

**Date** September 27, 2010

WHEREAS, the property located at 2120 Washington 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 Titleholder 610 40<sup>th</sup>, LLC and Contract Buyers: Lester Small and Portia Small, 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 18 WILLIAMS 3RD ADDITION TO DES MOINES, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2120 Washington 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 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 ID**

**DATE OF NOTICE: August 5, 2010**

**DATE OF INSPECTION: June 08, 2010**

**CASE NUMBER:** COD2010-03969

**PROPERTY ADDRESS:** 2120 WASHINGTON AVE

**LEGAL DESCRIPTION:** LOT 18 WILLIAMS 3RD ADDITION TO DES MOINES

610 40TH, LLC  
Title Holder  
JOHN DAVIS - REG. AGENT  
431 28TH ST  
DES MOINES IA 50312

LESTER SMALL & PORTIA SMALL  
Contract Buyer  
5504 MEREDITH DR APT 15  
DES MOINES IA 50310

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.

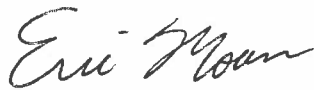
If you no longer own the property, notify us in writing of the name, address, and telephone number of the new owner. A copy of the real estate contract or deed, if it has not been recorded at the Polk county Recorder's Office, shall likewise be furnished to the Neighborhood Inspection Division.

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

Neighborhood Inspection Division

(515) 283-4208

Nid Inspector



DATE MAILED: 8/4/2010

MAILED BY: TSY

**Areas that need attention:** 2120 WASHINGTON AVE

<b>Component:</b> Exterior Walls	<b>Defect:</b> In poor repair
<b>Requirement:</b> Compliance, International Property Maintenance Code	<b>Location:</b>
<b>Comments:</b>	

<b>Component:</b> Exterior Walls	<b>Defect:</b> Missing Sections
<b>Requirement:</b> Compliance, International Property Maintenance Code	<b>Location:</b>
<b>Comments:</b>	

<b>Component:</b> Exterior Walls	<b>Defect:</b> not impervious to water
<b>Requirement:</b> Compliance, International Property Maintenance Code	<b>Location:</b>
<b>Comments:</b>	

<b>Component:</b> Exterior Doors/Jams	<b>Defect:</b> In poor repair
<b>Requirement:</b>	<b>Location:</b>
<b>Comments:</b>	

<b>Component:</b> Soffit/Facia/Trim	<b>Defect:</b> In poor repair
<b>Requirement:</b>	<b>Location:</b>
<b>Comments:</b>	

<b>Component:</b> Soffit/Facia/Trim	<b>Defect:</b> Missing
<b>Requirement:</b>	<b>Location:</b>
<b>Comments:</b>	

<b>Component:</b> Flooring	<b>Defect:</b> Missing
<b>Requirement:</b>	<b>Location:</b> Throughout
<b>Comments:</b>	

<b>Component:</b> Flooring	<b>Defect:</b> In poor repair
<b>Requirement:</b>	<b>Location:</b> Throughout
<b>Comments:</b>	

<b>Component:</b>	Bathroom Lavatory	<b>Defect:</b>	Missing	<b>BDH ID</b>
<b>Requirement:</b>	Plumbing Permit	<b>Location:</b>		
<b>Comments:</b>				
<b>Component:</b>	Ductwork	<b>Defect:</b>	Missing Sections	
<b>Requirement:</b>	Mechanical Permit	<b>Location:</b>	Basement	
<b>Comments:</b>				
<b>Component:</b>	Electrical Lighting Fixtures	<b>Defect:</b>	In poor repair	
<b>Requirement:</b>		<b>Location:</b>		
<b>Comments:</b>				
<b>Component:</b>	Electrical Lighting Fixtures	<b>Defect:</b>	Missing	
<b>Requirement:</b>	Electrical Permit	<b>Location:</b>	Throughout	
<b>Comments:</b>				
<b>Component:</b>	Electrical Other Fixtures	<b>Defect:</b>	In poor repair	
<b>Requirement:</b>	Electrical Permit	<b>Location:</b>		
<b>Comments:</b>				
<b>Component:</b>	Electrical System	<b>Defect:</b>	In poor repair	
<b>Requirement:</b>	Electrical Permit	<b>Location:</b>		
<b>Comments:</b>	Must be done by licensed electrician with permit			
<b>Component:</b>	Floor Joists/Beams	<b>Defect:</b>	In poor repair	
<b>Requirement:</b>	Engineering Report	<b>Location:</b>	Basement	
<b>Comments:</b>				
<b>Component:</b>	Foundation	<b>Defect:</b>	In poor repair	
<b>Requirement:</b>	Engineering Report	<b>Location:</b>	Basement	
<b>Comments:</b>				
<b>Component:</b>	Functioning Water Closet	<b>Defect:</b>	In poor repair	
<b>Requirement:</b>	Plumbing Permit	<b>Location:</b>	Bathroom	
<b>Comments:</b>				

BDH ID

**Component:** Furnace  
**Requirement:**  
**Defect:** In poor repair  
**Location:** Basement  
**Comments:** Must be checked for safe operable condition by reputable company.

