



Roll Call Number

Agenda Item Number

56 A

Date October 12, 2015

ABATEMENT OF PUBLIC NUISANCES AT 1070 26th Street

WHEREAS, the property located at 1070 26th Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and garage structure in their present condition constitutes not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholder, Jack A Stuart, was notified more than thirty days ago to repair or demolish the main structure and garage 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:

The main structure and garage structure on the real estate legally described as The South 10 feet of Lot 223 and the North 50 feet of Lot 224 in UNIVERSITY LAND COMPANY'S FIRST ADDITION to Des Moines, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1070 26th Street, have previously been declared public nuisances;

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisances, and should the owner fail to abate the nuisances, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structures.

Moved by _____ to adopt.

FORM APPROVED:

Luke DeSmet, 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

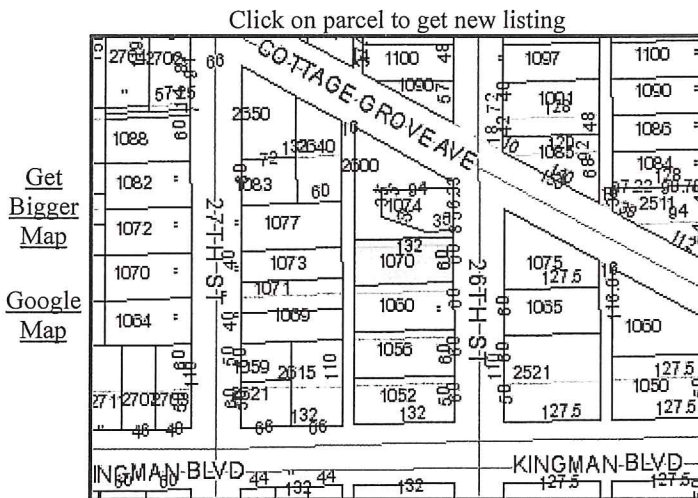
City Clerk

56 A

Polk County Assessor 

[[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
030/04965-000-000	7824-05-106-013	0590	DM95/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
1070 26TH ST			DES MOINES IA 50311		



Approximate date of photo 03/28/2014

Mailing Address
JACK A STUART 4120 MUSKOGEE AVE DES MOINES, IA 50312-4629

Legal Description
S 10 F LOT 223 & N 50 F LOT 224 UNIVERSITY LAND COS 1ST ADDITION

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	STUART, JACK A	2010-12-03	13686/315	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Multi-Residential	Full	13,300	62,700	0	76,000

