



Date June 25, 2018

ABATEMENT OF PUBLIC NUISANCE AT 807 39th STREET

WHEREAS, the property located at 807 39th 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 Titleholders, James C. Stavneak and Kathy A. Stavneak, were 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 143 and the West 1/2 of the vacated alley lying East of and adjoining on the East line of Lot 143 in BRYN MAWR HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 807 39th 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

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

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 | 807 39TH ST | | | | |
| City | DES MOINES | Zip | 50312 | Jurisdiction | Des Moines |
| District/Parcel | 090/00797-000-000 | Geoparcel | 7824-06-181-004 | Status | Active |
| School | Des Moines | Nbhd/Pocket | DM54/Z | Tax Authority Group | DEM-C-DEM-77131 |
| Submarket | Northwest Des Moines | Appraiser | Brett Tierney 515-286-3019 | | |

Map and Current Photos - 1 Record

Click on parcel to get a new listing

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

Photo Processed on 2017-01-04 a

Historical Photos

Ownership - 2 Records

| Ownership | Num | Name | Recorded | Book/Page |
|--------------|-----|-------------------|------------|------------------|
| Title Holder | 1 | STAVNEAK, JAMES C | 2004-05-06 | <u>10522/742</u> |
| Title Holder | 2 | STAVNEAK, KATHY A | | |

Legal Description and Mailing Address

| | |
|--|---|
| LOT 143 & 3.5 F E OF & ADJ BRYN MAWR HEIGHTS | JAMES C STAVNEAK 637 41ST ST DES MOINES, IA 50312 |
|--|---|

Current Values

| Type | Class | Kind | Land | Bldg | Total |
|------------|-------------|------|----------|----------|-----------|
| 2018 Value | Residential | Full | \$25,100 | \$82,400 | \$107,500 |

Market Adjusted Cost Report

Zoning - 1 Record

| Zoning | Description | SF | Assessor Zoning |
|---------------|--|-----------|------------------------|
| R1-60 | One Family, Low Density Residential District | | Residential |

City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)

