

**Date** October 12, 2015

**ABATEMENT OF PUBLIC NUISANCES AT 1238 22<sup>nd</sup> Street**

WHEREAS, the property located at 1238 22<sup>nd</sup> Street, 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, U.S. Home Ownership, LLC, and the Contract Buyer, Linda J. Quinn, were notified more than thirty days ago to repair or demolish the main structure and as of this date have failed to abate the nuisance.

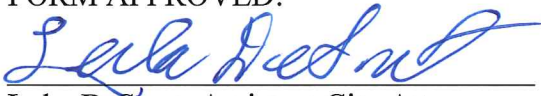
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure on the real estate legally described as The East 111.30 feet of Lot 369 in UNIVERSITY LAND COMPANY'S SECOND ADDITION TO UNIVERSITY PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1238 22<sup>nd</sup> 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 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:

  
\_\_\_\_\_  
Luke DeSmet, 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

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**Polk County Assessor** 

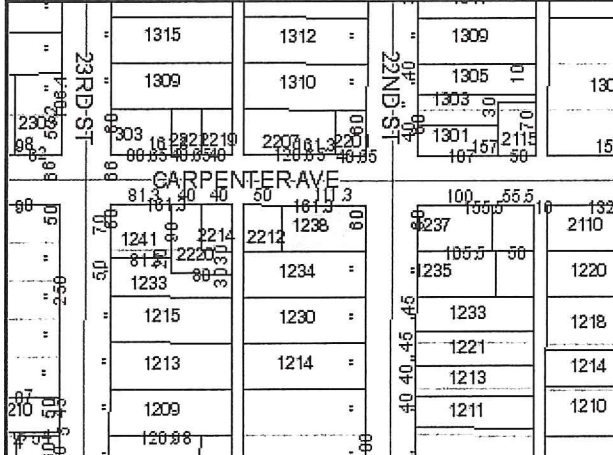
[ [Home](#) ] [ [General Query](#) ] [ [Legal Query](#) ] [ [HomeOwner Query](#) ] [ [Book/Page Query](#) ] [ [Commercial Query](#) ] [ [Res Sales Query](#) ] [ [Comm Sales Query](#) ] [ [Help](#) ]

<b>District/Parcel</b>	<b>GeoParcel</b>	<b>Map</b>	<b>Nbhd</b>	<b>Jurisdiction</b>	<b>Status</b>
080/06782-000-000	7924-33-454-014	0155	DM75/Z	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>		
1238 22ND ST			DES MOINES IA 50311-3248		

Click on parcel to get new listing

Get Bigger Map

Google Map




Approximate date of photo 04/04/2012

<b>Mailing Address</b>
LINDA J QUINN 1238 22ND ST DES MOINES, IA 50311-3248

<b>Legal Description</b>
E 111.3 FT LOT 369 UNIVERSITY LAND COS 2ND ADDITION

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	US HOME OWNERSHIP LLC	2010-08-02	13524/487	
Contract Buyer #1	QUINN, LINDA J	2011-09-14	13970/173	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	8,200	29,900	0	38,100

