



Roll Call Number

Agenda Item Number

34

Date August 6, 2018

ABATEMENT OF PUBLIC NUISANCE AT 4171 NE BROADWAY AVENUE LOT 27

WHEREAS, the property located at 4171 NE Broadway Avenue Lot 27, 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, Unknown Heirs of Linda Lou Cronk; Titleholder, Charm A. King; Titleholder, Ronald E. King; and Contract Buyer, William P. Canada, were notified more than thirty days ago to repair or demolish the main structure and as of this date have 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 4 in DAVIS PLACE, an Official Plat in Polk County, Iowa, and locally known as 4171 NE Broadway Avenue Lot 27, 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

4171 N.E. Broadway Ave Lot 27 34



01/12/2018 12:56

top

4171 N.E. Broadway Ave Lot 27



07/31/2018 13:18



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

34

DATE OF NOTICE: May 2, 2018

DATE OF INSPECTION: January 12, 2018

CASE NUMBER: COD2018-00279

PROPERTY ADDRESS: 4171 NE BROADWAY AVE LOT 27

LEGAL DESCRIPTION: -EX N 33F RD EAS- LT 4 DAVIS PLACE

UNKNOWN HEIRS OF LINDA LOU CRONK
Title Holder
4171 E BROADWAY LOT 27
DES MOINES IA 50317

WILLIAM P CANADA
Contract Buyer
133 MARINA DEL REY CT
CLEARWATER FL 33767

CHARM A KING
Title Holder
1026 EAGLE CREEK BLVD SW
ALTOONA IA 50009

RONALD E KING
Title Holder
1026 EAGLE CREEK BLVD SW
ALTOONA IA 50009

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 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.

Mike F Lehman

(515) 283-4299



Nid Inspector

DATE MAILED: 5/2/2018

MAILED BY: JDH

**Areas that need attention:** 4171 NE BROADWAY AVE

<b>Component:</b>	Exterior Walls	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Mobile Home
<b>Comments:</b>	Skirting.		
<b>Component:</b>	Flooring	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Throughout
<b>Comments:</b>	Also sanitation.		
<b>Component:</b>	Functioning Water Closet	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Plumbing Permit	<b>Location:</b>	Bathroom
<b>Comments:</b>			
<b>Component:</b>	Interior Walls /Ceiling	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Compliance with International Building Code	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Roof	<b>Defect:</b>	Leaks
<b>Requirement:</b>	Compliance with International Building Code	<b>Location:</b>	Roof
<b>Comments:</b>			
<b>Component:</b>	Smoke Detectors	<b>Defect:</b>	Not installed as required
<b>Requirement:</b>	Compliance with International Building Code	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Water	<b>Defect:</b>	No Hot/cold water
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Windows/Window Frames	<b>Defect:</b>	Cracked/Broken
<b>Requirement:</b>	Compliance with International Building Code	<b>Location:</b>	Throughout
<b>Comments:</b>			

**Component:** Exterior Doors/Jams

**Defect:** In disrepair

**Requirement:** Complainece with Int Residential Code

**Location:** Throughout

**Comments:**

# Polk County Assessor

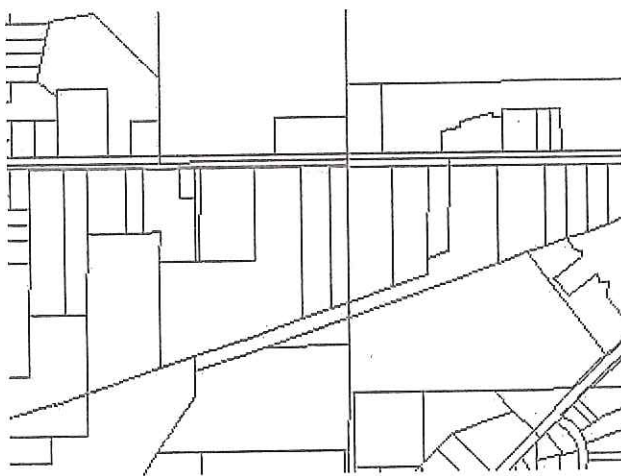
111 Court Avenue #195  
Des Moines, IA 50309-0904