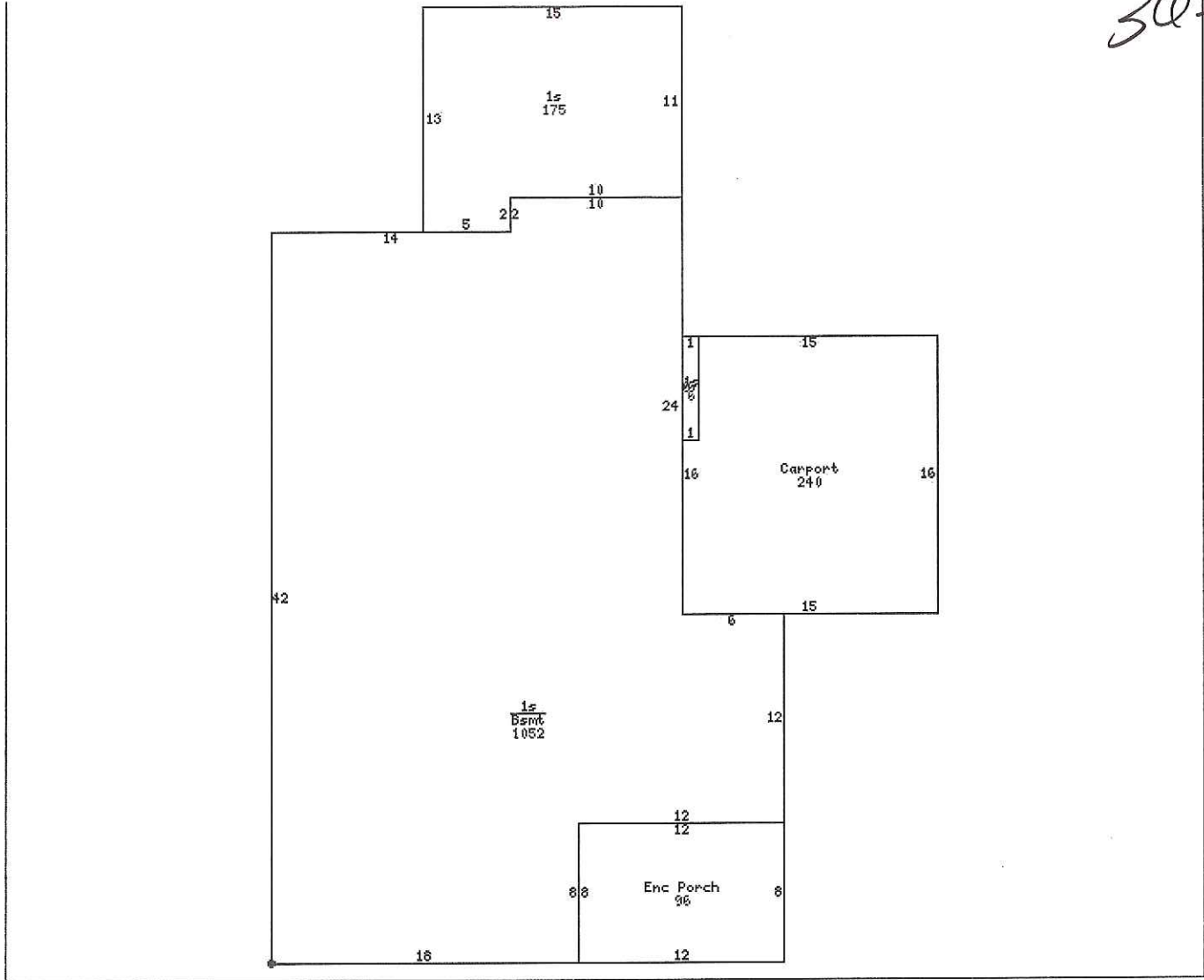
Land

| | | | | | |
|--------------------|-------|--------------------|--------|-----------------|-----------|
| Square Feet | 6,450 | Acres | 0.148 | Frontage | 50.0 |
| Depth | 129.0 | Topography | Normal | Shape | Rectangle |
| Vacancy | No | Unbuildable | No | | |

Residences - 1 Record**Residence #1**

| | | | | | |
|-------------------------|-----------------|--------------------------------------|-------------|-------------------------|----------------|
| Occupancy | Single Family | Residence Type | 1 Story | Building Style | Early 20s |
| Year Built | 1922 | Number Families | 1 | Grade | 4-05 |
| Condition | Normal | Total Square Foot Living Area | 1233 | Main Living Area | 1233 |
| Basement Area | 1052 | Enclosed Porch Area | 96 | Carport Area | 240 |
| Foundation | Masonry | Exterior Wall Type | Mixed Frame | Roof Type | Gable |
| Roof Material | Asphalt Shingle | Number Fireplaces | 1 | Heating | Gas Forced Air |
| Air Conditioning | 100 | Number Bathrooms | 2 | Bedrooms | 2 |
| Rooms | 6 | | | | |

30B



Sales - 2 Records

| Seller | Buyer | Sale Date | Sale Price | Instrument | Book/Page |
|--------------------|---------------------|-------------------|------------|------------|------------------|
| ALLEMAN, MICHAEL R | STAVNEAK, JAMES C. | <u>2004-04-30</u> | \$85,500 | Deed | <u>10522/742</u> |
| CONNER, ROBERT C | ALLEMAN, MICHAEL R. | <u>1999-10-29</u> | \$69,000 | Deed | <u>8358/431</u> |

Permits - 3 Records

| Year | Type | Permit Status | Application | Description |
|---------|--------|---------------|-------------|-----------------------|
| Current | Permit | To Work | 2018-04-19 | fix damage/fire |
| 2016 | Permit | No Add | 2015-07-13 | fix damage/foundation |
| 2005 | Permit | No Add | 2004-04-21 | fix damage/termite |

