



Roll Call Number

Agenda Item Number
BDH (10)

Date September 22, 2014

WHEREAS, the property located at 2401 E Walnut Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the structure (commercial building) in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, Oak Park Investments Partnership XX, was notified via personal service more than thirty days ago to repair or demolish the structure (commercial building) 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 structure (commercial building) on the real estate legally described as Lots 50 & 52 Block 8 GRANT PARK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2401 E Walnut 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 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 structure.

Moved by _____ to adopt.

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
PERMIT AND DEVELOPMENT CENTER
COMMUNITY DEVELOPMENT DEPARTMENT
CITY OF DES MOINES, IOWA**

BDH 1(G)

DATE OF NOTICE: June 26, 2014

DATE OF INSPECTION: June 26, 2014

CASE NUMBER: COD2014-01562

LEGAL INTEREST HOLDERS:	
Registered Agent	TIMOTHY T BALIN 100 N LASALLE ST STE 111 CHICAGO, IL 60602
Title Holder	OAK PARK INVESTMENTS PARTNERSHIP XX 100 N LA SALLE ST STE 1111 CHICAGO, IL 60602-3537

PROPERTY ADDRESS: 2401 E WALNUT ST
LEGAL DESCRIPTION: LOTS 50 & 52 BLK 8 GRANT PARK

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 structure currently constitutes not only a menace to health and safety, but is also a public nuisance. Accordingly, the structure will be placarded as unsafe to occupy pursuant to the Municipal Code of the City of Des Moines and the Code of Iowa.

If not occupied at the present time, the structure is to remain vacant and unoccupied until occupancy is authorized by this office. If the structure is occupied, it must be vacated immediately. In accordance with Chapter 26-157 (fka 26-277) of Des Moines Municipal code, this structure is deemed unsafe, and creates a public nuisance threatening to the health and safety of the public.

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. Permits must be obtained from this department prior to commencing any repairs or demolition. Inspections must be requested and approved in accordance with the code and our policies.

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. **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 an agreement voluntarily authorizing the City to do so. However, you will be responsible for all costs associated with the abatement of the public nuisance. The City may seek a personal judgment against you for the costs of removal and assess those costs against the property.

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 Polk county Recorder's Office, shall likewise be furnished to the Permit and Development Center.

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



Jay M. Mattas
Building Specialist
Permit and Development Center
Ph: 237-1485

DATE MAILED: 6/26/2014

MAILED BY: JMM

Areas that need attention: 2401 E WALNUT ST			
ID/Entered:	2014/03/26 13:17:24.5170	Complied:	03/26/2014
Component:	Exterior Doors/Jams	Defect:	In disrepair
Requirement:	Building Permit	Location:	
Comments:	Door is off hinges		
ID/Entered:	2014/03/26 13:15:11.4970	Complied:	03/26/2014
Component:	Exterior Walls	Defect:	Holes or major defect
Requirement:	Building Permit	Location:	
Comments:	Exterior front wall deteriorating after damage from a car		
ID/Entered:	2014/03/26 13:19:33.8620	Complied:	03/26/2014
Component:	Exterior Walls	Defect:	Structurally Unsound
Requirement:	Building Permit	Location:	
Comments:	Parapet on SE corner unstable		

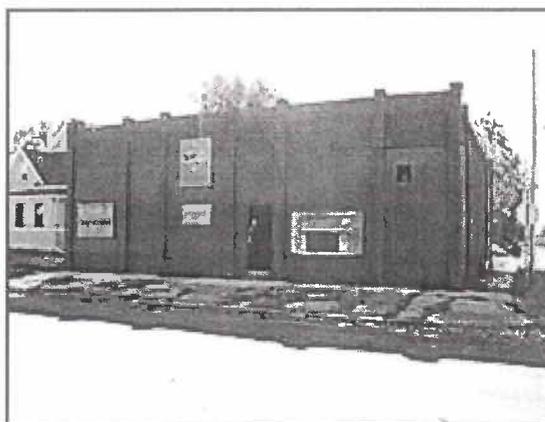
BDH (CG)

Polk County Assessor 
Iowa

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District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
050/01923-000-000	7824-01-178-001	0434	DM16/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
2401 E WALNUT ST			DES MOINES IA 50317		

Click on parcel to get new listing



Approximate date of photo 10/27/2010

Mailing Address
OAK PARK INVESTMENTS PARTNERSHIP 100 N LA SALLE ST STE 1111 CHICAGO, IL 60602-3537

Legal Description
LOTS 50 & 52 BLK 8 GRANT PARK

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	OAK PARK INVESTMENTS PARTNERSHIP XX	2010-03-03	13371/486	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Commercial	Full	11,800	21,200	0	33,000

[Estimate Taxes](#) [Polk County Treasurer Tax Information](#) [Pay Taxes](#)

