



Roll Call Number

Agenda Item Number
BDH 1(E)

Date March 9, 2015

WHEREAS, the property located at 822 Olinda Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the garage structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, T.J. Elings aka Terry Lee Elings, Jr, and Mortgage Holder, Wells Fargo Bank, NA were notified by personal service more than thirty days ago to repair or demolish the garage 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 garage structure on the real estate legally described as Lot 379 (except the East 15 feet thereof) in FIRST PLAT OF CLIFTON HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 822 Olinda 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 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 garage structure.

Moved by _____ to adopt.

FORM APPROVED:

Vicky Long Hill, Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|----------|--------|
| COWNIE | | | | |
| COLEMAN | | | | |
| GRIESS | | | | |
| HENSLEY | | | | |
| MAHAFFEY | | | | |
| MEYER | | | | |
| 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(E)

DATE OF NOTICE: January 12, 2015

DATE OF INSPECTION: July 30, 2013

CASE NUMBER: COD2013-04213

PROPERTY ADDRESS: 822 OLINDA AVE

LEGAL DESCRIPTION: W 41F LOT 379 1ST PLAT OF CLIFTON HGTS

T J ELINGS A/K/A TERRY LEE ELINGS JR

Title Holder

822 OLINDA AVE

DES MOINES IA 50315-1545

WELLS FARGO BANK, NA

Mortgage Holder

CORP. SERVICE COMP. REG. AGENT

505 5TH AVENUE SUITE 729

DES MOINES IA 50309

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. The violations noted must be corrected within 30 days from data of 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.

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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.

Mike F Lehman

(515) 283-4299

Nid Inspector

DATE MAILED: 1/12/2015

MAILED BY: JDH

Areas that need attention: 822 OLINDA AVE

| | |
|--|---|
| Component: Roof Requirement: Building Permit Comments: | Defect: Excessive rot Location: Garage |
| Component: Soffit/Facia/Trim Requirement: Compliance with International Building Code Comments: | Defect: In poor repair Location: Garage |
| Component: Exterior Doors/Jams Requirement: Compliancance with Int Residential Code Comments: | Defect: Not installed as required Location: Garage |
| Component: Shingles Flashing Requirement: Compliance with International Building Code Comments: | Defect: Deteriorated Location: Garage |

Polk County Assessor 
JOHN

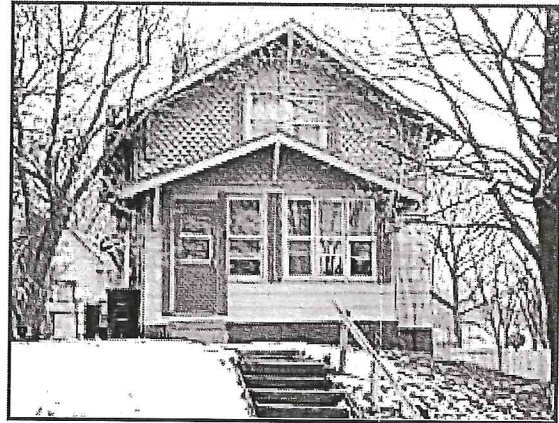
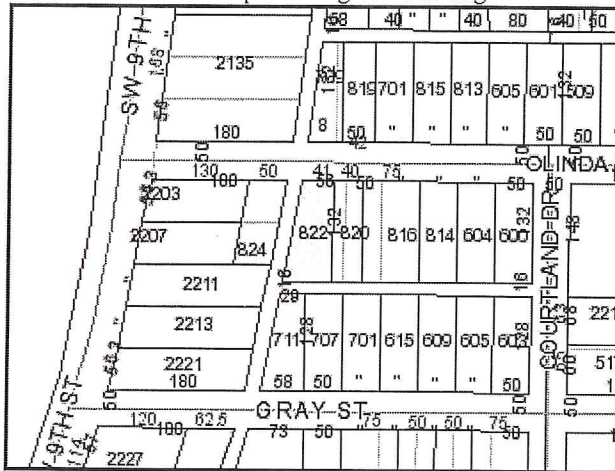
[[Home](#)] [[General Query](#)] [[Legal Query](#)] [[HomeOwner Query](#)] [[Book/Page Query](#)] [[Commercial Query](#)] [[Res Sales Query](#)] [[Comm Sales Query](#)] [[Help](#)]

| | | | | | |
|------------------------|---------------------------------------|---------------------------------|---------------------------|---------------------|---------------|
| District/Parcel | GeoParcel | Map | Nbhd | Jurisdiction | Status |
| 010/00766-000-000 | 7824-16-205-007 | 0498 | DM26/Z | DES MOINES | ACTIVE |
| School District | Tax Increment Finance District | Bond/Fire/Sewer/Cemetery | | | |
| 1/Des Moines | | | | | |
| Street Address | | | City State Zipcode | | |
| 822 OLINDA AVE | | | DES MOINES IA 50315-1545 | | |

