



Roll Call Number

Agenda Item Number
BDH 1(A)

Date February 23, 2015

WHEREAS, the property located at 1401 E 12th Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the structure (commercial building) and accessory buildings in their present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, Olivet University, was notified via publication more than thirty days ago to repair or demolish the structure (commercial building) and accessory buildings 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) and accessory buildings on the real estate legally described as Lots 175, 176, 177, 178, 179, 180, 181, 182, 247, 248, 249, 250, 251, 252, 253 and 254 in CAPITAL PARK, an Official Plat AND all that part of the vacated North-South alley lying between East 12th Street and East 13th Street, extending from the North line of Cleveland Avenue to a line South of and parallel to the Northerly line of lots 175 and 254, in CAPITAL PARK AND that part of the Former Des Moines & Minnesota Railroad company 50 feet right-of-way in SE ¼ of Section 35-79-24 between East 12th Street and East 13th Street, lying Southerly of Lots 177 and 253 and Northerly of Lots 178 and 252, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1401 E 12th 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



Zoning	Description	SF	Assessor Zoning
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	142,827	FRONTAGE	318.0	ACRES	3.279
SHAPE	RC/Rectangle	TOPOGRAPHY	B/Blank		

Commercial Summary					
OCCUPANCY	30/School	WEIGHTED AGE	1958	STORY HEIGHT	2
LAND AREA	142,827	GROSS AREA	35,891	FINISH AREA	35,891
BSMT UNFIN	0	BSMT FINISH	0	NUMBER UNITS	0

Csection # 101					
SECT MULTIPL	1	OCCUPANCY	30/School	FOUNDATION	BS/Brick Stone
SUBMERGED	N/No	EXT WALL	BM/Brick on Masonry	INSULATION	Y/Yes
ROOF MATERL	U/Rubber Membrane	COVERED AREA	168	COVER QUAL	NM/Normal
WIRING	A/Adequate	PLUMBING	A/Adequate	TOTAL ST HT	2
FRAME TYPE	FR/Frame	FIREPRF CNST	N/No	BLDG CLASS	2/Brick or Masonry
TOT SCT AREA	22,851	GRND FL AREA	11,692	PERIMETER	494
GRADE	4	GRADE ADJUST	+00	YEAR BUILT	1910
YEAR REMODEL	1954	CONDITION	BN/Below Normal		
COMMENT	p and q=o.p.h=1 story/o.p.				

BDH 1(A)

		ROOF MATERL	U/Rubber Membrane	COVERED AREA	
COVER QUAL	NM/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	13,040	GRND FL AREA	13,040
PERIMETER	527	GRADE	4	GRADE ADJUST	+00
YEAR BUILT	1991	CONDITION	BN/Below Normal		
COMMENT	r,s and t=o.p.				

Cgroup # 201 1					
USE CODE	503/School Classrooms	BASE STORY	1	NUM STORIES	1
TOT GRP AREA	13,040	BASE FL AREA	13,040	WALL HEIGHT	14
HEATING	W/Hot Water	AIR COND	N	NIGHT DEP	N
AUTO BNK SYS	N	SECURITY SYS	N	EXHAUST SYS	N/No

Detached # 101					
OCCUPANCY	OTH/Other	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	24	MEASURE2	36	STORY HEIGHT	1
GRADE	4	YEAR BUILT	1980	CONDITION	BN/Below Normal
COMMENT	modular classroom.age est.				

Detached # 201					
OCCUPANCY	OTH/Other	MEASCODE	D/Dimensions	MEASURE1	24
MEASURE2	36	STORY HEIGHT	1	GRADE	4
YEAR BUILT	1980	CONDITION	BN/Below Normal		
COMMENT	modular classroom.age est.				

BDH 1(A)

<u>Detached # 301</u>					
OCCUPANCY	OTH/Other	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	10	MEASURE2	24	STORY HEIGHT	1
GRADE	4	YEAR BUILT	1980	CONDITION	BN/Below Normal
COMMENT	modular classroom age est.				

<u>Detached # 401</u>					
OCCUPANCY	SHD/Shed	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	9	MEASURE2	12	STORY HEIGHT	1
GRADE	5	YEAR BUILT	1980	CONDITION	NM/Normal
COMMENT	age est.				