Historical Values

| Yr | Type | Class | Kind | Land | Bldg | Total |
|------|------------------------|-------------|------|----------|----------|-----------|
| 2017 | <u>Assessment Roll</u> | Residential | Full | \$25,100 | \$82,400 | \$107,500 |
| 2015 | <u>Assessment Roll</u> | Residential | Full | \$22,100 | \$74,200 | \$96,300 |
| 2013 | <u>Assessment Roll</u> | Residential | Full | \$21,200 | \$71,400 | \$92,600 |

| Yr | Type | Class | Kind | Land | Bldg | Total |
|------|------------------------|-------------|------|----------|----------|-----------|
| 2011 | <u>Assessment Roll</u> | Residential | Full | \$21,200 | \$71,100 | \$92,300 |
| 2009 | <u>Assessment Roll</u> | Residential | Full | \$22,800 | \$82,100 | \$104,900 |
| 2007 | <u>Assessment Roll</u> | Residential | Full | \$24,000 | \$86,500 | \$110,500 |
| 2005 | <u>Assessment Roll</u> | Residential | Full | \$17,300 | \$74,200 | \$91,500 |
| 2003 | <u>Board Action</u> | Residential | Full | \$16,030 | \$43,550 | \$59,580 |
| 2003 | <u>Assessment Roll</u> | Residential | Full | \$16,030 | \$75,140 | \$91,170 |
| 2001 | <u>Assessment Roll</u> | Residential | Full | \$14,070 | \$63,540 | \$77,610 |
| 1999 | Assessment Roll | Residential | Full | \$12,380 | \$70,250 | \$82,630 |
| 1997 | Assessment Roll | Residential | Full | \$11,110 | \$63,060 | \$74,170 |
| 1995 | Assessment Roll | Residential | Full | \$9,600 | \$54,470 | \$64,070 |
| 1993 | Assessment Roll | Residential | Full | \$7,870 | \$44,650 | \$52,520 |
| 1991 | Assessment Roll | Residential | Full | \$7,870 | \$39,230 | \$47,100 |
| 1991 | Was Prior Year | Residential | Full | \$7,870 | \$32,700 | \$40,570 |

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

DATE OF NOTICE: March 9, 2018

DATE OF INSPECTION: March 06, 2018

CASE NUMBER: COD2018-01576

PROPERTY ADDRESS: 807 39TH ST

LEGAL DESCRIPTION: LOT 143 & 3.5 F E OF & ADJ BRYN MAWR HEIGHTS

JAMES STAVNEAK & KATHY A STAVNEAK
Title Holder
637 41ST ST
DES MOINES IA 50312

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.

Richard Bright

(515) 283-4245


Nid Inspector

DATE MAILED: 3/9/2018

MAILED BY: RLB

Areas that need attention: 807 39TH ST

| | | | |
|---------------------|---------------------|------------------|--------------|
| Component: | Roof | Defect: | Fire damaged |
| Requirement: | Building Permit | Location: | Throughout |
| Comments: | | | |
| Component: | Mechanical System | Defect: | Fire damaged |
| Requirement: | Mechanical Permit | Location: | Throughout |
| Comments: | | | |
| Component: | Electrical System | Defect: | Fire damaged |
| Requirement: | Electrical Permit | Location: | Throughout |
| Comments: | | | |
| Component: | Floor Joists/Beams | Defect: | Fire damaged |
| Requirement: | Building Permit | Location: | Throughout |
| Comments: | | | |
| Component: | Flooring | Defect: | Fire damaged |
| Requirement: | Building Permit | Location: | Throughout |
| Comments: | | | |
| Component: | Plumbing System | Defect: | Fire damaged |
| Requirement: | Plumbing Permit | Location: | Throughout |
| Comments: | | | |
| Component: | Smoke Detectors | Defect: | Fire damaged |
| Requirement: | Building Permit | Location: | Throughout |
| Comments: | | | |
| Component: | Exterior Doors/Jams | Defect: | Fire damaged |
| Requirement: | Building Permit | Location: | Throughout |
| Comments: | | | |

Component: Interior Walls /Ceiling
Requirement: Building Permit
Defect: Fire damaged
Location: Throughout
Comments:

Component: Interior Stairway
Requirement: Building Permit
Defect: Fire damaged
Location: Throughout
Comments:

top

807 39th St 36B



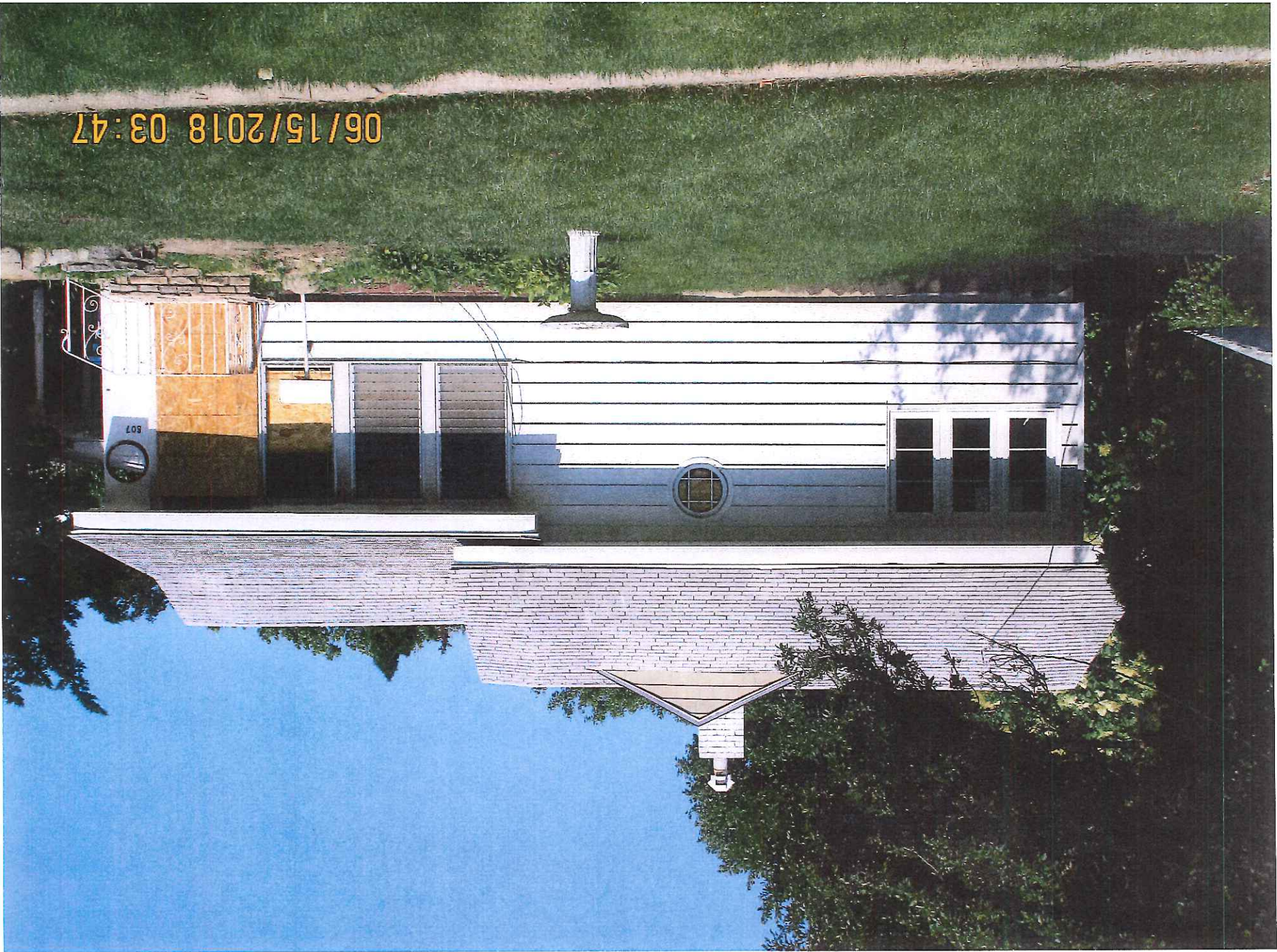
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807 39th st



06/15/2018 03:48



06/15/2018 03:47

36B
807 39th St

for