



**Roll Call Number**

Agenda Item Number

**BDH-1**

**Date** ..... December 9, 2013

WHEREAS, the property located at 2600 East Elm Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the 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 Elaine S. Cunningham and Mortgage Holder US Bank, were notified more than thirty days ago to repair or demolish the 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 LOT 7 BLK 3 ESHBAUGH & WESTS ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2600 East Elm 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				
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

**BDH -1**



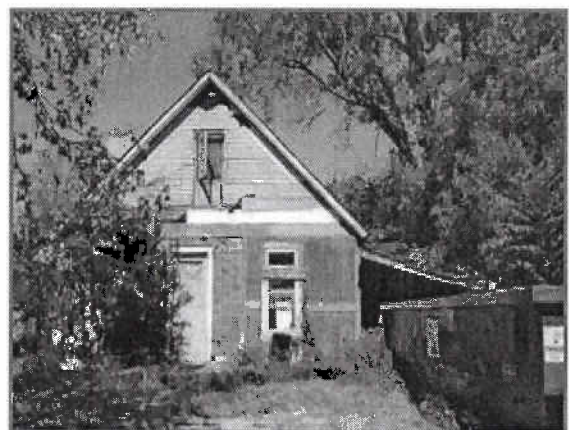
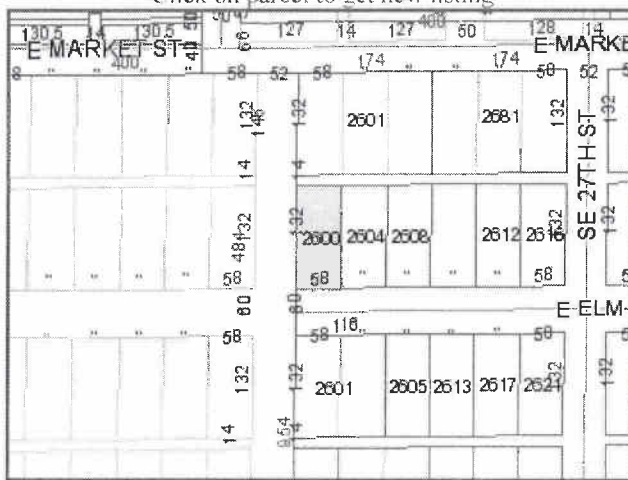
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<b>District/Parcel</b>	<b>GeoParcel</b>	<b>Map</b>	<b>Nbhd</b>	<b>Jurisdiction</b>	<b>Status</b>
050/01008-000-000	7824-01-452-004	0446	DM20/Z	DES MOINES	ACTIVE
<b>School District</b>	<b>Tax Increment Finance District</b>	<b>Bond/Fire/Sewer/Cemetery</b>			
1/Des Moines	30/SE Ag Business Park UR				
<b>Street Address</b>			<b>City State Zipcode</b>		
2600 E ELM ST			DES MOINES IA 50317-1235		

Click on parcel to get new listing

[Get Bigger Map](#)

[Google Map](#)



Approximate date of photo 10/14/2010

<b>Mailing Address</b>
ELAINE S CUNNINGHAM 2825 SE 14TH ST TRLR 32 DES MOINES, IA 50320-1174

<b>Legal Description</b>
LOT 7 BLK 3 ESHBAUGH & WESTS ADDITION

<b>Ownership</b>	<b>Name</b>	<b>Recorded</b>	<b>Book/Page</b>	<b>RevStamps</b>
Title Holder #1	CUNNINGHAM, ELAINE S	1996-09-23	7489/63	19.20

<b>Assessment</b>	<b>Class</b>	<b>Kind</b>	<b>Land</b>	<b>Bldg</b>	<b>AgBd</b>	<b>Total</b>
Current	Residential	Full	5,600	4,100	0	9,700