<u>Detached # 501</u>					
OCCUPANCY	FNC/Fence	CONSTR TYPE	CL/Chain Link	MEASCODE	D/Dimensions
MEASURE1	1,374	MEASURE2	6	GRADE	4
YEAR BUILT	1980	CONDITION	NM/Normal		
COMMENT	age est.				

<u>Detached # 601</u>					
OCCUPANCY	PVC/Concrete Paving	MEASCODE	S/Square Feet	MEASURE1	8,900
GRADE	4	YEAR BUILT	1991	CONDITION	NM/Normal
COMMENT	age est.parking.				

<u>Detached # 701</u>					
OCCUPANCY	PVA/Asphalt Paving	MEASCODE	S/Square Feet	MEASURE1	14,900
GRADE	4	YEAR BUILT	1991	CONDITION	BN/Below Normal
COMMENT	2-playgrounds age est.				

<u>Detached # 801</u>					
OCCUPANCY	PVA/Asphalt Paving	MEASCODE	S/Square Feet	MEASURE1	8,600

BDH 1(A)
BN/Below
Normal

GRADE	4	YEAR BUILT	1991	CONDITION	BN/Below Normal
COMMENT	parking lot.age est.				

Year	Type	Status	Application	Permit/Pickup Description
Current	P/Permit	NA/No Add	2013-12-17	AD/Addition FENCE Cost Estimate 2000
2014	P/Permit	PA/Pass	2013-12-17	AD/FENCE
2002	P/Permit	NA/No Add	2001-06-28	AD/MISC (864 sf)
2000	P/Permit	NA/No Add	1999-07-28	AD/ROOM (240 sf) (Cost \$15,000)

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2013	<u>Board Action</u>	Commercial Exempt	Full	71,400	87,200	0	158,600
			Adj	0	0	0	0
2013	<u>Assessment Roll</u>	Commercial	Full	71,400	87,200	0	158,600

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



**PUBLIC NUISANCE
 NOTICE OF INSPECTION
 PERMIT AND DEVELOPMENT CENTER
 COMMUNITY DEVELOPMENT DEPARTMENT
 CITY OF DES MOINES, IOWA**

BDH 1(A)

DATE OF NOTICE: September 3, 2014

DATE OF INSPECTION: August 27, 2014

CASE NUMBER: COD2013-05368

LEGAL INTEREST HOLDERS:	
Title Holder	OLIVET UNIVERSITY NATHANAEL TRAN, REG AGENT 5900 3RD ST #2419 SAN FRANCISCO, CA 94124

PROPERTY ADDRESS: 1401 E 12TH ST
LEGAL DESCRIPTION: LOTS 175 THRU 182 & 247 THRU 254 & INTERV ALLEY & RR ROW CAPITAL 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.

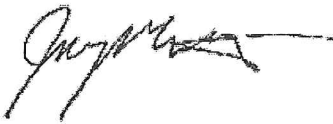
ALL ELECTRICAL, MECHANICAL, PLUMBING, AND STRUCTURAL COMPONENTS IN NEED OF REPLACEMENT OR REPAIR, ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET CITY CODES.

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: 515-237-1485

DATE MAILED: 9/3/2014

MAILED BY: JMM

Areas that need attention: 1401 E 12TH ST

ID/Entered:	2014/08/27 15:26:53.8790	Complied:	
Component:	Accessory Buildings	Defect:	Not Weather Tight
Requirement:	Compliance with International Building Co	Location:	Shed
Comments:	Storage builing door torn off		

ID/Entered:	2014/08/27 15:23:15.5150	Complied:	
Component:	Accessory Buildings	Defect:	Deteriorated
Requirement:	Compliance with International Building Co	Location:	Throughout
Comments:	Trailers and landings falling apart		

ID/Entered:	2014/08/27 15:26:00.5600	Complied:	
Component:	Accessory Buildings	Defect:	Not Weather Tight
Requirement:	Compliance with International Building Co	Location:	Throughout
Comments:	North trailer open and vandalized		

ID/Entered:	2014/08/27 15:29:19.7680	Complied:	
Component:	Exterior Doors/Jams	Defect:	In poor repair
Requirement:	Compliance with International Building Co	Location:	Throughout
Comments:	Doors bent up with glass broken		

ID/Entered:	2014/08/27 15:30:23.1810	Complied:	
Component:	See Comments	Defect:	In poor repair
Requirement:	Compliance with International Building Co	Location:	Throughout
Comments:	Building has been broken into many times and has been mined		