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

Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential

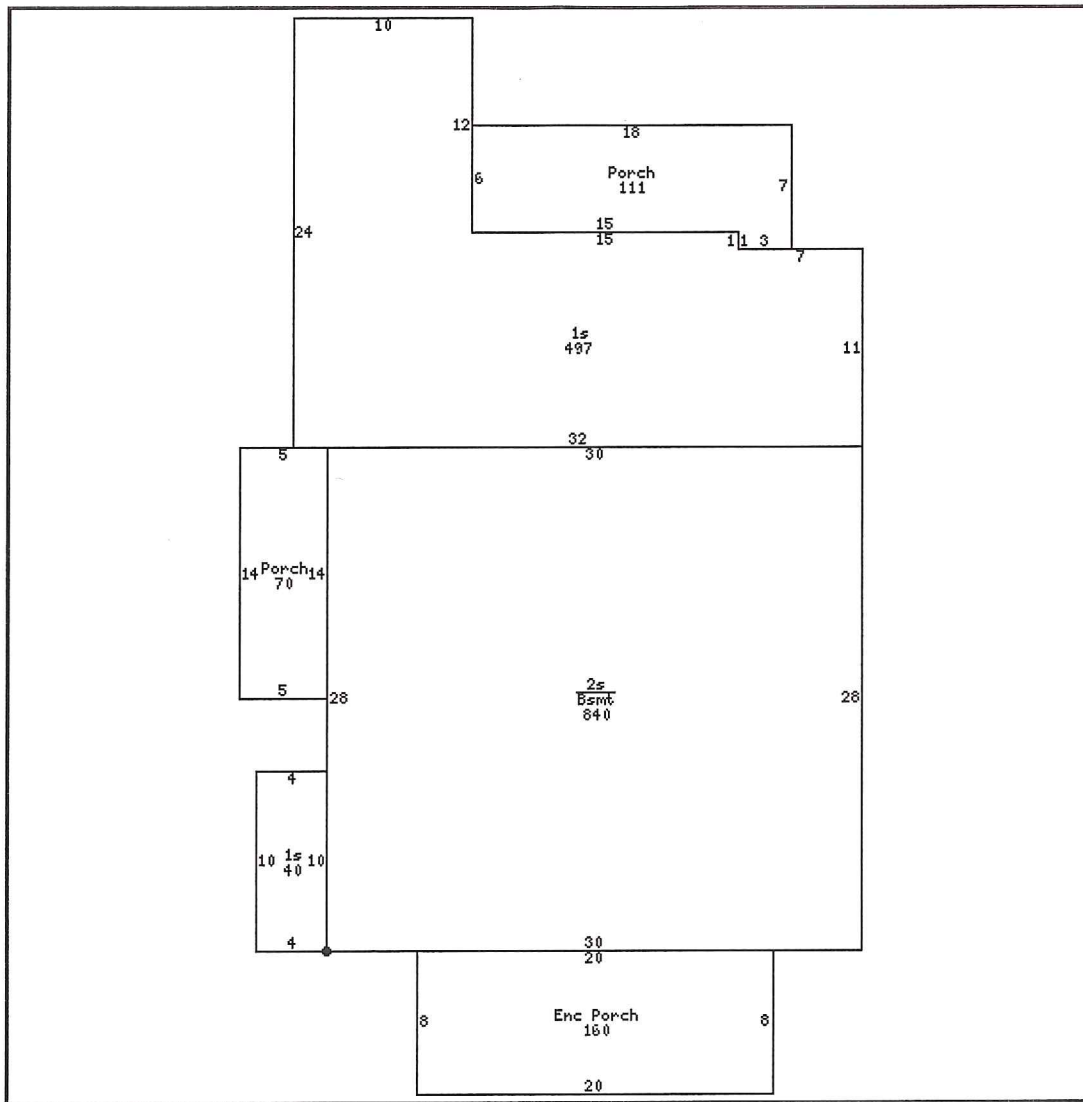
Source: City of Des Moines Community Development **Published:** 2012-03-20 **Contact:** Planning and Urban Design 515 283-4182

Land					
SQUARE FEET	7,920	FRONTAGE	60.0	DEPTH	132.0
ACRES	0.182	SHAPE	RC/Rectangle	TOPOGRAPHY	B/Blank

Commercial Summary					
OCCUPANCY	1B/Apartment Conversion	WEIGHTED AGE	1883	STORY HEIGHT	2
LAND AREA	7,920	GROSS AREA	2,217	FINISH AREA	2,217
BSMT UNFIN	840	BSMT FINISH	0	NUMBER UNITS	3

Residence # 1					
OCCUPANCY	CV/Conversion	RESID TYPE	S2/2 Stories	YEAR BUILT	1883
# FAMILIES	3	GRADE	4	GRADE ADJUST	+00
CONDITION	NM/Normal	TSFLA	2,217	MAIN LV AREA	1,377
UPPR LV AREA	840	BSMT AREA	840	OPEN PORCH	181
ENCL PORCH	160	EXT WALL TYP	ST/Stucco	ROOF TYPE	H/Hip
ROOF MATERL	A/Asphalt Shingle	HEATING	A/Gas Forced Air	AIR COND	0
BATHROOMS	3				

56A



Detached # 101					
OCCUPANCY	GAR/Garage	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	18	MEASURE2	24	GRADE	5
YEAR BUILT	1960	CONDITION	BN/Below Normal		

