



Roll Call Number

Agenda Item Number

38 I

Date June 26, 2017

ABATEMENT OF PUBLIC NUISANCE AT 408 TITUS AVENUE

WHEREAS, the property located at 408 Titus 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 to Loretta E. Smith, 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.

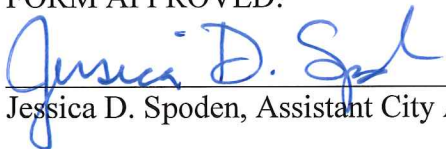
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure on the real estate legally described as Lot 26 FARR ADDITION PLAT Two, an Official Plat, Polk County, Iowa, and locally known as 408 Titus 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				

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.

MOTION CARRIED

APPROVED

Mayor

City Clerk

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

DATE OF NOTICE: April 5, 2017

DATE OF INSPECTION: January 04, 2017

CASE NUMBER: COD2017-00408

PROPERTY ADDRESS: 408 TITUS AVE

LEGAL DESCRIPTION: LOT 26 FARR ADDITION PLAT 2

LORETTA E SMITH- DECEASED
Title Holder
408 TITUS AVE
DES MOINES IA 50315-4669

JANET D GILBERT
Executor
4116 E OVID AVE
DES MOINES IA 50317

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.

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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.

Neighborhood Inspection Division
(515) 283-4208

Nid Inspector *Eric Badar* 

DATE MAILED: 4/5/2017

MAILED BY: JDH

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Areas that need attention: 408 TITUS AVE

Component: Electrical System	Defect: Flame/Smoke Spread
Requirement: Electrical Permit	Location: Bedroom
Comments: repair & inspection of electric system needed after fire	

Component: See Comments	Defect: Missing Sections
Requirement: Building Permit	Location:
Comments: BLD. permit needed for new ceiling & inspection of fire damage to structure	

Component: Accessory Buildings	Defect: Major sagging
Requirement: Building Permit	Location:
Comments: BLD. permit required for demo. or re-build of garage	

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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
120/01462-000-000	7824-28-227-003	B128	DM41/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
408 TITUS AVE			DES MOINES IA 50315-4669		

Click on parcel to get new listing

903	905	907	909	911	001	007	009	905		
417	84.3	84.2	416	412	408	404	400	312	308	30
413	80	88	415	406	404	400	312	308	30	
409										
405										
401										
313										
309										
TITUS AVE										
501	411	401	323	303	301	299	257			



Approximate date of photo 09/02/2015

Mailing Address
LORETTA E SMITH 408 TITUS AVE DES MOINES, IA 50315-4669

Legal Description
LOT 26 FARR ADDITION PLAT 2

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	SMITH, LORETTA E	1991-08-30	6426/255	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Assmt Roll	Residential	Full	25,200	41,800	0	67,000
Current	Residential	Full	22,900	38,800	0	61,700