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

<b>Zoning</b>	<b>Description</b>	<b>SF</b>	<b>Assessor Zoning</b>

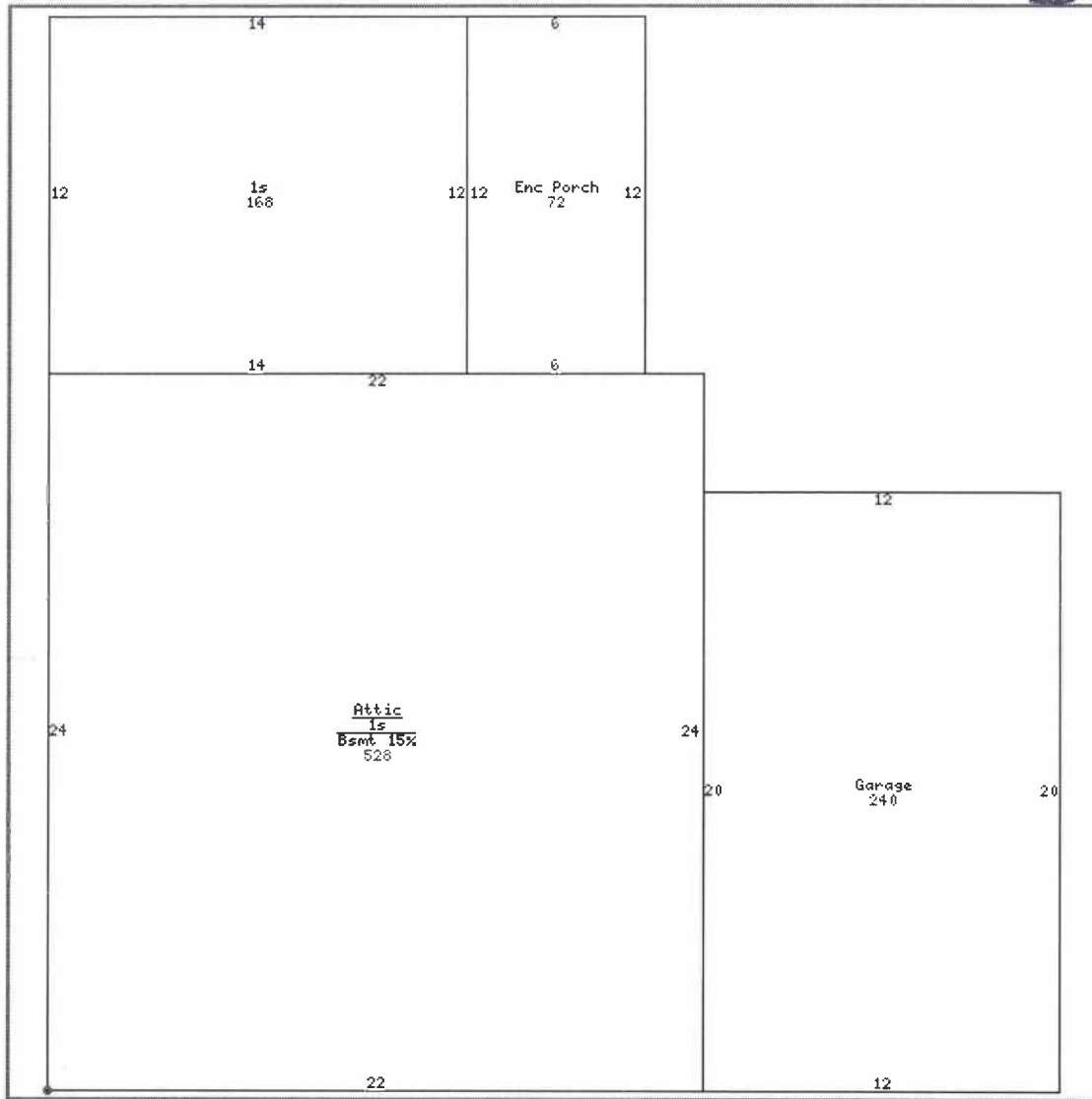
**BDH** -1

M-2	General Industrial District		Industrial Heavy
<b>Source:</b> City of Des Moines Community Development <b>Published:</b> 2012-03-20 <b>Contact:</b> Planning and Urban Design 515 283-4182			

<b>Land</b>					
<b>SQUARE FEET</b>	7,656	<b>FRONTAGE</b>	58.0	<b>DEPTH</b>	132.0
<b>ACRES</b>	0.176	<b>SHAPE</b>	RC/Rectangle	<b>TOPOGRAPHY</b>	N/Normal

<b>Residence # 1</b>					
<b>OCCUPANCY</b>	SF/Single Family	<b>RESID TYPE</b>	FA/1 Story with Finished Attic	<b>BLDG STYLE</b>	ET/Early 20s
<b>YEAR BUILT</b>	1912	<b># FAMILIES</b>	1	<b>GRADE</b>	5
<b>GRADE ADJUST</b>	+10	<b>CONDITION</b>	VP/Very Poor	<b>TSFLA</b>	986
<b>MAIN LV AREA</b>	696	<b>ATTIC FINISH</b>	290	<b>ATT GAR AREA</b>	240
<b>BSMT AREA</b>	79	<b>ENCL PORCH</b>	72	<b>FOUNDATION</b>	M/Masonry
<b>EXT WALL TYP</b>	CO/Composition	<b>ROOF TYPE</b>	GB/Gable	<b>ROOF MATERL</b>	A/Asphalt Shingle
<b>HEATING</b>	A/Gas Forced Air	<b>AIR COND</b>	0	<b>BATHROOMS</b>	1
<b>BEDROOMS</b>	2	<b>ROOMS</b>	5		

**BDH** - /



Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
PIRELLI ARMSTRONG TIRE CORP	CUNNINGHAM, ELAINE	1996-09-17	12,300	D/Deed	7489/63

