



Roll Call Number

Agenda Item Number

BDH-1A

Date February 13, 2012

WHEREAS, the property located at 1954 E. Bell Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the fire-damaged 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 Titleholders Daniel C. Murphy, Jr. and Linda Channon-Murphy and Mortgage Holder West Bank were notified more than thirty days ago to repair or demolish the fire-damaged main structure and garage structure and as of this date have failed to abate the nuisance.

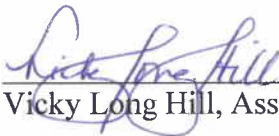
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA, AND SITTING AS THE LOCAL BOARD OF HEALTH:

The main structure and garage structure on the real estate legally described as W 42F LT 40 PARK FOREST PLAT 3, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1954 E. Bell 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

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: December 12, 2011

DATE OF INSPECTION: October 07, 2011

CASE NUMBER: COD2011-07030

PROPERTY ADDRESS: 1954 E BELL AVE

LEGAL DESCRIPTION: W 42F LT 40 PARK FOREST PLAT 3

DANIEL C MURPHY JR & LINDA CHANNON-MURPHY

Title Holder

2439 E LEACH AVE

DES MOINES IA 50320

WEST BANK

Mortgage Holder

JOHN MCKINNEY III - REG. AGENT

1601 22ND ST

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. 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.

Mike F Lehman

(515) 283-4299



Nid Inspector

DATE MAILED: 12/12/2011

MAILED BY: TSY

Areas that need attention: 1954 E BELL AVE

<u>Component:</u> Mechanical System <u>Requirement:</u> Mechanical Permit <u>Comments:</u>	<u>Defect:</u> Fire damaged <u>Location:</u> Main Structure
<u>Component:</u> <u>Requirement:</u> Building Permit <u>Comments:</u> Walls, ceilings, floor joists, etc., throughout.	<u>Defect:</u> Fire damaged <u>Location:</u> Main Structure
<u>Component:</u> Electrical System <u>Requirement:</u> Electrical Permit <u>Comments:</u>	<u>Defect:</u> Fire damaged <u>Location:</u> Main Structure
<u>Component:</u> Plumbing System <u>Requirement:</u> Plumbing Permit <u>Comments:</u>	<u>Defect:</u> Fire damaged <u>Location:</u> Main Structure

BDH-1A

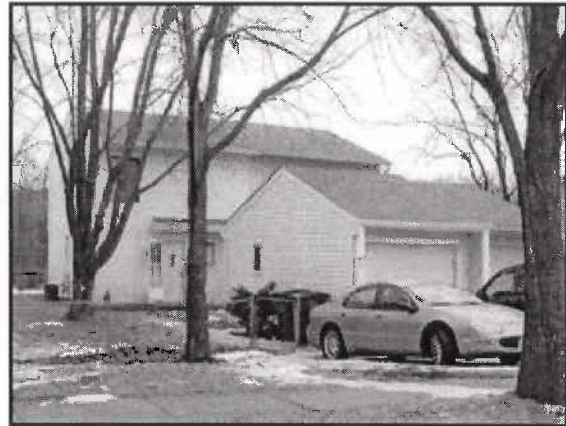
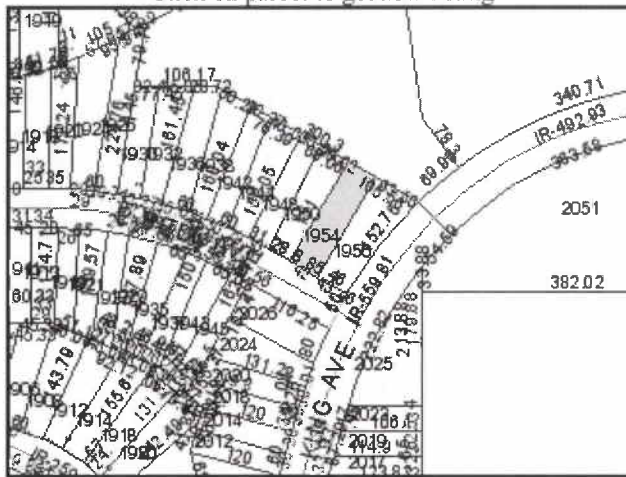


