM & FRANCES EVANS EKANEM Title Holder 2605 LINCOLN AVE DES MOINES IA 50310-5458

EQUICREDIT CORPORATION Mortgage Holder CT CORPORATION SYS. REG.AGENT 1200 SOUTH PINE ISLAND ROAD PLANTATION FL 33324

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 will result in a request to correct 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 COMPONETS 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.

Gene Rife

(515) 283-4018

Love Ripe (SA)

Nid Inspector

DATE MAILED: 5/26/2010

MAILED BY: TSY

\CDMAPPS1\D-VOLUME\APPDATA\Tidemark\prd_41\Forms & Reports\dsmCODPubNo.rp-

BDH-IA

| Areas that nee | | | |
|--|--|--|---|
| Component: Requirement: | Exterior Walls | Defect: | In poor repair |
| Comments: | | Location: | Garage |
| | | | |
| | | B | |
| <u>Component:</u> <u>Requirement:</u> | Exterior Walls | Defect: | Severly peeling paint |
| Comments: | | Location: | Garage |
| | | | |
| Component: | Exterior Doors/Jams | Defect: | În poor repair |
| <u>Requirement:</u> | | Location: | Garage |
| <u>Comments:</u> | Overhead doors | | |
| | | | |
| <u>Component:</u> <u>Requirement:</u> | Exterior Doors/Jams | Defect: | In poor repair |
| | | Location: | Garage |
| <u>Comments:</u> | Service doors | | |
| | | | |
| Commercial | | | |
| <u>Component:</u> Requirement: | Roof | Defect: | In poor repair |
| <u>Requirement;</u> | Roof | <u>Defect:</u> Location: | |
| | Roof | | |
| <u>Requirement:</u> <u>Comments:</u> | Roof cover | Location: | Garage |
| <u>Requirement;</u> | | | Garage See Comments |
| Requirement: Comments: Component: Requirement: | Roof cover See Comments | Location: | Garage See Comments |
| Requirement: Comments: Component: | Roof cover | Location: Defect: | Garage See Comments |
| Requirement: Comments: Component: Requirement: Comments: | Roof cover See Comments Grad/ground eroding beneath | Location: Defect: Location: | Garage See Comments Garage |
| Requirement: Comments: Component: Requirement: | Roof cover See Comments | Location: Defect: Location: Defect: | Garage See Comments Garage Structurally Unsound |
| Requirement: Comments: Component: Requirement: Comments: Comments: | Roof cover See Comments Grad/ground eroding beneath Foundation | Location: Defect: Location: Defect: Location: | Garage See Comments Garage Structurally Unsound |
| Requirement: Comments: Component: Requirement: Comments: Comments: Requirement: | Roof cover See Comments Grad/ground eroding beneath | Location: Defect: Location: Defect: Location: | Garage See Comments Garage Structurally Unsound |
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| Requirement: Comments: Component: Requirement: Comments: Component: Requirement: Comments: | Roof cover See Comments Grad/ground eroding beneath Foundation NW section of garage floor/foundation uns | Location: Defect: Location: table Defect: | Garage See Comments Garage Structurally Unsound Garage In poor repair |
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| Requirement; Comments: Component: Requirement; Comments; Comments; | Roof cover See Comments Grad/ground eroding beneath Foundation NW section of garage floor/foundation uns | Location: Defect: Location: table Defect: | Garage See Comments Garage Structurally Unsound Garage In poor repair |

Areas that need attention: 2605 LINCOLN AVE

| Component: | Soffit/Facia/Tr |
|--------------|-----------------|
| Requirement: | |

| | Defect: | Sever' | heeling | paint |
|--|---------|--------|---------|-------|
|--|---------|--------|---------|-------|

Location: Garage

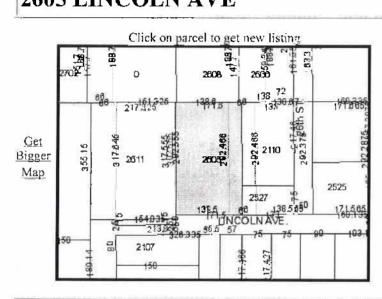
Comments:



Polk County Assessor

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

| District/Parcel | GeoParcel | Мар | Nbhd | Jurisdiction | Status | |
|-------------------|--|------|--------------------------|-----------------|----------|--|
| 080/05904-000-000 | 7924-33-126-005 | 1297 | DM65/Z | DES MOINES | S ACTIVE | |
| School District | Tax Increment Finance District | Bond | Bond/Fire/Sewer/Cemetery | | | |
| 1/Des Moines | Male of the Addition of the Ad | | 2 provid | | | |
| Street Address | 小田福和福祉学习 | | City Stat | te Zipcode | | |
| 2605 LINCOL | NAVE | | DES MC | DINES LA 50310- | 5458 | |





Approximate date of photo 02/10/2004

Mailing Address

PAUL EKANEM 2605 LINCOLN AVE DES MOINES, IA 50310-5458

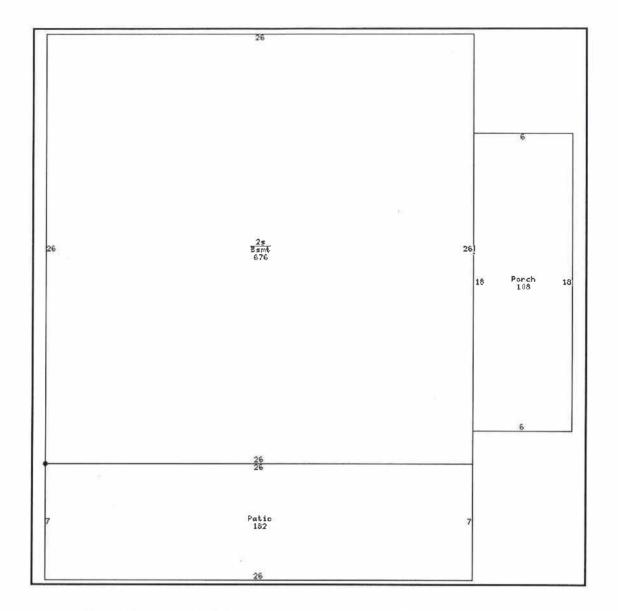
Legal Description

33F E & ADJ & ALL LOT 6 ROSS PLACE

| <u>Ownership</u> | Name | Recorded | Book/Page | RevStamps |
|------------------|-----------------------|------------|-----------|-----------|
| Title Holder #1 | EKANEM, PAUL | 1998-06-26 | 7941/634 | 79.20 |
| Title Holder #2 | EVANS EKANEM, FRANCES | | | |

| Assessment | Class | Kind | Land | Bldg | AgBd | Total |
|------------|--------------------|-------------------------------|--------|--------------|--------------|--------------|
| Current | Residential | Full | 30,800 | 59,000 | 0 | 89,800 |
| Market Ad | justed Cost Report | <u>Estimate Taxes</u> Taxe | | Treasurer Ta | x Informatio | n <u>Pay</u> |

| Taxable V | alue Cree | dit | Name | | 1 | Number | | Info | | |
|--|-----------------------|---------------------|------------------|---|----------------|------------------|---------------|--------------------|--|-----|
| Homestead | 1 | | EKAN | EM, PAUL | 8 | 86898 | | | | |
| Zoning | Descri | ption | | | SF | Assessor Zoning | | | | |
| R1-60 | One Fa | mily, Low D | ensity Residenti | al District | | Reside | Residential | | | |
| Source: C | ity of Des | Moines Com | | oment Published gn 515 283-4200 | : 2010-03-0 |)5 Conta | ect: Pla | ming and | | |
| <u>Land</u> | | | | | | | | | | |
| SQUARE FEET | Arat II | 50,078 | FRONTAGE | 171.0 | DEPTH | | | 292.0 | | |
| ACRES | | 1.150 | SHAPE | RC/Rectangle | TOPOGRAPHY | | I | P/Problen | | |
| Residence | <u>#</u> 1 | | | | | | | | | |
| OCĊUPA | NCY | SF/Single Family | RESID TYPE | S2/2 Stories | BLDG ST | YLE | CV/Cor | ventiona | | |
| YEAR BE | . 15j | 1906 | #FAMILIES | 1 | GRADE | | | 4 | | |
| GRADE ADJUST | | +00 | CONDITION | BN/Below Normal | TSFLA | | | 1,352 | | |
| MAIN LV AREA | | 676 | UPPR LV AREA | 676 | BSMT AREA | | 676 BSMT AREA | | | 676 |
| OPEN PORCH | | 108 | PATIO AREA | 182 | FOUNDA | TION | M/N | lasonry | | |
| EXT WAI TYP | T | MT/Metal Siding | ROOF TYPE | GB/Gable | ROOF MATERL | | | Asphalt Shingle | | |
| FIREPLA | CES | 1 | HEATING | A/Gas Forced Air | AIR CON | D | | 0 | | |
| and the second sec | and the second second | - J | | | | a nje | | | | |



