



Date August 8, 2016

ABATEMENT OF PUBLIC NUISANCE AT 2424 MARTIN LUTHER KING JR PKWY

WHEREAS, the property located at 2424 Martin Luther King Jr Pkwy, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the structure (commercial building) in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, The Monahan Group, LLC, and Mortgage Holder, State Savings Bank, were notified more than thirty days ago to repair or demolish the structure (commercial building) 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 structure (commercial building) on the real estate legally described as Commencing at the South ¼ corner of Section 28, Township 79 North, Range 24, West of the 5th P.M.; thence N 0 00' E along the West line of the SE ¼ of said Section 28, 237.6 feet; thence N 79° 55 ½' E along the center line of the now vacated Holcomb Avenue, 530.8 feet to the Westerly line of Harding Road, as it is presently established; thence N 10° 07' ½' W along said Westerly line of Harding Road 117.24 feet to the point of beginning; thence continuing N 10° 07 1/2' W along said Westerly Line of Harding Road, 201.56 feet; thence N 89° 32 ½' W 205.0 feet; thence S 0° 27 ½' W 198.0 feet; thence South 89° 32 ½' E 241.85 feet to the point of beginning, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2424 Martin Luther King Jr Pkwy, 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(s) 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:



Jessica D. Spoden, 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				
MOORE				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

Mayor

City Clerk

28B

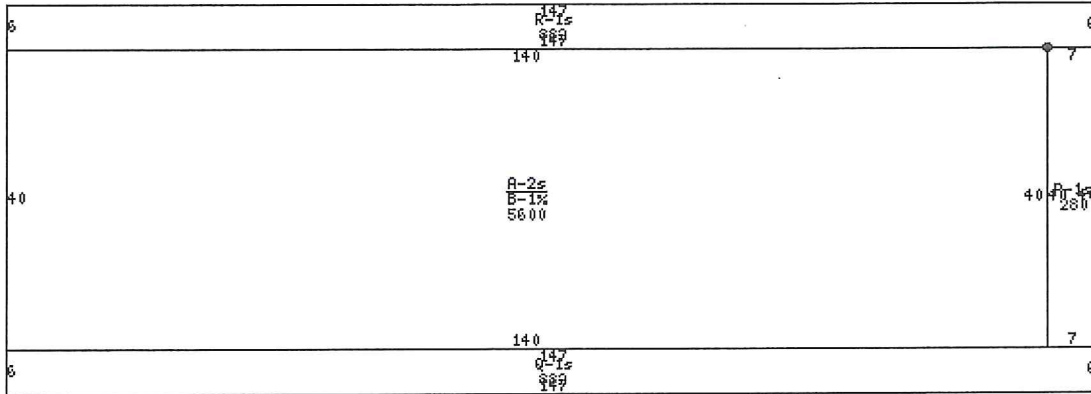
Source: City of Des Moines Community Development **Published:** 2012-03-20 **Contact:** Planning and Urban Design
515 283-4182

Land					
SQUARE FEET	44,238	FRONTAGE	198.0	DEPTH	223.0
ACRES	1.016	SHAPE	RC/Rectangle	TOPOGRAPHY	B/Blank

Commercial Summary					
OCCUPANCY	35B/Retail & Apartment	WEIGHTED AGE	1966	STORY HEIGHT	2
LAND AREA	44,238	GROSS AREA	11,200	FINISH AREA	11,200
BSMT UNFIN	5,600	BSMT FINISH	350	NUMBER UNITS	12

Csection # 101					
SECT MULTIPL	1	OCCUPANCY	35B/Retail & Apartment	FOUNDATION	CN/Concrete
EXT WALL	CT/Concrete Block or Tile	INSULATION	Y/Yes	ROOF	F/Flat
ROOF MATERL	B/Built-up	COVERED AREA	1,764	COVER QUAL	NM/Normal
ENTRANCE SF	560	ENTRNC QUAL	BN/Below Normal	MAN OVRHD SF	160
WIRING	A/Adequate	PLUMBING	A/Adequate	TOTAL ST HT	2
FRAME TYPE	ST/Steel	FIREPRF CNST	N/No	BLDG CLASS	4/Frame, Concrete Blk, Tile, Tilt Up
TOT SCT AREA	16,800	GRND FL AREA	5,600	PERIMETER	360
GRADE	4	GRADE ADJUST	+00	YEAR BUILT	1966
YEAR REMODEL	1990	CONDITION	BN/Below Normal		
COMMENT	P=2ST ENCL STAIRS, Q & R=OFP				
COMMENT	2ND FLR FRAME CONST				

28B



Cgroup # 101 1					
USE CODE	215/Retail Small	BASE STORY	1	NUM STORIES	1
TOT GRP AREA	5,600	BASE FL AREA	5,600	HEATING	C/Central
AIR COND	Y	EXHAUST SYS	N/No		

Cgroup # 101 2					
USE CODE	100/Apartment	BASE STORY	2	NUM STORIES	1
TOT GRP AREA	5,600	BASE FL AREA	5,600	NUMBER UNITS	12
HEATING	C/Central	AIR COND	N	EXHAUST SYS	N/No

Cgroup # 101 3					
USE CODE	005/Basement Entire	NUM STORIES	1	TOT GRP AREA	5,600
BASE FL AREA	5,600	HEATING	N/None	AIR COND	N

28B

EXHAUST SYS	N/No
-------------	------

Cgroup # 101 5					
USE CODE	004/Basement Finished	NUM STORIES	1	TOT GRP AREA	350
BASE FL AREA	350	HEATING	C/Central	AIR COND	Y
EXHAUST SYS	N/No				

