



**Roll Call Number**

Agenda Item Number  
**BDH 1 (C)**

Date January 26, 2015

WHEREAS, the property located at 2260 E Grand Avenue, 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, Ben Mortensen dba One Oak, LLC, was notified via publication 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 Lot 61 CENTRAL PARK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2260 E Grand 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 structure.

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

\_\_\_\_\_  
Vicky Long Hill, Assistant City Attorney

**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.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

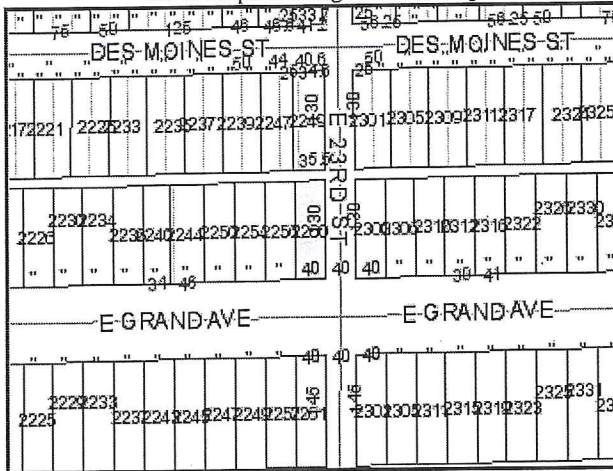
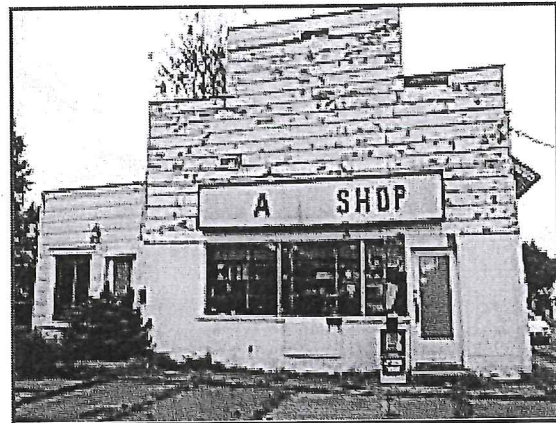
*Polk County Assessor*   
IOWA

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<b>District/Parcel</b>	<b>GeoParcel</b>	<b>Map</b>	<b>Nbhd</b>	<b>Jurisdiction</b>	<b>Status</b>
050/00259-000-000	7824-01-107-028	0430	DM16/Z	DES MOINES	ACTIVE
<b>School District</b>	<b>Tax Increment Finance District</b>	<b>Bond/Fire/Sewer/Cemetery</b>			
I/Des Moines					
<b>Street Address</b>			<b>City State Zipcode</b>		
2260 E GRAND AVE			DES MOINES IA 50317-6520		

Click on parcel to get new listing

Get Bigger Map  
Google Map

Approximate date of photo 10/22/2010

<b>Mailing Address</b>
ONE OAK LLC 3048 220TH ST SAINT CHARLES, IA 50240-8533

<b>Legal Description</b>
LOT 61 CENTRAL PARK

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	ONE OAK LLC	2012-10-16	14486/624	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Commercial	Full	8,300	19,200	0	27,500

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

Zoning	Description	SF	Assessor Zoning
C-1	Neighborhood Retail Commercial District		Commercial