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

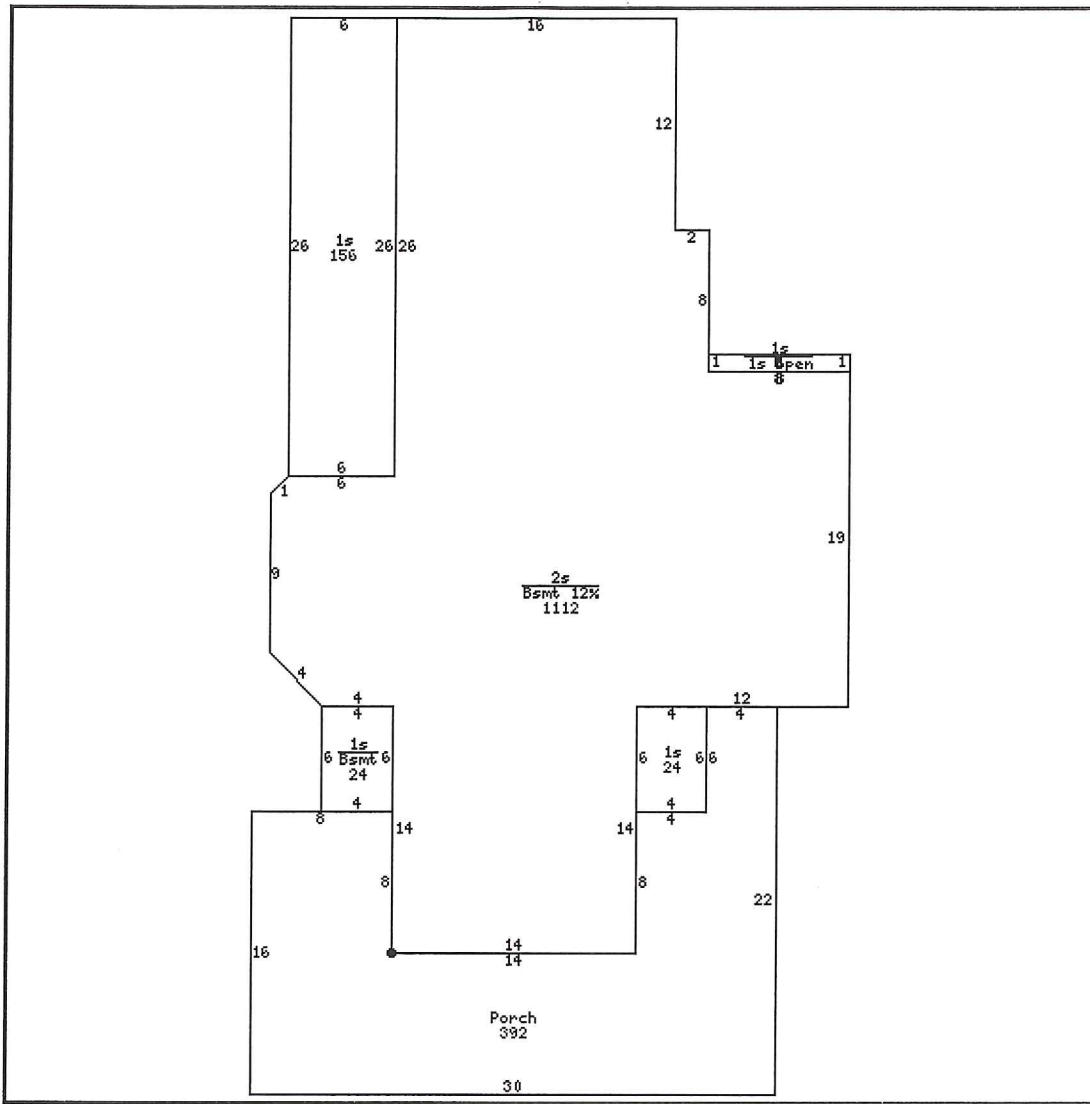
Taxable Value Credit	Name	Number	Info
Homestead	QUINN, LINDA J	266892	

Zoning	Description	SF	Assessor Zoning
R-3	Multiple Family Residential District		Multi-Family 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	6,644	FRONTAGE	60.0	DEPTH	111.3
ACRES	0.153	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	CV/Conversion	RESID TYPE	S2/2 Stories	BLDG STYLE	ET/Early 20s
YEAR BUILT	1892	# FAMILIES	2	GRADE	3
GRADE ADJUST	+00	CONDITION	PR/Poor	TSFLA	2,436
MAIN LV AREA	1,316	UPPR LV AREA	1,120	BSMT AREA	157
OPEN PORCH	392	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	XTRA FIXTURE	1
BEDROOMS	3	ROOMS	8		

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Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
US HOME OWNERSHIP LLC	QUINN, LINDA J.	<u>2011-08-24</u>	41,740	C/Contract	13970/173
STONECREST INCOME & OPPORTUNITY FUND I, LLC	US HOME OWNERSHIP, LLC	<u>2010-07-22</u>	8,530	D/Deed	13524/487
US BANK NA	STONECREST INCOME AND OPPORTUNITY FUND I, L.L.C.	<u>2010-06-18</u>	8,780	D/Deed	13490/202
MENDEZ, JESUS	KENT, JASON	<u>2005-10-25</u>	115,000	D/Deed	11374/75
US BANK NA TRUSTEE	MENDEZ, JESUS	<u>2005-01-07</u>	24,500	D/Deed	10933/728
BLAIR, MARY L	BURNS, CARLA J		26,000	D/Deed	6970/474

		<u>1994-02-25</u>			
RICHARD W. LUMSDEN	ROBERT R. BLAIR	<u>1989-03-31</u>	20,410	D/Deed	6087/97
JAMES G. SCHRYVER JR	RICHARD W. LUMSDEN	<u>1989-04-01</u>	17,200	D/Deed	6087/96
GLEN W. BINDER	JAMES G. SCHCRYVER JR	<u>1989-04-01</u>	11,000	D/Deed	6087/95
RICHARD LUNSDEN	RONLAD BASSMAN	<u>1988-03-29</u>	24,000	C/Contract	5837/672

