



Date April 9, 2018

ABATEMENT OF PUBLIC NUISANCE AT 3017 MARTIN LUTHER KING JR. PKWY

WHEREAS, the property located at 3017 Martin Luther King Jr. Pkwy, 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, Duoc T. Pham; 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 Except the West 7 feet – Beginning 50 Feet South & 92 Feet East of the Northwest Corner, Thence South 70 Feet, West 70 Feet Northwesterly to PT 50 Feet South of North Line East to Point of Beginning in Lot 2, HARKINS PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3017 Martin Luther King Jr. Pkwy, 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, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, 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

top

40B
3017 ML King Jr Pkwy



04.02.2018 12:41

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3017 ML King Jr Pkwy



04.02.2018 12:41

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3017 ML King Jr Pkwy



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

40 B

DATE OF NOTICE: February 2, 2018

DATE OF INSPECTION:

CASE NUMBER: COD2017-08293

PROPERTY ADDRESS: 3017 M L KING JR PKWY

LEGAL DESCRIPTION: -EX W7F- BEG 50F S & 92F E OF NW COR THN S 70F W 70F NWLY TO PT 50F S OF N LN E TO POB LOT 2 HARKINS PLACE

DUOC T PHAM
Title Holder
4304 BOYD ST
DES MOINES IA 50317-4086

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.

Brian Anderson

(515) 237-1412



Nid Inspector

DATE MAILED: 2/2/2018

MAILED BY: BPA

Areas that need attention: 3017 M L KING JR PKWY

<u>Component:</u>	See Comments	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Throughout
<u>Comments:</u>	Pull a building permit and finish all required repairs.		
<u>Component:</u>	Electrical System	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Electrical Permit	<u>Location:</u>	Throughout
<u>Comments:</u>	Have a licensed contractor pull a permit and finish all needed repairs.		
<u>Component:</u>	Mechanical System	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Mechanical Permit	<u>Location:</u>	Throughout
<u>Comments:</u>	Have a licensed contractor pull a permit and finish all needed repairs.		
<u>Component:</u>	Plumbing System	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Plumbing Permit	<u>Location:</u>	Throughout
<u>Comments:</u>	Have a licensed contractor pull a permit and finish all needed repairs.		
<u>Component:</u>	See Comments	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Compliance with Int Residential Code	<u>Location:</u>	
<u>Comments:</u>	Repair or replace all of the damaged and/or deteriorated siding and paint on the house and the attached shed.		

Polk County Assessor

111 Court Avenue #195
Des Moines, IA 50309-0904

(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	3017 MARTIN LUTHER KING JR PKWY				
City	DES MOINES	Zip	50310	Jurisdiction	Des Moines
District/Parcel	080/02946-000-000	Geoparcels	7924-28-251-003	Status	Active
School	Des Moines	Nbhd/Pocket	DM74/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northwest Des Moines	Appraiser	John Catron 515-286-3021		

Map and Current Photos - 1 Record

[Click on parcel to get a new listing](#)

[Bigger Map](#)
[Google Map](#) [Pictometry](#)

Photo Processed on 2006-04-11 a

[Historical Photos](#)

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	PHAM, DUOC T	2014-04-29	15169/706

Legal Description and Mailing Address

-EX W7F- BEG 50F S & 92F E OF NW COR THN S 70F W 70F NWLY TO PT 50F S OF N LN E TO POB LOT 2 HARKINS PLACE	DUOC T PHAM 4304 BOYD ST DES MOINES, IA 50317
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Current Values

Type	Class	Kind	Land	Bldg	Total
2017 Value	Residential	Full	\$11,400	\$33,000	\$44,400

[Assessment Roll Notice](#) [Market Adjusted Cost Report](#)

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
C-2	General Retail and Highway Oriented Commercial District		Highway Commercial

Conditional Zoning
Docket no [14361](#)
City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)

