



Roll Call Number

Agenda Item Number
BDH 1(B)

Date September 22, 2014

WHEREAS, the property located at 4400 SW 26th Street, 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, Ronald G Smith, Sr, was notified via publication; and Mortgage Holder, Citifinancial Servicing, LLC, was notified via personal service more than thirty days ago to repair or demolish the structure and as of this date has 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 A parcel of land beginning at a point 25 feet West and 25 feet South of the Northeast corner of the NW ¼ of SW ¼ of the SW ¼ of Section 20 Township 78 North, Range 24, West of the 5th P.M., for a point of beginning; thence West along the South right of way line of Stanton Avenue, 143.18 feet; thence South 304.59 feet to a point which is 144.46 feet West of the West right of way line of Southwest 26th Street; thence East 144.46 feet to a point of the West right of way line of Southwest 26th street; thence North along the West right of way line to Southwest 26th street a distance of 304.48 feet to the point of beginning (except the South 200 feet thereof); all now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 4400 SW 26th Street, 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 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 structure.


Moved by _____ to adopt.

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FORM APPROVED:



Vicky Long Hill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
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



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

BDH 1(B)

DATE OF NOTICE: March 27, 2014

DATE OF INSPECTION: March 18, 2014

CASE NUMBER: COD2014-01472

PROPERTY ADDRESS: 4400 SW 26TH ST

LEGAL DESCRIPTION: W 143.18F E 168.18F S 104.48F N 129.48F MEAS ON N & E LNS N 1/2 NW 1/4 SW 1/4 SW 1/4 SEC 20-78-24

RONALD G SMITH
 Title Holder
 ADDRESS UNKNOWN

CITIFINANCIAL SERVICING LLC
 Mortgage Holder
 300 ST PAUL PLACE
 LEGAL DEPT - 17TH FLOOR
 BALTIMORE MD. 21202

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 (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.

Brian Anderson 515 237-1412

Brian P. Anderson

Nid Inspector


DATE MAILED: 3/27/2014

MAILED BY: JDH

Areas that need attention: 4400 SW 26TH ST

Component:	Soffit/Facia/Trim	Defect:	Missing
Requirement:	Compliance, International Property Maintenance Code	Location:	Roof
Comments:			
Component:	Windows/Window Frames	Defect:	Severly peeling paint
Requirement:	Compliance, International Property Maintenance Code	Location:	Main Structure
Comments:			
Component:	Soffit/Facia/Trim	Defect:	Absence of paint
Requirement:	Compliance, International Property Maintenance Code	Location:	Main Structure
Comments:			
Component:	Exterior Walls	Defect:	Missing
Requirement:	Compliance, International Property Maintenance Code	Location:	Main Structure
Comments:	siding		
Component:	Exterior Walls	Defect:	Absence of paint
Requirement:	Compliance, International Property Maintenance Code	Location:	Main Structure
Comments:			
Component:	Foundation	Defect:	In poor repair
Requirement:	Building Permit	Location:	Unknown
Comments:			
Component:	Roof	Defect:	Holes or major defect
Requirement:	Building Permit	Location:	Roof
Comments:			
Component:	Shingles Flashing	Defect:	Missing
Requirement:	Compliance, International Property Maintenance Code	Location:	Roof
Comments:			

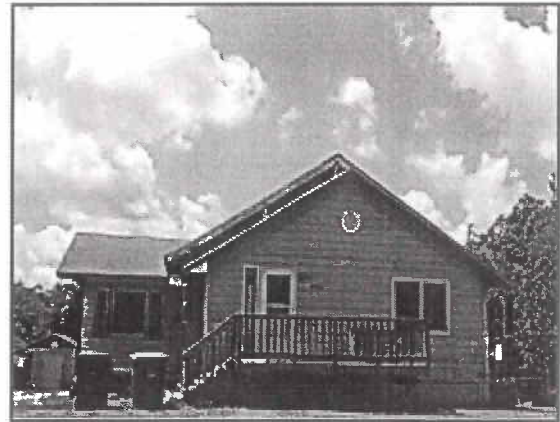
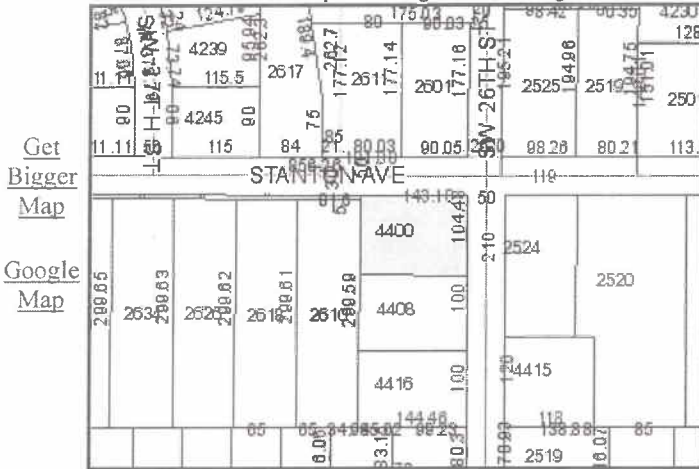
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Polk County Assessor 
Iowa

