



Roll Call Number

Agenda Item Number

63D

Date September 12, 2016

ABATEMENT OF PUBLIC NUISANCE AT 4219 SE 8TH STREET

WHEREAS, the property located at 4219 SE 8th 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, Robert W. Wilson, was notified more than thirty days ago to repair or demolish the main structure and as of this date has failed to abate the nuisance.

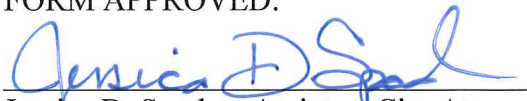
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure on the real estate legally described as Lot 7 in YODER ACRES, PLAT 2, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 4219 SE 8th 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(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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				
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**

63 D

DATE OF NOTICE: June 9, 2016

DATE OF INSPECTION: May 06, 2016

CASE NUMBER: COD2016-02665

PROPERTY ADDRESS: 4219 SE 8TH ST

LEGAL DESCRIPTION: LOT 7 YODER ACRES PLAT 2

ROBERT W WILSON
Title Holder
4301 SE 8TH ST
DES MOINES IA 50315-3708

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.

Mike F Lehman
(515) 283-4299



Nid Inspector

DATE MAILED: 6/9/2016


MAILED BY: JDH

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Areas that need attention: 4219 SE 8TH ST

Component: See Comments Requirement: Building Permit Comments: Entire main structure compromised.	Defect: Deteriorated Location: Main Structure
Component: Plumbing System Requirement: Plumbing Permit Comments:	Defect: In poor repair Location: Main Structure
Component: Electrical System Requirement: Electrical Permit Comments:	Defect: In poor repair Location: Main Structure
Component: Mechanical System Requirement: Mechanical Permit Comments:	Defect: In poor repair Location: Main Structure

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Polk County Assessor 

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 [[Comm Sales Query](#)] [[Help](#)]

District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
120/06932-000-000	7824-22-426-050	B168	DM38/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
4219 SE 8TH ST			DES MOINES IA 50315-3706		

Click on parcel to get new listing

124.7	4120	187	4121	188.7	107.4	4121
213	4200		4201	188.5	107.35	4201
217	4205		4207	188.3	107.3	4211
221	4212		4213	188.1	107.25	4217
225	4218		4219	187.9	107.2	4301
229	4300		4301	187.7	107.15	4309
233	4304		4305	187.5	107.1	107
239	4310		4311	187.3	107.05	1002
301	4315		4317	107.1		80



Approximate date of photo 04/03/2015

Mailing Address
ROBERT WILSON 4213 SE 8TH ST DES MOINES, IA 50315-3706

Legal Description
LOT 7 YODER ACRES PLAT 2

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	WILSON, ROBERT	2014-08-25	15299/701	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	14,900	1,000	0	15,900

[Estimate Taxes](#) [Polk County Treasurer Tax Information](#) [Pay Taxes](#)