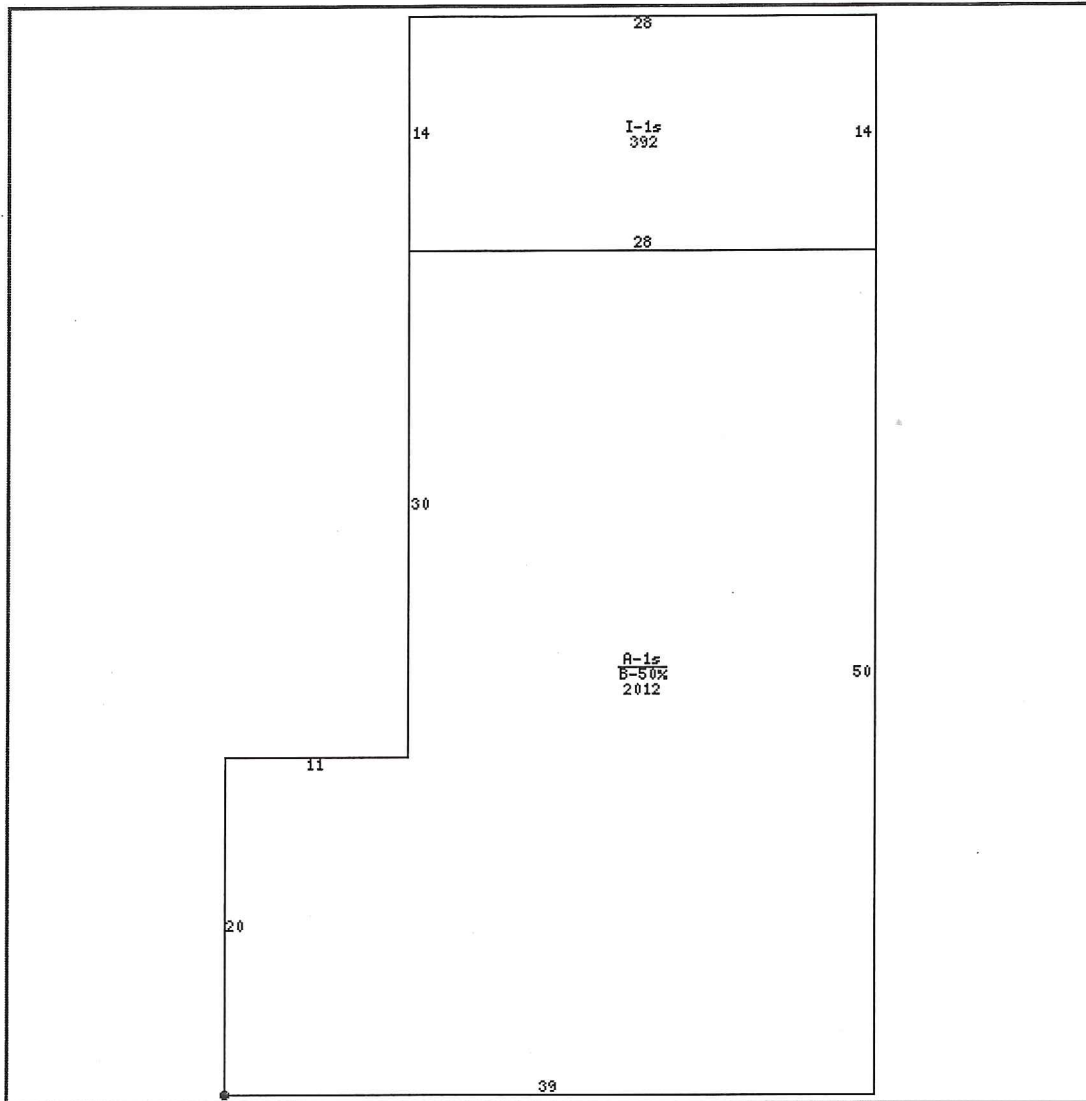


**Source:** City of Des Moines Community Development **Published:** 2012-03-20 **Contact:** Planning and Urban Design 515 283-4182

<b>Land</b>					
<b>SQUARE FEET</b>	5,200	<b>FRONTAGE</b>	40.0	<b>DEPTH</b>	130.0
<b>ACRES</b>	0.119	<b>SHAPE</b>	RC/Rectangle	<b>TOPOGRAPHY</b>	B/Blank

<b>Commercial Summary</b>					
<b>OCCUPANCY</b>	35/Retail	<b>WEIGHTED AGE</b>	1910	<b>STORY HEIGHT</b>	1
<b>LAND AREA</b>	5,200	<b>GROSS AREA</b>	2,012	<b>FINISH AREA</b>	2,012
<b>BSMT UNFIN</b>	700	<b>BSMT FINISH</b>	0	<b>NUMBER UNITS</b>	0