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District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
120/07098-003-001	7824-20-351-007	B116	DM46/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
4400 SW 26TH ST			DES MOINES IA 50321-2812		

Click on parcel to get new listing



Approximate date of photo 06/02/2014

Mailing Address
RONALD G SMITH SR 4400 SW 26TH ST DES MOINES, IA 50321-2812

Legal Description
W 143.18F E 168.18F S 104.48F N 129.48F MEAS ON N & E LNS N 1/2 NW 1/4 SW 1/4 SW 1/4 SEC 20-78-24

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	SMITH, RONALD G SR	2005-06-27	11136/104	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	30,300	66,300	0	96,600

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

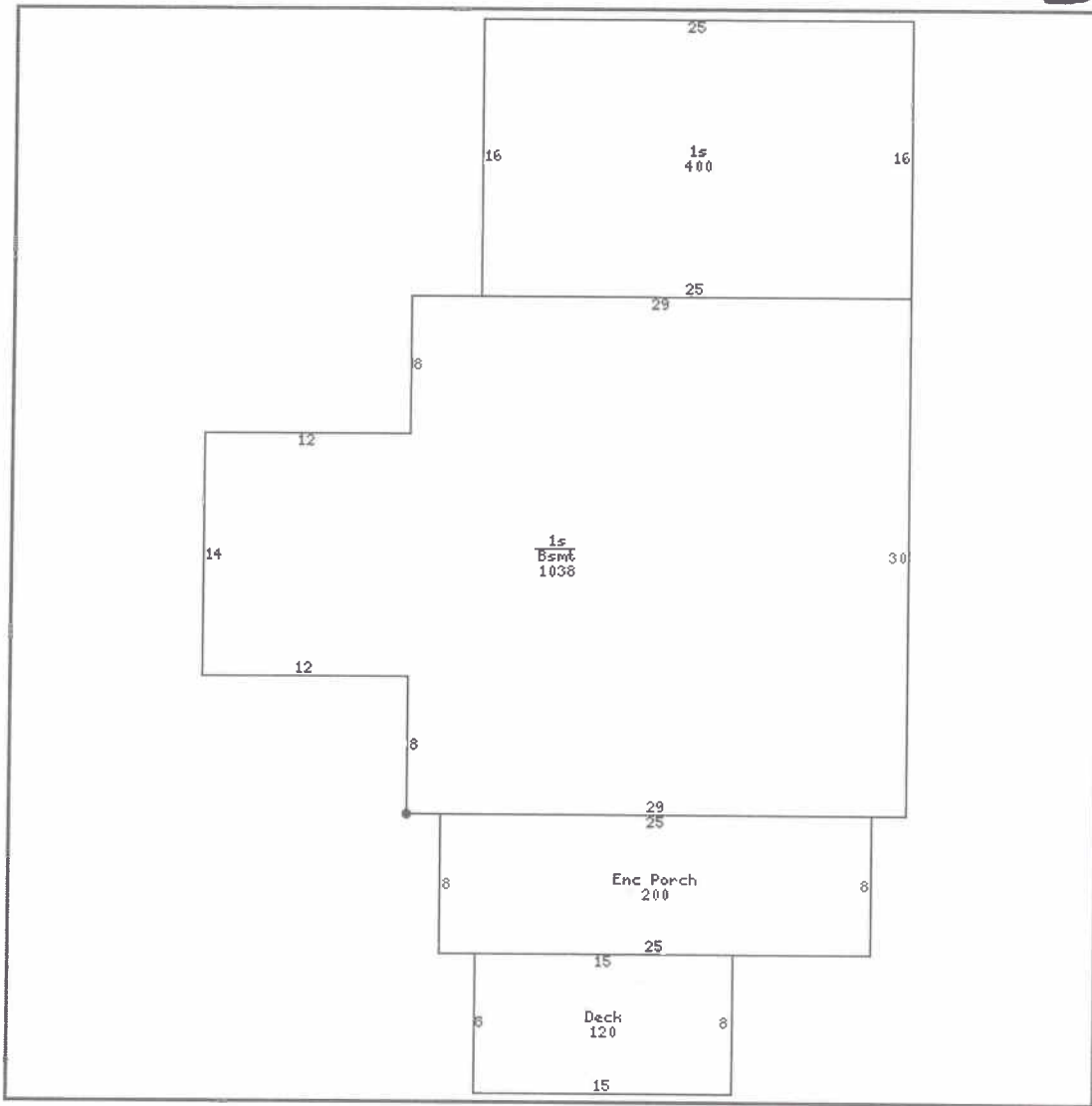
Zoning	Description	SF	Assessor Zoning

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R1-80	One Family Residential District		Residential
Source: City of Des Moines Community Development Published: 2012-03-20 Contact: Planning and Urban Design 515 283-4182			

Land					
SQUARE FEET	14,929	FRONTAGE	104.0	DEPTH	143.0
ACRES	0.343	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S1/1 Story	BLDG STYLE	BG/Bungalow
YEAR BUILT	1920	# FAMILIES	1	GRADE	4
GRADE ADJUST	+05	CONDITION	NM/Normal	TSFLA	1,438
MAIN LV AREA	1,438	BSMT AREA	1,038	ENCL PORCH	200
DECK AREA	120	FOUNDATION	B/Brick	EXT WALL TYP	MS/Hardboard
ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle	FIREPLACES	1
HEATING	A/Gas Forced Air	AIR COND	0	BATHROOMS	1
BEDROOMS	2	ROOMS	4		



Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
BUTTS, ROBERT E	SHELTON, ELDON C	1989-07-21	35,000	C/Contract	6127/220

Year	Type	Status	Application	Permit/Pickup Description