Click on parcel to get new listing

[Get Bigger Map](#)

[Google Map](#)



Approximate date of photo 02/18/2009

| |
|---|
| Mailing Address |
| T J ELINGS 822 OLINDA AVE DES MOINES, IA 50315-1545 |

| |
|--|
| Legal Description |
| W 41F LOT 379 1ST PLAT OF CLIFTON HGTS |

| Ownership | Name | Recorded | Book/Page | RevStamps |
|------------------|-------------|-----------------|------------------|------------------|
| Title Holder #1 | ELINGS, T J | 2001-02-02 | 8698/473 | |

| Assessment | Class | Kind | Land | Bldg | AgBd | Total |
|-------------------|--------------|-------------|-------------|-------------|-------------|--------------|
| Current | Residential | Full | 11,800 | 68,200 | 0 | 80,000 |

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

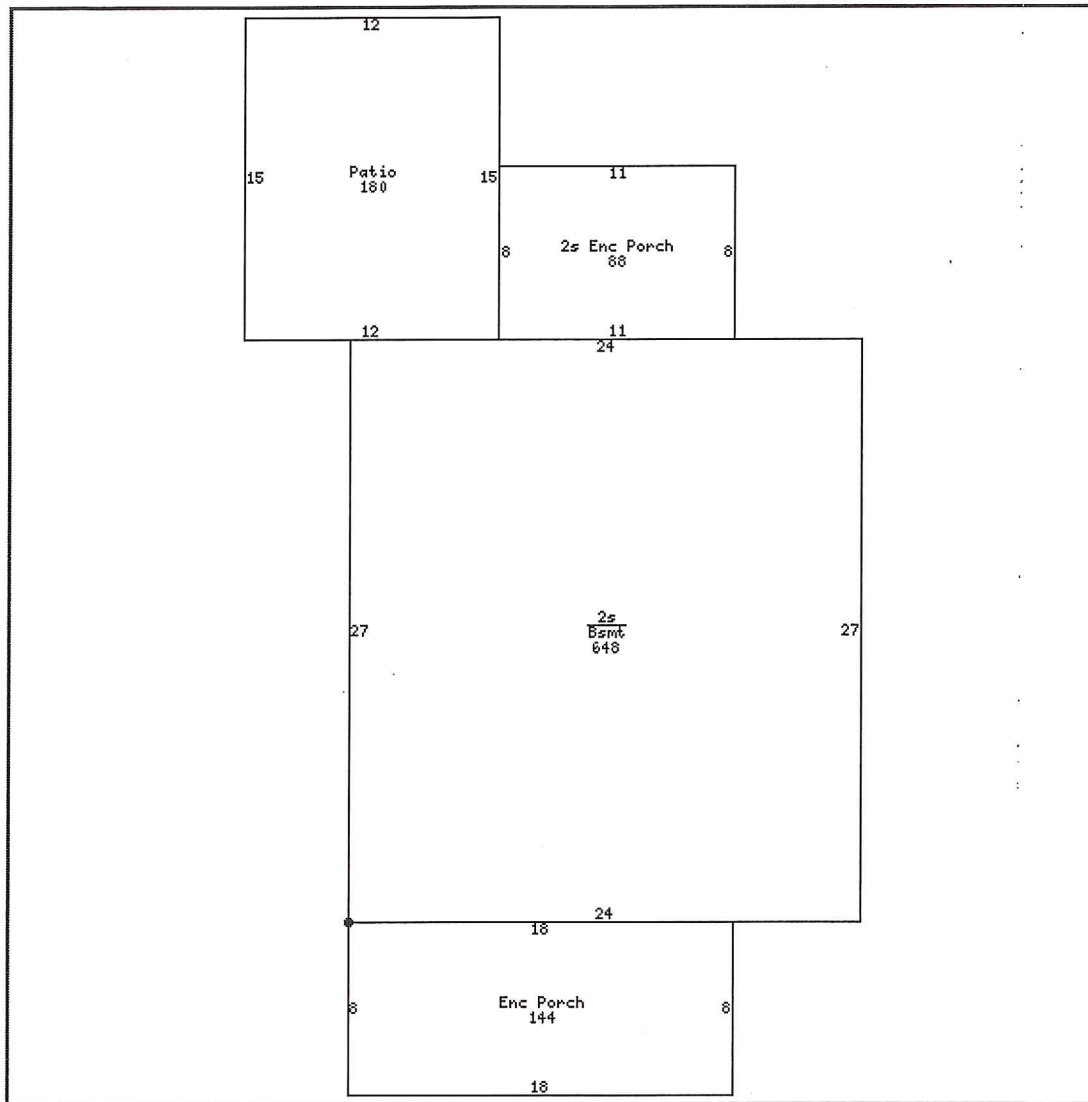
| Taxable Value Credit | Name | Number | Info |
|-----------------------------|-------------|---------------|-------------|
| Homestead | ELINGS, T J | 44268 | |