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2015	<u>Assessment Roll</u>	Multi-Residential	Full	13,300	62,700		76,000
2013	<u>Assessment Roll</u>	Commercial Multiple	Full	13,300	54,200	0	67,500
2011	<u>Assessment Roll</u>	Commercial Multiple	Full	13,300	54,200	0	67,500
2009	<u>Assessment Roll</u>	Commercial Multiple	Full	13,300	62,600	0	75,900
2007	<u>Assessment Roll</u>	Commercial Multiple	Full	13,300	62,600	0	75,900
2006	<u>Assessment Roll</u>	Commercial Multiple	Full	12,100	63,800	0	75,900

2005	<u>Assessment Roll</u>	Commercial Multiple	Full	12,100	48,600	0	60,700
2003	<u>Assessment Roll</u>	Commercial Multiple	Full	10,500	44,200	0	54,700
2001	<u>Assessment Roll</u>	Commercial Multiple	Full	9,900	29,200	0	39,100
1999	Assessment Roll	Commercial Multiple	Full	8,800	29,200	0	38,000
1995	Assessment Roll	Commercial Multiple	Full	8,500	27,000	0	35,500
1993	Assessment Roll	Commercial Multiple	Full	8,140	25,760	0	33,900
1989	Board Action	Commercial Multiple	Full	8,140	25,060	0	33,200

[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
NEIGHBORHOOD INSPECTION DIVISION
COMMUNITY DEVELOPMENT DEPARTMENT
CITY OF DES MOINES, IOWA**

56A

DATE OF NOTICE: August 21, 2015

DATE OF INSPECTION: May 12, 2015

CASE NUMBER: COD2009-08755

PROPERTY ADDRESS: 1070 26TH ST

LEGAL DESCRIPTION: S 10 F LOT 223 & N 50 F LOT 224 UNIVERSITY LAND COS 1ST ADDITION

JACK A STUART
Title Holder
4120 MUSKOGEE AVE
DES MOINES IA 50312

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 date 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.

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.

Chris Reindl
(515) 283-4797



Nid Inspector

DATE MAILED: 8/21/2015

MAILED BY: JDH

56A

Areas that need attention: 1070 26TH ST

Component: Exterior Walls Requirement: Compliance, International Property Maintenance Code Comments: Exterior	Defect: Missing Mortars Location: Main Structure
--	---

Component: Exterior Walls Requirement: Compliance, International Property Maintenance Code Comments:	Defect: Missing Mortars Location: Main Structure
---	---

Component: Exterior Doors/Jams Requirement: Compliance, International Property Maintenance Code Comments:	Defect: In poor repair Location: Main Structure
--	--

Component: Roof Requirement: Compliance, International Property Maintenance Code Comments:	Defect: Deteriorated Location: Main Structure
---	--

Component: Roof Requirement: Compliance, International Property Maintenance Code Comments:	Defect: Holes or major defect Location: Main Structure
---	---

Component: Shingles Flashing Requirement: Compliance, International Property Maintenance Code Comments:	Defect: Deteriorated Location: Main Structure
--	--

Component: Shingles Flashing Requirement: Compliance, International Property Maintenance Code Comments:	Defect: not impervious to water Location: Main Structure
--	---

Component: Shingles Flashing Requirement: Compliance, International Property Maintenance Code Comments:	Defect: Three Layers Max Location: Main Structure
--	--

Component:	Soffit/Facia/Trim	Defect:	In poor repair
Requirement:	Compliance, International Property Maintenance Code	Location:	Main Structure
Comments:			
Component:	Soffit/Facia/Trim	Defect:	Holes or major defect
Requirement:	Compliance, International Property Maintenance Code	Location:	Main Structure
Comments:			
Component:	Soffit/Facia/Trim	Defect:	Not impervious to weather
Requirement:	Compliance, International Property Maintenance Code	Location:	Main Structure
Comments:			
Component:	Waste Lines	Defect:	Improperly Installed
Requirement:	Plumbing Permit	Location:	Basement
Comments:			
Component:	Waste Lines	Defect:	In poor repair
Requirement:	Plumbing Permit	Location:	Basement
Comments:			
Component:	Water Heater	Defect:	In poor repair
Requirement:	Plumbing Permit	Location:	Basement
Comments:			
Component:	Water Heater	Defect:	Deteriorated
Requirement:	Plumbing Permit	Location:	Basement
Comments:			
Component:	Water Service	Defect:	Not Supplied
Requirement:	Plumbing Permit	Location:	Basement
Comments:			
Component:	Water Meter Jump	Defect:	Not Supplied
Requirement:	Plumbing Permit	Location:	Basement
Comments:			

