

Agenda Item Number

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Date December 4, 2017

### ABATEMENT OF PUBLIC NUISANCE AT 2804 E 37th COURT

WHEREAS, the property located at 2804 E 37<sup>th</sup> Court, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the garage structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, Renea Losee, was notified by personal service more than thirty days ago to repair or demolish the garage 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 garage structure on the real estate legally described as Lot 525 in FOUR MILE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2804 E 37<sup>th</sup> Court, 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 garage structure.

Moved by\_\_\_\_\_to adopt.

FORM APPROVED: Jessica D. Spoden, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT	CERTIFICATE
COWNIE					
COLEMAN					I, DIANE RAUH, City Clerk of said City hereby
GATTO					certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among
GRAY					other proceedings the above was adopted.
HENSLEY					
MOORE				-	IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first
WESTERGAARD					above written.
TOTAL					
MOTION CARRIED			AP	PROVED	
(	_			Mayor	City Clerk





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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
060/04229-000-000	7923-29-429-034	0811	DM12/D	DES MOINES	ACTIVE
School District Tax Increment Finance District		Bond/	/Fire/Sewer	/Cemetery	
1/Des Moines					
Street Address			City State	Zipcode	
2804 E 37TH CT			DES MOI	INES IA 50317-332	26

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Approximate date of photo 08/05/2014

#### **Mailing Address**

RENEA LOSEE 2804 E 37TH CT DES MOINES, IA 50317-3326

#### Legal Description

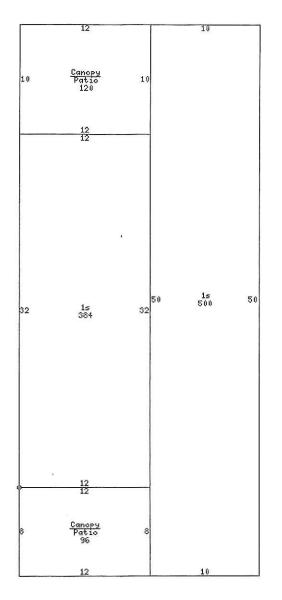
LOT 525 FOUR MILE

<u>Ownership</u>	Name		Recorded Book/Page		RevStamps	
Title Holder #1	LOSEE, RENEA	4	2004-06-10	10584/774		
Assessment	Class	Kind	Land	Bldg	AgBd	Total
	Residential	Full	17,500	14,200		31,700

Taxable Value Credit	Name	Number	Info
Homestead	LOSEE, RENEA	151188	

Zoning	Description	SF	Assessor Zoning

R1-60 One Family, Low Density Residential District Residential								
Source: City of D	Source: City of Des Moines Community Development Published: 2012-03-20 Contact: Planning and Urban Design 515 283-4182							
Land								
SQUARE FEET	6,300	FRONTAGE	50.0	DEPTH	126.0			
ACRES	0.145	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal			
Residence # 1	Residence # 1							
OCCUPANCY	SF/Single Family	RESID TYPE	MH/Mobile Home	BLDG STYLE	M3/Manuf/Mobile 12ft			
YEAR BUILT	1959	# FAMILIES	1	GRADE	5			
GRADE ADJUST	+10	CONDITION	BN/Below Normal	I NEL A	884			
MAIN LV AREA	884	PATIO AREA	216	CANOPY AREA	216			
FOUNDATION	C/Concrete Block	EXT WALL TYP	MF/Mixed Frame	ROOF TYPE	F/Flat			
ROOF MATERL	A/Asphalt Shingle	HEATING	A/Gas Forced Air	AIR COND	0			
BATHROOMS	1	BEDROOMS	1	ROOMS	4			



<u>Detached #</u> 101					
OCCUPANCY	GAR/Garage	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	14	MEASURE2	22	STORY HEIGHT	1
GRADE	4	YEAR BUILT	1963	CONDITION	PR/Poor

