



Date April 9, 2018

ABATEMENT OF PUBLIC NUISANCES AT 106 E 29<sup>TH</sup> COURT

WHEREAS, the property located at 106 E 29<sup>th</sup> Court, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and accessory structures in their present condition constitutes not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholder, Leff Enterprises, LLC; was notified more than thirty days ago to repair or demolish the main structure and accessory structures 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 and accessory structures on the real estate legally described as Lot 25 Block H in HARTLEYS 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 106 E 29<sup>th</sup> Court, have previously been declared public nuisances;

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisances, and should the owner(s) fail to abate the nuisances, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structures.

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

  
Jessica D. Spoden, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
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

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106 E 29th St

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03/30/2018

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106 E 29th St

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106 E 29th Ct

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106 E 29<sup>th</sup> Ct



03/30/2018

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

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**DATE OF NOTICE: January 30, 2018**

**DATE OF INSPECTION: December 05, 2018**

**CASE NUMBER: COD2017-07969**

**PROPERTY ADDRESS: 106 E 29TH CT**

**LEGAL DESCRIPTION: LOT 25 BLK H HARTLEYS ADD TO GRANT PARK**

LEFF ENTERPRISES LLC  
Title Holder  
SCOTT LEFF, REG. AGENT  
2015 E 9TH ST  
DES MOINES IA 50316

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.

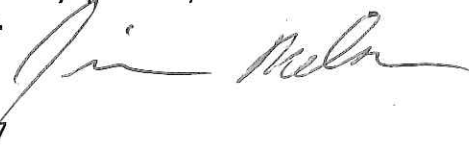
If you believe the building is beyond repair and decide to remove it, all debris must be removed from the property and the basement excavation if any, filled in the manner required by the City. You are encouraged to arrange for this demolition yourself; however a demolition permit must be obtained from 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.

Jim Nelson

(515) 283-4197



Nid Inspector

DATE MAILED: 1/30/2018

MAILED BY: JDH

**Areas that need attention:** 106 E 29TH CT

<b>Component:</b> Accessory Buildings <b>Requirement:</b> Building Permit <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Shed
<b>Component:</b> Electrical Service <b>Requirement:</b> Electrical Permit <b>Comments:</b>	<b>Defect:</b> Improperly Installed <b>Location:</b> Main Structure
<b>Component:</b> Plumbing System <b>Requirement:</b> Plumbing Permit <b>Comments:</b>	<b>Defect:</b> Improperly Installed <b>Location:</b> Main Structure
<b>Component:</b> Mechanical System <b>Requirement:</b> Mechanical Permit <b>Comments:</b>	<b>Defect:</b> Improperly Installed <b>Location:</b> Main Structure
<b>Component:</b> Roof <b>Requirement:</b> Complaine with Int Residential Code <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Porch
<b>Component:</b> See Comments <b>Requirement:</b> <b>Comments:</b> Garage not to be used for living purposes	<b>Defect:</b> See Comments <b>Location:</b> Garage
<b>Component:</b> Soffit/Facia/Trim <b>Requirement:</b> <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Main Structure
<b>Component:</b> Exterior Walls <b>Requirement:</b> Compliance, International Property Maintenance Code <b>Comments:</b> siding	<b>Defect:</b> Not impervious to weather <b>Location:</b> Main Structure



**Component:** EXTERIOR DOORS/JAMS  
**Requirement:** Compliance with International Building Code  
**Defect:** In poor repair  
**Location:** Main Structure  
**Comments:**

