



Roll Call Number

Agenda Item Number

BDH 1A

Date October 24, 2011

WHEREAS, the property located at 1839 E. Grand Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and garage structure in their present conditions constitute not only a menace to health and safety but are also a public nuisance; and

WHEREAS, the Titleholder Timothy L. Zender (deceased) and All Known and Unknown Heirs were notified more than thirty days ago via publication to repair or demolish the main structure and garage structure and as of this date have failed to abate the nuisance.

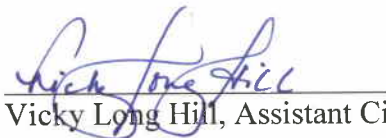
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA, AND SITTING AS THE LOCAL BOARD OF HEALTH:

The main structure and garage structure on the real estate legally described as LOT 88 GOODE & LIKES ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1839 E. Grand 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 and garage 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

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

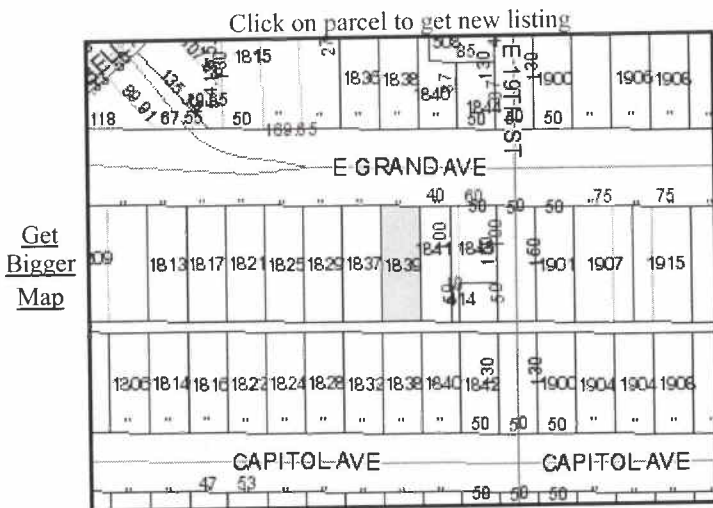
_____ City Clerk

BDH 1A



[[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
040/02358-000-000	7824-02-251-012	0406	DM16/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
1839 E GRAND AVE			DES MOINES IA 50316-3726		



Approximate date of photo 11/24/2004

Mailing Address

TIMOTHY L ZENDER
 1839 E GRAND AVE
 DES MOINES, IA 50316-3726

Legal Description

LOT 88 GOODE & LIKES ADDITION

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	ZENDER, TIMOTHY L	2011-05-11	13847/717	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	14,900	33,600	0	48,500

