

Date May 20, 2013

WHEREAS, the property located at 2545 E. 24th Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the fire-damaged main structure and accessory structure in their present conditions constitute not only a menace to health and safety but are also a public nuisance; and

WHEREAS, the Titleholder Christina M. Palacios and Mortgage Holder Wells Fargo Bank, NA were notified more than thirty days ago to demolish the fire-damaged main structure and accessory 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 accessory structure on the real estate legally described as W 83F LOTS 62, 63 & 64 WILLOUGHBY PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2545 E. 24th Street, have 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 structures.

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 2B

DATE OF NOTICE: January 14, 2013

DATE OF INSPECTION: October 17, 2012

CASE NUMBER: COD2012-06110

PROPERTY ADDRESS: 2545 E 24TH ST

LEGAL DESCRIPTION: W 83F LOTS 62, 63 & 64 WILLOUGHBY PLACE

CHRISTINA M PALACIOS
 Title Holder
 3204 OXFORD ST
 DES MOINES IA 50313

WELLS FARGO BANK NA. F/K/A
 Mortgage Holder - NORWEST MORTGAGE INC
 CORP. SER. COMP. REG. AGENT
 505 5TH AVENUE SUITE 729
 DES MOINES IA 50309

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.

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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 (515) 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 (515) 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.

Kevin King

(515) 283-4559

Nid Inspector 

DATE MAILED: 1/14/2013

MAILED BY: TSY

Areas that need attention: 2545 E 24TH ST

Component: Wiring	Defect: Fire damaged
Requirement: Electrical Permit	Location: Throughout
Comments:	

Component: Mechanical System	Defect: Fire damaged
Requirement: Mechanical Permit	Location: Throughout
Comments:	

Component: Plumbing System	Defect: Fire damaged
Requirement: Plumbing Permit	Location: Throughout
Comments:	

Component: Flooring	Defect: Fire damaged
Requirement:	Location: Throughout
Comments:	

Component: Furnace	Defect: Missing
Requirement: Mechanical Permit	Location: Utility Room
Comments:	

Component: Interior Walls /Ceiling	Defect: Fire damaged
Requirement:	Location: Throughout
Comments:	

Component: Windows/Window Frames	Defect: Fire damaged
Requirement:	Location: Throughout
Comments:	

Component: Accessory Buildings	Defect: See Comments
Requirement:	Location:
Comments: Must be removed if structure is demolished per zoning regulations.	



**City of Des Moines
Permit and Development Center**

602 Robert D Ray Drive
Des Moines, IA 50309
Phone: 515-283-4200
Fax: 515-283-4270



Rebuild Letter

Date: 11/14/12 **Attn:** Kevin King
klking@dmgov.org
TO: City of Des Moines

Fax:

RE: Address of property in question: 2545 E 24th St

Per your request the information below is provided.*

X Zoning: The above referenced property is currently zoned **FW** and has been recently occupied as a **Single Family Dwelling**.

A **Certificate of Occupancy** was issued for use as a _____, dated _____.

X A Certificate of Occupancy has not been issued for this use. Year Structure Built **1948**

Re-build Status (conforming use): The current structure may be 100% re-built in its current location if the present structure is destroyed by fire or other means. Normal construction code and site requirements will apply to any such reconstruction.

Re-build Status (non-conforming dwelling on a lot of record existing as of July 16, 1965): If the existing dwelling is destroyed by any means in an amount more than 60% of its replacement cost, exclusive of foundation, it shall not be reconstructed unless such reconstruction is commenced within six months of the destruction of the original dwelling and diligently pursued to completion, and the dwelling as reconstructed complies with the following design standards in lieu of the minimum single-family dwelling design requirements set forth in section 134-342(1)(a) and (b), and the restrictions on nonconforming lots and structures set forth in section 134-1352:

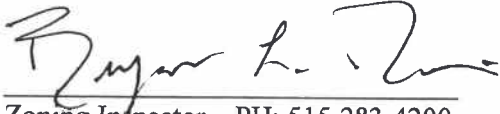
- (a) The dwelling shall remain within the original building footprint without an increase in the gross floor area;
- (b) The dwelling shall have a minimum width facing the street of the smaller of 24 feet or the width of the dwelling prior to such destruction;
- (c) The dwelling shall have a minimum depth perpendicular to the street of the smaller of 20 feet or the depth of the dwelling prior to such destruction;
- (d) A minimum of 15 percent of the facade of the dwelling facing the street shall consist of windows, doors and other building openings;
- (e) The dwelling shall have a door facing the street that appears to be a primary entrance;
- (f) The main part of the dwelling shall have a minimum roof pitch of 3:12;
- (g) The dwelling shall have a roof overhang around the entire perimeter; and,
- (h) Any foundation skirting material shall have the appearance of masonry or poured concrete typical of site-built homes.

X Re-build Status (other non-conforming use): If the existing structure is destroyed by any means in an amount more than 60% of its replacement cost, exclusive of foundation, it cannot be rebuilt unless the location or use is altered to conform to the current regulations. If the dwelling is destroyed by any means to an extent of 60% or more of its replacement cost at the time of destruction, it shall not be reconstructed unless relocated on the land to conform to the district regulations for the district in which such land is located.

Issues limiting rebuild status of the structure in its current location include;

front setback rear setback sideyard setback, or the following;

Additional Information: If this structure is destroyed beyond 60% it cannot be rebuilt on this property. The zoning of the property is Floodway (FW) and doesn't allow for residential uses.



Zoning Inspector PH: 515-283-4200

* The review and determination of the requested zoning information does not imply conformance with City of Des Moines Flood Plain Development Regulations. This letter applies only to the principal structure and does not address any accessory buildings unless otherwise specifically provided.

Master Docs.Rebuild Master.org

Polk County Assessor

111 Court Avenue #195
Des Moines, IA 50309-0904

(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	2545 E 24TH ST				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	060/08687-000-000	Geoparcels	7923-30-378-001	Status	Active
School	Des Moines	Nbhd/Pocket	DM10/A	Submarket	Northeast Des Moines
Appraiser	Michelle Henderson 515 -286-3361				

Map and Current Photos - 1 Record

Click on parcel to get a new listing

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

Photo Processed on 2005-02-24 a

Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	PALACIOS, CHRISTINA M	2000-03-20	8451/670 ³

Legal Description and Mailing Address

W 83F LOTS 62, 63 & 64 WILLOUGHBY PLACE	CHRISTINA M PALACIOS 3204 OXFORD ST DES MOINES, IA 50313
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Current Values

Type	Class	Kind	Land	Bldg	Total
Assessment Roll	Residential	Full	\$15,600	\$53,600	\$69,200
Current	Residential	Full	\$15,600	\$54,000	\$69,600

