



Roll Call Number

Agenda Item Number

60 A

Date November 23, 2015

ABATEMENT OF PUBLIC NUISANCES AT 1012 E 9th Street

WHEREAS, the property located at 1012 E 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, Zachary R. Nulph, and the mortgage holder, Wells Fargo Bank, NA, 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 9 in block "D" in DEAN'S 2ND SUBDIVISION OF OUTLOTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa and locally known as 1012 e 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



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

60A

DATE OF NOTICE: September 8, 2015

DATE OF INSPECTION: July 31, 2015

CASE NUMBER: COD2015-04272

PROPERTY ADDRESS: 1012 E 9TH ST

LEGAL DESCRIPTION: LOT 9 BLK D DEANS 2ND SD OF OUTLOT

ZACHARY R NULPH

Title Holder

3937 48TH ST

DES MOINES IA 50310

WELLS FARGO BANK NA

Title Holder

CORPORATION SERV CO, RA

505 5TH AVENUE SUITE 729

DES MOINES IA 50309

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.

Daniel Adams
(515) 237-1612

Nid Inspector


DATE MAILED: 9/8/2015



MAILED BY: JDH

Areas that need attention: 1012 E 9TH ST

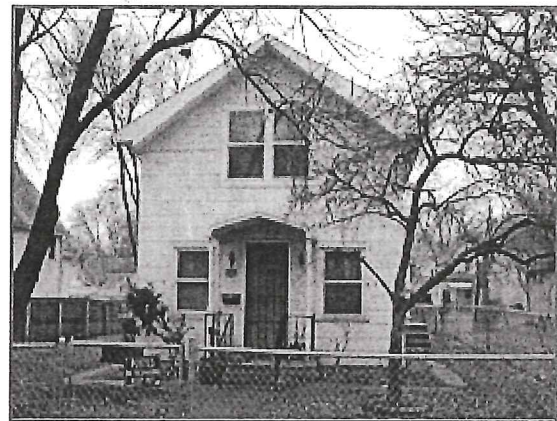
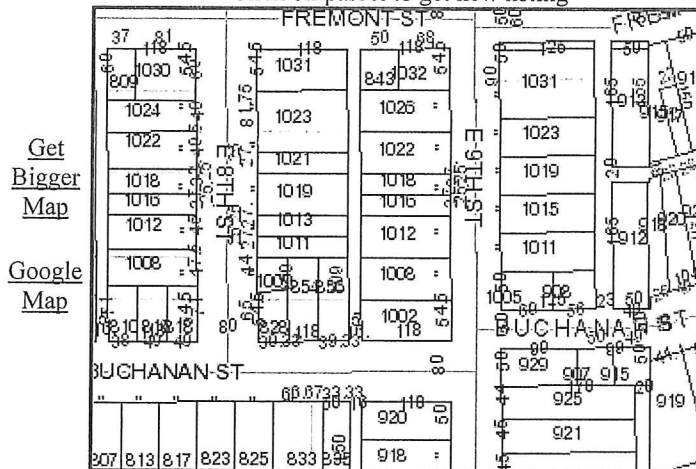
Component:	Electrical System	Defect:	Fire damaged
Requirement:	Electrical Permit	Location:	Throughout
Comments:			
Component:	Interior Walls /Ceiling	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Unknown
Comments:			
Component:	Windows/Window Frames	Defect:	In poor repair
Requirement:	Compliance with International Building Code	Location:	Throughout
Comments:			
Component:		Defect:	
Requirement:		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		

Polk County Assessor 

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District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
040/00998-000-000	7824-03-135-017	0341	DM87/A	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
1012 E 9TH ST			DES MOINES IA 50316-2910		

Click on parcel to get new listing



Approximate date of photo 12/04/2013

Mailing Address
ZACHARY R NULPH 3937 48TH ST DES MOINES, IA 50310-2706

Legal Description
LOT 9 BLK D DEANS 2ND SD OF OUTLOT

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	NULPH, ZACHARY R	2009-10-01	13227/608	116.00