<b>Csection # 101</b>					
<b>OCCUPANT</b>	ZAGS ANTIQUE/CURIO SHOP(ORIG BARBER)				
<b>SECT MULTIPL</b>	1	<b>OCCUPANCY</b>	35/Retail	<b>FOUNDATION</b>	CB/Concrete Block or Tile
<b>SUBMERGED</b>	N/No	<b>EXT WALL</b>	SS/Siding/Shingle	<b>INSULATION</b>	Y/Yes
<b>ROOF</b>	G/Gable	<b>ROOF MATERL</b>	S/Shingle	<b>WIRING</b>	A/Adequate
<b>PLUMBING</b>	A/Adequate	<b>TOTAL ST HT</b>	1	<b>FRAME TYPE</b>	FR/Frame
<b>FIREPRF CNST</b>	N/No	<b>BLDG CLASS</b>	4/Frame, Concrete Blk, Tile, Tilt Up	<b>TOT SCT AREA</b>	2,712
<b>GRND FL AREA</b>	2,012	<b>PERIMETER</b>	206	<b>GRADE</b>	5
<b>GRADE ADJUST</b>	+00	<b>YEAR BUILT</b>	1910	<b>YEAR REMODEL</b>	1985
<b>CONDITION</b>	PR/Poor				
<b>MISC IMPR</b>	EARTH FLOOR BSMT (-1050)				
<b>COMMENT</b>	APPEARS TO BE JUST STORAGE				
<b>COMMENT</b>	TRAILER IN BACKYARD				



<b>Cgroup # 101 1</b>					
<b>USE CODE</b>	215/Retail Small	<b>BASE STORY</b>	1	<b>NUM STORIES</b>	1
<b>TOT GRP AREA</b>	2,012	<b>BASE FL AREA</b>	2,012	<b>WALL HEIGHT</b>	14
<b>HEATING</b>	U/Unit	<b>AIR COND</b>	L	<b>EXHAUST SYS</b>	N/No
<b>COMMENT</b>	WALL UNIT AC				

<b>Cgroup # 101 2</b>					
<b>USE CODE</b>	005/Basement Entire	<b>NUM STORIES</b>	1	<b>TOT GRP AREA</b>	700
<b>BASE FL AREA</b>	700	<b>HEATING</b>	N/None	<b>AIR COND</b>	N
	N/No	<b>CONDITION</b>	VP/Very Poor		

<b>EXHAUST SYS</b>				
<b>COMMENT</b>	DIRT FLOOR/PT FDTN MAY BE CAVING IN.			

<b>Detached # 101</b>					
<b>OCCUPANCY</b>	FNC/Fence	<b>CONSTR TYPE</b>	FR/Frame	<b>MEASCODE</b>	D/Dimensions
<b>MEASURE1</b>	40	<b>MEASURE2</b>	6	<b>GRADE</b>	5
<b>YEAR BUILT</b>	2000	<b>CONDITION</b>	BN/Below Normal		

<b>Detached # 201</b>					
<b>OCCUPANCY</b>	LYD/Yard Lighting	<b>MEASCODE</b>	Q/Quantity	<b>MEASURE1</b>	1
<b>GRADE</b>	4	<b>YEAR BUILT</b>	1980	<b>CONDITION</b>	NM/Normal
<b>COMMENT</b>	AGE ESTIMATED ADD FOR 2005				

<u>Seller</u>	<u>Buyer</u>	<u>Sale Date</u>	<u>Sale Price</u>	<u>Instrument</u>	<u>Book/Page</u>
ZAGNOLI, LEO, ESTATE	ONE OAK LLC	2012-10-15	20,000	D/Deed	14486/624 Multiple Parcels
GORDON, WILLIAM B	ZAGNOLI, ROBERT	2000-05-23	9,000	D/Deed	8508/805

<u>Year</u>	<u>Type</u>	<u>Status</u>	<u>Application</u>	<u>Permit/Pickup Description</u>
Current	P/Permit	TW/To Work	2012-12-14	AL/Alterations ROOF Cost Estimate 2000
2014	P/Permit	PA/Pass	2012-12-14	AL/ROOF
2013	P/Permit	PA/Pass	2012-12-14	AL/ROOF
2001	P/Permit	CP/Complete	2000-10-27	AD/FENCE
2001	U/Pickup	CP/Complete	2000-07-19	RV/REVAL

