



Roll Call Number

Agenda Item Number

56 E

Date October 12, 2015

ABATEMENT OF PUBLIC NUISANCES AT 2412 SW 9th Street

WHEREAS, the property located at 2412 SW 9th 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, Aeon Financial, LLC dba LBT Iowa 9140, was notified 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:

The main structure on the real estate legally described as West 70 feet North 177.35 feet Lot 6 Official Plat, Section 16-78-24, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2412 SW 9th 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

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 E

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
010/06410-000-000	7824-16-253-009	0478	DM27/A	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
2412 SW 9TH ST			DES MOINES IA 50315		

Click on parcel to get new listing

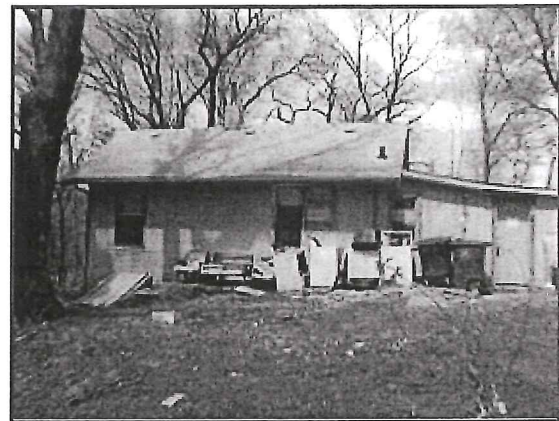
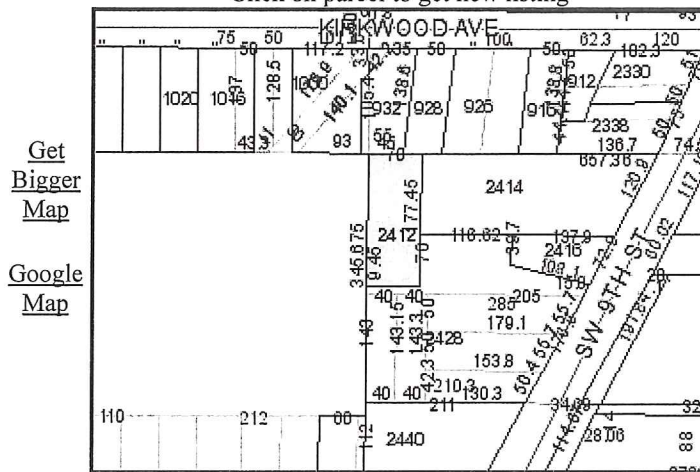


Photo processed before 2007-04-24

Mailing Address
AEON FINANCIAL LLC 27 N WACKER DR STE 503 CHICAGO, IL 60606-2800

Legal Description
W 70F N 177.35F LT 6 OP SEC 16-78-24

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	LBT IOWA 9140	2011-06-16	13878/849	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	18,100	23,200	0	41,300

