



Date February 22, 2016

**ABATEMENT OF PUBLIC NUISANCES AT 1101 26<sup>th</sup> STREET**

WHEREAS, the property located at 1101 26<sup>th</sup> Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and garage structure in their present condition constitutes not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholder, KLM Development & Construction, LLC, was notified more than thirty days ago to repair or demolish the main structure and garage structure and as of this date has failed to abate the nuisances.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure and garage structure on the real estate legally described as Lot 28 in DRAKE UNIVERSITY'S SECOND ADDITION to Des Moines, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1101 26<sup>th</sup> Street, have previously been declared public nuisances;

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisances, and should the owner(s) fail to abate the nuisances, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structures.

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

Jessica D. Spoden, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
<b>TOTAL</b>				
MOTION CARRIED			APPROVED	
_____ Mayor				

**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.

\_\_\_\_\_ City Clerk



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

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**DATE OF NOTICE:** December 9, 2015

**DATE OF INSPECTION:** June 01, 2015

**CASE NUMBER:** COD2014-06741

**PROPERTY ADDRESS:** 1101 26TH ST

**LEGAL DESCRIPTION:** LOT 28 DRAKE UNIVERSITY 2ND ADD

KLM DEVELOPMENT & CONSTRUCTION LLC  
Title Holder  
KENNETH L LINHART, REG. AGT.  
851 19TH ST  
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.

Chris Reindl  
(515) 283-4797



Nid Inspector

DATE MAILED: 12/9/2015

MAILED BY: JDH

**Areas that need attention:** 1101 26TH ST

<b>Component:</b>	Electrical Service	<b>Defect:</b>	In poor repair
<b>Requirement:</b>		<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Foundation	<b>Defect:</b>	In poor repair
<b>Requirement:</b>		<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Floor Joists/Beams	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Soffit/Facia/Trim	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Floor Joists/Beams	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Plumbing System	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Plumbing Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Furnace	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Mechanical Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Roof	<b>Defect:</b>	Collapsed
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			

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**Component:** Interior Walls /Ceiling  
**Requirement:** Building Permit  
**Defect:** Collapsed  
**Location:** Throughout  
**Comments:**


**Component:** Mechanical System  
**Requirement:** Mechanical Permit  
**Defect:** In poor repair  
**Location:** Throughout  
**Comments:**

**Component:** Exterior Walls  
**Requirement:**  
**Defect:** Cracked/Broken  
**Location:** Garage  
**Comments:** Might need Buiding Permit

**Component:** Shingles Flashing  
**Requirement:**  
**Defect:** Deteriorated  
**Location:** Garage  
**Comments:**

**Component:** Exterior Walls  
**Requirement:**  
**Defect:** Absence of paint  
**Location:** Garage  
**Comments:**

**Component:** Accessory Buildings  
**Requirement:**  
**Defect:** See Comments  
**Location:** Garage  
**Comments:** No interior inspection made of Garage

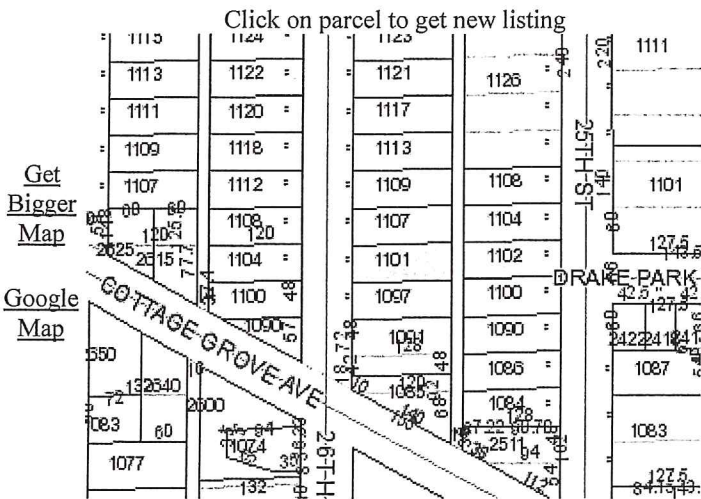
**Polk County Assessor** 

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<b>District/Parcel</b>	<b>GeoParcel</b>	<b>Map</b>	<b>Nbhd</b>	<b>Jurisdiction</b>	<b>Status</b>
030/01432-000-000	7824-05-103-013	0002	DM95/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>		
1101 26TH ST			DES MOINES IA 50311		

Click on parcel to get new listing

Get Bigger Map  
Google Map




Approximate date of photo 03/27/2014

<b>Mailing Address</b>
1101 26TH STREET LLC 663 N 132ND ST STE 131 OMAHA, NE 68154-4031

<b>Legal Description</b>
LOT 28 DRAKE UNIVERSITY 2ND ADD

<b>Ownership</b>	<b>Name</b>	<b>Recorded</b>	<b>Book/Page</b>	<b>RevStamps</b>
Title Holder #1	KLM DEVELOPMENT & CONSTRUCTION LLC	2015-10-20	15776/140	

<b>Assessment</b>	<b>Class</b>	<b>Kind</b>	<b>Land</b>	<b>Bldg</b>	<b>AgBd</b>	<b>Total</b>
Current	Multi-Residential	Full	9,500	5,500	0	15,000

[Protest Notice](#) [Assessment Roll Notice](#) [Estimate Taxes](#) [Polk County Treasurer Tax Information](#) [Pay Taxes](#)

