



Roll Call Number

Agenda Item Number

55 G

Date November 9, 2015

ABATEMENT OF PUBLIC NUISANCES AT 3007 Cornell Street

WHEREAS, the property located at 3007 Cornell 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, OHP 5, LLC, and the Contract Buyer, Sergio Diaz, 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 North 44 feet of Lot 16 block 24 AUBURN HEIGHTS PLAT 1, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3007 Cornell 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				

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 Iowa

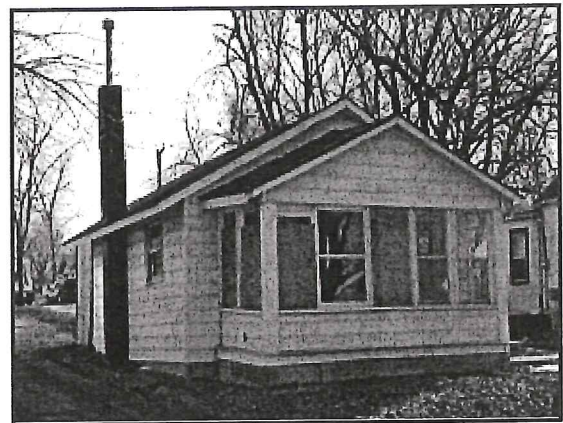
[[Home](#)] [[General Query](#)] [[Legal Query](#)] [[HomeOwner Query](#)] [[Book/Page Query](#)] [[Commercial Query](#)] [[Res Sales Query](#)] [[Comm Sales Query](#)] [[Help](#)]

District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
070/00552-000-000	7924-26-180-011	0259	DM86/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
3007 CORNELL ST			DES MOINES IA 50313-4656		

Click on parcel to get new listing

Get Bigger Map
Google Map

3101	3100 =	3101	3102 =	3101
3025	3024 =	3025	3024 =	3025
3021	3020 =	3023	3020 =	3021
3017	3016 =	3019	3018 =	3019
3015	3012 =	3015	3014 =	3015
3009	3008 =	3007	3010 =	3011
3007	3005 =	3005	3004 =	3005
3003	3002 =	3002	3001 =	3001



Approximate date of photo 02/20/2013

Mailing Address
OAK HELM PARTNERS 2920 N HARRISON ST DAVENPORT, IA 52803-1044

Legal Description
N 44 F LOT 16 BLK 24 AUBURN HEIGHTS PLT 1

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	OHP 5 LLC	2012-09-24	14451/372	
Contract Buyer #1	DIAZ, SERGIO	2013-08-20	14925/55	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	12,900	15,600	0	28,500

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

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Taxable Value Credit	Name	Number	Info
Homestead	DIAZ, SERGIO	319301	