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

Zoning	Description	SF	Assessor Zoning
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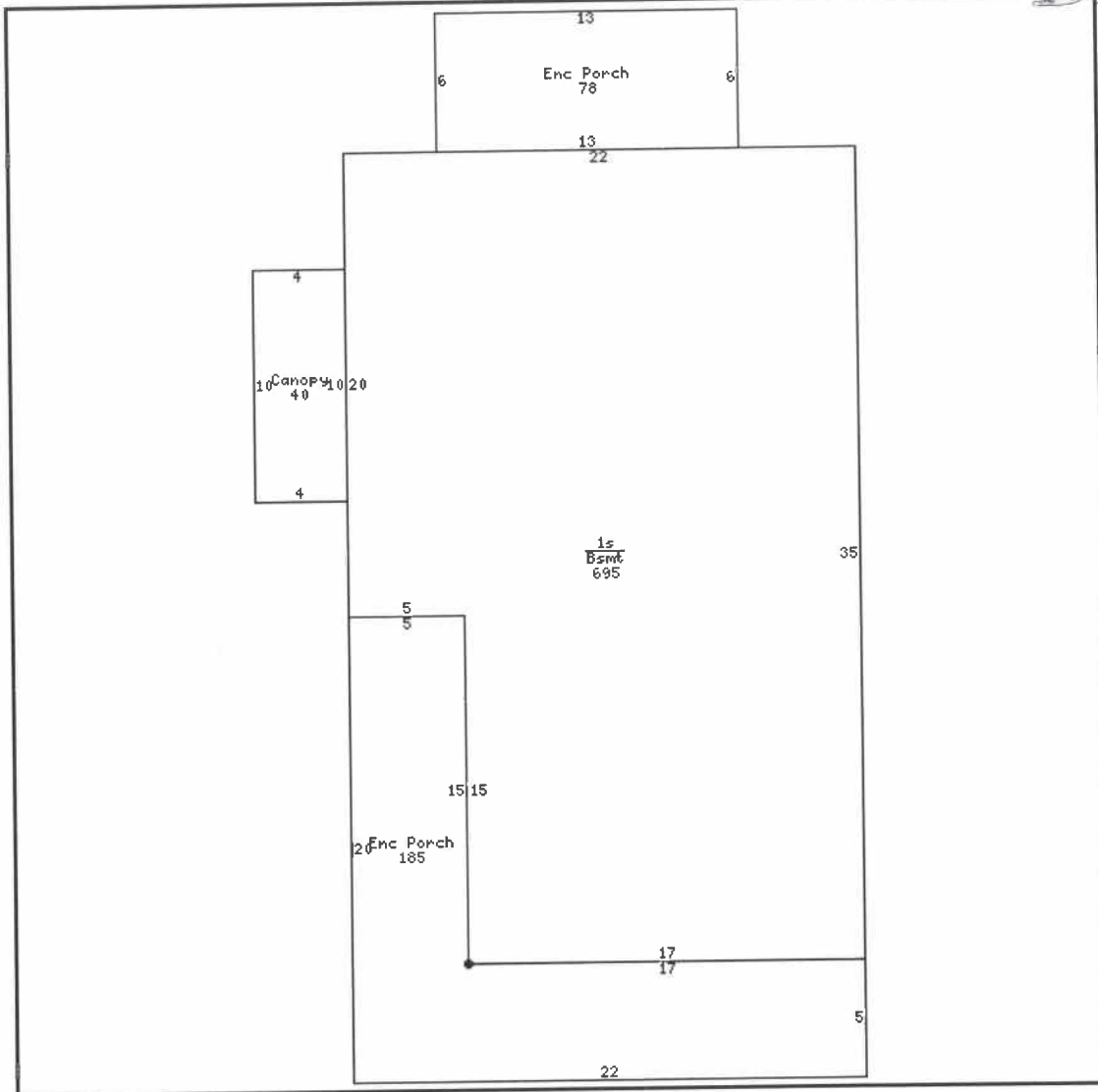
BDHIA

R-2	One and Two Family Residential Districts	Residential
Source: City of Des Moines Community Development Published: 2011-05-25 Contact: Planning and Urban Design 515 283-4200		

Land					
SQUARE FEET	7,500	FRONTAGE	50.0	DEPTH	150.0
ACRES	0.172	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	CV/Conversion	RESID TYPE	S1/1 Story	YEAR BUILT	1895
# FAMILIES	2	GRADE	5	GRADE ADJUST	+00
CONDITION	BN/Below Normal	TSFLA	695	MAIN LV AREA	695
BSMT AREA	695	FIN BMT AREA	400	FIN BMT QUAL	LO/Low
ENCL PORCH	263	CANOPY AREA	40	FOUNDATION	C/Concrete Block
EXT WALL TYP	MT/Metal Siding	ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle
HEATING	A/Gas Forced Air	AIR COND	0	BATHROOMS	2
XTRA FIXTURE	1	BEDROOMS	2	ROOMS	5

BDH IA



Detached # 101					
OCCUPANCY	GAR/Garage	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	22	MEASURE2	24	STORY HEIGHT	1
GRADE	5	YEAR BUILT	1930	CONDITION	BN/Below Normal

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
SRS, INC	ZENDER, TIMMOTHY L.	2000-09-01	43,900	C/Contract	8681/927
DARE, MICHAEL L	SRS, INC.	1999-07-01	22,000	D/Deed	8260/771

Year	Type	Class	Kind	Land	Bldg	AgBd	Total

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2011	<u>Assessment Roll</u>	Residential	Full	14,900	33,600	0	48,500
2009	<u>Assessment Roll</u>	Residential	Full	16,300	36,000	0	52,300
2007	<u>Assessment Roll</u>	Residential	Full	16,100	35,600	0	51,700
2005	<u>Assessment Roll</u>	Residential	Full	14,800	32,000	0	46,800
2003	<u>Assessment Roll</u>	Residential	Full	13,090	28,070	0	41,160
2001	<u>Assessment Roll</u>	Residential	Full	11,120	27,590	0	38,710
1999	Assessment Roll	Residential	Full	7,010	17,010	0	24,020
1997	Assessment Roll	Residential	Full	6,350	17,010	0	23,360
1995	Assessment Roll	Residential	Full	5,530	14,740	0	20,270
1990	Board Action	Residential	Full	4,900	13,400	0	18,300
1990	Assessment Roll	Residential	Full	4,900	14,960	0	19,860

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

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Extracting text...