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

Taxable Value Credit	Name	Number	Info
Homestead	SMITH, LORETTA E	90323	

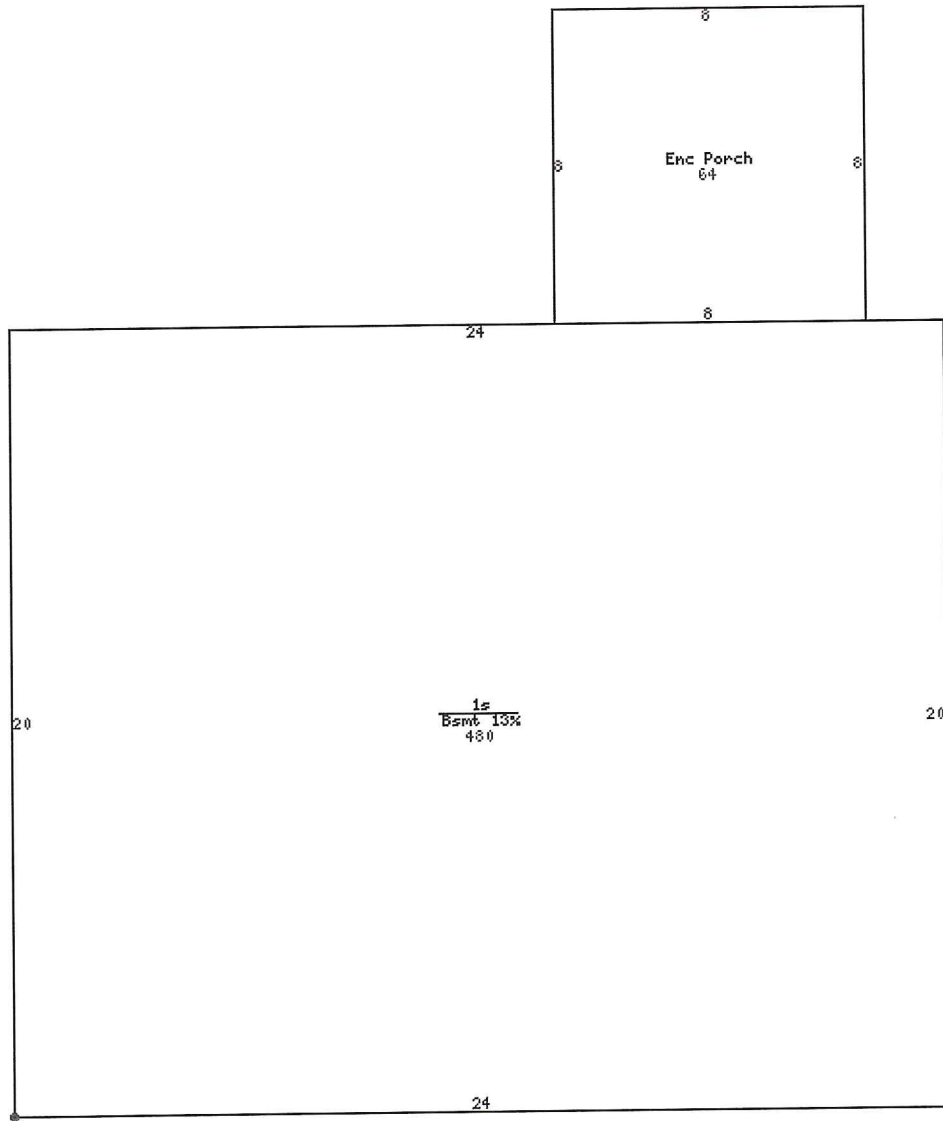
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Zoning	Description	SF	Assessor Zoning
R1-70	One Family, Low Density Residential District		Residential
Source: City of Des Moines Community Development Published: 2012-03-20 Contact: Planning and Urban Design 515 283-4182			

Land					
SQUARE FEET	18,480	FRONTAGE	80.0	DEPTH	231.0
ACRES	0.424	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S1/1 Story	BLDG STYLE	BG/Bungalow
YEAR BUILT	1955	# FAMILIES	1	GRADE	5
GRADE ADJUST	+10	CONDITION	NM/Normal	TSFLA	480
MAIN LV AREA	480	BSMT AREA	62	ENCL PORCH	64
FOUNDATION	C/Concrete Block	EXT WALL TYP	VN/Vinyl Siding	ROOF TYPE	GB/Gable
ROOF MATERL	A/Asphalt Shingle	BMT FL EARTH	100	HEATING	A/Gas Forced Air
AIR COND	0	BATHROOMS	1	BEDROOMS	1
ROOMS	4				

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Detached # 101					
OCCUPANCY	GAR/Garage	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	12	MEASURE2	24	STORY HEIGHT	1
GRADE	4	YEAR BUILT	1970	CONDITION	BN/Below Normal

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2015	Assessment Roll	Residential	Full	22,900	38,800	0	61,700
2013	Assessment Roll	Residential	Full	20,800	36,300	0	57,100
2011	Assessment Roll	Residential	Full	21,900	38,400	0	60,300
2009	Assessment Roll	Residential	Full	23,700	41,300	0	65,000
2007	Assessment Roll	Residential	Full	24,300	31,800	0	56,100
2005	Assessment Roll	Residential	Full	21,200	30,700	0	51,900
2003	Assessment Roll	Residential	Full	18,820	27,580	0	46,400

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2001	Assessment Roll	Residential	Full	14,980	19,220	0	34,200
1999	Assessment Roll	Residential	Full	7,470	22,510	0	29,980
1997	Assessment Roll	Residential	Full	6,940	20,920	0	27,860
1995	Assessment Roll	Residential	Full	6,110	18,410	0	24,520
1993	Assessment Roll	Residential	Full	5,310	16,010	0	21,320
1991	Assessment Roll	Residential	Full	5,310	15,190	0	20,500
1991	Was Prior Year	Residential	Full	5,310	10,650	0	15,960

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



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408 Titus Ave

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408 Titus Ave

top

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408 Titus Ave



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