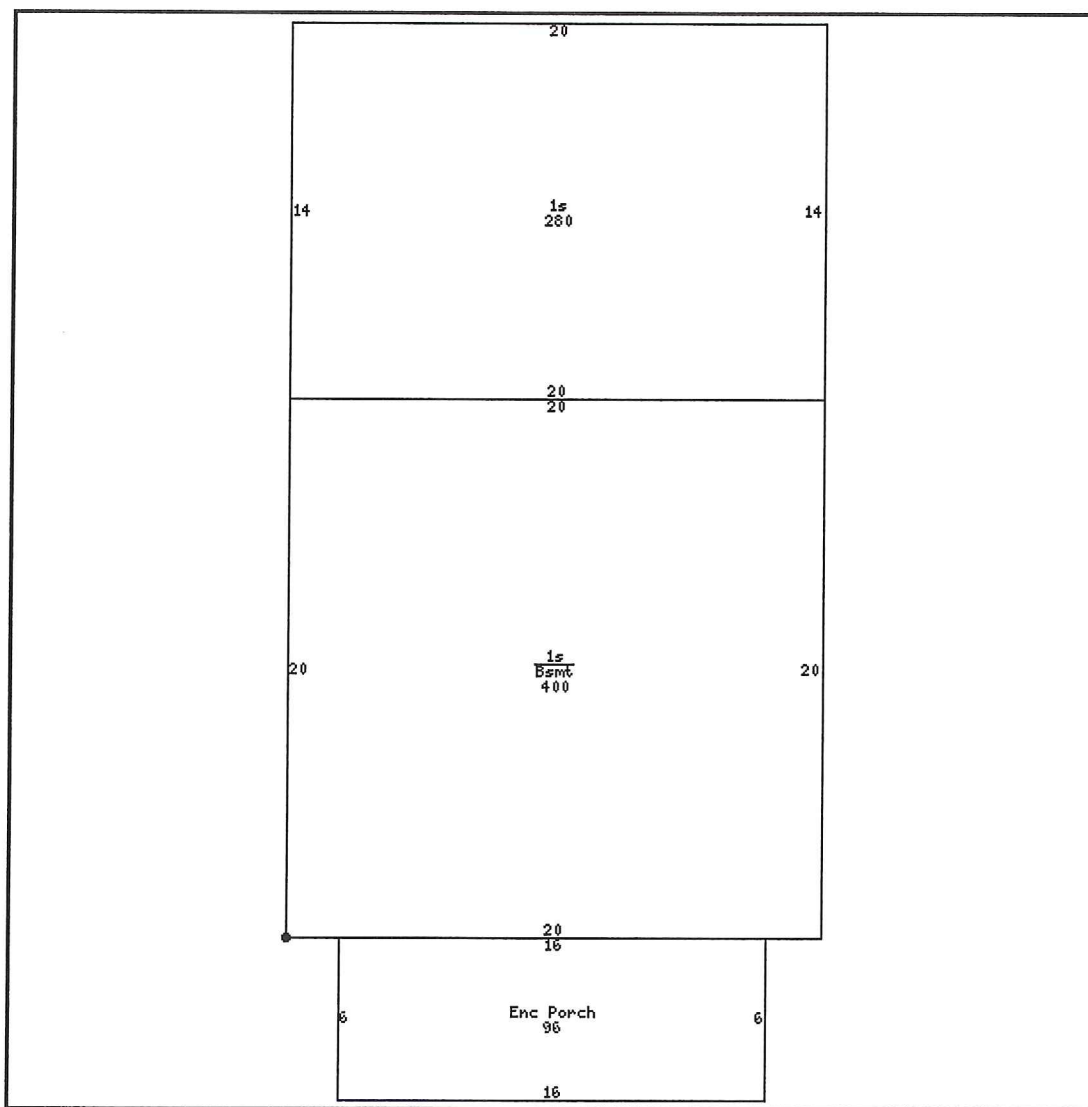
Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential

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

Land					
SQUARE FEET	5,852	FRONTAGE	44.0	DEPTH	133.0
ACRES	0.134	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S1/1 Story	BLDG STYLE	BG/Bungalow
YEAR BUILT	1917	# FAMILIES	1	GRADE	5
GRADE ADJUST	-05	CONDITION	PR/Poor	TSFLA	680
MAIN LV AREA	680	BSMT AREA	400	ENCL PORCH	96
FOUNDATION	B/Brick	EXT WALL TYP	MT/Metal 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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<u>Seller</u>	<u>Buyer</u>	<u>Sale Date</u>	<u>Sale Price</u>	<u>Instrument</u>	<u>Book/Page</u>
OHP 5 LLC	DIAZ, SERGIO	<u>2013-08-15</u>	15,000	C/Contract	14925/55
THE ALLIANCE GROUP	MULHERN, TODD A.	<u>2004-10-13</u>	20,000	D/Deed	10776/794
COMMUNITY STATE BNK	THE ALLIANCE GROUP, INC.	<u>2004-10-13</u>	6,000	D/Deed	10776/793
HOWE, DAN L	CLARK, ERIC	<u>1999-11-26</u>	51,400	C/Contract	8410/695
HOWE, DAN L	ALLEN, CARL E	<u>1998-12-15</u>	44,900	C/Contract	8094/962
FATE, ETHEL B	HOWE, DAN L.	<u>1998-10-27</u>	21,750	D/Deed	8049/98