Assessment Roll Notice Market Adjusted Cost Report

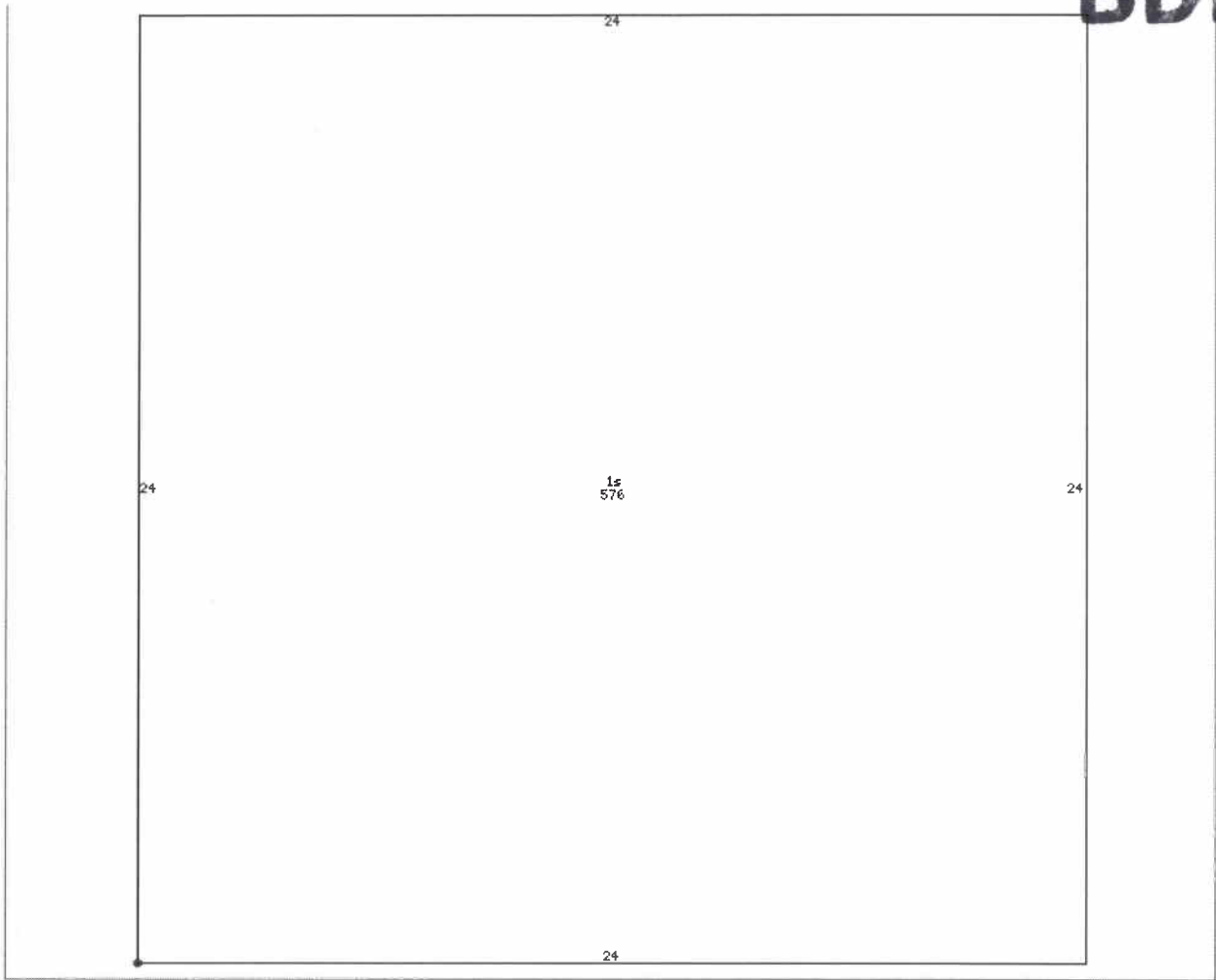
Auditor Adjustments to Value

Category	Name	Information
<u>Homestead Credit</u>	PALACIOS, CHRISTINA	Application #72328

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Zoning - 1 Record					
Zoning	Description		SF	Assessor Zoning	
FW	Floodway District			Floodway	
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	9,379	Acres	0.215	Frontage	83.0
Depth	113.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
▣ Residences - 1 Record					
Residence #1					
Occupancy	Single Family	Residence Type	1 Story	Building Style	Bungalow
Year Built	1948	Number Families	1	Grade	5+10
Condition	Above Normal	Total Square Foot Living Area	576	Main Living Area	576
Foundation	Brick	Exterior Wall Type	Brick	Brick%	100
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning	100	Number Bathrooms	1	Bedrooms	2
Rooms	4				

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Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Steel	Measurement Code	Dimensions
Measure 1	20	Measure 2	20	Grade	5
Year Built	1980	Condition	Normal		
Comment	YR BLT, AND SIZE ARE ESTIMSTES				

Sales - 2 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
NOBLE, LILA	PALACIOS, CHRISTINA M	<u>2000-02-23</u>	\$44,200	Deed	8451/670
RICHARDSON, ALAN J.	CHARLES R. NOBEL JR	<u>1989-04-27</u>	\$22,500	Deed	6100/22

