



Roll Call Number

Agenda Item Number

55 D

Date May 21, 2018

ABATEMENT OF PUBLIC NUISANCE AT 1427 10<sup>th</sup> STREET

WHEREAS, the property located at 1427 10<sup>th</sup> Street, 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, Delfina Perez, 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 Lots 20 and 21 in block 1 HARLAN AND TUBB'S REPLAT OF MCMARTIN & SNELL'S ADDITION to North Des Moines, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1427 10<sup>th</sup> Street, 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				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
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

top

55D  
1427 10<sup>th</sup> St



05/11/2018

55D

1427 10<sup>th</sup> St

top



05/11/2018

top

1427 10<sup>th</sup> St 55D



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Polk County Assessor Iowa

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<b>District/Parcel</b>	<b>GeoParcel</b>	<b>Map</b>	<b>Nbhd</b>	<b>Jurisdiction</b>	<b>Status</b>
080/02979-001-000	7924-34-333-004	0129	DM76/Z	DES MOINES	ACTIVE
<b>School District</b>	<b>Tax Increment Finance District</b>	<b>Bond/Fire/Sewer/Cemetery</b>			
1/Des Moines					
<b>Street Address</b>				<b>City State Zipcode</b>	
1427 10TH ST				DES MOINES IA 50314-2859	

Click on parcel to get new listing

131	1302	131	1503	1502	1501	125
124	120	125	126	128	129	120
1451	1430	1445	1443	1442	1445	1445
1441	1437	1439	1438	1441	1435	1435
1435	1425	1427	1425	1433	1431	1429
1421	1424	1425	1424	1429		
1419	1422	1423				
1417	1420	1417	1420			
1415	1410	1415				
1411	1408	1409	1414			



Approximate date of photo 07/12/2013

<b>Mailing Address</b>
DELFINA PEREZ 1548 28TH ST DES MOINES, IA 50311-2917

<b>Legal Description</b>
LOTS 20 & 21BLK 1 HARLAN AND TUBBS REPLAT

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	PEREZ, DELFINA	2009-10-06	13232/667	63.20

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	9,200	6,300	0	15,500
<a href="#">Estimate Taxes</a> <a href="#">Polk County Treasurer Tax Information</a> <a href="#">Pay Taxes</a>						

Taxable Value Credit	Name	Number	Info
Homestead	PEREZ, DELFINA	35824	

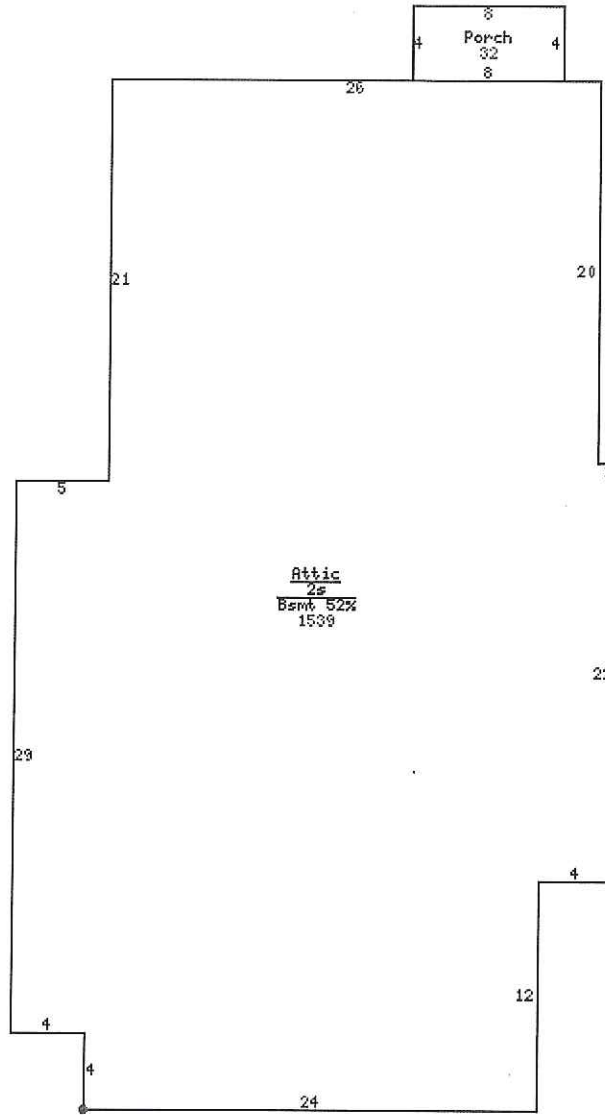
Zoning	Description	SF	Assessor Zoning

R-3	Multiple Family Residential District		Multi-Family Residential
*Condition	Docket_no 14361		
<b>Source:</b> City of Des Moines Community Development <b>Published:</b> 2012-03-20 <b>Contact:</b> Planning and Urban Design 515 283-4182			

<b>Land</b>					
<b>SQUARE FEET</b>	12,548	<b>ACRES</b>	0.288	<b>TOPOGRAPHY</b>	N/Normal

