



Date December 4, 2017

ABATEMENT OF PUBLIC NUISANCE AT 2943 CAPITOL AVENUE

WHEREAS, the property located at 2943 Capitol 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 Titleholder, Metropolitan Life Insurance Company, 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 4 in Block 4 in ELBERT AND YORK'S ADDITION TO GRANT PARK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2943 Capitol 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

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and 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

2943 Capital Ave top



11/16/2017

328B

2943 Capitol Ave top



11/16/2017

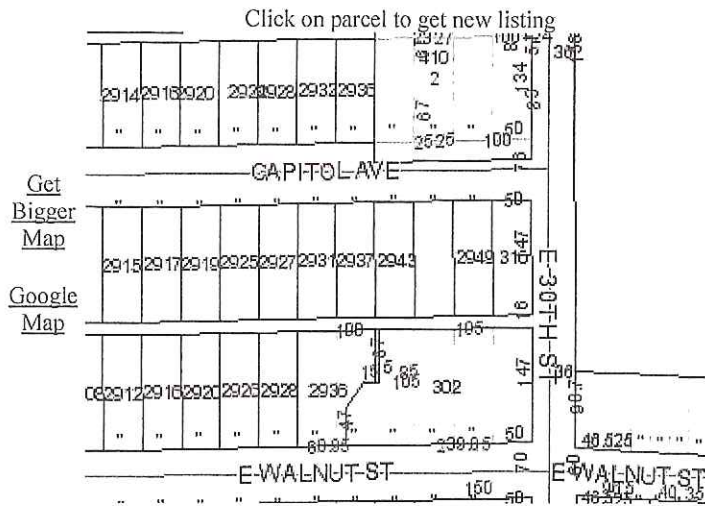
32B

32B

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
050/00781-000-000	7824-01-281-011	0438	DM16/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
2943 CAPITOL AVE			DES MOINES IA 50317-2320		



Approximate date of photo 10/12/2010

Mailing Address
BAYVIEW LOAN SERVICING LLC 4425 PONCE DE LEON BLVD FL 5 CORAL GABLES, FL 33146-1837

Legal Description
LOT 4 BLK 4 ELBERT & YORKS ADDITION

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	METROPOLITAN LIFE INSURANCE COMPANY	2017-06-12	16517/299	

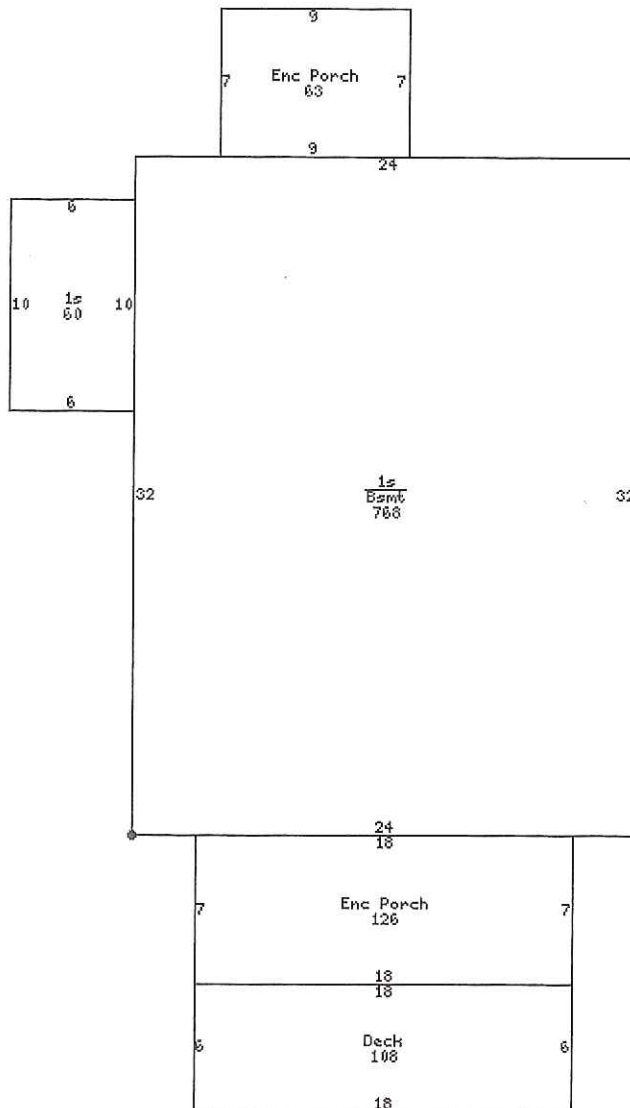
Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	14,200	38,800	0	53,000
Assessment Roll Notice Estimate Taxes Polk County Treasurer Tax Information Pay Taxes						

Zoning	Description	SF	Assessor Zoning
R1-60	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	7,350	FRONTAGE	50.0	DEPTH	147.0
ACRES	0.169	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	UA/1 Story with Unfinished Attic	BLDG STYLE	CV/Conventional
YEAR BUILT	1920	# FAMILIES	1	GRADE	5
GRADE ADJUST	+10	CONDITION	NM/Normal	TSFLA	828
MAIN LV AREA	828	ATTIC UNFIN	290	BSMT AREA	768
ENCL PORCH	189	DECK AREA	108	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	100	BATHROOMS	1
BEDROOMS	2	ROOMS	4		





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

32B

DATE OF NOTICE: July 20, 2017

DATE OF INSPECTION: June 09, 2017

CASE NUMBER: COD2017-04081

PROPERTY ADDRESS: 2943 CAPITOL AVE

LEGAL DESCRIPTION: LOT 4 BLK 4 ELBERT & YORKS ADDITION

MARY J HART
Title Holder
2943 CAPITOL AVE
DES MOINES IA 50317-2320

METROPOLITAN LIFE INSURANCE COMPANY
Mortgage Holder
ATTN: LEGAL
10 PARK AVE
MORRISTOWN NJ 07962

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.

Neighborhood Inspection Division

(515) 283-4208



Nid Inspector

DATE MAILED: 7/20/2017

MAILED BY: JDH

32B

Areas that need attention: 2943 CAPITOL AVE

Component: Electrical System Requirement: Electrical Permit Comments:	Defect: Flame/Smoke Spread Location: Main Structure
Component: Mechanical System Requirement: Mechanical Permit Comments:	Defect: Flame/Smoke Spread Location: Main Structure
Component: Plumbing System Requirement: Plumbing Permit Comments:	Defect: Flame/Smoke Spread Location: Main Structure
Component: Exterior Walls Requirement: Building Permit Comments:	Defect: Flame/Smoke Spread Location: Main Structure
Component: Interior Walls /Ceiling Requirement: Building Permit Comments:	Defect: Flame/Smoke Spread Location: Main Structure
Component: Roof Requirement: Building Permit Comments:	Defect: Flame/Smoke Spread Location: Main Structure
Component: See Comments Requirement: Permit Required Comments: Demo Permit from City of DM is required if house is taken down	Defect: See Comments Location: Main Structure