Historical Values

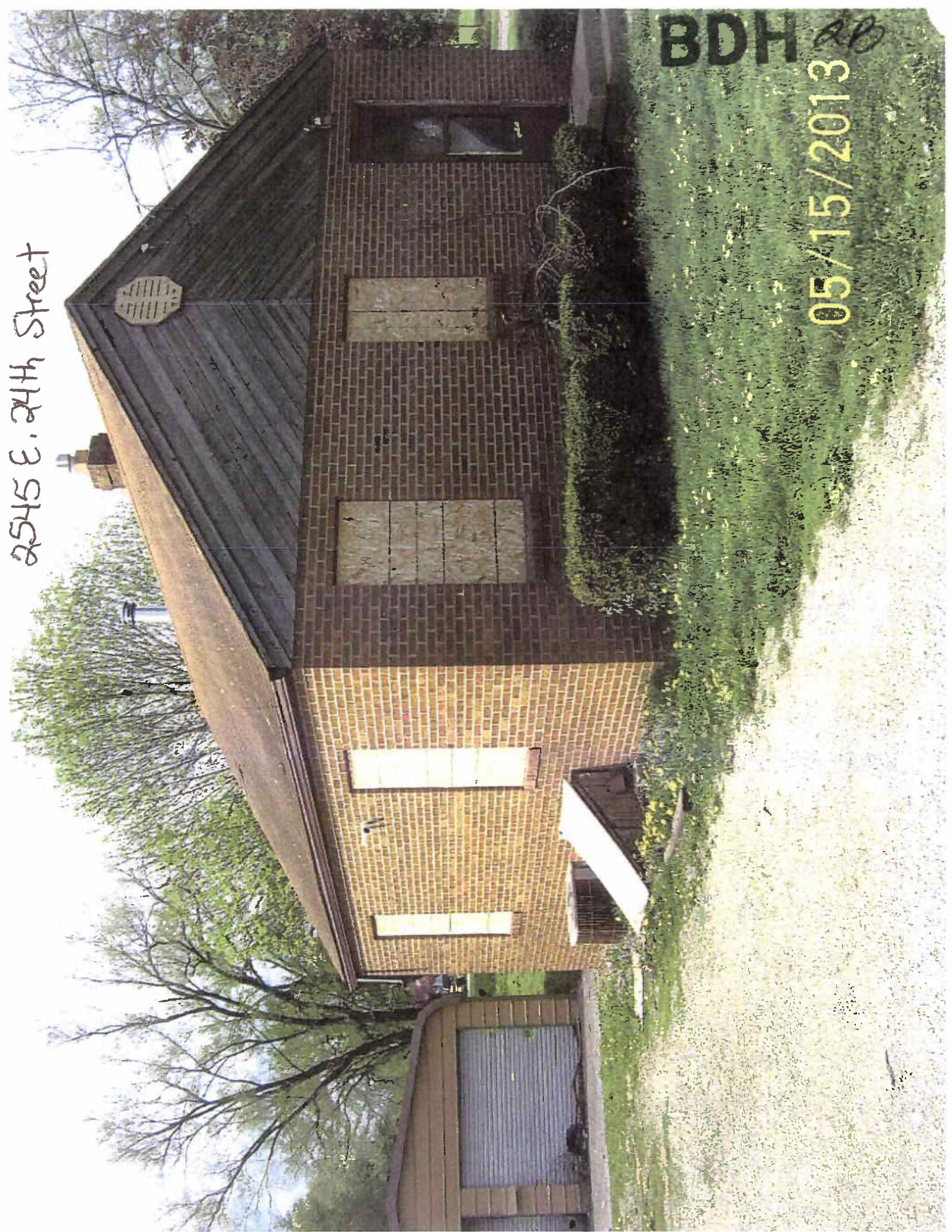
Yr	Type	Class	Kind	Land	Bldg	Total
2011	<u>Assessment Roll</u>	Residential	Full	\$15,600	\$54,000	\$69,600
2009	<u>Assessment Roll</u>	Residential	Full	\$15,500	\$53,400	\$68,900
2007	<u>Assessment Roll</u>	Residential	Full	\$15,500	\$53,400	\$68,900
2005	<u>Assessment Roll</u>	Residential	Full	\$14,800	\$39,300	\$54,100
2003	<u>Assessment Roll</u>	Residential	Full	\$13,970	\$37,600	\$51,570