56A

Component: Hand Rails
Requirement:
Defect: In disrepair
Location: Basement
Comments:

Component: Interior Stairway
Requirement:
Defect: In disrepair
Location: Basement
Comments:

Component: Gas Lines
Requirement: Plumbing Permit
Defect: Not Supplied
Location: Basement
Comments: Main gas line in basement is disconnected

Component: Furnace
Requirement: Mechanical Permit
Defect: In poor repair
Location: Basement
Comments: Must be checked for safe, operable condition

Component: Foundation
Requirement:
Defect: Missing Mortars
Location: Basement
Comments:

Component: Foundation
Requirement:
Defect: Deteriorated
Location: Basement
Comments:

Component: Plumbing System
Requirement: Plumbing Permit
Defect: Missing Sections
Location: Throughout
Comments: Hot/cold water and wastelines

Component: Electrical System
Requirement: Electrical Permit
Defect: Missing Required Service
Location: Throughout
Comments:

Component: Wiring
Requirement: Electrical Permit
Defect: Exposed
Location: Throughout
Comments:

Component:	Mechanical System	Defect:	In disrepair
Requirement:	Mechanical Permit	Location:	Throughout
Comments:			
Component:	Mechanical System	Defect:	Inadequate
Requirement:	Mechanical Permit	Location:	Throughout
Comments:			
Component:	Window Glazing/Paint	Defect:	In poor repair
Requirement:		Location:	Throughout
Comments:			
Component:	Windows/Window Frames	Defect:	In poor repair
Requirement:		Location:	Throughout
Comments:			
Component:	Tub/Shower Walls	Defect:	In poor repair
Requirement:		Location:	
Comments:	# 1, 2, & 3		
Component:	Sub Floor	Defect:	Water Damage
Requirement:		Location:	
Comments:	Sections in each unit. # 1, 2, & 3		
Component:	Sub Floor	Defect:	Structurally Unsound
Requirement:	Permit Required	Location:	
Comments:	Sections in each unit. # 1, 2, & 3		
Component:	Shutoff Valves	Defect:	Not Supplied
Requirement:	Permit Required	Location:	
Comments:	Bathroom & kitchen components # 1, 2, & 3		
Component:	Kitchen Sink	Defect:	In poor repair
Requirement:		Location:	
Comments:	Kitchen # 1, 2, & 3		

56A

Component: Bathroom Lavatory
Requirement: Permit Required
Defect: In poor repair
Location:
Comments: # 1 & 2

Component: Bathroom Lavatory
Requirement: Permit Required
Defect: Missing
Location:
Comments: # 3

Component: Interior Walls /Ceiling
Requirement:
Defect: In poor repair
Location: Throughout
Comments:

Component: Interior Walls /Ceiling
Requirement:
Defect: Severly peeling paint
Location: Throughout
Comments:

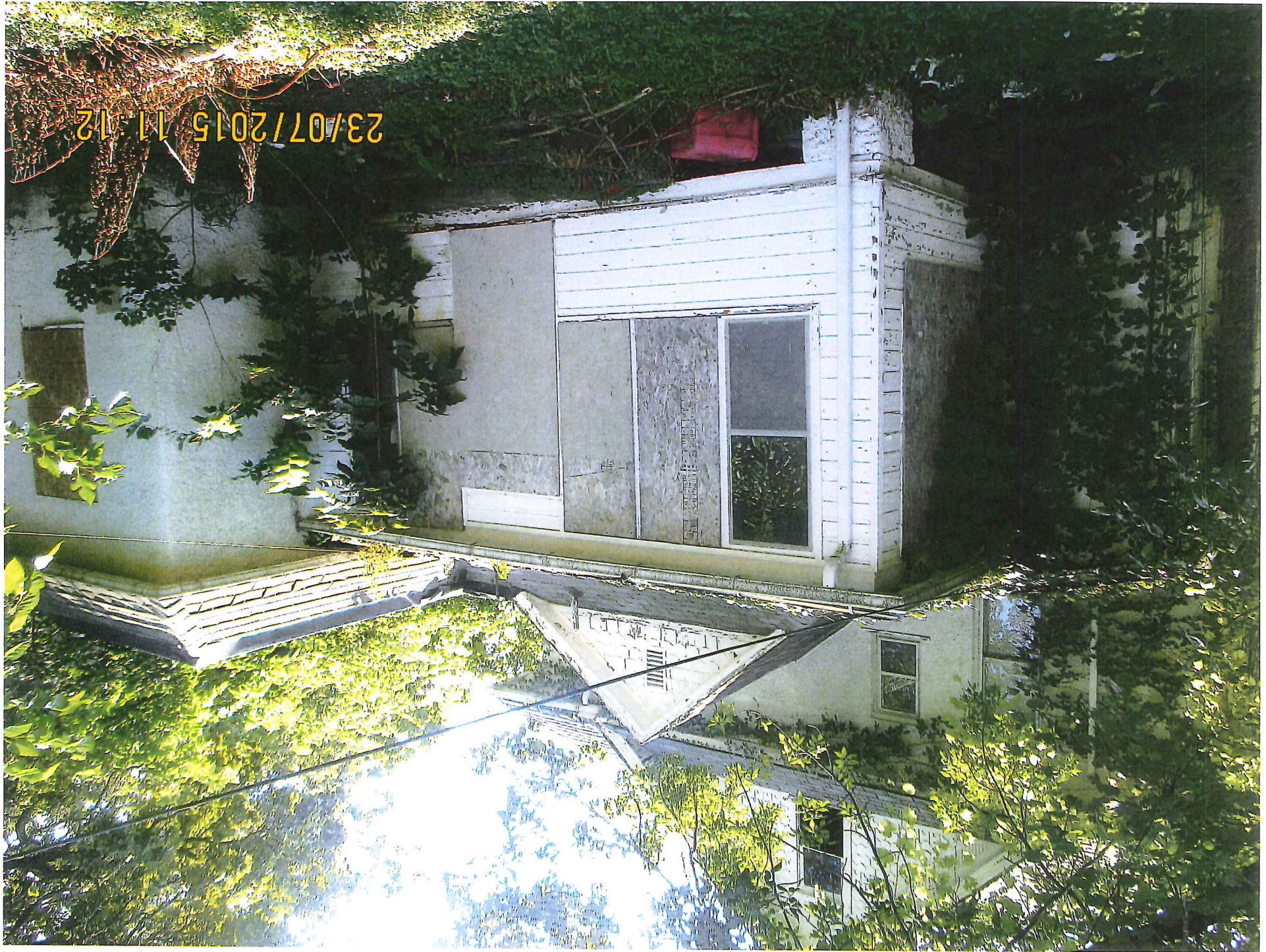
Component: Interior Walls /Ceiling
Requirement:
Defect: Water Damage
Location: Throughout
Comments: Several areas of interior

Component: Flooring
Requirement:
Defect: In poor repair
Location: Throughout
Comments:

Component: Functioning Water Closet
Requirement: Plumbing Permit
Defect: Not Supplied
Location:
Comments: # 1, 2, & 3

Component: Accessory Buildings
Requirement: Building Permit
Defect: Deteriorated
Location: Garage
Comments:

Component: Accessory Buildings
Requirement: Electrical Permit
Defect: In poor repair
Location: Garage
Comments: Wiring in poor repair.



23/07/2015 11:12

1070 26th St

top

56A



1070 26th St

top

56A



1070 26th St

top

52A