



Roll Call Number

Agenda Item Number
BDH /A

Date September 27, 2010

WHEREAS, the property located at 2013 SW 9th Street, 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 Titleholder James A. Zielstorf and Mortgage Holder Liberty Bank, F.S.B., 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, AND SITTING AS THE LOCAL BOARD OF HEALTH:

The main structure on the real estate legally described as LOT 150 1ST PLAT OF CLIFTON HGTS, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2013 SW 9th 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 main structure.

Moved by _____ to adopt.

FORM APPROVED:

Vicky Long Hill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
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



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

BDH 1A

DATE OF NOTICE: August 3, 2010

DATE OF INSPECTION: June 11, 2010

CASE NUMBER: COD2010-04072

PROPERTY ADDRESS: 2013 SW 9TH ST

LEGAL DESCRIPTION: LOT 150 1ST PLAT OF CLIFTON HGTS

JAMES A ZIELSTORF
Title Holder
1916 E 21ST ST
DES MOINES IA 50317-6353

LIBERTY BANK, F.S.B
Mortgage Holder
PAUL BEJARNO - BRANCH MANAGER
6139 ASHWORTH RD
WEST DES MOINES IA 50266

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.

Jon Raleigh

(515) 237-1437



Nid Inspector

DATE MAILED: 8/3/2010

MAILED BY: TSY

Areas that need attention: 2013 SW 9TH ST

Component: Exterior Walls	Defect: Structurally Unsound
Requirement: Building Permit	Location:
Comments:	

Component: Exterior Walls	Defect: not impervious to water
Requirement:	Location:
Comments:	

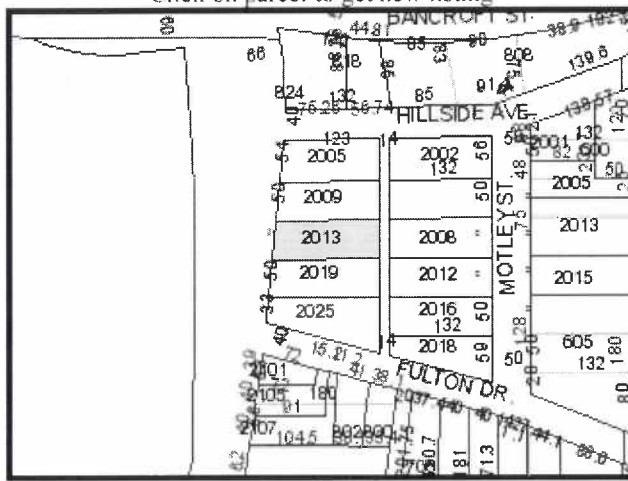
Component: Soffit/Facia/Trim	Defect: Missing
Requirement:	Location:
Comments:	



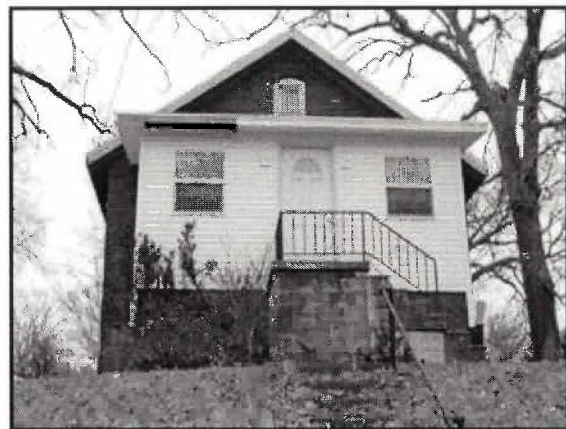
[[Home](#)] [[General Query](#)] [[Legal Query](#)] [[HomeOwner Query](#)] [[Book/Page Query](#)] [[Commercial Query](#)] [[Res Sales Query](#)] [[Comm Sales Query](#)] [[Help](#)]

District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
010/00678-000-000	7824-16-203-003	0475	DM26/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
2013 SW 9TH ST			DES MOINES IA 50315-1197		

Click on parcel to get new listing



[Get Bigger Map](#)



Approximate date of photo 02/18/2009

Mailing Address

JAMES A ZIELSTORF
1916 E 21ST ST
DES MOINES, IA 50317-6353

Legal Description

LOT 150 1ST PLAT OF CLIFTON HGTS

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	ZIELSTORF, JAMES A	2006-12-27	12008/426	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	10,800	56,600	0	67,400