| Detached # 101 | | | | 7 880 | |
|----------------|------------|----------------|----------|-----------------|--------------------|
| OCCUPANCY | GAR/Garage | CONSTR TYPE | FR/Frame | MEASCODE | D/Dimensions |
| MEASURE1 | 20 | MEASURE2 | 22 | STORÝ HEIGHT | 1 |
| GRADE | 4 | YEAR BUILT | 1960 | CONDITION | BN/Below Normal |

| <u>Seller</u> | Buyer | Sale Date | Sale Price | Instrument | Book/Page |
|------------------|---------------|-------------------|------------|------------|-----------|
| DUNLAP, GEORGE S | ECKANUM, PAUL | <u>1998-06-10</u> | 50,000 | D/Deed | 7941/634 |

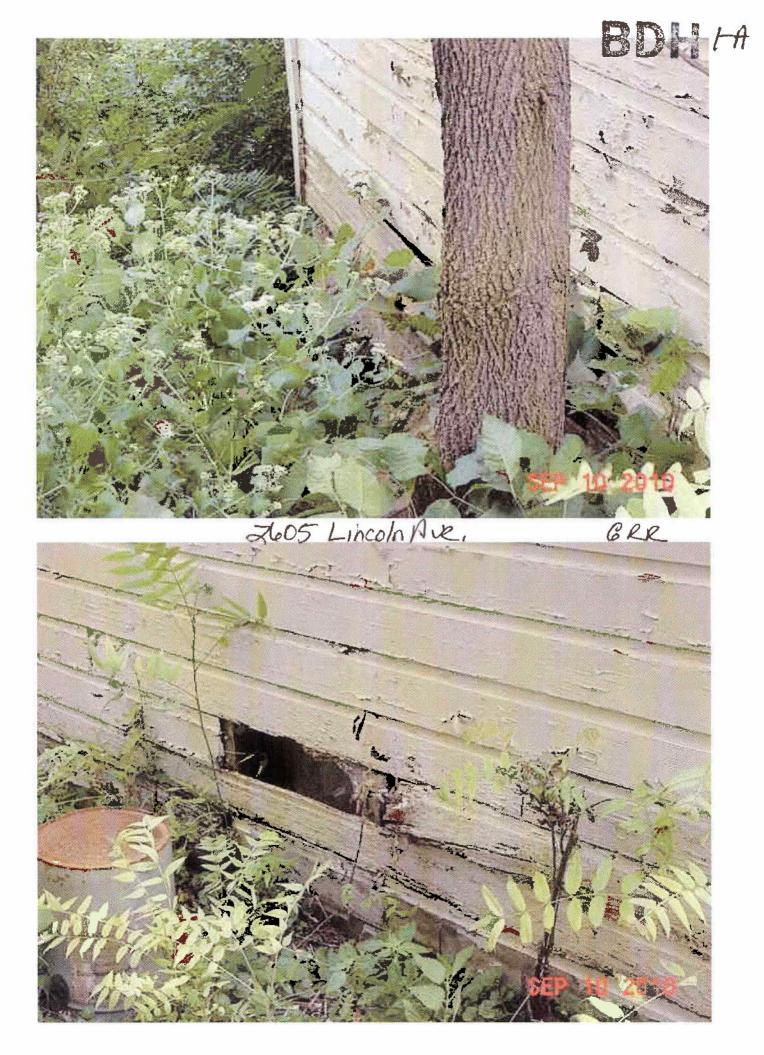
| Year | Туре | Class | Kind | Land | Bldg | AgBd | Total |
|------|-----------------|-------------|------|--------|--------|------|--------|
| 2009 | Assessment Roll | Residential | Full | 30,800 | 59,000 | 0 | 89,800 |
| | | | - | | ··· | | |

