



Roll Call Number

Agenda Item Number

55A

Date November 9, 2015

ABATEMENT OF PUBLIC NUISANCE AT 124 E Broad Street

WHEREAS, the property located at 124 E Broad Street, 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 Titleholders, Unknown Heirs of Burnie v Bartley, Sr, and the Mortgage Holder, Nations Credit financial Services Corporation dba EquiCredit, were notified 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:

The garage structure on the real estate legally described Lots 338 and 339 in CRAWFORD PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 124 E Broad 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 garage 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				

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.


MOTION CARRIED

APPROVED

Mayor

City Clerk

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Polk County Assessor 
JONES

[[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
010/01486-000-000	7824-15-302-033	0600	DM26/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
124 E BROAD ST			DES MOINES IA 50315-2308		

Click on parcel to get new listing

[Get Bigger Map](#)

[Google Map](#)

	105	105	112	124	130	202	210	218	
							338	45	
"	"	"	"	"	158	"	"	75	72.75
E-BROAD-ST									78
			180						



Approximate date of photo 02/05/2009

Mailing Address
BURNIE V BARTLEY SR 124 E BROAD ST DES MOINES, IA 50315-2308

Legal Description
LOTS 338 & 339 CRAWFORD PLACE

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	BARTLEY, BURNIE V SR	2000-08-04	8560/191	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	26,200	22,600	0	48,800

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

Taxable Value Credit	Name	Number	Info

Homestead	BARTLEY, BURNIE V SR	43912	
Military	BARTLEY, BURNIE V SR	56553	World War II

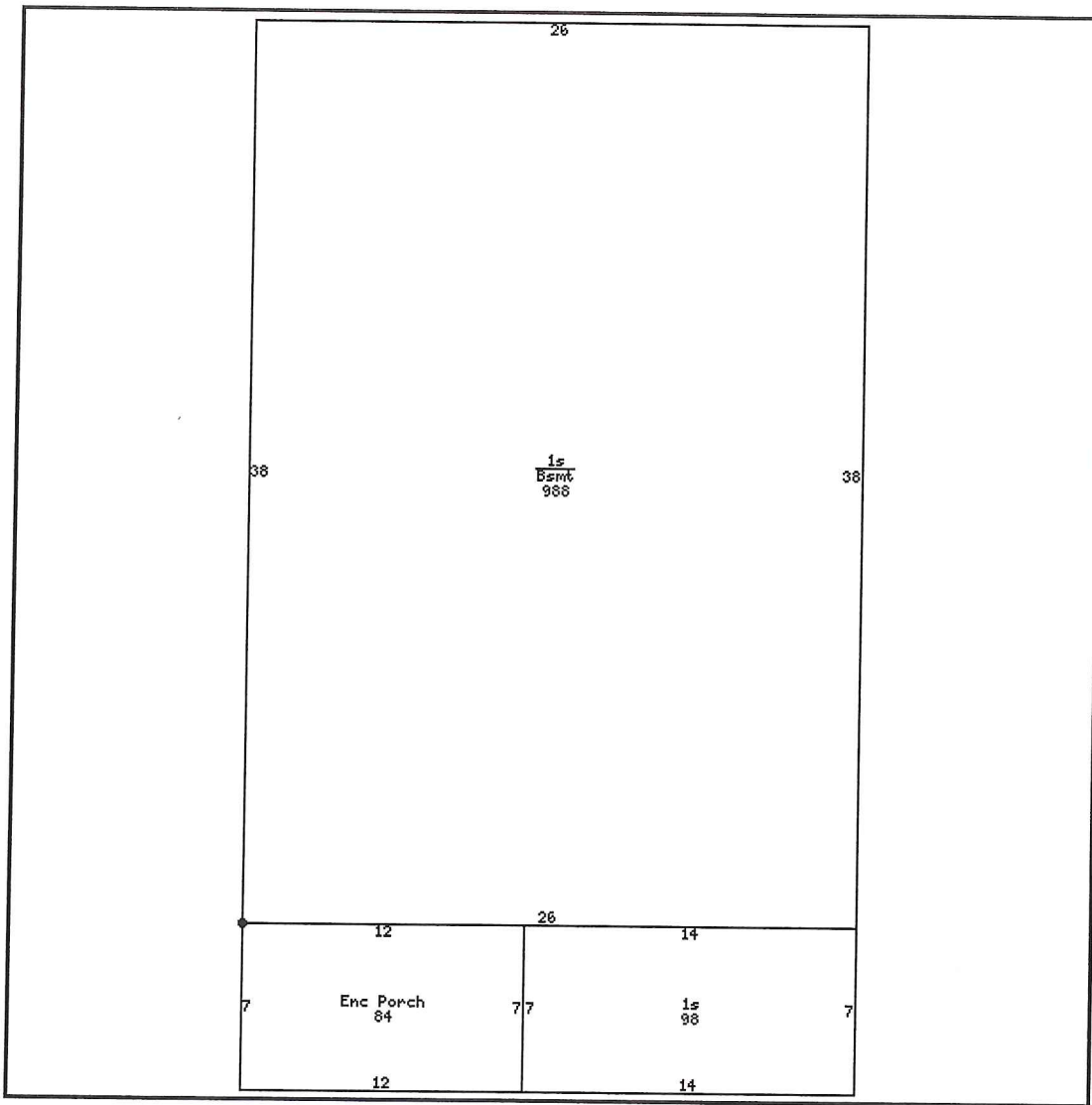
Zoning	Description	SF	Assessor Zoning
R1-70	One Family, Low Density Residential District		Residential