[[Home](#)] [[General Query](#)] [[Legal Query](#)] [[HomeOwner Query](#)] [[Book/Page Query](#)] [[Commercial Query](#)] [[Res Sales Query](#)] [[Comm Sales Query](#)] [[Help](#)]

District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
010/03972-640-002	7824-14-401-122	0465A	DM22/Z	DES MOINES	<u>ACTIVE</u>
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
1954 E BELL AVE			DES MOINES IA 50320		

Click on parcel to get new listing

[Get Bigger Map](#)
[Google Map](#)



Approximate date of photo 01/09/2009

Mailing Address

DANIEL C MURPHY JR
2439 E LEACH AVE
DES MOINES, IA 50320-2663

Legal Description

W 42F LT 40 PARK FOREST PLAT 3

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	MURPHY, DANIEL C JR	2000-04-12	8468/507	71.20
Title Holder #2	CHANNON-MURPHY, LINDA			

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	18,500	56,400	0	74,900

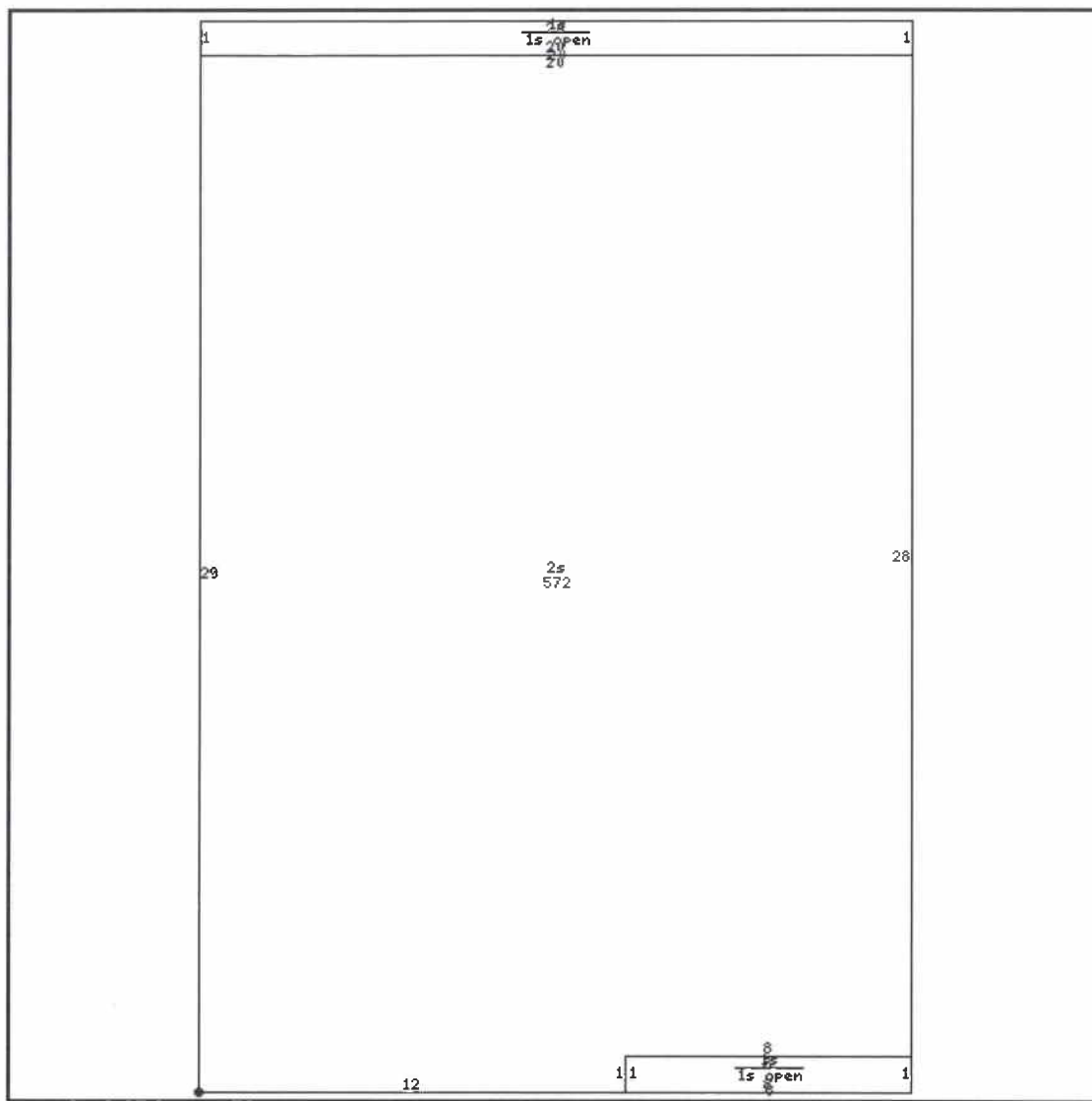
[Market Adjusted Cost Report](#)
 [Assessment Roll Notice](#)
 [Estimate Taxes](#)
 [Polk County Treasurer](#)
[Tax Information](#)
 [Pay Taxes](#)