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

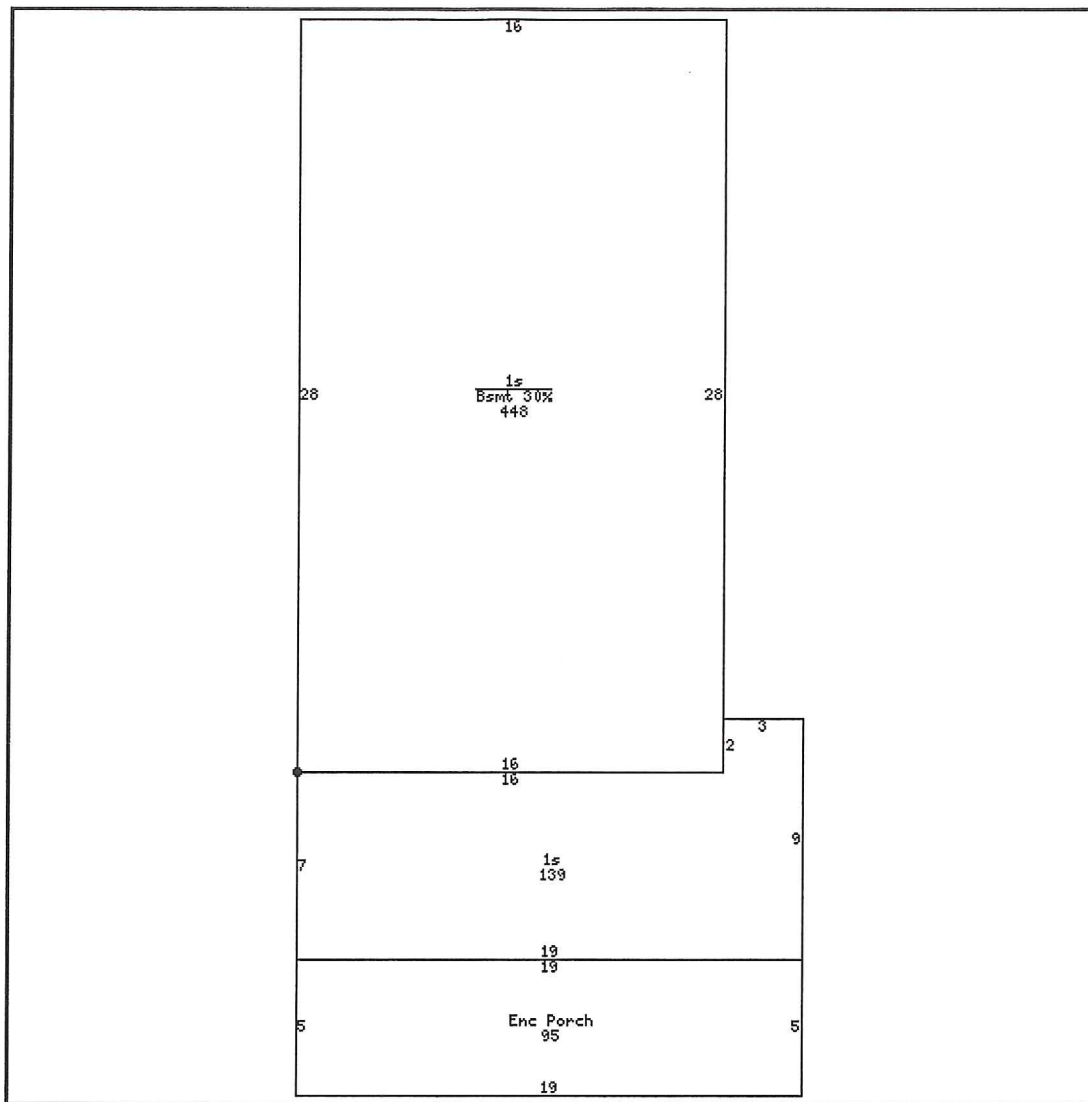
Zoning	Description	SF	Assessor Zoning

C-1	Neighborhood Retail Commercial District	Commercial
Source: City of Des Moines Community Development Published: 2012-03-20 Contact: Planning and Urban Design 515 283-4182		

Land					
SQUARE FEET	12,390	FRONTAGE	70.0	DEPTH	177.0
ACRES	0.284	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S1/1 Story	BLDG STYLE	BG/Bungalow
YEAR BUILT	1900	# FAMILIES	1	GRADE	5
GRADE ADJUST	-10	CONDITION	BN/Below Normal	TSFLA	587
MAIN LV AREA	587	BSMT AREA	134	ENCL PORCH	95
FOUNDATION	B/Brick	EXT WALL TYP	WS/Wood Siding	ROOF TYPE	GB/Gable
ROOF MATERL	A/Asphalt Shingle	HEATING	A/Gas Forced Air	AIR COND	0
BATHROOMS	1	BEDROOMS	2	ROOMS	4

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Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
THOMAS, SCOTT E	CASEY, DELBERT	2005-12-26	71,000	C/Contract	11615/546
BARNES, MICHAEL D	THOMAS, SCOTT E	1999-05-26	37,000	D/Deed	8251/525

Year	Type	Status	Application	Permit/Pickup Description
2007	P/Permit	CP/Complete	2006-05-25	RD/FOUNDATION
2006	U/Pickup	CA/Cancel	2005-04-20	RV/REVIEW PROPERTY

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2015	Assessment Roll	Residential	Full	18,100	23,200		41,300
2013	Assessment Roll	Residential	Full	18,000	23,300	0	41,300
2011	Assessment Roll	Residential	Full	18,000	23,000	0	41,000
2009	Assessment Roll	Residential	Full	18,900	24,200	0	43,100

