



**Roll Call Number**

**Agenda Item Number**

55C

**Date** November 9, 2015

**ABATEMENT OF PUBLIC NUISANCES AT 909 E 27<sup>th</sup> Court**

WHEREAS, the property located at 909 E 27<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 Titleholders, Kimberly Clark and Larry Eddinger, Jr, 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 Lot 5, Block 4, in FARWELL PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 909 E 27<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:

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** 

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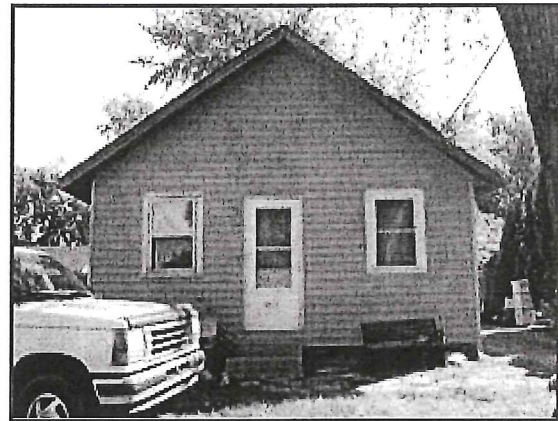
<b>District/Parcel</b>	<b>GeoParcel</b>	<b>Map</b>	<b>Nbhd</b>	<b>Jurisdiction</b>	<b>Status</b>
050/01270-000-000	7824-01-204-005	0617	DM16/Z	DES MOINES	ACTIVE
<b>School District</b>	<b>Tax Increment Finance District</b>	<b>Bond/Fire/Sewer/Cemetery</b>			
1/Des Moines					
<b>Street Address</b>			<b>City State Zipcode</b>		
909 E 27TH CT			DES MOINES IA 50317-8203		

Click on parcel to get new listing

Get Bigger Map

Google Map

122.03	915	917	918	915
913	910	915	914	915
909	910	909	910	909
905	904	905	908	903
903	900	903	902	
901	830	831	900	829
825	826	825	828	827
823	822	821	820	823
		817	816	817



Approximate date of photo 10/06/2010

<b>Mailing Address</b>
KIMBERLY CLARK 909 E 27TH CT DES MOINES, IA 50317-8203

<b>Legal Description</b>
LOT 5 BLK 4 FARWELL PLACE

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	CLARK, KIMBERLY	2012-09-18	14444/676	
Title Holder #2	EDDINGER, LARRY JR			

