



Roll Call Number

Agenda Item Number

30B

Date January 23, 2017

ABATEMENT OF PUBLIC NUISANCE AT 352 FOREST AVENUE

WHEREAS, the property located at 352 Forest Avenue, 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 Titleholders, All Known and Unknown Heirs of William R Peckham, 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 The West 1/2 of Lot 42 in RUTHERFORD HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 352 Forest Avenue, 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

top

35a Forest Ave



01.17.2017 11:14

top

352 Forest Ave





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

30B

DATE OF NOTICE: October 25, 2016

DATE OF INSPECTION: March 24, 2016

CASE NUMBER: COD2016-00839

PROPERTY ADDRESS: 352 FOREST AVE

LEGAL DESCRIPTION: W 1/2 LOT 42 RUTHERFURD HEIGHTS

WILLIAM R PECKHAM - DECEASED

Title Holder

352 FOREST AVE

DES MOINES IA 50314-3236

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 60-192 and 60-191 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.

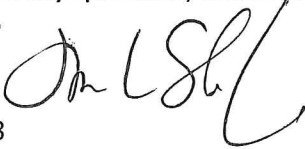
Appropriate building permits may be required for those violations noted in the "Special Requirements" section on the notice. Should you have questions regarding permits, contact the Permit and Development Center at (515) 283-4200. All work performed by a contractor or you must be completed in a workmanlike 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.

Jan L. Shafer
(515) 283-4008



Nid Inspector


DATE MAILED: 10/25/2016

MAILED BY: JDH

Areas that need attention: 352 FOREST AVE

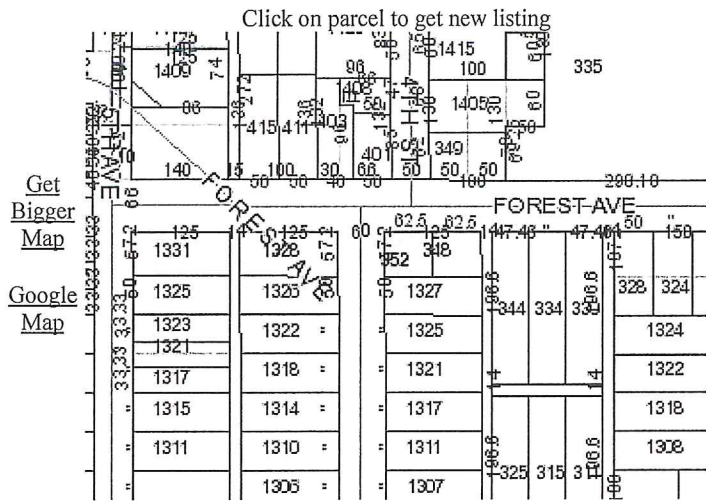
<u>Component:</u>	Foundation	<u>Defect:</u>	Deteriorated
<u>Requirement:</u>	Building Permit	<u>Location:</u>	
<u>Comments:</u>	Provide copy of structural engineer's report. Make necessary repairs.		

30B

Polk County Assessor 

[[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
080/05974-000-000	7924-34-477-001	0537	DM79/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address				City State Zipcode	
352 FOREST AVE				DES MOINES IA 50314-3236	



Approximate date of photo 07/18/2013

Mailing Address
WILLIAM R PECKHAM 352 FOREST AVE DES MOINES, IA 50314-3236

Legal Description
W 1/2 LOT 42 RUTHERFURD HEIGHTS

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	PECKHAM, WILLIAM R	2001-06-04	8846/190	