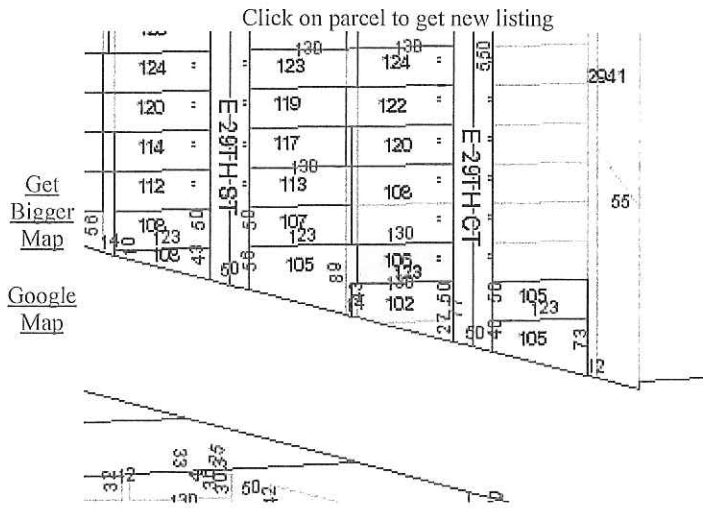
**Component:** See Comments  
**Requirement:**  
**Defect:** See Comments  
**Location:** Garage  
**Comments:** The garage in its current condition does not constitute a public nuisance. However, if the primary structure is demolished and no primary structure is immediately built on the property, the garage must be demolished as well because it is an accessory use only pursuant to Des Moines Municipal Code Section 134-343

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**Polk County Assessor** JOHN

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<b>District/Parcel</b>	<b>GeoParcel</b>	<b>Map</b>	<b>Nbhd</b>	<b>Jurisdiction</b>	<b>Status</b>
050/02099-000-000	7824-01-428-027	0439	DM16/Z	DES MOINES	ACTIVE
<b>School District</b>	<b>Tax Increment Finance District</b>	<b>Bond/Fire/Sewer/Cemetery</b>			
1/Des Moines	52/Des Moines SE Agri Business Park UR				
<b>Street Address</b>			<b>City State Zipcode</b>		
106 E 29TH CT			DES MOINES IA 50317-7704		



Approximate date of photo 10/14/2010

<b>Mailing Address</b>
LEFF ENTERPRISES LLC 2015 E 9TH ST DES MOINES, IA 50316-2002

<b>Legal Description</b>
LOT 25 BLK H HARTLEYS ADD TO GRANT PARK

<b>Ownership</b>	<b>Name</b>	<b>Recorded</b>	<b>Book/Page</b>	<b>RevStamps</b>
Title Holder #1	LEFF ENTERPRISES LLC	2015-11-16	15807/359	

<b>Assessment</b>	<b>Class</b>	<b>Kind</b>	<b>Land</b>	<b>Bldg</b>	<b>AgBd</b>	<b>Total</b>
Current	Residential	Full	13,000	24,700	0	37,700

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

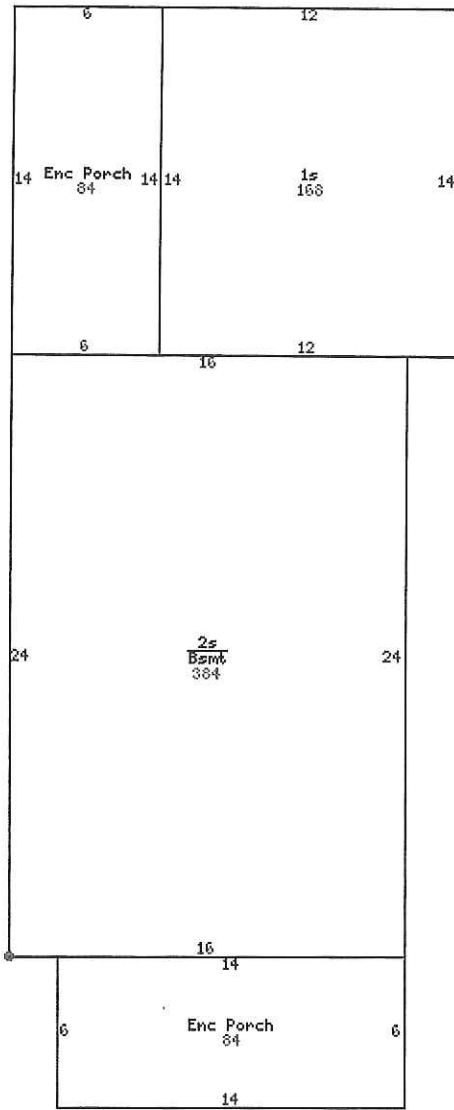
<b>Zoning</b>	<b>Description</b>	<b>SF</b>	<b>Assessor Zoning</b>
R1-60	One Family, Low Density Residential District		Residential