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2013	Assessment Roll	Residential	Full	5,600	4,100	0	9,700
2011	Assessment Roll	Residential	Full	5,600	4,000	0	9,600
2009	Assessment Roll	Residential	Full	6,000	4,100	0	10,100
2007	Assessment Roll	Residential	Full	5,900	4,100	0	10,000
2005	Assessment Roll	Residential	Full	4,400	18,100	0	22,500
2003	Assessment Roll	Residential	Full	3,960	15,920	0	19,880

**BDH** - /

2001	Assessment Roll	Residential	Full	4,190	9,340	0	13,530
1999	Assessment Roll	Residential	Full	2,140	12,010	0	14,150
1995	Assessment Roll	Residential	Full	1,860	10,420	0	12,280
1993	Assessment Roll	Residential	Full	1,740	9,740	0	11,480
1993	Was Prior Year	Residential	Full	1,740	9,190	0	10,930

[email this page](#)

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





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

**BDH -1**

**DATE OF NOTICE: October 21, 2013**

**DATE OF INSPECTION:**

**CASE NUMBER:** COD2013-04329

**PROPERTY ADDRESS:** 2600 E ELM ST

**LEGAL DESCRIPTION:** LOT 7 BLK 3 ESHBAUGH & WESTS ADDITION

ELAINE S CUNNINGHAM  
 Title Holder  
 2825 SE 14TH ST TRLR 32  
 DES MOINES IA 50320

US BANK  
 Mortgage Holder - ATTN: HOME MORTGAGE SERV DIV  
 4801 FREDERICA ST  
 OWENSBORO KY 42301

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 (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.

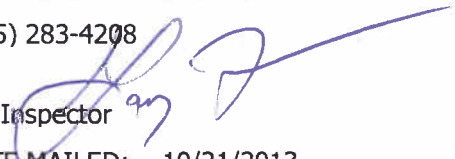
If you no longer own the property, notify us in writing of the name, address, and telephone number of the new owner. A copy of the real estate contract or deed, if it has not been recorded at the County Recorder's Office, shall likewise be furnished to the Neighborhood Inspection Division.

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

Neighborhood Inspection Division

(515) 283-4208

Nid Inspector



DATE MAILED: 10/21/2013

MAILED BY: JDH

**Areas that need attention:** 2600 E ELM ST

<b>Component:</b> Mechanical System <b>Requirement:</b> Mechanical Permit <b>Comments:</b>	<b>Defect:</b> In disrepair <b>Location:</b> Main Structure
<b>Component:</b> Electrical System <b>Requirement:</b> Electrical Permit <b>Comments:</b>	<b>Defect:</b> In disrepair <b>Location:</b> Main Structure
<b>Component:</b> Plumbing System <b>Requirement:</b> Plumbing Permit <b>Comments:</b>	<b>Defect:</b> In disrepair <b>Location:</b> Main Structure
<b>Component:</b> Exterior Walls <b>Requirement:</b> Building Permit <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Main Structure
<b>Component:</b> Roof <b>Requirement:</b> Building Permit <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Main Structure
<b>Component:</b> Interior Walls /Ceiling <b>Requirement:</b> Building Permit <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Throughout
<b>Component:</b> Flooring <b>Requirement:</b> <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Throughout
<b>Component:</b> Interior Stairway <b>Requirement:</b> Compliance with International Building Code <b>Comments:</b>	<b>Defect:</b> Improperly Installed <b>Location:</b> Main Structure



<b><u>Component:</u></b>	Shingles Flashing	<b><u>Defect:</u></b>	In disrepair	<b>BDH</b> - 1
<b><u>Requirement:</u></b>	Compliance with International Building Code	<b><u>Location:</u></b>	Main Structure	
<b><u>Comments:</u></b>				
<b><u>Component:</u></b>	Windows/Window Frames	<b><u>Defect:</u></b>	Deteriorated	
<b><u>Requirement:</u></b>	Compliance with International Building Code	<b><u>Location:</u></b>	Main Structure	
<b><u>Comments:</u></b>				
<b><u>Component:</u></b>	See Comments	<b><u>Defect:</u></b>		
<b><u>Requirement:</u></b>	Building Permit	<b><u>Location:</u></b>	Main Structure	
<b><u>Comments:</u></b>	Demo permit needs to be pulled if property to be demolished			
<b><u>Component:</u></b>	Accessory Buildings	<b><u>Defect:</u></b>	In disrepair	
<b><u>Requirement:</u></b>	Compliance with International Building Code	<b><u>Location:</u></b>	Shed	
<b><u>Comments:</u></b>				





2600 E. Elm Street

12.04.2013



2600 E. Elm Street



12.04.2013





2600 E Elm Street

12 04 2013



2100 E 3rd Street

12-04-2013





2600 E. Elm Street





2,600 E. Elm Street

In Memory of  
MELDON FETTERS &  
JAMES R. CUNNINGHAM



07.30.2013 13:58