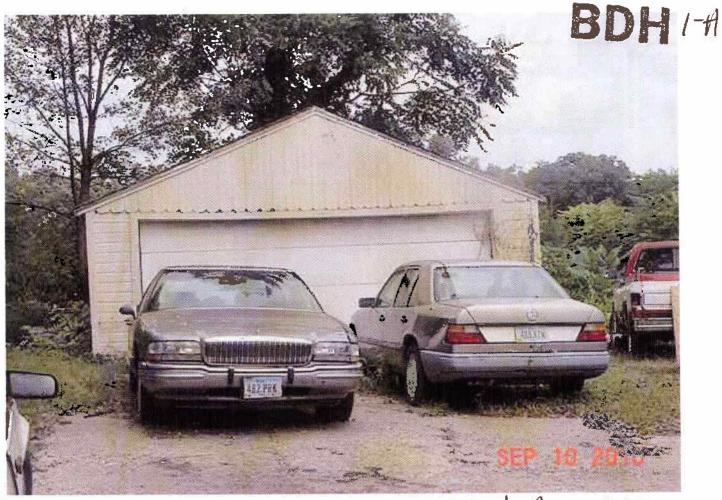
http://www.assess.co.polk.ia.us/cgi-bin/invenquery/allquery.cgi

| 2007 | Assessment Roll | Residential | Full | 30,400 | 58,400 | 0 | 88,800 |
|------|-----------------|-------------|------|--------|--------|---|--------|
| 2005 | Assessment Roll | Residential | Full | 31,500 | 59,900 | 0 | 91,400 |
| 2003 | Assessment Roll | Residential | Full | 28,090 | 53,130 | 0 | 81,220 |
| 2001 | Assessment Roll | Residential | Full | 23,680 | 42,800 | 0 | 66,480 |
| 1999 | Assessment Roll | Residential | Full | 7,100 | 51,070 | 0 | 58,170 |
| 1997 | Assessment Roll | Residential | Full | 6,690 | 48,090 | 0 | 54,780 |
| 1995 | Assessment Roll | Residential | Full | 5,720 | 41,140 | 0 | 46,860 |
| 1993 | Assessment Roll | Residential | Full | 5,450 | 39,180 | 0 | 44,630 |
| 1991 | Assessment Roll | Residential | Full | 5,450 | 35,950 | 0 | 41,400 |
| 1991 | Was Prior Year | Residential | Full | 5,450 | 31,440 | 0 | 36,890 |

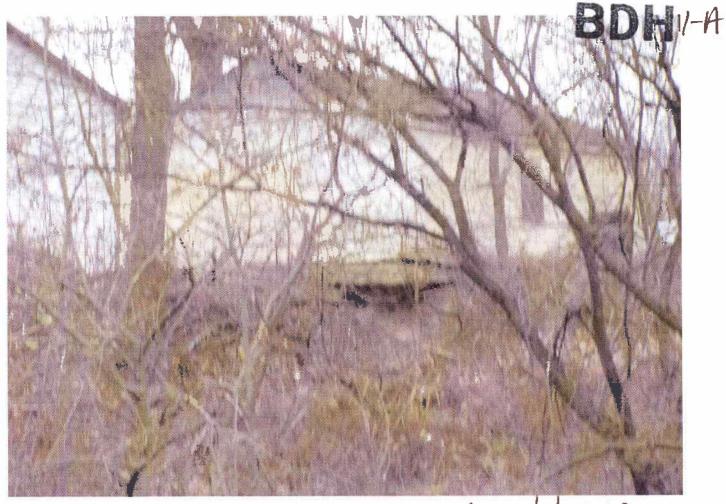
email this page

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





2605 Lincoln Ave - GRR



2605 Lincoln Ave -11/18/09 GRR