ID/Entered:	2014/08/27 15:27:51.8950	Complied:	
Component:	Windows/Window Frames	Defect:	Cracked/Broken
Requirement:	Compliance with International Building Co	Location:	Throughout
Comments:	Many windows broken		



1401 E 12th Street

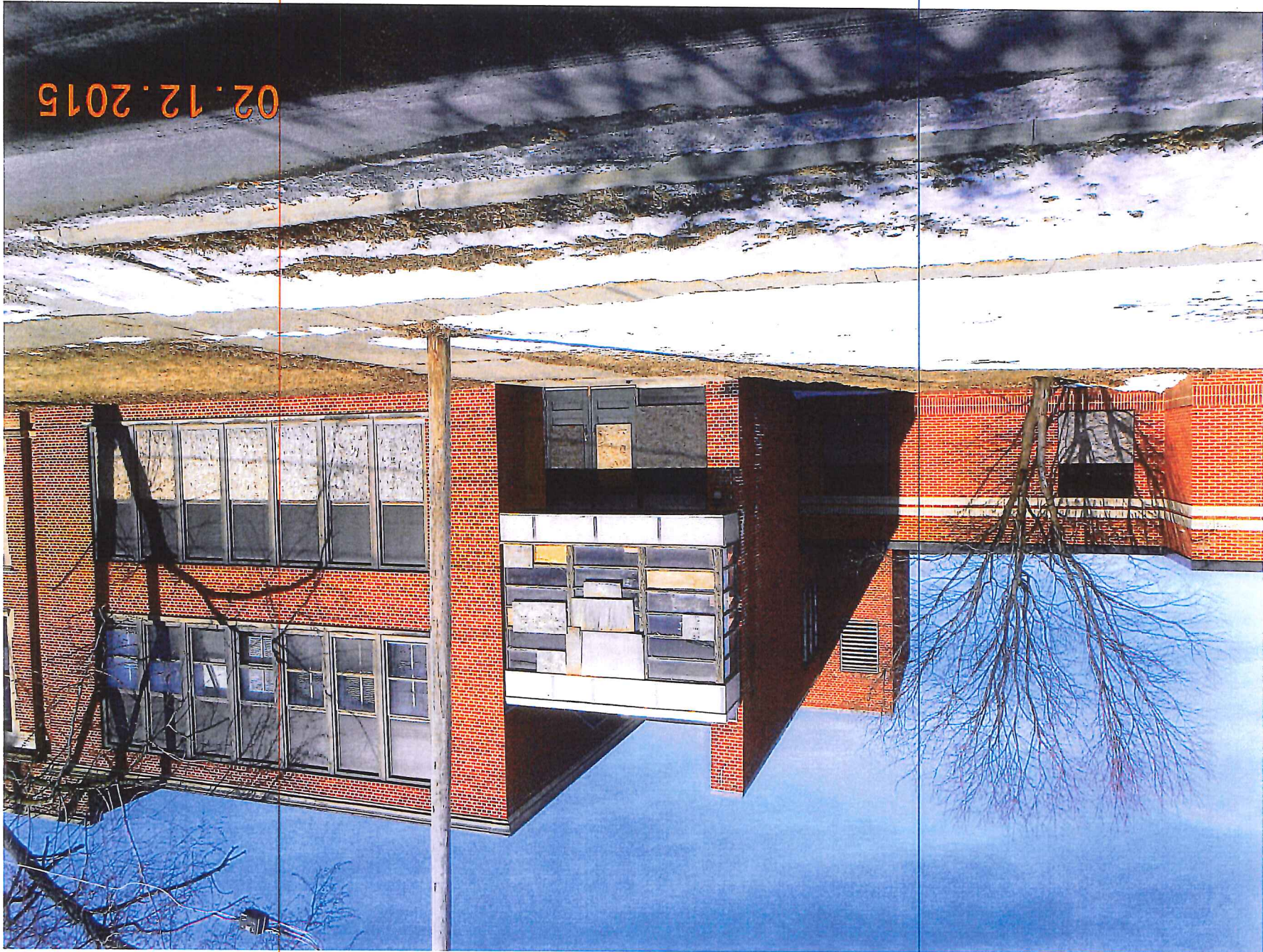
BDH (1A)
top



02.12.2015

1401 E 12th Street

BDH (A)
for



02.12.2015

1901 E 12th Street

BDH (A) top

1901 E 12th Street



BDH (A)