Year	Type	Status	Application	Permit/Pickup Description
2012	U/Pickup	CA/Cancel	2011-06-27	RV/BOARD OF REVIEW
2007	U/Pickup	CA/Cancel	2006-08-23	RV/REVIEW PROPERTY
1993	U/Pickup	CP/Complete	1992-08-18	Class Change to Residential

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2015	<u>Assessment Roll</u>	Residential	Full	8,200	29,900		38,100
2013	<u>Assessment Roll</u>	Residential	Full	7,900	28,900	0	36,800
2011	<u>Board Action</u>	Residential	Full	7,900	28,900	0	36,800
2011	<u>Assessment Roll</u>	Residential	Full	7,900	82,900	0	90,800
2009	<u>Assessment Roll</u>	Residential	Full	8,100	80,400	0	88,500
2007	<u>Assessment Roll</u>	Residential	Full	7,700	77,100	0	84,800
2005	<u>Assessment Roll</u>	Residential	Full	5,600	54,200	0	59,800
2003	<u>Assessment Roll</u>	Residential	Full	4,680	44,720	0	49,400
2001	<u>Assessment Roll</u>	Residential	Full	4,370	29,630	0	34,000
			Adj	4,370	26,180	0	30,550
1999	<u>Assessment Roll</u>	Residential	Full	8,570	28,410	0	36,980
			Adj	8,570	24,960	0	33,530
1997	<u>Assessment Roll</u>	Residential	Full	7,910	26,230	0	34,140
			Adj	7,910	22,780	0	30,690
1995	<u>Assessment Roll</u>	Residential	Full	7,440	23,560	0	31,000
			Adj	7,440	20,110	0	27,550
1993	<u>Board Action</u>	Residential	Full	6,440	23,560	0	30,000
			Adj	6,440	20,110	0	26,550
1993	<u>Assessment Roll</u>	Residential	Full	6,440	28,870	0	35,310
			Adj	6,440	19,310	0	25,750

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1993	Was Prior Year	Commercial Multiple	Full	6,440	20,560	0	27,000
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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  
NEIGHBORHOOD INSPECTION DIVISION  
COMMUNITY DEVELOPMENT DEPARTMENT  
CITY OF DES MOINES, IOWA**

**DATE OF NOTICE:** July 9, 2015

**DATE OF INSPECTION:** June 17, 2015

**CASE NUMBER:** COD2015-03566

**PROPERTY ADDRESS:** 1238 22ND ST

**LEGAL DESCRIPTION:** E 111.3 FT LOT 369 UNIVERSITY LAND COS 2ND ADDITION

US HOME OWNERSHIP LLC  
Title Holder  
W DARRYL FRY, REG. AGENT  
2375 ROCKWOOD RANCH RD  
MORGAN HILL CA 95037

LINDA J QUINN  
Contract Buyer  
2825 SE 14TH ST #21  
DES MOINES IA 50320

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.**

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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.

Chris Reindl  
(515) 283-4797



Nid Inspector

DATE MAILED: 7/9/2015

MAILED BY: JDH



**Areas that need attention:** 1238 22ND ST

<b>Component:</b> Mechanical System	<b>Defect:</b> Deteriorated
<b>Requirement:</b> Mechanical Permit	<b>Location:</b> Throughout
<b>Comments:</b>	

<b>Component:</b> Interior Walls /Ceiling	<b>Defect:</b> In disrepair
<b>Requirement:</b> Building Permit	<b>Location:</b> Throughout
<b>Comments:</b>	

<b>Component:</b> Foundation	<b>Defect:</b> Deteriorated
<b>Requirement:</b> Building Permit	<b>Location:</b> Throughout
<b>Comments:</b>	

<b>Component:</b> Plumbing System	<b>Defect:</b> In poor repair
<b>Requirement:</b> Plumbing Permit	<b>Location:</b> Throughout
<b>Comments:</b>	

<b>Component:</b> Roof	<b>Defect:</b> In poor repair
<b>Requirement:</b> Building Permit	<b>Location:</b> Throughout
<b>Comments:</b>	

<b>Component:</b> Soffit/Facia/Trim	<b>Defect:</b> In poor repair
<b>Requirement:</b> Compliance with International Building Code	<b>Location:</b> Throughout
<b>Comments:</b>	

<b>Component:</b> Sub Floor	<b>Defect:</b> In poor repair
<b>Requirement:</b> Compliance with International Building Code	<b>Location:</b> Throughout
<b>Comments:</b>	

<b>Component:</b> Electrical Service	<b>Defect:</b> Deteriorated
<b>Requirement:</b> Electrical Permit	<b>Location:</b> Throughout
<b>Comments:</b>	



05/10/2015 09:43

1238 2nd St

top

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05/10/2015 09:43



1238 2nd St

top

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top



16/06/2015 11:37

1238 22nd St