**Source:** City of Des Moines Community Development **Published:** 2012-03-20 **Contact:** Planning and Urban Design  
515 283-4182

<b>Land</b>					
<b>SQUARE FEET</b>	6,150	<b>FRONTAGE</b>	50.0	<b>DEPTH</b>	123.0
<b>ACRES</b>	0.141	<b>SHAPE</b>	RC/Rectangle	<b>TOPOGRAPHY</b>	N/Normal

<b>Residence # 1</b>					
<b>OCCUPANCY</b>	SF/Single Family	<b>RESID TYPE</b>	SH/1.5 Stories	<b>BLDG STYLE</b>	CV/Conventional
<b>YEAR BUILT</b>	1898	<b># FAMILIES</b>	1	<b>GRADE</b>	5
<b>GRADE ADJUST</b>	+05	<b>CONDITION</b>	PR/Poor	<b>TSFLA</b>	936
<b>MAIN LV AREA</b>	552	<b>UPPR LV AREA</b>	384	<b>BSMT AREA</b>	384
<b>ENCL PORCH</b>	168	<b>FOUNDATION</b>	M/Masonry	<b>EXT WALL TYP</b>	MF/Mixed Frame
<b>ROOF TYPE</b>	GB/Gable	<b>ROOF MATERL</b>	A/Asphalt Shingle	<b>HEATING</b>	A/Gas Forced Air
<b>AIR COND</b>	0	<b>TOILET ROOMS</b>	1	<b>BEDROOMS</b>	2
<b>ROOMS</b>	5				

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Detached # 101					
OCCUPANCY	GAR/Garage	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	16	MEASURE2	24	STORY HEIGHT	1
GRADE	4	YEAR BUILT	1967	CONDITION	BN/Below Normal

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
KILLEN, GARY L	SMITH, JERRY L., JR.	2015-04-22	8,500	D/Deed	15620/682
JENKS, GARY E	KILLEN, GARY L.	2011-07-25	4,000	C/Contract	13917/470

Year	Type	Status	Application	Permit/Pickup Description
Current	P/Permit	PA/Pass	2017-12-05	AD/Addition ROOM Cost Estimate 2800

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2017	Assessment Roll	Residential	Full	13,000	24,700	0	37,700

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2015	Assessment Roll	Residential	Full	12,100	23,100	0	35,200
2013	Assessment Roll	Residential	Full	12,200	23,800	0	36,000
2011	Assessment Roll	Residential	Full	13,900	27,200	0	41,100
2009	Assessment Roll	Residential	Full	14,400	27,400	0	41,800
2007	Assessment Roll	Residential	Full	14,200	27,100	0	41,300
2005	Assessment Roll	Residential	Full	11,200	26,400	0	37,600
2003	Assessment Roll	Residential	Full	9,700	22,670	0	32,370
2001	Assessment Roll	Residential	Full	8,090	18,510	0	26,600
1999	Assessment Roll	Residential	Full	4,210	15,160	0	19,370
1997	Assessment Roll	Residential	Full	3,810	13,730	0	17,540
1995	Assessment Roll	Residential	Full	3,320	11,950	0	15,270
1993	Assessment Roll	Residential	Full	2,940	10,600	0	13,540
1990	Board Action	Residential	Full	2,940	8,960	0	11,900
1990	Assessment Roll	Residential	Full	2,940	9,960	0	12,900

email this page

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Room 195, 111 Court Avenue, Des Moines, IA 50309  
 Phone 515 286-3140 / Fax 515 286-3386  
[polkweb@assess.co.polk.ia.us](mailto:polkweb@assess.co.polk.ia.us)