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Yr	Type	Class	Kind	Land	Bldg	Total
2001	Assessment Roll	Residential	Full	\$12,030	\$31,220	\$43,250
1999	Assessment Roll	Residential	Full	\$9,080	\$24,460	\$33,540
1997	Assessment Roll	Residential	Full	\$8,250	\$22,220	\$30,470
1995	Assessment Roll	Residential	Full	\$7,320	\$19,710	\$27,030
1993	Assessment Roll	Residential	Full	\$7,010	\$18,880	\$25,890
1991	Assessment Roll	Residential	Full	\$7,010	\$17,720	\$24,730
1991	Was Prior Year	Residential	Full	\$7,010	\$15,030	\$22,040

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2545 E. 24th Street



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05/15/2013

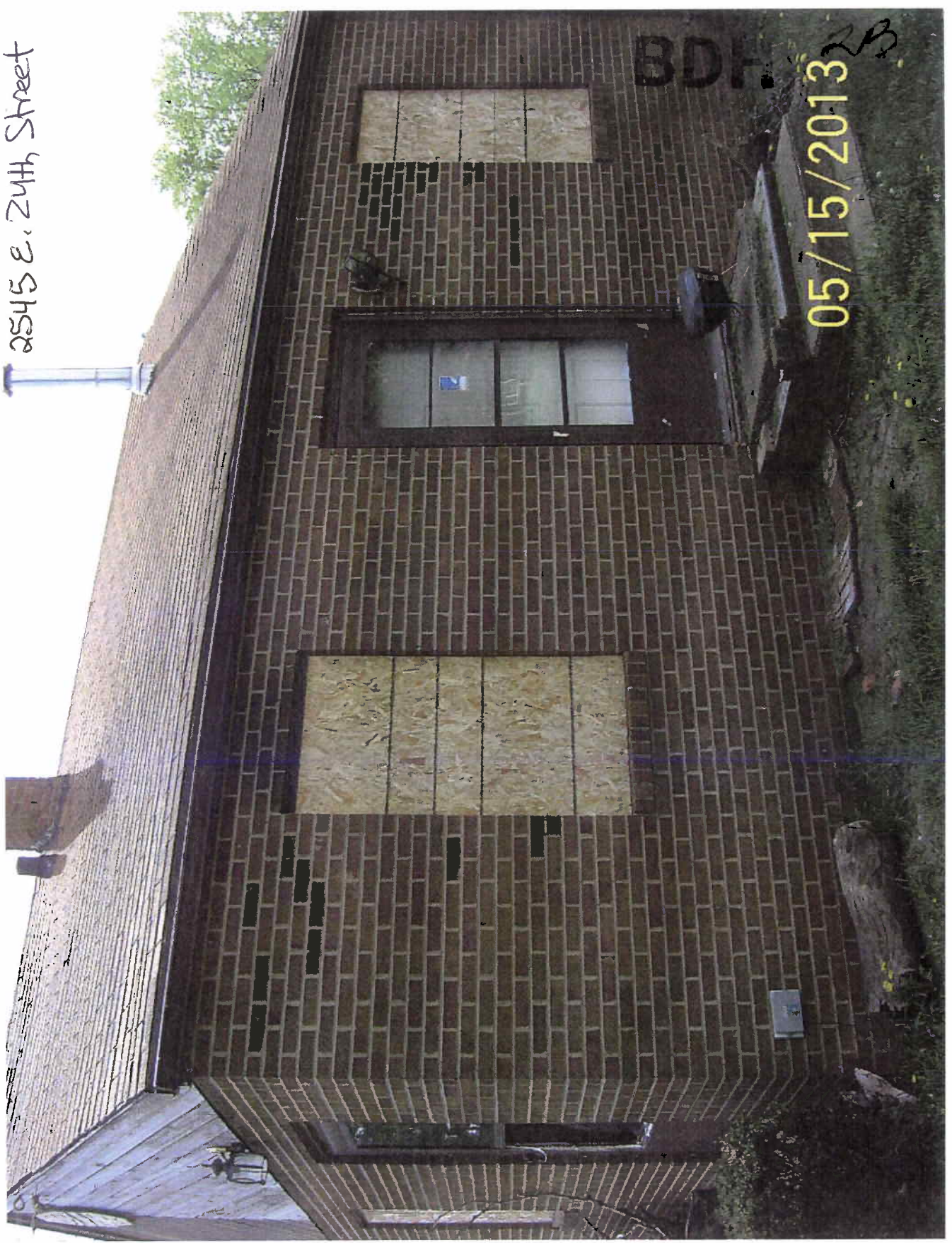
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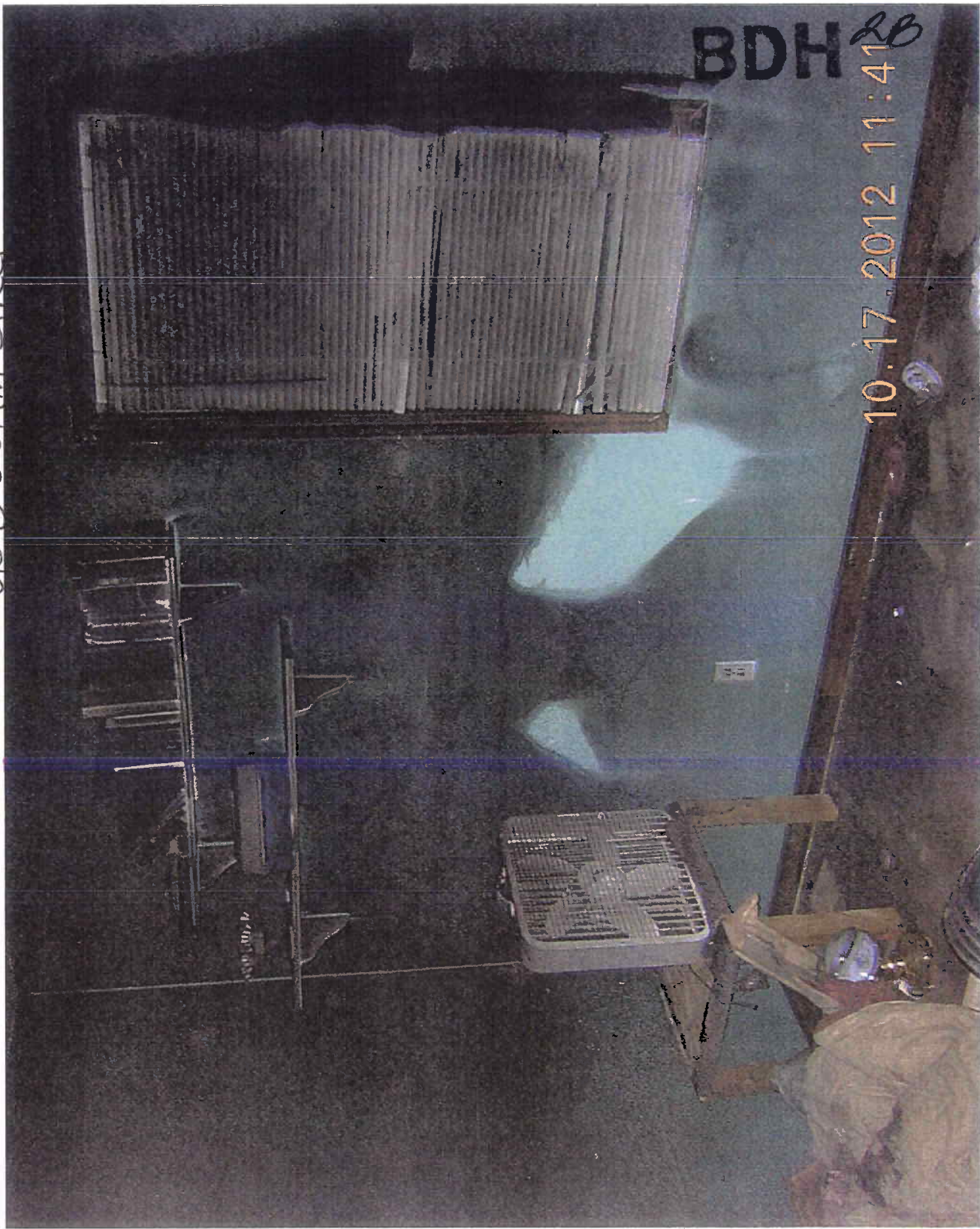
2545 E. 24th Street



05/15/2013

BDF

2545 E 24th Street



BDH RB

10.17.2012 11:41

2545 E. 34th Street



BDH 20

10.17.2012 11:44