<div style="border: 1px solid gray; padding: 5px; margin-bottom: 10px;"> <p style="font-size: 8px;">1</p> </div> <div style="border: 1px solid gray; padding: 5px;"> <p style="font-size: 8px;">2</p> </div>	<p>IN THE IOWA DISTRICT COURT FOR POLK COUNTY</p> <hr style="border: 0.5px solid black;"/> <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top; border-right: 1px dashed black; padding-right: 10px;"> <p>CITY OF DES MOINES, IOWA IA077011A</p> <p>Plaintiff,</p> <p>vs.</p> <p>LDF DEVELOPMENT,</p> <p>Defendant.</p> </td> <td style="width: 50%; vertical-align: top; padding-left: 10px;"> <p>CIVIL CITATION No. 6489</p> <p>STIPULATED ORDER ON APPLICATION FOR ORDER TO SHOW CAUSE</p> </td> </tr> </table> <hr style="border: 0.5px solid black;"/> <p>NOW on this _____ day of October 2011, Plaintiff's Application for Order to Show</p>	<p>CITY OF DES MOINES, IOWA IA077011A</p> <p>Plaintiff,</p> <p>vs.</p> <p>LDF DEVELOPMENT,</p> <p>Defendant.</p>	<p>CIVIL CITATION No. 6489</p> <p>STIPULATED ORDER ON APPLICATION FOR ORDER TO SHOW CAUSE</p>
<p>CITY OF DES MOINES, IOWA IA077011A</p> <p>Plaintiff,</p> <p>vs.</p> <p>LDF DEVELOPMENT,</p> <p>Defendant.</p>	<p>CIVIL CITATION No. 6489</p> <p>STIPULATED ORDER ON APPLICATION FOR ORDER TO SHOW CAUSE</p>		



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

BDH 1A

DATE OF NOTICE: April 21, 2011

DATE OF INSPECTION: March 31, 2011

CASE NUMBER: COD2011-02217

PROPERTY ADDRESS: 1839 E GRAND AVE

LEGAL DESCRIPTION: LOT 88 GOODE & LIKES ADDITION

TIMOTHY L ZENDER
 Title Holder
 DECEASED

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 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.

Jan L. Shafer

(515) 283-4008


Nid Inspector

DATE MAILED: 4/21/2011

MAILED BY: JDH

Areas that need attention: 1839 E GRAND AVE

Component:	Electrical System	Defect:	In disrepair
Requirement:	Electrical Permit	Location:	
Comments:			
Component:	Mechanical System	Defect:	In disrepair
Requirement:	Mechanical Permit	Location:	
Comments:			
Component:	Plumbing System	Defect:	In disrepair
Requirement:	Plumbing Permit	Location:	
Comments:			
Component:	Interior Walls /Ceiling	Defect:	Holes or major defect
Requirement:		Location:	
Comments:	repair holes in ceiling throughout structure.		
Component:	Roof	Defect:	Deteriorated
Requirement:		Location:	
Comments:	repair holes in sheathing, replace all shingles.		
Component:	Floor Joists/Beams	Defect:	Deteriorated
Requirement:	Building Permit	Location:	
Comments:	replace rotted joists/flooring n.e. porch.		
Component:	Flooring	Defect:	Deteriorated
Requirement:		Location:	
Comments:	replace flooring in rear porch.		
Component:	00	Defect:	See Comments
Requirement:		Location:	
Comments:	remove mold throughout basement.		

Component: Soffit/Facia/Trim	Defect: Deteriorated	BDH 1A
Requirement:	Location:	
Comments: replace damaged areas, repaint all.		

Component: Exterior Walls	Defect: Excessive rot
Requirement:	Location:
Comments: replace rotted rim joists n.e. corner of structure.	

Component: Exterior Walls	Defect: In poor repair
Requirement:	Location:
Comments: repaint exterior.	