Year	Type	Status	Application	Permit/Pickup Description
Current	P/Permit	TW/To Work	2015-08-31	AD/Addition ROOM Sqft 171 Cost Estimate 3000
Current	P/Permit	TW/To Work	2013-08-29	AD/Addition ROOM Sqft 171 Cost Estimate 16557
2015	P/Permit	PP/Pass/Partial	2013-08-29	AD/ROOM (171 sf)
2014	P/Permit	PA/Pass	2013-08-29	AD/ROOM (171 sf)
2000	U/Pickup	CP/Complete	1998-12-17	RV/CHECK CONDITION
1999	U/Pickup	PR/Partial	1998-12-17	RV/CHECK CONDITION

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2015	Assessment Roll	Residential	Full	12,900	15,600		28,500
2013	Assessment Roll	Residential	Full	13,100	15,100	0	28,200
2011	Assessment Roll	Residential	Full	13,700	15,600	0	29,300
2009	Assessment Roll	Residential	Full	14,900	17,000	0	31,900
2007	Assessment Roll	Residential	Full	14,100	16,100	0	30,200
2005	Assessment Roll	Residential	Full	11,600	12,000	0	23,600
2003	Assessment Roll	Residential	Full	10,550	28,160	0	38,710
2001	Assessment Roll	Residential	Full	9,530	25,930	0	35,460
2000	Assessment Roll	Residential	Full	7,690	28,160	0	35,850
1999	Assessment Roll	Residential	Full	7,690	14,310	0	22,000
1997	Assessment Roll	Residential	Full	6,900	25,280	0	32,180
1995	Assessment Roll	Residential	Full	6,120	22,420	0	28,540
1993	Assessment Roll	Residential	Full	5,190	19,010	0	24,200
1990	Assessment Roll	Residential	Full	5,190	18,010	0	23,200

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**

55G

DATE OF NOTICE: May 27, 2015

DATE OF INSPECTION: September 16, 2011

CASE NUMBER: COD2011-06165

PROPERTY ADDRESS: 3007 CORNELL ST

LEGAL DESCRIPTION: N 44 F LOT 16 BLK 24 AUBURN HEIGHTS PLT 1

SERGIO DIAZ
Contract Buyer
545 BATAAN CIR
EL PASO TX 79903

OHP 5 LLC
Title Holder
ATTN: NANCY COON, REG. AGT.
2920 HARRISON ST
DAVENPORT IA 52803

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.

Robert Reynolds
(515) 283-4128



Nid Inspector

DATE MAILED: 5/27/2015

MAILED BY: JDH

Areas that need attention: 3007 CORNELL ST

Component:	Roof	Defect:	Collapsed
Requirement:	Building Permit	Location:	Main Structure
Comments:	Rear section of house.		

Component:	Shingles Flashing	Defect:	Deteriorated
Requirement:	Compliance with Int. Exiting Building Code	Location:	Main Structure
Comments:	Rear section of house.		

Component:	Exterior Walls	Defect:	Collapsed
Requirement:	Compliance with Int. Exiting Building Code	Location:	Main Structure
Comments:	Rear section of house		

Component:	Electrical System	Defect:	In poor repair
Requirement:	Electrical Permit	Location:	Main Structure
Comments:			

Component:	Plumbing System	Defect:	In poor repair
Requirement:	Plumbing Permit	Location:	Main Structure
Comments:			

Component:	Mechanical System	Defect:	In poor repair
Requirement:	Mechanical Permit	Location:	Main Structure
Comments:			

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

Component:	Window Glazing/Paint	Defect:	Cracked/Broken
Requirement:	Compliance with Int Residential Code	Location:	Main Structure
Comments:			

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Component:	Exterior Doors/Trams	Defect:	In poor repair
Requirement:	Compliance with International Residential Code	Location:	Main Structure
Comments:			

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