**Component:** Water Heater  
**Requirement:**  
**Defect:** In poor repair  
**Location:** Basement  
**Comments:** Must be checked for safe operable condition by reputable company.

**Component:** Gas Lines  
**Requirement:**  
**Defect:** In poor repair  
**Location:**  
**Comments:** Must be checked for safe operable condition by reputable company.

**Component:** Ground Fault Circuit Interrupters  
**Requirement:** Electrical Permit  
**Defect:** Not Supplied  
**Location:**  
**Comments:** Kitchen & bathroom

**Component:** Hand Rails  
**Requirement:**  
**Defect:** Not Supplied  
**Location:** Basement  
**Comments:**

**Component:** Interior Stairway  
**Requirement:** Building Permit  
**Defect:** In poor repair  
**Location:** Basement  
**Comments:**

**Component:** Interior Walls /Ceiling  
**Requirement:**  
**Defect:** In poor repair  
**Location:** Throughout  
**Comments:**

**Component:** Interior Walls /Ceiling  
**Requirement:**  
**Defect:** In poor repair  
**Location:**  
**Comments:**

**Component:** Interior Walls /Ceiling  
**Requirement:**  
**Defect:** Absence of paint  
**Location:**  
**Comments:**

<b>Component:</b>	Kitchen Sink	<b>Defect:</b>	In poor repair
<b>Requirement:</b>		<b>Location:</b>	Kitchen
<b>Comments:</b>			

**BDHID**

<b>Component:</b>	Shutoff Valves	<b>Defect:</b>	Missing Where Required
<b>Requirement:</b>	Plumbing Permit	<b>Location:</b>	
<b>Comments:</b>	Kitchen & bathroom		

<b>Component:</b>	Smoke Detectors	<b>Defect:</b>	Missing Where Required
<b>Requirement:</b>		<b>Location:</b>	Throughout
<b>Comments:</b>			

<b>Component:</b>	Tub/Shower Walls	<b>Defect:</b>	Missing
<b>Requirement:</b>		<b>Location:</b>	Bathroom
<b>Comments:</b>	No tub or shower		

<b>Component:</b>	Waste Lines	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Plumbing Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			

<b>Component:</b>	Water Service	<b>Defect:</b>	Not Supplied
<b>Requirement:</b>		<b>Location:</b>	
<b>Comments:</b>			

<b>Component:</b>	Wiring	<b>Defect:</b>	Exposed
<b>Requirement:</b>	Electrical Permit	<b>Location:</b>	
<b>Comments:</b>	Various locations		

<b>Component:</b>	Plumbing System	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Plumbing Permit	<b>Location:</b>	Throughout
<b>Comments:</b>	Must be done by licensed plumber		

**BDH ID**

**Polk County Assessor** Iowa

[ 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
080/07336-000-000	7924-33-256-003	0184	DM75/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
<b>2120 WASHINGTON AVE</b>			DES MOINES IA 50310		

Click on parcel to get new listing

Get Bigger Map



Approximate date of photo 02/14/2004

Mailing Address
610 40TH, LLC POB 12282 DES MOINES, IA 50312

Legal Description
LOT 18 WILLIAMS 3RD ADDITION TO DES MOINES

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	610 40TH, LLC	2010-07-09	13503/747	
Contract Buyer #1	SMALL, LESTER	2006-12-12	11988/311	
Contract Buyer #2	SMALL, PORTIA			

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	7,200	3,400	0	10,600

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



**BDH ID**

Tax Information Pay Taxes

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	5,650	FRONTAGE	45.0	DEPTH	125.0
ACRES	0.130	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S1/1 Story	BLDG STYLE	BG/Bungalow
YEAR BUILT	1900	# FAMILIES	1	GRADE	5
GRADE ADJUST	+05	CONDITION	VP/Very Poor	TSFLA	786
MAIN LV AREA	786	BSMT AREA	283	ENCL PORCH	192
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	5



BDH ID

1998	U/Pickup	NA/No Add	1998-03-16	RV/ABATEMENT FILED
------	----------	-----------	------------	--------------------

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2010	<u>Assessment Roll</u>	Residential	Full	7,200	3,400	0	10,600
2009	<u>Board Action</u>	Residential	Full	7,200	13,700	0	20,900
2009	<u>Assessment Roll</u>	Residential	Full	7,200	30,800	0	38,000
2008	<u>Assessment Roll</u>	Residential	Full	6,900	29,600	0	36,500
2007	<u>Assessment Roll</u>	Residential	Full	6,900	29,600	0	36,500
			Adj	6,900	26,930	0	33,830
2005	<u>Assessment Roll</u>	Residential	Full	4,200	23,700	0	27,900
			Adj	4,200	21,030	0	25,230
2003	<u>Assessment Roll</u>	Residential	Full	3,410	19,440	0	22,850
			Adj	3,410	16,770	0	20,180
2001	<u>Assessment Roll</u>	Residential	Full	3,630	15,340	0	18,970
			Adj	3,630	14,570	0	18,200
1999	<u>Assessment Roll</u>	Residential	Full	3,830	19,840	0	23,670
			Adj	3,830	17,170	0	21,000
1998	<u>Assessment Roll</u>	Residential	Full	3,540	18,320	0	21,860
			Adj	3,540	15,650	0	19,190
1997	<u>Board Action</u>	Residential	Full	3,540	18,320	0	21,860
1997	<u>Assessment Roll</u>	Residential	Full	3,540	18,320	0	21,860
1995	<u>Board Action</u>	Residential	Full	3,330	17,240	0	20,570
1995	<u>Assessment Roll</u>	Residential	Full	3,330	17,240	0	20,570
1989	<u>Assessment Roll</u>	Residential	Full	2,880	14,920	0	17,800