Detached # 102					
OCCUPANCY	CPT/Carport	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	10	MEASURE2	22	STORY HEIGHT	1
GRADE	5	YEAR BUILT	1963	CONDITION	PR/Poor

Seller		Buyer	5	Sale Date	Sale Price	Instrument	Book/Page
LOSEE	E, ELIZABETH M ESTAE	LOSEE, RENEE	2	2003-07-07	20,000	C/Contract	10215/926
MYER	S, DAVID R	LOSEE, ELIABETH	M []	<u>992-03-06</u>	14,000	C/Contract	6518/542
Year	Туре	Class	lind	La	nd B	dg AgBd	Total

2017	Assessment Roll	Residential	Full	17,500	14,200	0	31,700
2015	Assessment Roll	Residential	Full	16,000	13,100	0	29,100
2013	Assessment Roll	Residential	Full	15,800	13,100	0	28,900
2011	Assessment Roll	Residential	Full	15,800	13,200	0	29,000
2009	Assessment Roll	Residential	Full	16,200	14,000	0	30,200
2007	Assessment Roll	Residential	Full	16,700	14,500	0	31,200
2005	Assessment Roll	Residential	Full	16,100	12,900	0	29,000
2003	Assessment Roll	Residential	Full	14,590	11,830	0	26,420
2001	Board Action	Residential	Full	13,050	19,380	0	32,430
2001	Assessment Roll	Residential	Full	13,050	23,630	0	36,680
1999	Assessment Roll	Residential	Full	8,550	15,390	0	23,940
1997	Assessment Roll	Residential	Full	7,540	13,570	0	21,110
1995	Assessment Roll	Residential	Full	7,140	12,860	0	20,000
1993	Assessment Roll	Residential	Full	6,320	11,770	0	18,090
1991	Assessment Roll	Residential	Full	5,850	12,240	0	18,090
1991	Was Prior Year	Residential	Full	5,850	10,450	0	16,300

email this page

Room 195, 111 Court Avenue, Des Moines, 1A 50309 Phone 515 286-3140 / Fax 515 286-3386 polkweb@assess.co.polk.ia.us

http://www.assess.co.polk.ia.us/cgi-bin/invenquery/pickdp.cgi?dp06004229000000=060%2F04229-000-000&... 11/15/2017



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

#### DATE OF INSPECTION: May 02, 2017

Brite of Horzoerbury	
CASE NUMBER:	COD2016-06407
PROPERTY ADDRESS:	2804 E 37TH CT
LEGAL DESCRIPTION:	LOT 525 FOUR MILE

RENEA LOSEE A/K/A EVA RENEA LOSEE Title Holder 2804 E 37TH CT DES MOINES IA 50317

DATE OF NOTICE: July 20, 2017

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 COMPONETS 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.

Justin S. Denning

(515) 237-1484

Nid Inspector DATE MAILED: 7/20/2017

MAILED BY: JDH

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## Areas that need attention: 2804 E 37TH CT

Component:	Accessory Buildings	Defect:	Structurally inadequate
Requirement:	Building Permit	Location:	Throughout
Comments:	Garage		moughout
	Galage		
Component: Requirement:	Exterior Doors/Jams	Defect:	Excessive rot
<u>Kequirement.</u>	Building Permit	Location:	Throughout
Comments:	Garage		moughout
Component: Requirement:	Roof Building Permit	Defect:	Holes or major defect
Requirements	building Ferrine	Location:	Throughout
Comments:	Garage		
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Component: Requirement:	Exterior Walls Building Permit	Defect:	Holes or major defect
Requirement	building rennic	Location:	Throughout
Comments:	Garage		
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<u>Component:</u> <u>Requirement:</u>	Shingles Flashing Building Permit	Defect:	Holes or major defect
Requirementer	balang renne	Location:	Throughout
Comments:	Garage		
	2 2		
<u>Component:</u> <u>Requirement:</u>	Soffit/Facia/Trim Building Permit	Defect:	Deteriorated
noganomenti	building remite	Location:	Throughout
Comments:	Garage		
1	-		