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	13,200	25,900	0	39,100

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

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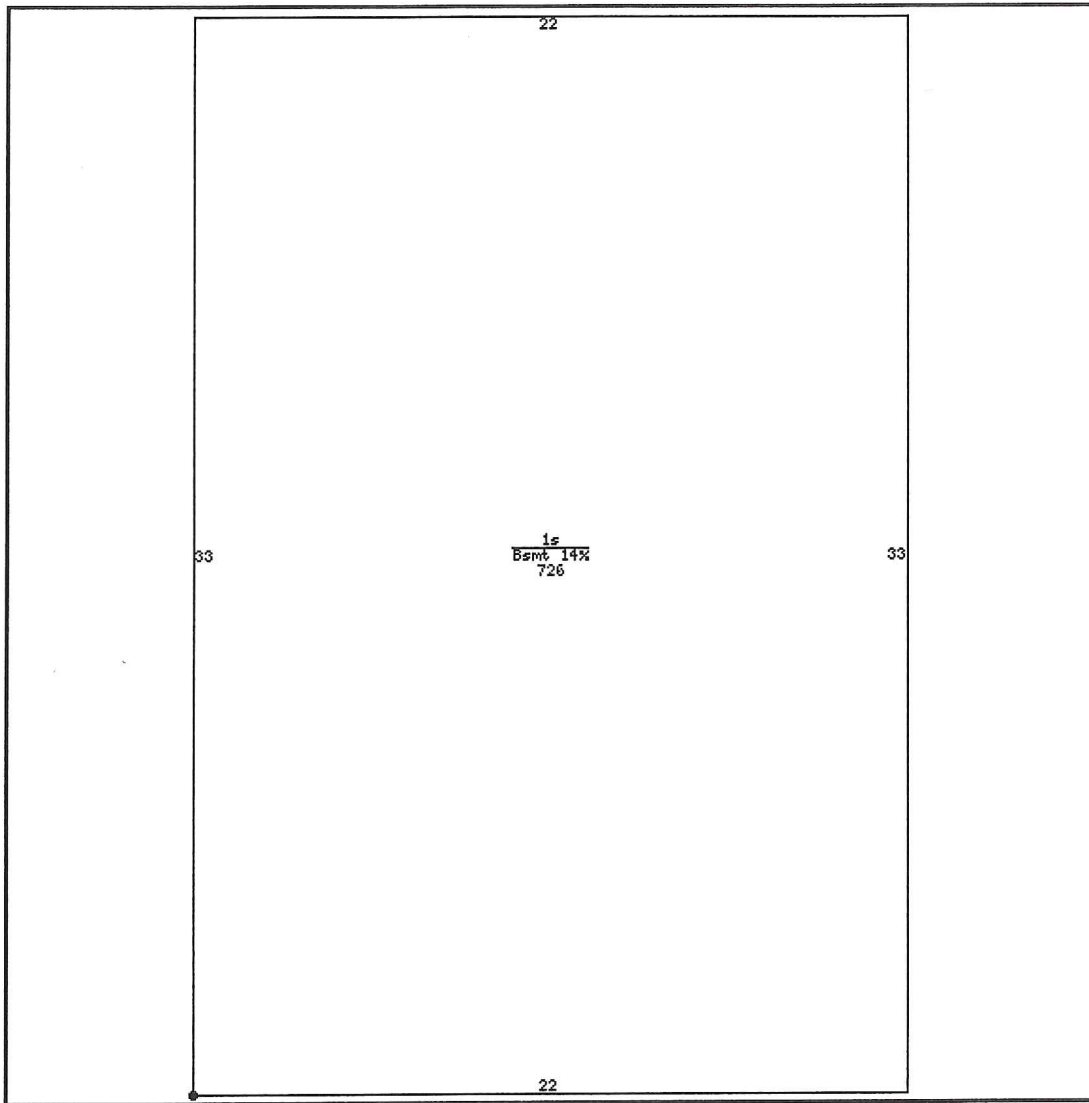
Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential
<b>Source:</b> City of Des Moines Community Development <b>Published:</b> 2012-03-20 <b>Contact:</b> Planning and Urban Design 515 283-4182			

Land					
SQUARE FEET	6,700	FRONTAGE	50.0	DEPTH	134.0
ACRES	0.154	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S1/1 Story	BLDG STYLE	BG/Bungalow
YEAR BUILT	1920	# FAMILIES	1	GRADE	5
GRADE ADJUST	+05	CONDITION	BN/Below Normal	TSFLA	726
MAIN LV AREA	726	BSMT AREA	102	FOUNDATION	B/Brick
EXT WALL TYP	VN/Vinyl 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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<b>Detached # 101</b>					
OCCUPANCY	GAR/Garage	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	16	MEASURE2	24	STORY HEIGHT	1
GRADE	5	YEAR BUILT	1950	CONDITION	PR/Poor
COMMENT	8-28-95 JR GAR COMP BP 57917				
COMMENT	MOVED IN GARAGE EXT AGE				

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
SMITH, RALPH E	CLARK, KIMBERLY	1994-05-18	14,000	C/Contract	7058/273

Year	Type	Status	Application	Permit/Pickup Description

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Current	P/Permit	TW/To Work	2015-09-02	RD/Fix Damage FOUNDATION Sqft 726 Cost Estimate 8200
1996	P/Permit	CP/Complete	1994-07-21	NC/GARAGE
1995	P/Permit	PA/Pass	1994-07-21	New Garage