[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](mailto:polkweb@assess.co.polk.ia.us)

BDH1-D



ECM

09/22/2010

Front (North)

2120 Washington

BDH1-D



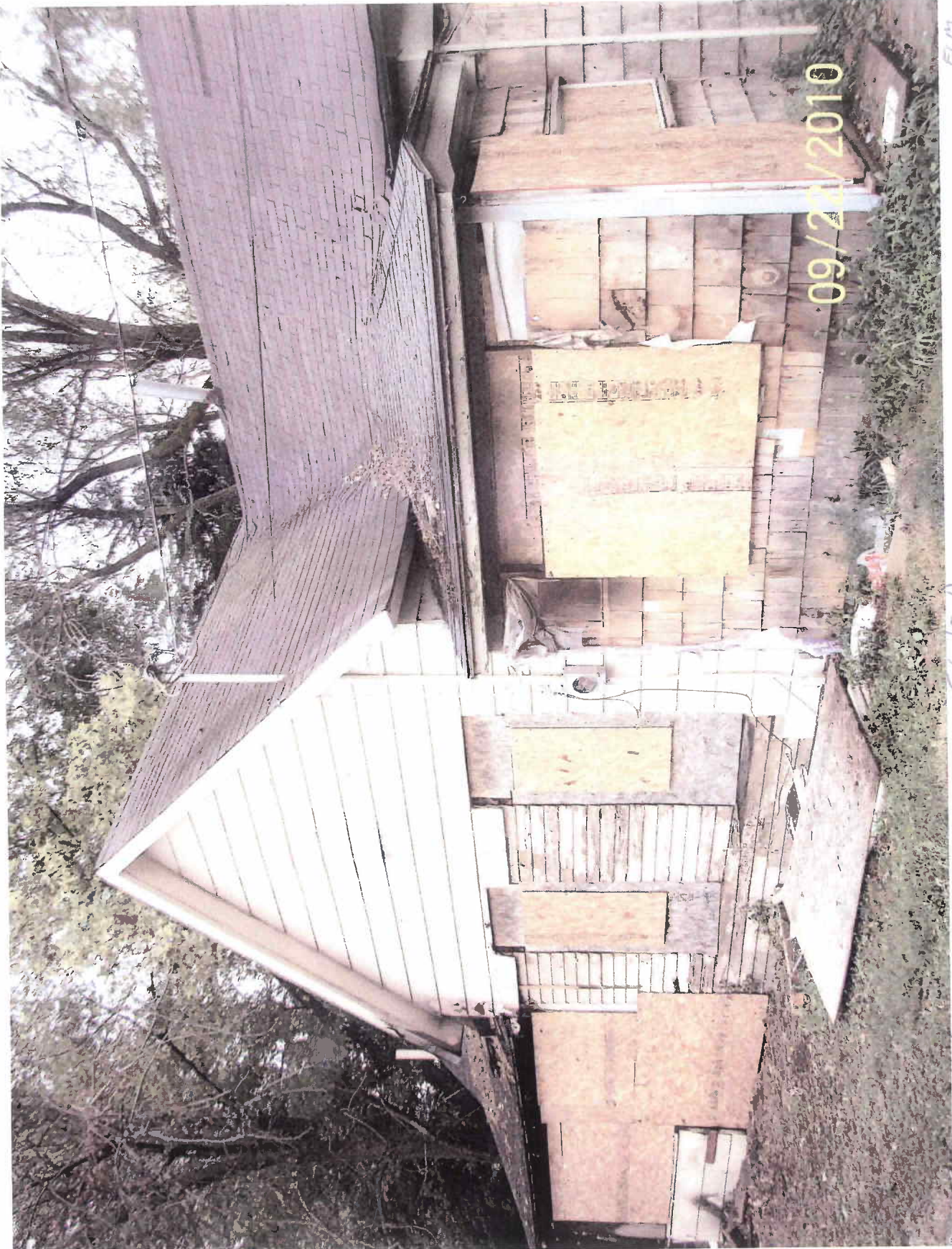
09/22/2010

ECM

Scale (10/10)

2120 Washington Ave

BDH1-D



ECM

Side (East)

2/20 Washington

BDH 1-D



ECM

Rene (South)

2/20 Washington