Zoning	Description	SF	Assessor Zoning
R-6	Planned Residential Development		Multi-Family Residential

Source: City of Des Moines Community Development **Published:** 2011-05-25 **Contact:** Planning and Urban Design 515 283-4200

Land					
SQUARE FEET	6,342	FRONTAGE	42.0	DEPTH	151.0
ACRES	0.146	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	BA/Bi-attached	RESID TYPE	S2/2 Stories	BLDG STYLE	CV/Conventional
YEAR BUILT	1981	# FAMILIES	1	GRADE	4
GRADE ADJUST	+00	CONDITION	NM/Normal	TSFLA	1,172
MAIN LV AREA	572	UPPR LV AREA	600	FOUNDATION	P/Poured Concrete
EXT WALL TYP	MS/Hardboard	ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle
HEATING	A/Gas Forced Air	AIR COND	100	BATHROOMS	1
TOILET ROOMS	1	BEDROOMS	3	ROOMS	5



Detached # 101					
OCCUPANCY	GAR/Garage	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	12	MEASURE2	24	STORY HEIGHT	1
GRADE	4	YEAR BUILT	1981	CONDITION	NM/Normal

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
MORRIS, DON M	MURPHY, DANIEL C JR	<u>2000-04-06</u>	45,000	D/Deed	8468/507
LEE, ERIC J.	MORRIS, DON M.	<u>1988-09-12</u>	33,230	D/Deed	5950/395

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2011	<u>Assessment Roll</u>	Residential	Full	18,500	56,400	0	74,900

2009	<u>Assessment Roll</u>	Residential	Full	19,200	36,700	0	55,900
2007	<u>Assessment Roll</u>	Residential	Full	19,800	37,800	0	57,600
2005	<u>Assessment Roll</u>	Residential	Full	19,100	36,100	0	55,200
2003	<u>Assessment Roll</u>	Residential	Full	17,730	33,850	0	51,580
2001	<u>Board Action</u>	Residential	Full	13,530	32,630	0	46,160
2001	<u>Assessment Roll</u>	Residential	Full	13,530	51,750	0	65,280
1999	Assessment Roll	Residential	Full	6,830	37,840	0	44,670
1997	Assessment Roll	Residential	Full	6,620	36,670	0	43,290
1995	Assessment Roll	Residential	Full	6,070	36,670	0	42,740
1993	Assessment Roll	Residential	Full	5,280	36,670	0	41,950
1993	Was Prior Year	Residential	Full	4,930	37,020	0	41,950

[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

BDH-1A

02/08/2012

PRE-COUNCIL INSPECTION SOUTH WEST EXTERIOR.

1954 E. BELL



1954 E. BELL
PRE-COUNCIL INSPECTION
ABETH EXTERIOR.



BDH-1A

02/08/2012

BDH-1A

10-7-2011 1954 E. BELL KITCHEN



BDH-1A

10-7-70H 1964 E. BELL INTERIOR



BDH-1A

10-7-2011 1954 E. BELL FIRST FLOOR INTERIOR HALLWAY.



BDH-1A

10-7-2011 1954 F. BELL SECOND FLOOR INTERIOR BED ROOM.