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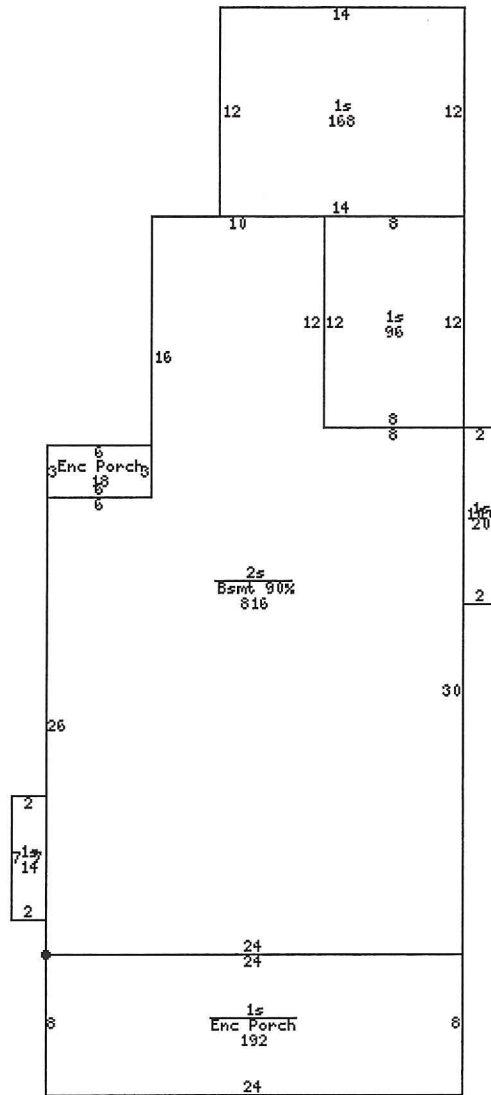
Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential
<b>Source:</b> City of Des Moines Community Development <b>Published:</b> 2012-03-20 <b>Contact:</b> Planning and Urban Design 515 283-4182			

Land					
SQUARE FEET	6,144	FRONTAGE	48.0	DEPTH	128.0
ACRES	0.141	SHAPE	RC/Rectangle	TOPOGRAPHY	B/Blank

Commercial Summary					
OCCUPANCY	1B/Apartment Conversion	WEIGHTED AGE	1891	STORY HEIGHT	2
LAND AREA	6,144	GROSS AREA	2,122	FINISH AREA	2,122
BSMT UNFIN	734	BSMT FINISH	0	NUMBER UNITS	3

Residence # 1					
OCCUPANCY	CV/Conversion	RESID TYPE	S2/2 Stories	YEAR BUILT	1891
# FAMILIES	3	GRADE	4	GRADE ADJUST	+00
CONDITION	PR/Poor	TSFLA	2,122	MAIN LV AREA	1,114
UPPR LV AREA	1,008	BSMT AREA	734	ENCL PORCH	210
EXT WALL TYP	VN/Vinyl Siding	ROOF TYPE	GM/Gambrel	ROOF MATERL	A/Asphalt Shingle
FIREPLACES	1	HEATING	A/Gas Forced Air	AIR COND	0
BATHROOMS	3				

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Detached # 101									
OCCUPANCY	GAR/Garage	CONSTR TYPE		FR/Frame		MEASCODE		D/Dimensions	
MEASURE1	18	MEASURE2	22	STORY HEIGHT	1				
GRADE	5	YEAR BUILT	1891	CONDITION	PR/Poor				

Year	Type	Status	Application	Permit/Pickup Description
Current	P/Permit	PA/Pass	2015-10-28	AL/Alterations INTERIOR Cost Estimate 5000
Current	U/Pickup	PA/Pass	2015-07-22	RV/Review Value BOARD OF REVIEW
1998	P/Permit	NA/No Add	1997-08-04	AL/MISC (Cost \$15,000)

Year	Type	Class	Kind	Land	Bldg	AgBd	Total



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2015	<u>Board Action</u>	Multi-Residential	Full	9,500	5,500	0	15,000
2015	<u>Assessment Roll</u>	Multi-Residential	Full	9,500	76,000	0	85,500
2013	<u>Assessment Roll</u>	Commercial Multiple	Full	9,500	66,500	0	76,000
2011	<u>Assessment Roll</u>	Commercial Multiple	Full	9,500	66,500	0	76,000
2009	<u>Assessment Roll</u>	Commercial Multiple	Full	9,500	76,100	0	85,600
2007	<u>Assessment Roll</u>	Commercial Multiple	Full	9,500	76,100	0	85,600
2006	<u>Assessment Roll</u>	Commercial Multiple	Full	8,600	77,000	0	85,600
2005	<u>Assessment Roll</u>	Commercial Multiple	Full	8,600	59,900	0	68,500
2003	<u>Assessment Roll</u>	Commercial Multiple	Full	7,500	55,300	0	62,800
2001	<u>Assessment Roll</u>	Commercial Multiple	Full	7,070	37,800	0	44,870
1999	<u>Assessment Roll</u>	Commercial Multiple	Full	7,000	37,800	0	44,800
1995	<u>Assessment Roll</u>	Commercial Multiple	Full	6,800	35,000	0	41,800
1993	<u>Assessment Roll</u>	Commercial Multiple	Full	6,440	33,360	0	39,800
1989	<u>Board Action</u>	Commercial Multiple	Full	6,440	27,280	0	33,720

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](mailto:polkweb@assess.co.polk.ia.us)

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1101 26<sup>th</sup> St



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1101 26th St



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**ASPEN**  
WASTE SYSTEMS 515-974-1400

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