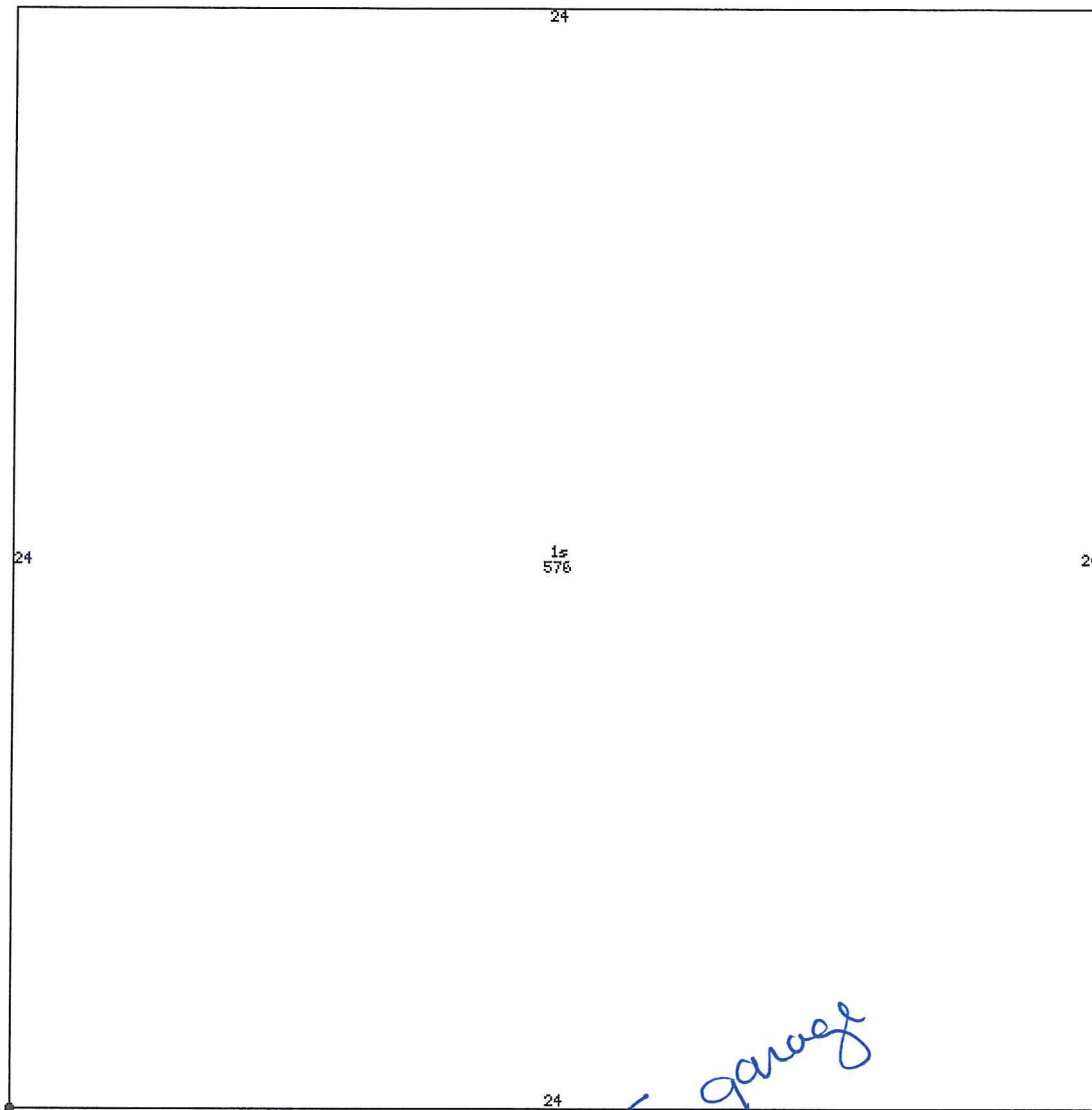
Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	2,800	16,900	0	19,700
Estimate Taxes Polk County Treasurer Tax Information Pay Taxes						

Taxable Value Credit	Name	Number	Info
Homestead	PECKHAM, WILLIAM R	28838	
Military	PECKHAM, WILLIAM R	53753	Vietnam

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

Land					
SQUARE FEET	3,546	FRONTAGE	57.0	DEPTH	62.0
ACRES	0.081	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S1/1 Story	BLDG STYLE	RN/Ranch
YEAR BUILT	1948	# FAMILIES	1	GRADE	5
GRADE ADJUST	+10	CONDITION	PR/Poor	TSFLA	576
MAIN LV AREA	576	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	1
ROOMS	3				



Detached # 101					
OCCUPANCY	GAR/Garage	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	12	MEASURE2	20	STORY HEIGHT	1
GRADE	5	YEAR BUILT	1948	CONDITION	PR/Poor

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
ROMIG, ROGER L	PECKHAM, WILLIAM R	1996-05-14	15,000	C/Contract	7400/59

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2015	<u>Assessment Roll</u>	Residential	Full	2,800	16,900	0	19,700
2013	<u>Assessment Roll</u>	Residential	Full	2,800	17,200	0	20,000
2011	<u>Assessment Roll</u>	Residential	Full	2,800	18,100	0	20,900
2009	<u>Assessment Roll</u>	Residential	Full	2,700	18,100	0	20,800
2007	<u>Assessment Roll</u>	Residential	Full	2,800	19,100	0	21,900

2005	<u>Assessment Roll</u>	Residential	Full	2,700	25,600	0	28,300
2003	<u>Assessment Roll</u>	Residential	Full	2,520	24,260	0	26,780
2001	<u>Assessment Roll</u>	Residential	Full	2,430	23,410	0	25,840
1999	Assessment Roll	Residential	Full	3,630	13,660	0	17,290
1997	Assessment Roll	Residential	Full	2,970	11,180	0	14,150
1995	Assessment Roll	Residential	Full	2,670	10,040	0	12,710
1989	Assessment Roll	Residential	Full	2,310	8,690	0	11,000

[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