<b>Residence # 1</b>					
<b>OCCUPANCY</b>	SF/Single Family	<b>RESID TYPE</b>	SP/Over 2 Stories	<b>BLDG STYLE</b>	VC/Victorian
<b>YEAR BUILT</b>	1891	<b># FAMILIES</b>	1	<b>GRADE</b>	2
<b>GRADE ADJUST</b>	-05	<b>CONDITION</b>	VP/Very Poor	<b>TSFLA</b>	3,924
<b>MAIN LV AREA</b>	1,539	<b>UPPR LV AREA</b>	1,539	<b>ATTIC FINISH</b>	846
<b>BSMT AREA</b>	800	<b>OPEN PORCH</b>	32	<b>FOUNDATION</b>	B/Brick
<b>EXT WALL TYP</b>	CO/Composition	<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>BATHROOMS</b>	8
<b>BEDROOMS</b>	8	<b>ROOMS</b>	12		

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Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
FLANERY, MARY	PEREZ, DELFINA	1997-04-18	40,000	C/Contract	7618/22

Year	Type	Status	Application	Permit/Pickup Description
2014	U/Pickup	CA/Cancel	2013-07-02	RV/BOARD OF REVIEW
2010	U/Pickup	CP/Complete	2009-12-14	RV/CLASS CHANGE
2010	U/Pickup	CP/Complete	2009-07-07	RV/BOARD OF REVIEW
2008	P/Permit	CP/Complete	2007-05-01	RM/GARAGE
1998	P/Permit	NA/No Add	1997-11-20	AL/MISC (Cost \$1,800)

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2017	Assessment Roll	Residential	Full	9,200	6,300	0	15,500
2015	Assessment Roll	Residential	Full	9,200	6,400	0	15,600
2013	Board Action	Residential	Full	9,200	5,700	0	14,900

2013	<u>Assessment Roll</u>	Residential	Full	9,200	43,400	0	52,600
2011	<u>Assessment Roll</u>	Residential	Full	9,800	52,200	0	62,000
2010	<u>Assessment Roll</u>	Residential	Full	7,400	55,900	0	63,300
2009	<u>Board Prior Year</u>	Residential	Full	8,400	54,900	0	63,300
2009	<u>Board Action</u>	Commercial Multiple	Full	8,400	59,100	0	67,500
2009	<u>Assessment Roll</u>	Commercial Multiple	Full	8,400	67,100	0	75,500
2008	<u>Assessment Roll</u>	Commercial Multiple	Full	8,400	67,100	0	75,500
2007	<u>Assessment Roll</u>	Commercial Multiple	Full	8,400	69,700	0	78,100
2006	<u>Assessment Roll</u>	Commercial Multiple	Full	7,600	70,500	0	78,100
2005	<u>Assessment Roll</u>	Commercial Multiple	Full	7,600	54,900	0	62,500
2003	<u>Assessment Roll</u>	Commercial Multiple	Full	6,600	45,900	0	52,500
2001	<u>Assessment Roll</u>	Commercial Multiple	Full	6,270	31,200	0	37,470
1999	<u>Assessment Roll</u>	Commercial Multiple	Full	4,600	31,200	0	35,800
1997	<u>Assessment Roll</u>	Commercial Multiple	Full	4,430	28,870	0	33,300
1997	<u>Was Prior Year</u>	Commercial Multiple	Full	4,430	28,870	0	33,300

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](mailto:polkweb@assess.co.polk.ia.us)





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

55D

**DATE OF NOTICE:** March 7, 2018

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

**CASE NUMBER:** COD2018-01025

**PROPERTY ADDRESS:** 1427 10TH ST

**LEGAL DESCRIPTION:** LOTS 20 & 21BLK 1 HARLAN AND TUBBS REPLAT

DELFINA PEREZ  
Title Holder  
1548 28TH ST  
DES MOINES IA 50311-2917

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.

Justin S. Denning

(515) 237-1484

Nid Inspector

DATE MAILED: 3/7/2018

MAILED BY: JSD



**Areas that need attention:** 1427 10TH ST

<b>Component:</b>	Foundation	<b>Defect:</b>	Structurally Unsound
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Main Structure
<b>Comments:</b>			
<b>Component:</b>	Foundation	<b>Defect:</b>	Structurally inadequate
<b>Requirement:</b>	Engineering Report	<b>Location:</b>	Main Structure
<b>Comments:</b>			
<b>Component:</b>	Wiring	<b>Defect:</b>	In disrepair
<b>Requirement:</b>	Electrical Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Roof	<b>Defect:</b>	Deteriorated
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Interior Walls /Ceiling	<b>Defect:</b>	Deteriorated
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Flooring	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Shingles Flashing	<b>Defect:</b>	Deteriorated
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Exterior Doors/Jams	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			

<b>Component:</b>	Electrical System	<b>Defect:</b>	In disrepair
<b>Requirement:</b>	Compliance with National Electrical Code	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Soffit/Facia/Trim	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	General Grade Around Structure	<b>Defect:</b>	Improperly grounded
<b>Requirement:</b>	Compliance, International Property Maintenance Code	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Mechanical System	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Mechanical Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Plumbing System	<b>Defect:</b>	In disrepair
<b>Requirement:</b>	Plumbing Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Windows/Window Frames	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Brick Chimney	<b>Defect:</b>	Collapsed
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Furnace	<b>Defect:</b>	In disrepair
<b>Requirement:</b>	Compliance, Uniform Mechanics Code	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Stairs/Stoop	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			

<b><u>Component:</u></b>	Smoke Detectors	<b><u>Defect:</u></b>	Not Supplied
<b><u>Requirement:</u></b>	Compliance with Int Residential Code	<b><u>Location:</u></b>	Throughout
<b><u>Comments:</u></b>			

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