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2015	Assessment Roll	Residential	Full	13,200	25,900		39,100
2013	Assessment Roll	Residential	Full	13,200	26,300	0	39,500
2011	Assessment Roll	Residential	Full	15,100	29,800	0	44,900
2009	Assessment Roll	Residential	Full	16,100	32,900	0	49,000
2007	Assessment Roll	Residential	Full	15,900	32,500	0	48,400
2005	Assessment Roll	Residential	Full	14,100	31,700	0	45,800
2003	Assessment Roll	Residential	Full	12,450	28,330	0	40,780
2001	Assessment Roll	Residential	Full	9,900	22,720	0	32,620
1999	Assessment Roll	Residential	Full	7,540	15,370	0	22,910
1997	Assessment Roll	Residential	Full	6,830	13,920	0	20,750
1996	Assessment Roll	Residential	Full	5,950	12,120	0	18,070
1995	Assessment Roll	Residential	Full	5,950	11,120	0	17,070
1993	Assessment Roll	Residential	Full	5,280	9,860	0	15,140
1990	Board Action	Residential	Full	5,280	8,020	0	13,300
1990	Assessment Roll	Residential	Full	5,280	9,220	0	14,500

email this page

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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**

55C

**DATE OF NOTICE:** September 8, 2015

**DATE OF INSPECTION:** August 10, 2015

**CASE NUMBER:** COD2015-04723

**PROPERTY ADDRESS:** 909 E 27TH CT

**LEGAL DESCRIPTION:** LOT 5 BLK 4 FARWELL PLACE

LARRY EDDINGER JR  
Title Holder  
909 E 27TH CT  
DES MOINES IA 50317-8203

KIMBERLY CLARK A/K/A KIMBERLY EDDINGER  
Title Holder  
909 E 27TH CT  
DES MOINES IA 50317-8203

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.

Neighborhood Inspection Division

(515) 283-4208



Nid Inspector

DATE MAILED: 9/8/2015

MAILED BY: JDH

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**Areas that need attention:** 909 E 27TH CT

<b>Component:</b>	Floor Joists/Beams	<b>Defect:</b>	Missing Where Required
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Main Structure
<b>Comments:</b>			
<b>Component:</b>	Furnace	<b>Defect:</b>	Missing Required Service
<b>Requirement:</b>	Mechanical Permit	<b>Location:</b>	Main Structure
<b>Comments:</b>			
<b>Component:</b>	Foundation	<b>Defect:</b>	Missing
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Main Structure
<b>Comments:</b>			
<b>Component:</b>	Mechanical System	<b>Defect:</b>	Missing Required Service
<b>Requirement:</b>	Mechanical Permit	<b>Location:</b>	Main Structure
<b>Comments:</b>			
<b>Component:</b>	Exterior Stairs	<b>Defect:</b>	Missing
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Main Structure
<b>Comments:</b>			
<b>Component:</b>	Electrical Service	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Main Structure
<b>Comments:</b>			
<b>Component:</b>	Exterior Walls	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Main Structure
<b>Comments:</b>			
<b>Component:</b>	Exterior Walls	<b>Defect:</b>	Insect Infestation
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Main Structure
<b>Comments:</b>			



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**Component:** Plumbing System  
**Requirement:** Plumbing Permit  
**Defect:** Missing Required Service  
**Location:** Main Structure  
**Comments:**

**Component:** Roof  
**Requirement:** Building Permit  
**Defect:** In poor repair  
**Location:** Main Structure  
**Comments:**

**Component:** Soffit/Facia/Trim  
**Requirement:** Building Permit  
**Defect:** In poor repair  
**Location:** Main Structure  
**Comments:**

**Component:** Accessory Buildings  
**Requirement:**  
**Defect:** See Comments  
**Location:** Garage  
**Comments:** The garage in its current condition does not constitute a public nuisance. However, if the primary structure is demolished and no primary structure is immediately built on the property, the garage must be demolished as well because it is an accessory use only pursuant to Des Moines Municipal Code Section 134-343.

**Component:** Utilities  
**Requirement:** Compliance with Int Residential Code  
**Defect:** Missing Required Service  
**Location:** Main Structure  
**Comments:**

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909 E. 27<sup>th</sup> ct



08.10.2015

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909 E. 27th ct



10.29.2015

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909 E 27th Ct



10.29.2015

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