<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	Assessment Roll	Commercial	Full	8,300	19,200	0	27,500
2011	Assessment Roll	Commercial	Full	8,300	19,200	0	27,500
2009	Assessment Roll	Commercial	Full	8,300	19,200	0	27,500
2007	Assessment Roll	Commercial	Full	8,300	22,100	0	30,400
2005	Assessment Roll	Commercial	Full	7,900	21,500	0	29,400
2003	Assessment Roll	Commercial	Full	6,900	20,100	0	27,000
2001	Assessment Roll	Commercial	Full	6,500	19,000	0	25,500
1999	Board Action	Commercial	Full	8,800	21,600	0	30,400



1999	Assessment Roll	Commercial	Full	8,800	22,600	0	31,400
1995	Assessment Roll	Commercial	Full	8,500	21,900	0	30,400
1993	Assessment Roll	Commercial	Full	8,100	20,900	0	29,000
1991	Assessment Roll	Commercial	Full	7,800	20,100	0	27,900
1991	Was Prior Year	Commercial	Full	7,800	20,640	0	28,440

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

**BDH 1 (C)**

**DATE OF NOTICE: July 23, 2014**

**DATE OF INSPECTION: June 20, 2014**

**CASE NUMBER: COD2011-02877**

<b>LEGAL INTEREST HOLDERS:</b>	
<b>Title Holder</b>	BEN MORTENSEN D/B/A ONE OAK LLC 8220 ASHWORTH RD WEST DES MOINES, IA 50266

**PROPERTY ADDRESS:** 2260 E GRAND AVE  
**LEGAL DESCRIPTION:** LOT 61 CENTRAL 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.**

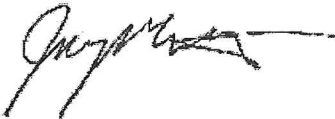
BDH 1 (C)

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: 515-237-1485

DATE MAILED: 7/23/2014

MAILED BY: JMM



**Areas that need attention:** 2260 E GRAND AVE

<b>ID/Entered:</b>	2011/05/25 14:15:31.5310	<b>Complied:</b>	05/25/2011
<b>Component:</b>	Exterior Walls	<b>Defect:</b>	Structurally inadequate
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Main Structure
<b>Comments:</b>	permit needed to fix bow in wall		

<b>ID/Entered:</b>	2014/06/20 13:13:30.3610	<b>Complied:</b>	
<b>Component:</b>	Exterior Walls	<b>Defect:</b>	Structurally Unsound
<b>Requirement:</b>	Engineering Report	<b>Location:</b>	Main Structure
<b>Comments:</b>	East wall severely bowed		

<b>ID/Entered:</b>	2014/06/20 13:23:14.7700	<b>Complied:</b>	
<b>Component:</b>	Electrical Service	<b>Defect:</b>	In disrepair
<b>Requirement:</b>		<b>Location:</b>	Roof
<b>Comments:</b>	Anchoring of service line failing		

<b>ID/Entered:</b>	2011/05/25 14:13:39.1710	<b>Complied:</b>	05/25/2011
<b>Component:</b>	Roof	<b>Defect:</b>	Major sagging
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Roof
<b>Comments:</b>	Permit needed to repair		

<b>ID/Entered:</b>	2014/06/20 13:16:56.6570	<b>Complied:</b>	
<b>Component:</b>	Foundation	<b>Defect:</b>	Structurally Unsound
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Throughout
<b>Comments:</b>	Crumbling, leaving access to interior		

<b>ID/Entered:</b>	2014/06/20 13:03:30.4900	<b>Complied:</b>	
<b>Component:</b>	Roof	<b>Defect:</b>	Major sagging
<b>Requirement:</b>	Engineering Report	<b>Location:</b>	Throughout
<b>Comments:</b>	Rear shed roof and main roof in danger of collapse		

<b>ID/Entered:</b>	2014/06/20 13:18:28.8060	<b>Complied:</b>	
<b>Component:</b>	Flooring	<b>Defect:</b>	Exposed
<b>Requirement:</b>	Engineering Report	<b>Location:</b>	Unknown
<b>Comments:</b>	Floor system exposed to elements		



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2260 E. Grand Ave



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2260 E. Grand Ave



BDH 1 (C)

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