Zoning	Description	SF	Assessor Zoning

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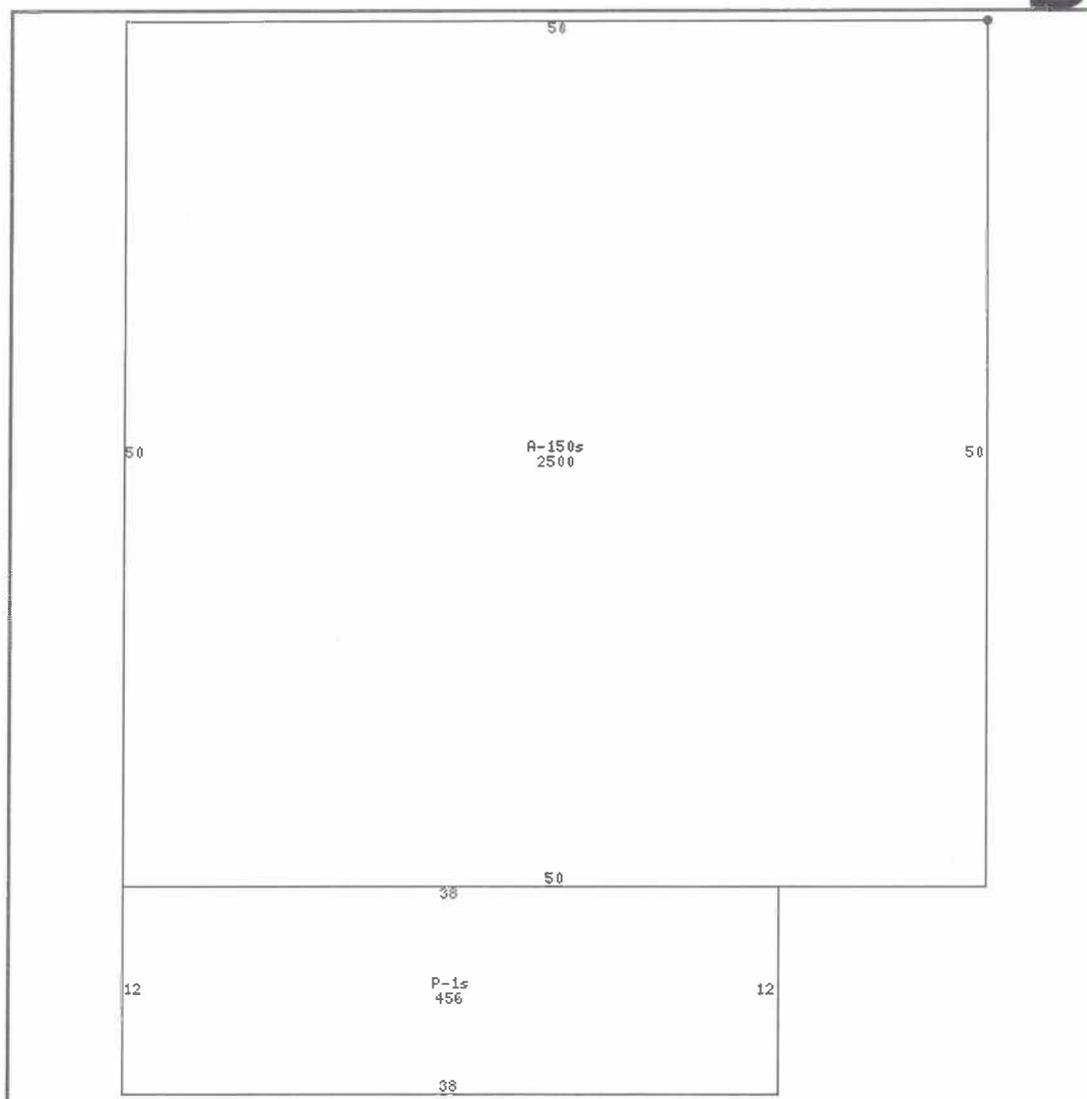
R1-60	One Family, Low Density Residential District	Residential
Source: City of Des Moines Community Development Published: 2012-03-20 Contact: Planning and Urban Design 515 283-4182		

Land					
SQUARE FEET	7,350	FRONTAGE	50.0	DEPTH	147.0
ACRES	0.169	SHAPE	RC/Rectangle	TOPOGRAPHY	B/Blank

Commercial Summary					
OCCUPANCY	34/Restaurant Tavern	WEIGHTED AGE	1922	STORY HEIGHT	1
LAND AREA	7,350	GROSS AREA	2,500	FINISH AREA	2,500
BSMT UNFIN	1,250	BSMT FINISH	0	NUMBER UNITS	0