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	9,400	54,300	0	63,700

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

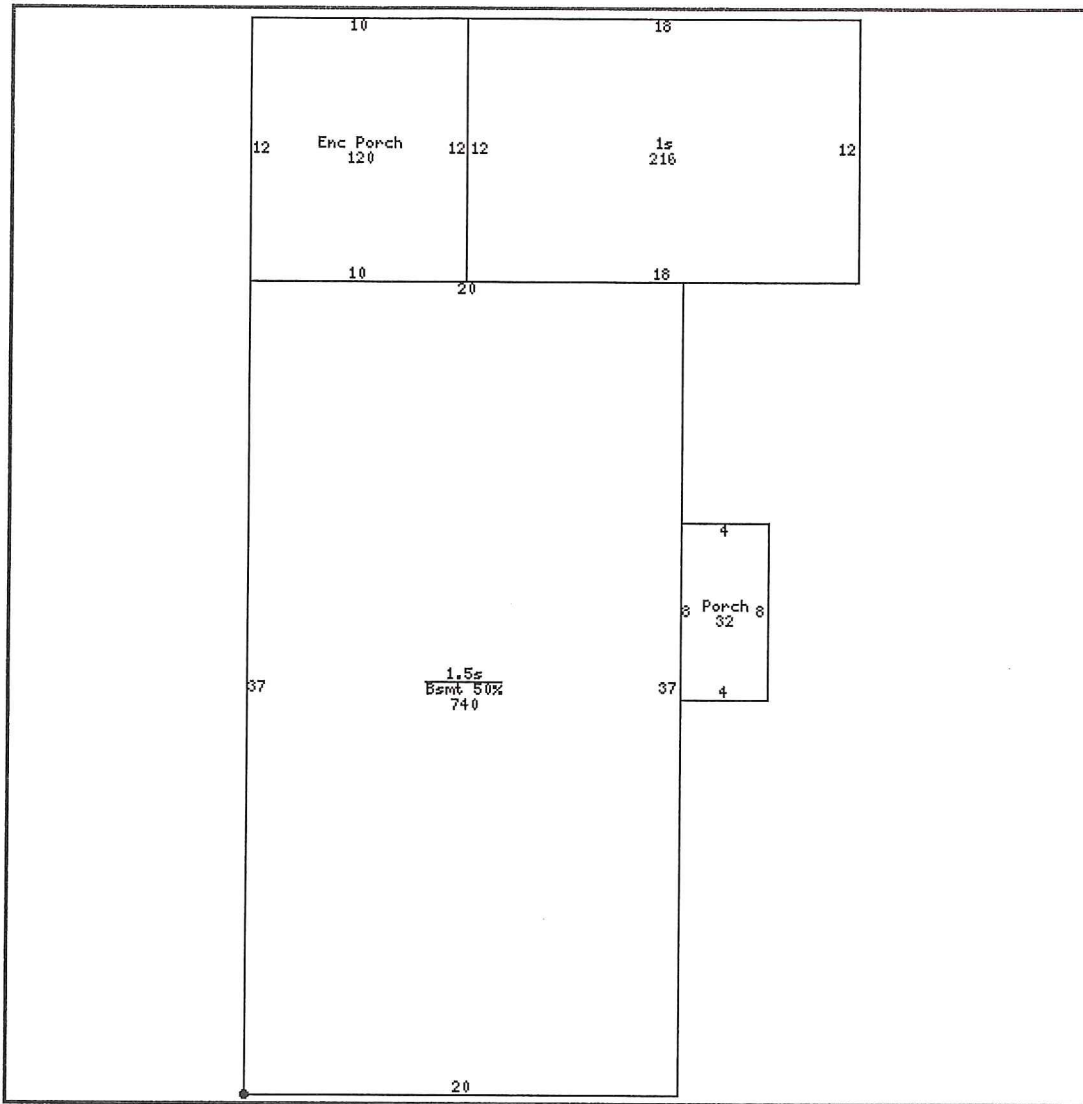
Taxable Value Credit	Name	Number	Info

Homestead	NULPH, ZACHARY R	244713	
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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	6,442	FRONTAGE	54.0	DEPTH	118.0
ACRES	0.148	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	SH/1.5 Stories	BLDG STYLE	ET/Early 20s
YEAR BUILT	1891	# FAMILIES	1	GRADE	4
GRADE ADJUST	+00	CONDITION	BN/Below Normal	TSFLA	1,452
MAIN LV AREA	956	UPPR LV AREA	496	BSMT AREA	370
OPEN PORCH	32	ENCL PORCH	120	FOUNDATION	B/Brick
EXT WALL TYP	AS/Asbestos	ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle
HEATING	A/Gas Forced Air	AIR COND	100	BATHROOMS	2
BEDROOMS	4	ROOMS	7		



Detached # 102					
OCCUPANCY	PRE/Enclosed Porch	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	10	MEASURE2	20	STORY HEIGHT	1
GRADE	5	YEAR BUILT	1952	CONDITION	BN/Below Normal

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
Z FIN 23	NULPH, ZACHARY R.	2009-09-22	73,000	D/Deed	13227/608

Year	Type	Status	Application	Permit/Pickup Description
2014	P/Permit	NA/No Add	2013-01-10	RD/FIRE
2012	P/Permit	NA/No Add	2011-04-22	AD/FENCE

2008	P/Permit	CP/Complete	2007-03-19	RM/GARAGE (280 sf)
1995	P/Permit	NA/No Add	1994-11-15	Fencing

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2015	Assessment Roll	Residential	Full	9,400	54,300		63,700
2013	Assessment Roll	Residential	Full	9,900	57,600	0	67,500
2011	Assessment Roll	Residential	Full	9,900	57,400	0	67,300
2009	Assessment Roll	Residential	Full	9,300	51,300	0	60,600
2008	Assessment Roll	Residential	Full	9,000	49,500	0	58,500
2007	Assessment Roll	Residential	Full	9,000	51,300	0	60,300
2005	Assessment Roll	Residential	Full	8,800	48,000	0	56,800
2003	Assessment Roll	Residential	Full	7,770	42,230	0	50,000
2001	Assessment Roll	Residential	Full	6,990	33,820	0	40,810
1999	Assessment Roll	Residential	Full	7,180	28,500	0	35,680
1997	Assessment Roll	Residential	Full	6,230	24,910	0	31,140
1995	Assessment Roll	Residential	Full	5,860	23,440	0	29,300
1993	Assessment Roll	Residential	Full	5,390	20,970	0	26,360
1991	Assessment Roll	Residential	Full	5,390	18,490	0	23,880
1989	Assessment Roll	Residential	Full	5,390	13,710	0	19,100

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



11/16/2015

1012 E 9th St

top

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PO



1012 E 9th St

11/16/2015



11/16/2015