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| 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 | 6,990 | FRONTAGE | 41.0 | DEPTH | 132.0 |
| ACRES | 0.160 | SHAPE | RC/Rectangle | TOPOGRAPHY | N/Normal |

| Residence # 1 | | | | | |
|---------------|------------------|--------------|-----------------|-------------|-------------------|
| OCCUPANCY | SF/Single Family | RESID TYPE | S2/2 Stories | BLDG STYLE | CV/Conventional |
| YEAR BUILT | 1920 | # FAMILIES | 1 | GRADE | 4 |
| GRADE ADJUST | +00 | CONDITION | BN/Below Normal | TSFLA | 1,296 |
| MAIN LV AREA | 648 | UPPR LV AREA | 648 | BSMT AREA | 648 |
| ENCL PORCH | 320 | PATIO AREA | 180 | FOUNDATION | B/Brick |
| EXT WALL TYP | AS/Asbestos | ROOF TYPE | GB/Gable | ROOF MATERL | A/Asphalt Shingle |
| HEATING | A/Gas Forced Air | AIR COND | 0 | BATHROOMS | 2 |
| BEDROOMS | 2 | ROOMS | 5 | | |



| Detached # 101 | | | | | |
|-----------------------|------------|--------------------|-------------------|---------------------|--------------|
| OCCUPANCY | GAR/Garage | CONSTR TYPE | CB/Concrete Block | MEASCODE | D/Dimensions |
| MEASURE1 | 24 | MEASURE2 | 30 | STORY HEIGHT | 1 |
| GRADE | 4 | YEAR BUILT | 1971 | CONDITION | NM/Normal |

| Seller | Buyer | Sale Date | Sale Price | Instrument | Book/Page |
|---------------|--------------|------------------|-------------------|-------------------|------------------|
| PIERCE, LARRY | ELINGS, T.J. | 1997-11-28 | 56,500 | D/Deed | 7782/82 |

| Year | Type | Status | Application | Permit/Pickup Description |
|-------------|-------------|---------------|--------------------|----------------------------------|
| 2014 | P/Permit | NA/No Add | 2013-10-25 | AL/GARAGE |

| Year | Type | Class | Kind | Land | Bldg | AgBd | Total |
|-------------|-------------|--------------|-------------|-------------|-------------|-------------|--------------|
| | | | | | | | |

| | | | | | | | |
|------|-----------------|-------------|------|--------|--------|---|--------|
| 2013 | Assessment Roll | Residential | Full | 11,800 | 68,200 | 0 | 80,000 |
| 2011 | Assessment Roll | Residential | Full | 11,800 | 67,800 | 0 | 79,600 |
| 2009 | Assessment Roll | Residential | Full | 12,600 | 70,700 | 0 | 83,300 |
| 2007 | Assessment Roll | Residential | Full | 12,300 | 68,800 | 0 | 81,100 |
| 2005 | Assessment Roll | Residential | Full | 12,100 | 64,400 | 0 | 76,500 |
| 2003 | Assessment Roll | Residential | Full | 11,220 | 60,590 | 0 | 71,810 |
| 2001 | Assessment Roll | Residential | Full | 9,940 | 56,010 | 0 | 65,950 |
| 1999 | Assessment Roll | Residential | Full | 7,730 | 45,160 | 0 | 52,890 |
| 1997 | Assessment Roll | Residential | Full | 6,880 | 40,210 | 0 | 47,090 |
| 1995 | Assessment Roll | Residential | Full | 6,250 | 36,550 | 0 | 42,800 |
| 1993 | Board Action | Residential | Full | 5,840 | 34,160 | 0 | 40,000 |
| 1993 | Assessment Roll | Residential | Full | 5,840 | 39,690 | 0 | 45,530 |
| 1991 | Assessment Roll | Residential | Full | 5,310 | 36,080 | 0 | 41,390 |
| 1991 | Was Prior Year | Residential | Full | 5,310 | 34,590 | 0 | 39,900 |

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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top

822 Olinda Ave

02/27/2015 12:05