2007	<u>Assessment Roll</u>	Residential	Full	19,900	13,900	0	33,800
2005	<u>Board Action</u>	Residential	Full	3,300	800	0	4,100
2005	<u>Assessment Roll</u>	Residential	Full	3,300	0	0	3,300
2003	<u>Assessment Roll</u>	Residential	Full	2,950	0	0	2,950
2001	<u>Assessment Roll</u>	Residential	Full	2,750	0	0	2,750
1999	<u>Assessment Roll</u>	Residential	Full	13,130	0	0	13,130
1997	<u>Assessment Roll</u>	Residential	Full	12,270	0	0	12,270
1995	<u>Assessment Roll</u>	Residential	Full	10,750	0	0	10,750
1993	<u>Assessment Roll</u>	Residential	Full	9,510	0	0	9,510
1993	<u>Was Prior Year</u>	Residential	Full	8,810	0	0	8,810

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**

56 E

DATE OF NOTICE: July 27, 2015

DATE OF INSPECTION: July 20, 2012

CASE NUMBER: COD2009-01357

PROPERTY ADDRESS: 2412 SW 9TH ST

LEGAL DESCRIPTION: W 70F N 177.35F LT 6 OP SEC 16-78-24

AEON FINANCIAL LLC, DBA LBT IOWA 9140
Title Holder
ATTN: CT CORP SYSTEM
208 S LASALLE ST STE 814
CHICAGO IL 60604

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.

Brian Anderson

(515) 237-1412



Nid Inspector

DATE MAILED: 7/27/2015

MAILED BY: JDH

Areas that need attention: 2412 SW 9TH ST

Component:	Electrical Lighting Fixtures	Defect:	In disrepair
Requirement:	Electrical Permit	Location:	Throughout
Comments:	Exposed wiring/damaged.		
Component:	Electrical Other Fixtures	Defect:	In disrepair
Requirement:	Electrical Permit	Location:	Throughout
Comments:	Exposed wiring/damaged.		
Component:	Wiring	Defect:	In disrepair
Requirement:	Electrical Permit	Location:	Throughout
Comments:	Exposed wiring/damaged.		
Component:	Furnace	Defect:	In disrepair
Requirement:	Mechanical Permit	Location:	Basement
Comments:	Damaged furnace & vents.		
Component:	See Comments	Defect:	In disrepair
Requirement:		Location:	Throughout
Comments:	Interior damaged door & frames.		
Component:	Functioning Water Closet	Defect:	Deteriorated
Requirement:	Plumbing Permit	Location:	Bathroom
Comments:	Tub, stool & lavatory.		
Component:	See Comments	Defect:	In disrepair
Requirement:		Location:	Kitchen
Comments:	Damaged cabinets & floor.		
Component:	Windows/Window Frames	Defect:	In disrepair
Requirement:	Building Permit	Location:	Throughout
Comments:	Windows & frames damaged.		

<u>Component:</u>	Interior Walls /Ceiling	<u>Defect:</u>	In disrepair
<u>Requirement:</u>		<u>Location:</u>	Kitchen
<u>Comments:</u>	Holes in walls & ceilings.		
<u>Component:</u>	Roof	<u>Defect:</u>	Structurally Unsound
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Main Structure
<u>Comments:</u>	Sheeting, soffit and fascia rotted.		
<u>Component:</u>	Exterior Walls	<u>Defect:</u>	In poor repair
<u>Requirement:</u>		<u>Location:</u>	Main Structure
<u>Comments:</u>	Paint peeling, siding deteriorated.		
<u>Component:</u>	Exterior Doors/Jams	<u>Defect:</u>	In poor repair
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Main Structure
<u>Comments:</u>	Doors & jams broken or gone.		
<u>Component:</u>	Foundation	<u>Defect:</u>	Structurally Unsound
<u>Requirement:</u>	Engineering Report	<u>Location:</u>	Basement
<u>Comments:</u>	Foundation has moved, large displacement.		
<u>Component:</u>	Floor Joists/Beams	<u>Defect:</u>	Deteriorated
<u>Requirement:</u>	Engineering Report	<u>Location:</u>	Basement
<u>Comments:</u>	Rotting, illegal supports & add ons.		



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top

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2912 SW 9th St



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2912 SW 9th St

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2412 SW 9th St

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10.06.2015 13:24

top 2112 SW 9th St

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