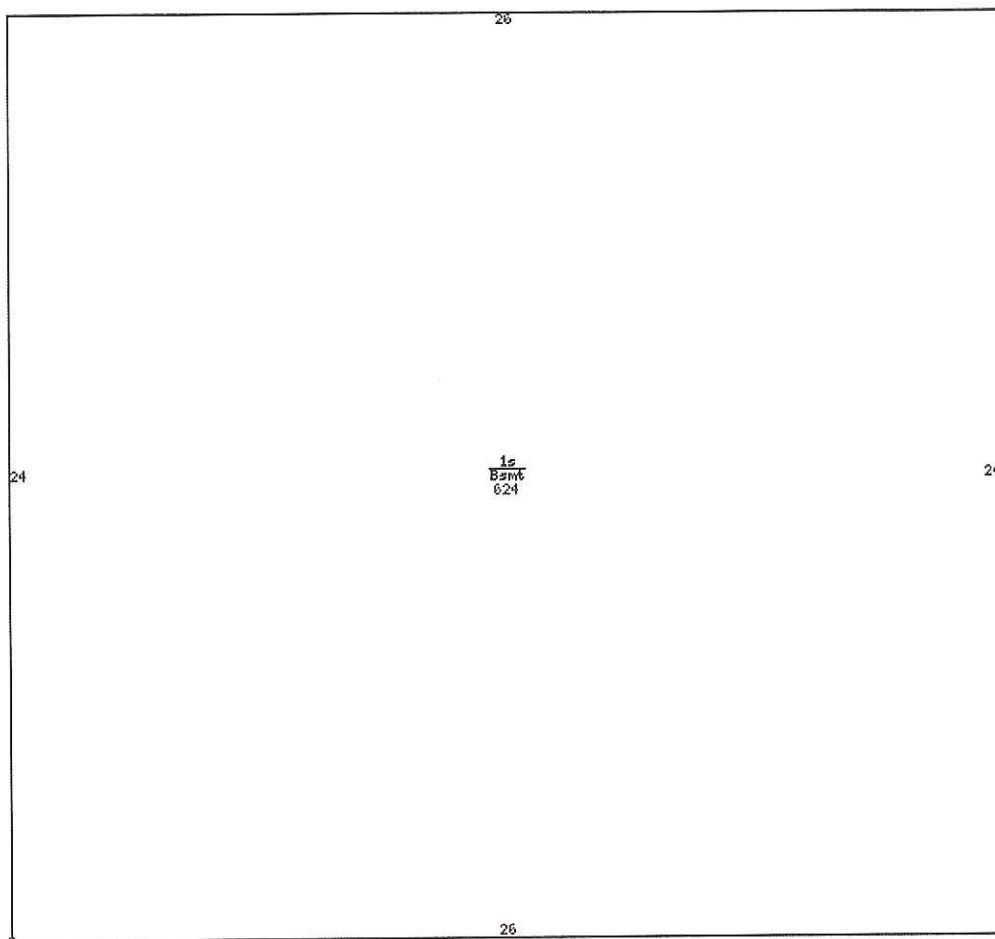
Land

Square Feet	Acres	Topography
4,460	0.102	Normal
Shape	Vacancy	Unbuildable
Keystone	No	No

Residences - 1 Record

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Residence #1					
Occupancy	Single Family	Residence Type	1 Story	Building Style	Ranch
Year Built	1942	Number Families	1	Grade	5+10
Condition	Normal	Total Square Foot Living Area	624	Main Living Area	624
Basement Area	624	Foundation	Brick	Exterior Wall Type	Metal Siding
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning	0	Number Bathrooms	1	Bedrooms	2
Rooms	4				



Detached Structures - 1 Record					
Detached Structure #101					
Occupancy	Shed	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	9	Measure 2	21	Story Height	1
Grade	5	Year Built	1960	Condition	Normal
Comment	AGE EST. SHED ATTACHED TO REAR OF HOME				

Sales - 2 Records					
Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
NGUYEN, TIET	PHAM, TAM THI	<u>2001-09-05</u>	\$18,000	Contract	<u>9006/871</u>
O LEARY, DENNIS M	NGUYEN, HIEN	<u>1994-06-05</u>	\$29,000	Deed	<u>7032/740</u>