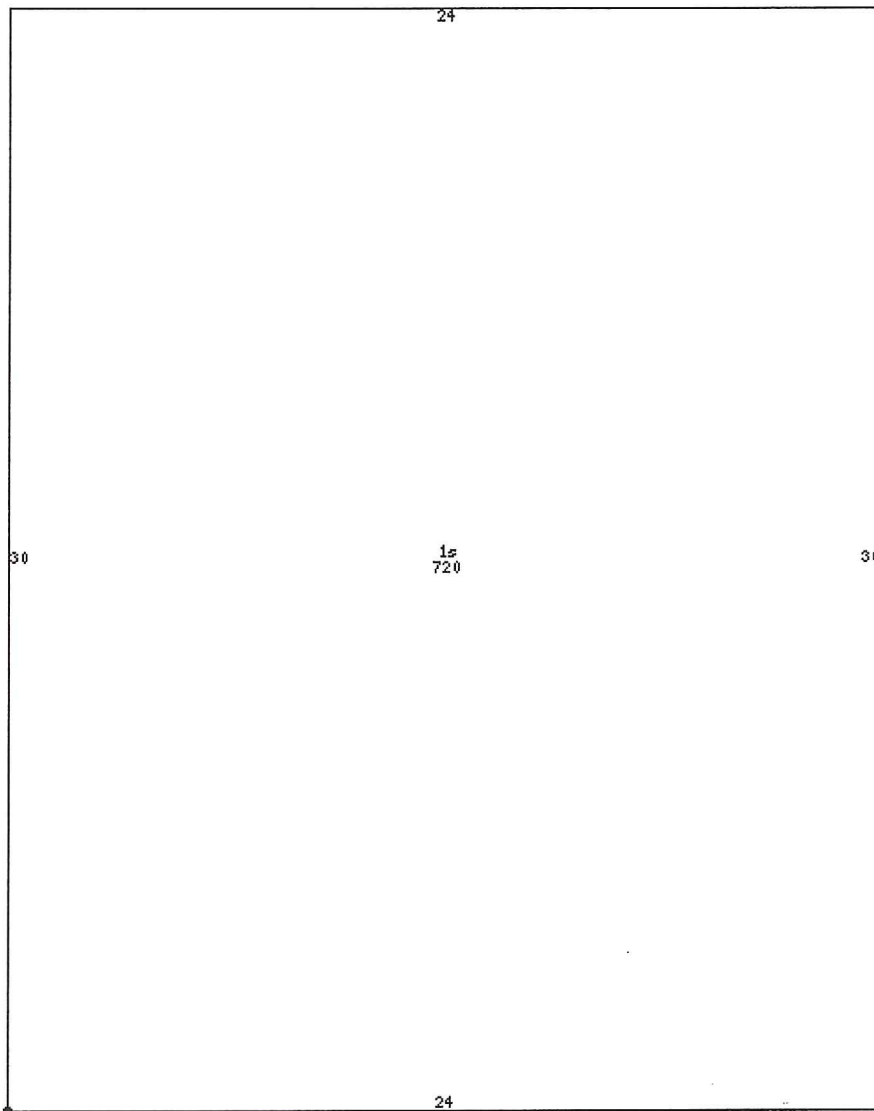
Zoning	Description	SF	Assessor Zoning
R1-70	One Family, Low Density Residential District		Residential

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

63 D

Land					
SQUARE FEET	13,160	FRONTAGE	70.0	DEPTH	188.0
ACRES	0.302	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S1/1 Story	BLDG STYLE	RN/Ranch
YEAR BUILT	1952	# FAMILIES	1	GRADE	4
GRADE ADJUST	-05	CONDITION	NM/Normal	TSFLA	720
MAIN LV AREA	720	FOUNDATION	C/Concrete Block	EXT WALL TYP	WS/Wood Siding
ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle	HEATING	A/Gas Forced Air
AIR COND	0	BATHROOMS	1	BEDROOMS	3
ROOMS	5				



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Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
MONAHAN-MILLER, CLEO A	WILSON, ROBERT W	2009-11-18	8,000	D/Deed	13286/615

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2015	Assessment Roll	Residential	Full	14,900	1,000	0	15,900
2013	Board Action	Residential	Full	14,600	1,000	0	15,600
2013	Assessment Roll	Residential	Full	14,600	45,100	0	59,700
2011	Assessment Roll	Residential	Full	14,600	45,400	0	60,000
2009	Assessment Roll	Residential	Full	15,500	47,000	0	62,500
2007	Assessment Roll	Residential	Full	16,100	42,000	0	58,100
2005	Assessment Roll	Residential	Full	15,500	36,100	0	51,600
2003	Assessment Roll	Residential	Full	13,290	31,220	0	44,510
2001	Assessment Roll	Residential	Full	12,480	25,820	0	38,300
1999	Assessment Roll	Residential	Full	8,760	19,380	0	28,140
1997	Assessment Roll	Residential	Full	7,960	17,600	0	25,560
1995	Assessment Roll	Residential	Full	7,280	16,090	0	23,370
1991	Assessment Roll	Residential	Full	6,620	14,630	0	21,250
1991	Was Prior Year	Residential	Full	6,620	12,950	0	19,570

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

top

4219 SE 8th St



09/02/2016 13:39