



**Roll Call Number**

Agenda Item Number  
**BDH 1-C**

Date April 15, 2015

WHEREAS, the property located at 2510 E 38<sup>th</sup> Court, 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, Raspberry, LLC, was notified by personal service more than thirty days ago to repair or demolish the main 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 Lot 415 in FOUR MILE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2510 E 38<sup>th</sup> Court, 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.

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 1-6**

**DATE OF NOTICE: December 15, 2014**

**DATE OF INSPECTION: July 25, 2014**

**CASE NUMBER: COD2014-05002**

**PROPERTY ADDRESS: 2510 E 38TH CT**

**LEGAL DESCRIPTION: LOT 415 FOUR MILE**

RASPBERRY LLC  
Title Holder  
PARACORP INC., REG. AGENT  
400 E COURT AVE STE 110  
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.**

**BDH** 1-6

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.

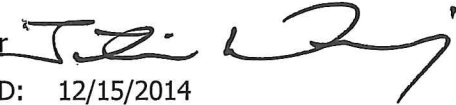
If you believe the building is beyond repair and decide to remove it, all debris must be removed from the property and the basement excavation if any, filled in the manner required by the City. You are encouraged to arrange for this demolition yourself; however a demolition permit must be obtained from 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.

Justin S. Denning  
(515) 237-1484

Nid Inspector



DATE MAILED: 12/15/2014

MAILED BY: JDH



**Areas that need attention:** 2510 E 38TH CT

<b>Component:</b>	Electrical Service	<b>Defect:</b>	Exposed
<b>Requirement:</b>	Compliance with National Electrical Code	<b>Location:</b>	Throughout
<b>Comments:</b>	Permit required, Outlets and furnace wires exposed.		
<b>Component:</b>	Plumbing System	<b>Defect:</b>	Missing Sections
<b>Requirement:</b>	Compliance with Uniform Plumbing Code	<b>Location:</b>	Utility Room
<b>Comments:</b>	Permit required, Hot water heater lines cut and removed.		
<b>Component:</b>	Electrical Service	<b>Defect:</b>	Disconnected Utility
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Water/Gas/Electric
<b>Comments:</b>	Water Gas and Electric are disconnected.		
<b>Component:</b>	Interior Stairway	<b>Defect:</b>	Inadequate wall covering
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Stairway
<b>Comments:</b>			
<b>Component:</b>	Interior Walls /Ceiling	<b>Defect:</b>	Inadequate wall covering
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Interior Walls /Ceiling	<b>Defect:</b>	Improperly Installed
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Mechanical System	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Compliance, Uniform Mechanics Code	<b>Location:</b>	Throughout
<b>Comments:</b>	Permit required.		

*Polk County Assessor* Iowa

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

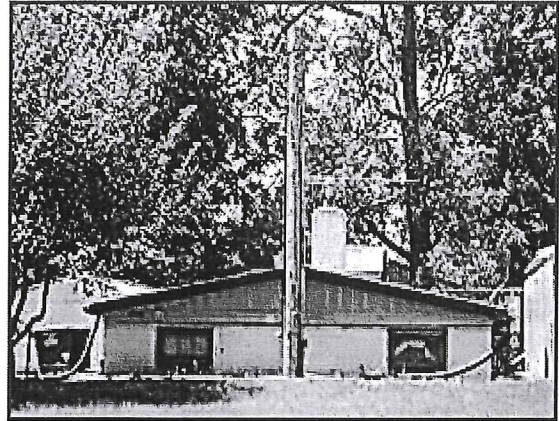
<b>District/Parcel</b>	<b>GeoParcel</b>	<b>Map</b>	<b>Nbhd</b>	<b>Jurisdiction</b>	<b>Status</b>
060/04126-000-000	7923-28-351-028	0809	DM12/D	DES MOINES	ACTIVE
<b>School District</b>	<b>Tax Increment Finance District</b>	<b>Bond/Fire/Sewer/Cemetery</b>			
1/Des Moines					
<b>Street Address</b>			<b>City State Zipcode</b>		
2510 E 38TH CT			DES MOINES IA 50317-5714		

Click on parcel to get new listing

[Get Bigger Map](#)

[Google Map](#)