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

Land					
SQUARE FEET	49,200	FRONTAGE	150.0	DEPTH	328.0
ACRES	1.129	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	UA/1 Story with Unfinished Attic	BLDG STYLE	ET/Early 20s
YEAR BUILT	1920	# FAMILIES	1	GRADE	4
GRADE ADJUST	-10	CONDITION	PR/Poor	TSFLA	1,086
MAIN LV AREA	1,086	ATTIC UNFIN	346	BSMT AREA	988
ENCL PORCH	84	FOUNDATION	B/Brick	EXT WALL TYP	WS/Wood Siding
ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle	BMT FL EARTH	50
HEATING	A/Gas Forced Air	AIR COND	0	BATHROOMS	1
BEDROOMS	2	ROOMS	5		

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Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
KAY, BRIAN R	BARTLEY, BURNIE V SR	2000-07-25	17,700	D/Deed	8560/191
KAY, BRIAN R	BARTLEY, BURNIE	1996-06-17	17,700	C/Contract	7439/847

Year	Type	Status	Application	Permit/Pickup Description
2005	U/Pickup	CP/Complete	2004-10-15	RV/REVIEW PROPERTY

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2015	Assessment Roll	Residential	Full	26,200	22,600		48,800
2013	Assessment Roll	Residential	Full	25,700	22,300	0	48,000
2011	Assessment Roll	Residential	Full	25,700	22,100	0	47,800
2009	Assessment Roll	Residential	Full	28,000	23,400	0	51,400
2007	Assessment Roll	Residential	Full	27,300	20,600	0	47,900

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2005	Assessment Roll	Residential	Full	26,400	19,000	0	45,400
2003	Assessment Roll	Residential	Full	23,580	39,920	0	63,500
2001	Assessment Roll	Residential	Full	18,630	34,300	0	52,930
1999	Assessment Roll	Residential	Full	19,630	14,680	0	34,310
1997	Assessment Roll	Residential	Full	17,480	13,070	0	30,550
1995	Assessment Roll	Residential	Full	15,890	11,880	0	27,770
1993	Assessment Roll	Residential	Full	14,850	11,100	0	25,950
1991	Assessment Roll	Residential	Full	13,500	10,090	0	23,590
1991	Was Prior Year	Residential	Full	13,500	14,870	0	28,370

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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



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**PUBLIC NUISANCE
NOTICE OF INSPECTION
NEIGHBORHOOD INSPECTION DIVISION
COMMUNITY DEVELOPMENT DEPARTMENT
CITY OF DES MOINES, IOWA**

DATE OF NOTICE: September 8, 2015 **DATE OF INSPECTION:** June 25, 2015
CASE NUMBER: COD2015-03716
PROPERTY ADDRESS: 124 E BROAD ST
LEGAL DESCRIPTION: LOTS 338 & 339 CRAWFORD PLACE

BURNIE V BARTLEY SR
Title Holder
DECEASED

NATIONS CREDIT FINANCIAL SERV CORP DBA EQUICREDIT
Mortgage Holder
ATTN: CT CORP SYS., RA
400 E COURT AVE
DES MOINES IA 50309

TRADESMEN COMMUNITY CREDIT UNION
Mortgage Holder
ATTN: RACHEL BALLENGER, CEO
1400 2ND AVE
DES MOINES IA 50314

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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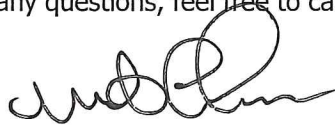
Appropriate building permits may be required for those violations noted in the "Special Requirements" section on the notice. Should you have questions regarding permits, contact the Permit and Development Center at (515) 283-4200. All work performed by a contractor or you must be completed in a workmanlike 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.

Mike F Lehman
(515) 283-4299



Nid Inspector

DATE MAILED: 9/8/2015

MAILED BY: JDH

Areas that need attention: 124 E BROAD ST

Component:	Exterior Doors/Jams	Defect:	In disrepair
Requirement:	Compliance with International Building Code	Location:	Garage
Comments:			
Component:	Exterior Walls	Defect:	In disrepair
Requirement:	Compliance with International Building Code	Location:	Garage
Comments:			
Component:	Roof	Defect:	In disrepair
Requirement:	Compliance with International Building Code	Location:	Garage
Comments:			
Component:	Shingles Flashing	Defect:	In disrepair
Requirement:	Compliance with International Building Code	Location:	Garage
Comments:			
Component:	Soffit/Facia/Trim	Defect:	In disrepair
Requirement:	Compliance with International Building Code	Location:	Garage
Comments:			
Component:	Windows/Window Frames	Defect:	In disrepair
Requirement:	Compliance with International Building Code	Location:	Garage
Comments:			

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124 E. Broad St



10/30/2015 10:12

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