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

BDHIA

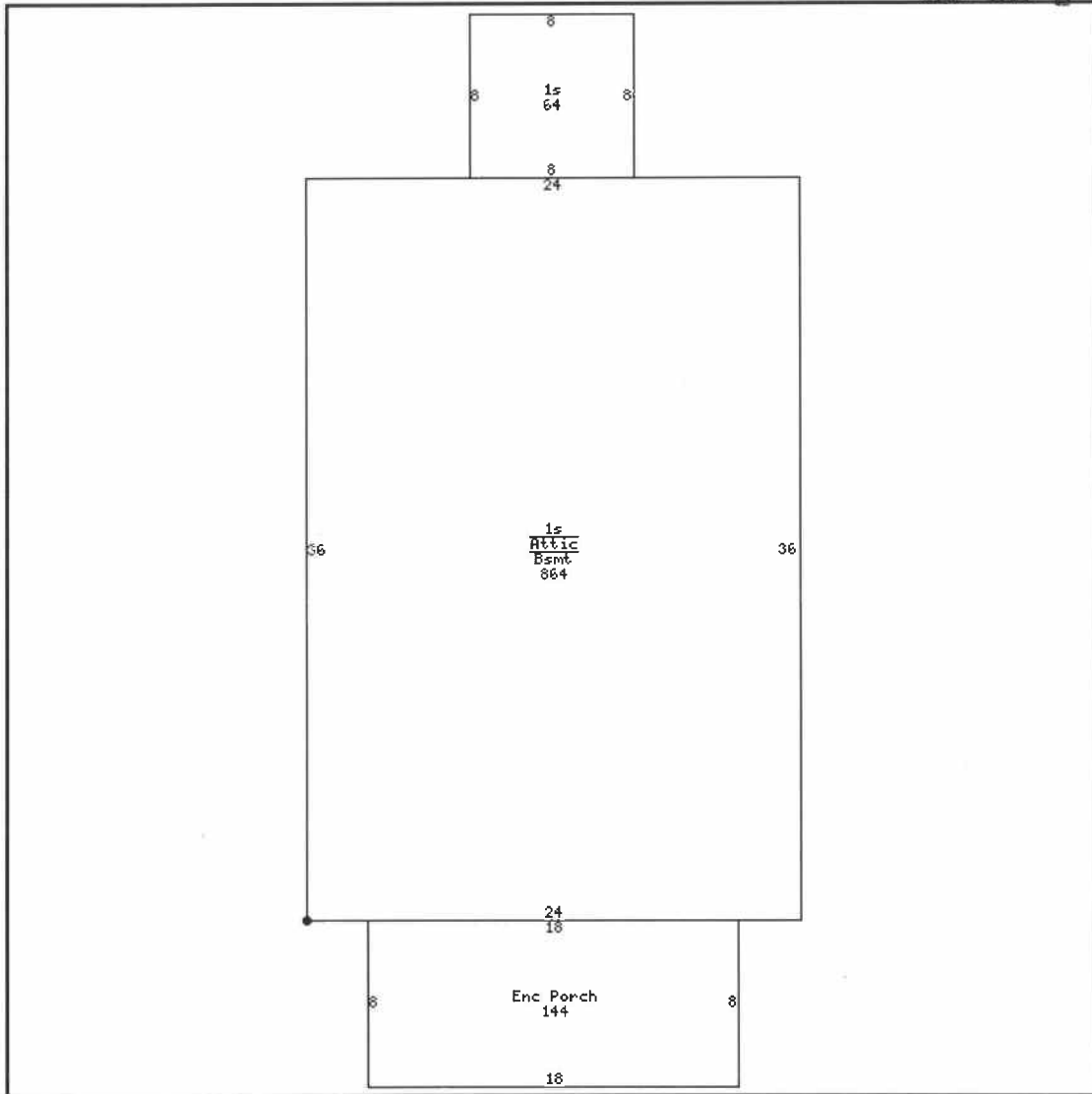
Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential
*Condition	Docket_no 14361		

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

Land					
SQUARE FEET	6,750	FRONTAGE	50.0	DEPTH	130.0
ACRES	0.155	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	FA/1 Story with Finished Attic	BLDG STYLE	CV/Conventional
YEAR BUILT	1910	# FAMILIES	1	GRADE	4
GRADE ADJUST	+00	CONDITION	NM/Normal	TSFLA	1,317
MAIN LV AREA	928	ATTIC FINISH	389	BSMT AREA	864
ENCL PORCH	144	FOUNDATION	B/Brick	EXT WALL TYP	BR/Brick
%BRICK	95	ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle
HEATING	G/Gravity Hot Air	AIR COND	0	BATHROOMS	1
BEDROOMS	4	ROOMS	7		

BDH IA



Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
FEDERAL NATIONAL MORTGAGE ASSOCIATION	ZIELSTORF, JAMES A	2006-12-22	44,000	D/Deed	12008/426
THE GREEN TRUST, R. WOLFORD TRUSTEE	SILVIVS, SAMUEL	2002-10-09	94,500	C/Contract	9440/656
CRIVARO, JOHN A SR	GREEN, KENNETH A	1995-02-28	54,900	C/Contract	7161/2
WAGNER, SHIRLEY I	CRIVARO, JOHN A SR	1995-01-09	37,500	D/Deed	7142/730

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2009	Assessment Roll	Residential	Full	10,800	56,600	0	67,400

2007	<u>Assessment Roll</u>	Residential	Full	10,400	62,100	0	72,500
2005	<u>Assessment Roll</u>	Residential	Full	10,300	57,300	0	67,600
2003	<u>Assessment Roll</u>	Residential	Full	9,280	51,130	0	60,410
2001	<u>Assessment Roll</u>	Residential	Full	8,210	48,340	0	56,550
1999	<u>Assessment Roll</u>	Residential	Full	10,490	39,740	0	50,230
1997	<u>Assessment Roll</u>	Residential	Full	9,340	35,390	0	44,730
1995	<u>Assessment Roll</u>	Residential	Full	8,490	32,170	0	40,660
1993	Board Action	Residential	Full	7,930	30,070	0	38,000
1993	<u>Assessment Roll</u>	Residential	Full	7,930	33,920	0	41,850
1991	<u>Assessment Roll</u>	Residential	Full	7,210	30,840	0	38,050
1991	Was Prior Year	Residential	Full	7,210	28,670	0	35,880

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

BDH1-A



2013 SW 9#
West Side

9/22/10-JR

BDH 1-A



11/22/10 JK

2013 SW 9th
East Side

9/28/10-JR

BDH 1-A

9166110 -JK



2013 SW 9th
North Side

9122110-JR

BDH 1-A

9/22/10/JR

7/22/10 -JRK



2013 SW 9th
Interior