2514	2529	2528	2529	2528
2510	2525	2524	2525	2524
2508	2521	2520	2519	
2428	2427	2518	2425	2516
2425	2425	2514	2513	
2424	2509	2510	2509	2500
2414	2417	2418	2505	
2414	2417	2414	2501	2414
2405	2413		2421	
2404	2409	2412	2417	2410
2400	2347	2410	2413	2400
2352		2408	2347	



Approximate date of photo 06/29/2011

<b>Mailing Address</b>
RASPBERRY LLC 316 CALIFORNIA AVE UNIT 463 RENO, NV 89509-1650

<b>Legal Description</b>
LOT 415 FOUR MILE

<b>Ownership</b>	<b>Name</b>	<b>Recorded</b>	<b>Book/Page</b>	<b>RevStamps</b>
Title Holder #1	RASPBERRY LLC	2014-11-26	15396/84	

<b>Assessment</b>	<b>Class</b>	<b>Kind</b>	<b>Land</b>	<b>Bldg</b>	<b>AgBd</b>	<b>Total</b>
Assmt Roll	Residential	Full	16,000	13,600	0	29,600
Current	Residential	Full	15,200	13,400	0	28,600

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

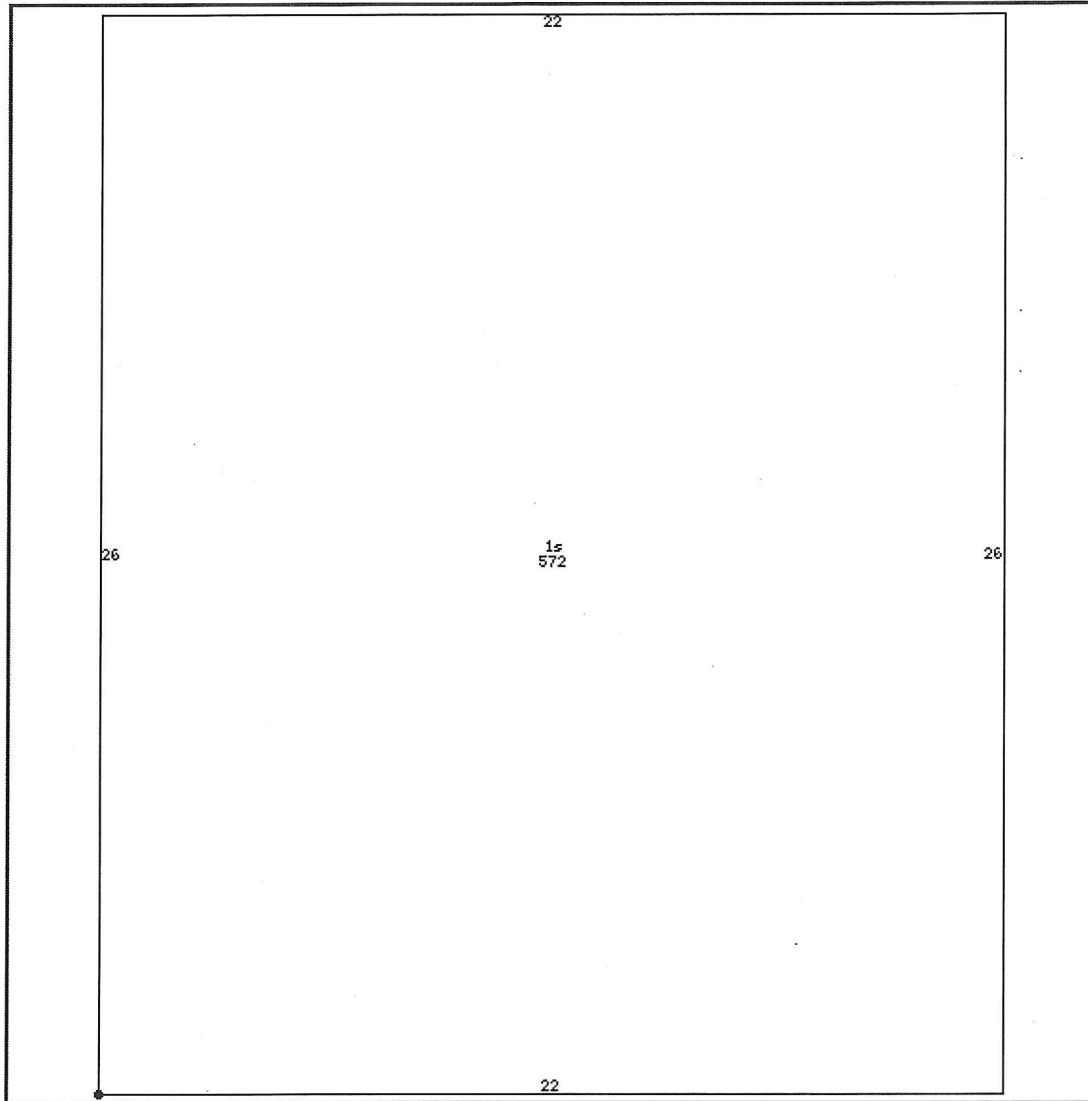
Taxable Value Credit	Name	Number	Info
Homestead	PARKER, DAVE	111151	

Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential
<b>Source:</b> City of Des Moines Community Development <b>Published:</b> 2012-03-20 <b>Contact:</b> Planning and Urban Design 515 283-4182			

Land					
SQUARE FEET	6,300	FRONTAGE	50.0	DEPTH	126.0
ACRES	0.145	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S1/1 Story	BLDG STYLE	BM/Basement
YEAR BUILT	1942	# FAMILIES	1	GRADE	5
GRADE ADJUST	-10	CONDITION	PR/Poor	TSFLA	572
MAIN LV AREA	572	FOUNDATION	C/Concrete Block	EXT WALL TYP	CB/Concrete Block or Tile
ROOF TYPE	GB/Gable	ROOF MATERL	C/Composition	HEATING	A/Gas Forced Air
AIR COND	0	BATHROOMS	1	BEDROOMS	2
ROOMS	3				





<b>Detached # 101</b>					
<b>OCCUPANCY</b>	SHD/Shed	<b>CONSTR TYPE</b>	MA/Masonry	<b>MEASCODE</b>	D/Dimensions
<b>MEASURE1</b>	13	<b>MEASURE2</b>	26	<b>STORY HEIGHT</b>	1
<b>GRADE</b>	4	<b>YEAR BUILT</b>	1945	<b>CONDITION</b>	PR/Poor

<b>Seller</b>	<b>Buyer</b>	<b>Sale Date</b>	<b>Sale Price</b>	<b>Instrument</b>	<b>Book/Page</b>
SRS, INC	MC CARL, FRANK J	<u>1998-04-01</u>	16,000	C/Contract	7881/472
SRS, INC	MAJOR, JEFFRIE A	<u>1995-09-01</u>	16,500	C/Contract	7612/863
MAY, JAMES J	SRS, INC	<u>1995-06-08</u>	6,000	D/Deed	7207/453
MAY, JAMES J	WILSON, ELLEN K	<u>1992-04-01</u>	13,000	C/Contract	6533/781

--	--	--	--	--	--

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2013	<u>Assessment Roll</u>	Residential	Full	15,200	13,400	0	28,600
2011	<u>Assessment Roll</u>	Residential	Full	15,200	13,600	0	28,800
2009	<u>Assessment Roll</u>	Residential	Full	16,300	14,600	0	30,900
2007	<u>Assessment Roll</u>	Residential	Full	16,800	15,100	0	31,900
2005	<u>Assessment Roll</u>	Residential	Full	16,400	13,900	0	30,300
2003	<u>Assessment Roll</u>	Residential	Full	14,600	13,030	0	27,630
2001	<u>Assessment Roll</u>	Residential	Full	12,610	11,310	0	23,920
1999	Assessment Roll	Residential	Full	7,290	7,840	0	15,130
1997	Assessment Roll	Residential	Full	6,430	6,910	0	13,340
1995	Assessment Roll	Residential	Full	6,090	6,910	0	13,000
1993	Assessment Roll	Residential	Full	5,390	3,850	0	9,240
1991	Assessment Roll	Residential	Full	4,990	3,070	0	8,060
1991	Was Prior Year	Residential	Full	4,990	2,270	0	7,260

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](mailto:polkweb@assess.co.polk.ia.us)