2011	P/Permit	CP/Complete	2003-08-01	AL/PORCH (456 sf)
2010	P/Permit	PP/Pass/Partial	2003-08-01	AL/PORCH (456 sf)
2009	P/Permit	PA/Pass	2003-08-01	AL/PORCH (456 sf)
2008	P/Permit	PP/Pass/Partial	2003-08-01	AL/PORCH (456 sf)
2007	P/Permit	PP/Pass/Partial	2003-08-01	AL/PORCH (456 sf)
2006	P/Permit	PR/Partial	2003-08-01	AL/PORCH (456 sf)
2005	P/Permit	PA/Pass	2003-08-01	AL/PORCH (456 sf)
2004	P/Permit	PA/Pass	2003-08-01	AL/PORCH (456 sf)
2001	P/Permit	NA/No Add	2000-08-18	AL/ROOF

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Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2013	Assessment Roll	Residential	Full	30,300	66,300	0	96,600
2011	Assessment Roll	Residential	Full	30,300	67,100	0	97,400
2009	Assessment Roll	Residential	Full	31,400	62,100	0	93,500
2007	Assessment Roll	Residential	Full	31,000	51,300	0	82,300
2006	Assessment Roll	Residential	Full	36,800	48,100	0	84,900
2005	Assessment Roll	Residential	Full	36,800	47,400	0	84,200
2003	Assessment Roll	Residential	Full	34,030	44,650	0	78,680
2001	Assessment Roll	Residential	Full	34,030	42,580	0	76,610
1999	Assessment Roll	Residential	Full	12,230	36,410	0	48,640
1997	Assessment Roll	Residential	Full	11,980	35,660	0	47,640
1995	Assessment Roll	Residential	Full	10,980	32,690	0	43,670
1993	Assessment Roll	Residential	Full	9,550	28,430	0	37,980
1990	Board Action	Residential	Full	9,550	25,450	0	35,000

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

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4400 SW 26th St

09.16.2014 12:24

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4400 SW 26th St

09.16.2014 12:21



BDH (CB) 4400 Sus 26m St

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