Csection # 101					
OCCUPANT	WALNUT TAP				
SECT MULTIPL	1	OCCUPANCY	34/Restaurant Tavern	FOUNDATION	CN/Concrete
EXT WALL	BB/Brick Block Tile	INSULATION	Y/Yes	ROOF	F/Flat
ROOF MATERL	B/Built-up	COVERED AREA	456	COVER QUAL	BN/Below Normal
WIRING	A/Adequate	PLUMBING	A/Adequate	TOTAL ST HT	1
FRAME TYPE	FR/Frame	FIREPRF CNST	N/No	BLDG CLASS	2/Brick or Masonry
TOT SCT AREA	3,750	GRND FL AREA	2,500	PERIMETER	200
GRADE	5	GRADE ADJUST	+00	YEAR BUILT	1922
YEAR REMODEL	1993	CONDITION	NM/Normal		
COMMENT	P=CAN/CONC PATIO BLT 1984, REMOD 1992-93				

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Cgroup # 101 1					
USE CODE	270/Restaurant	BASE STORY	1	NUM STORIES	1
TOT GRP AREA	2,500	BASE FL AREA	2,500	HEATING	C/Central
AIR COND	Y	EXHAUST SYS	N/No		

Cgroup # 101 2					
USE CODE	005/Basement Entire	NUM STORIES	1	TOT GRP AREA	1,250
BASE FL AREA	1,250	HEATING	N/None	AIR COND	N
EXHAUST SYS	N/No	CONDITION	NM/Normal		

BDH (S)

<u>Seller</u>	<u>Buyer</u>	<u>Sale Date</u>	<u>Sale Price</u>	<u>Instrument</u>	<u>Book/Page</u>
EAST WALNUT PROJECT, INC.	DEKOCK, DOUGLAS A.	2006-01-27	150,000	D/Deed	11506/492
REYNOLDS, JOHN D	EAST WALNUT PROJECT INC	2005-02-01	80,000	C/Contract	10974/817
BISHOP, DAVID D	REYNOLDS, JOHN D	1999-02-25	35,000	D/Deed	8169/363
ENDRISS, WILLIAM G	MORTIMER, JANIE E	1996-04-12	55,000	C/Contract	7507/226
BISHOP, DAVID D & CAROLYN A CANTRELL	ENDRISS, WILLIAM G	1995-01-31	25,000	C/Contract	7149/57
ANTLE, ROLAND J & MILDRED	BISHOP, DAVID D & CAROLYN A CANTRELL	1995-01-31	12,500	D/Deed	7149/56
MORGAN, DOUGLAS & EUARDE R	ENDRISS, WILLIAM G	1992-01-24	35,000	D/Deed	6495/366
BACLELOR'S INVESTMENT GROUP II	DOUG MORGAN	1987-07-10	50,000	C/Contract	5747/709

<u>Year</u>	<u>Type</u>	<u>Status</u>	<u>Application</u>	<u>Permit/Pickup Description</u>
2000	P/Permit	NA/No Add	1999-06-12	AD/CANOPY (Cost \$300)
1995	P/Permit	NA/No Add	1994-01-27	Interior Alterations
1994	P/Permit	CP/Complete	1992-03-24	Remodel Tavern
1993	P/Permit	PA/Pass	1992-03-24	Remodel Tavern
1988	P/Permit	NA/No Add	1987-11-18	Interior Alterations

<u>Year</u>	<u>Type</u>	<u>Class</u>	<u>Kind</u>	<u>Land</u>	<u>Bldg</u>	<u>AgBd</u>	<u>Total</u>
2013	<u>Assessment Roll</u>	Commercial	Full	11,800	21,200	0	33,000
2011	<u>Assessment Roll</u>	Commercial	Full	11,800	21,200	0	33,000
2009	<u>Assessment Roll</u>	Commercial	Full	11,800	21,200	0	33,000
2007	<u>Assessment Roll</u>	Commercial	Full	11,800	26,400	0	38,200
2005	<u>Assessment Roll</u>	Commercial	Full	11,200	25,600	0	36,800
2003	<u>Assessment Roll</u>	Commercial	Full	9,700	23,900	0	33,600
2001	<u>Assessment Roll</u>	Commercial	Full	9,190	22,500	0	31,690
1999	Board Action	Commercial	Full	12,500	22,500	0	35,000
1999	Assessment Roll	Commercial	Full	12,500	34,300	0	46,800
1995	Assessment Roll	Commercial	Full	12,100	33,300	0	45,400

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1994	Assessment Roll	Commercial	Full	11,500	31,700	0	43,200
1993	Assessment Roll	Commercial	Full	11,500	35,900	0	47,400
1993	Was Prior Year	Commercial	Full	11,030	34,500	0	45,530

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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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2401 E. Walnut Street

09.17.2014



2401 E. Walnut Street

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09-17-2014

BDH 1(G)

2401 E. Walnut St.



09.17.2014

2401 E. Walnut St

BDH 1/0

09.17.2014