BDH 1-2



0510 E 38th Ct

top



3510 E 38th Ct

top



04/13/2015

BDH 1-6



BDH 1-6

top

2510 E 38th ct





2510 E 38th Ct

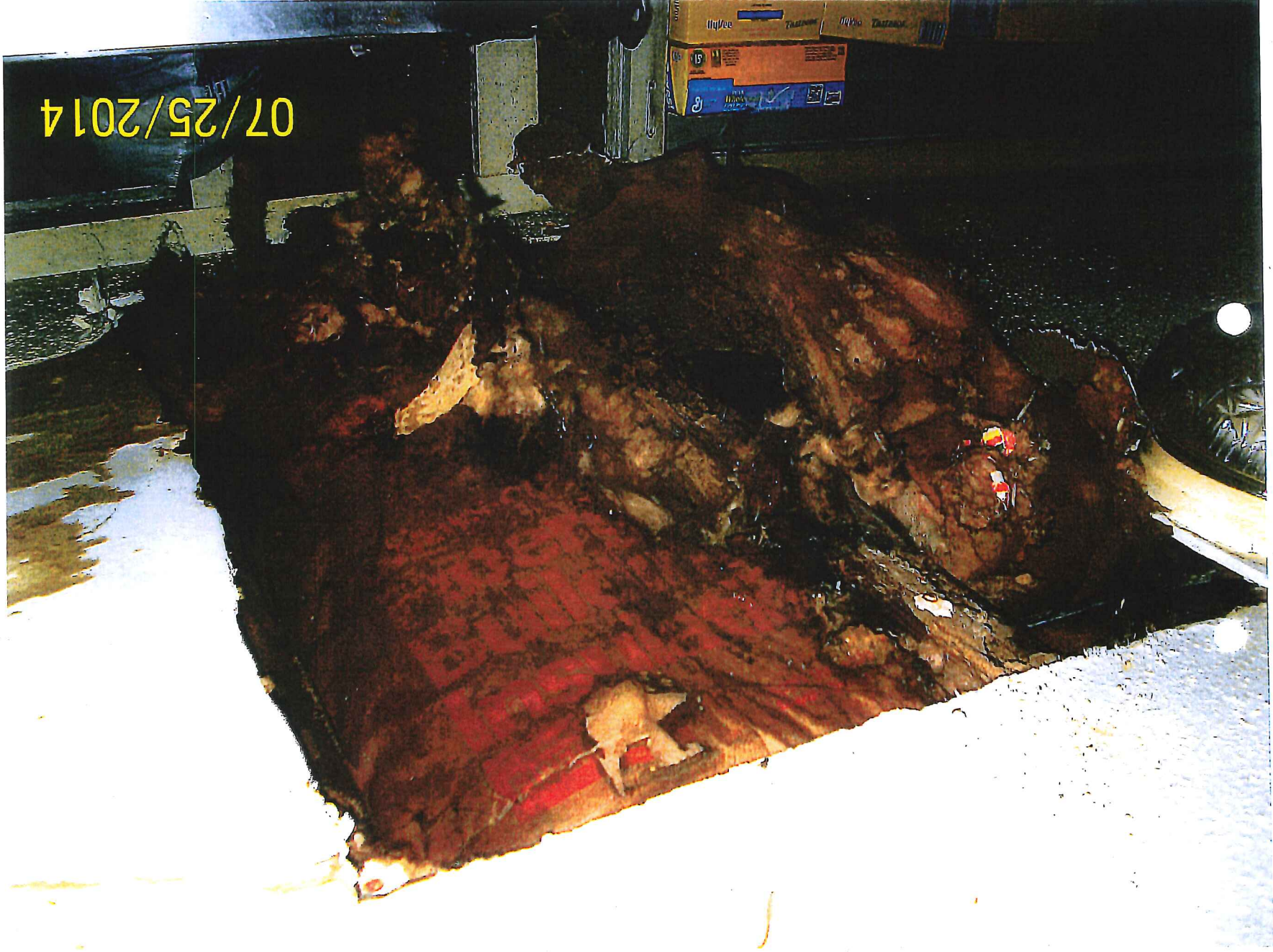
dep

BDH 1-2



07/25/2014





BDH1-6

0510 E 38th Ct

top