Detached # 101					
OCCUPANCY	PVA/Asphalt Paving	MEASCODE	S/Square Feet	MEASURE1	22,000
GRADE	3	YEAR BUILT	1966	CONDITION	NM/Normal
COMMENT	CORRECTED AREA FOR 2005				
OTHER	W/ CONC				

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
TWENTY FOUR 24 PARTNERS	THE MONAHAN GROUP LC	2006-08-08	280,000	D/Deed	11800/455

Year	Type	Status	Application	Permit/Pickup Description
Current	P/Permit	TW/To Work	2016-03-10	RD/Fix Damage FIRE Cost Estimate 40000
2015	U/Pickup	NA/No Add	2014-09-17	RE/DUAL CLASS
2013	P/Permit	NA/No Add	2012-05-17	AL/INTERIOR
1991	P/Permit	NA/No Add	1989-12-06	Interior Alterations
1991	P/Permit	NA/No Add	1989-10-13	Interior Remodel
1990	P/Permit	PA/Pass	1989-12-06	Interior Alterations
1990	P/Permit	PA/Pass	1989-10-13	Interior Remodel

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2015	Assessment Roll	Commercial	Full	90,580	83,870	0	174,450
2015	Assessment Roll	Multi-Residential	Full	57,920	53,630	0	111,550
2013	Assessment Roll	Commercial	Full	148,500	119,500	0	268,000
2011	Assessment Roll	Commercial	Full	148,500	119,500	0	268,000
2009	Assessment Roll	Commercial	Full	148,500	134,000	0	282,500
2008	Board Action	Commercial	Full	148,500	134,000	0	282,500
2007	Assessment Roll	Commercial	Full	148,500	276,500	0	425,000
2005	Board Action	Commercial	Full	134,500	268,500	0	403,000
2005	Assessment Roll	Commercial	Full	134,500	268,500	0	403,000
2003	Assessment Roll	Commercial	Full	117,000	251,000	0	368,000
2001	Assessment Roll	Commercial	Full	110,600	237,000	0	347,600
1999	Assessment Roll	Commercial	Full	99,500	237,000	0	336,500

28B

1995	Assessment Roll	Commercial	Full	96,500	230,000	0	326,500
1993	Assessment Roll	Commercial	Full	92,000	219,000	0	311,000
1993	Was Prior Year	Commercial	Full	88,480	210,380	0	298,860

[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



28 B

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

DATE OF NOTICE: May 3, 2016

DATE OF INSPECTION: March 03, 2016

CASE NUMBER: COD2016-00982

PROPERTY ADDRESS: 2424 M L KING JR PKWY

LEGAL DESCRIPTION: BEG 346.5F S OF NE COR THN W 205F S 198F E 241.85F NW 201.56F TO POB LT 22 OP E 1/2 NW 1/4 & SW 1/4 SE 1/4 & GOV LTS 3, 4, 5 & 6 SEC 28-79-24

THE MONAHAN GROUP LC
Title Holder
RICK MONAHAN, REG. AGENT
6734 PANARAMA DR
PANORA IA 50216

STATE SAVINGS BANK
Mortgage Holder
TIM J. WOLF, PRESIDENT
4800 MILLS CIVIC PKWY #100
WEST DES MOINES IA 50265

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.

28 B

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.

Kevin King
(515) 283-4559



Nid Inspector

DATE MAILED: 5/3/2016

MAILED BY: JDH

Areas that need attention: 2424 M L KING JR PKWY

Component:	Electrical Service	Defect:	Fire damaged
Requirement:	Electrical Permit	Location:	Throughout
Comments:			
Component:	Mechanical System	Defect:	Fire damaged
Requirement:	Mechanical Permit	Location:	Throughout
Comments:			
Component:	Wiring	Defect:	Fire damaged
Requirement:	Electrical Permit	Location:	Throughout
Comments:			
Component:	Exterior Walls	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Unknown
Comments:			
Component:	Interior Stairway	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Foyer
Comments:			
Component:	Interior Walls /Ceiling	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Unknown
Comments:			
Component:	Floor Joists/Beams	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Unknown
Comments:			
Component:	Gas Lines	Defect:	Fire damaged
Requirement:	Mechanical Permit	Location:	Unknown
Comments:			

28B

Component: Smoke Detectors
Requirement: Complaine with Int Residential Code
Defect: Fire damaged
Location: Unknown
Comments:

Component: Windows/Window Frames
Requirement:
Defect: Cracked/Broken
Location: Unknown
Comments:

Component: Stairs/Stoop
Requirement: Building Permit
Defect: Fire damaged
Location: Foyer
Comments:

Component: Exterior Doors/Jams
Requirement: Building Permit
Defect: Cracked/Broken
Location: Unknown
Comments:

Component: Plumbing System
Requirement: Plumbing Permit
Defect: Fire damaged
Location: Throughout
Comments:

Component: 00
Requirement: Engineering Report
Defect: Fire damaged
Location: Throughout
Comments: No occupancy of the building, for any use, is allowed until all repairs are completed to the entire structure. Plans for completion of the project, accompanied by an engineer's report, will be required for review and approval prior to issuance of required permits. Re-occupancy will be allowed upon completion of repairs and finalization of all required permits

top

2424 mc King Jr



08.01.2016 10:44

28B

top

2424 mKing Jr.



08.01.2016 10:44

JSP