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

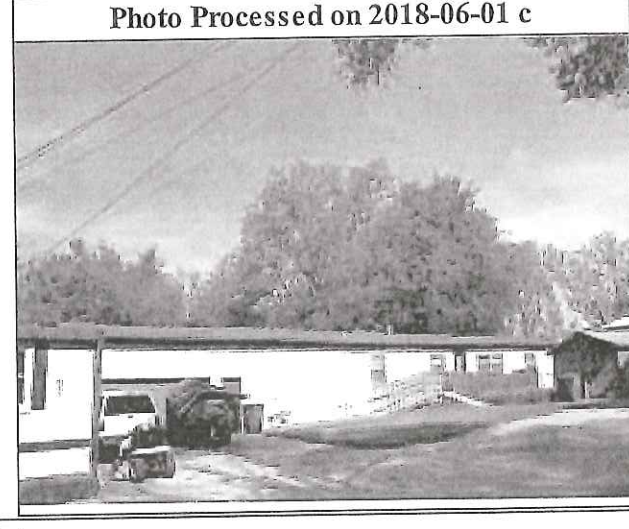
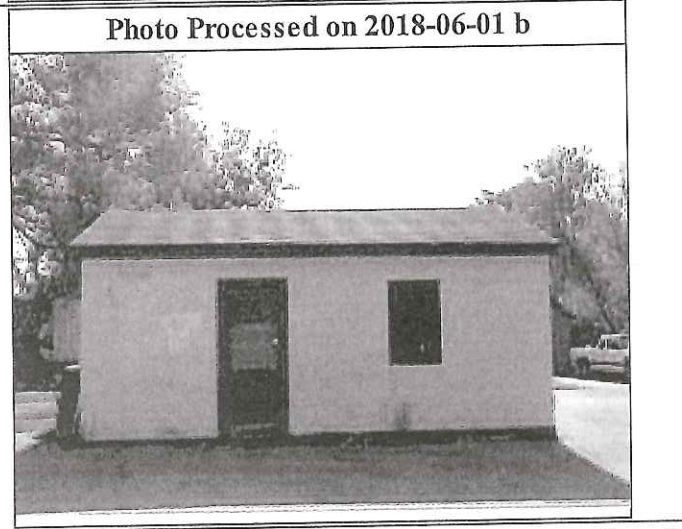
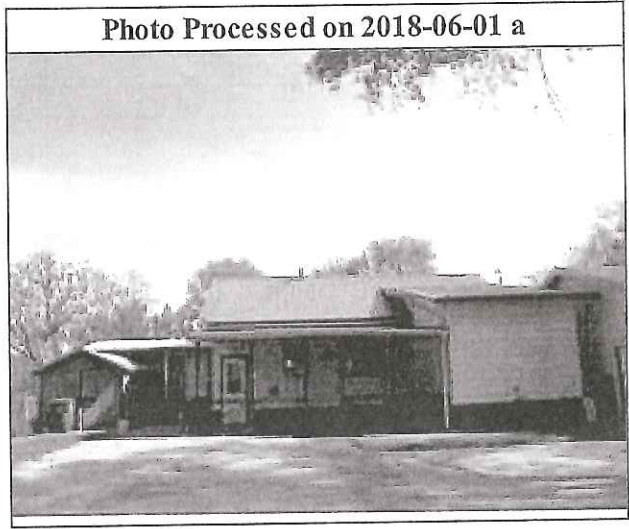
Location					
Address	4171 E BROADWAY AVE				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	060/00967-104-000	Geoparcels	7923-21-126-008	Status	Active
School	Southeast Polk	Nbhd/Pocket	DM01/I	Tax Authority Group	DEM-C-SEP-77152
Submarket	Northeast Des Moines	Appraiser	Bob Powers, ICA 515-286-3828		

## Map and Current Photos - 3 Records

Click on parcel to get a new listing



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



### Historical Photos

## Ownership - 3 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	KING, RONALD E	1997-05-07	7628/891



Ownership	Num	Name	Recorded	Book/Page
Title Holder	2	KING, CHARM A	1988-04-27	5848/121
Contract Buyer	1	CANADA, WILLIAM P	2017-03-15	16405/552
<b>Legal Description and Mailing Address</b>				
-EX N 33F RD EAS- LT 4 DAVIS PLACE			WILLIAM CANADA 2921 BEVERLY DR URBANDALE, IA 50322	

**Current Values**

Type	Class	Kind	Land	Bldg	Total
2018 Value	Multi-Residential	Full	\$88,800	\$302,200	\$391,000

**Zoning - 1 Record**

Zoning	Description	SF	Assessor Zoning
A-1	Agricultural District		Agricultural

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

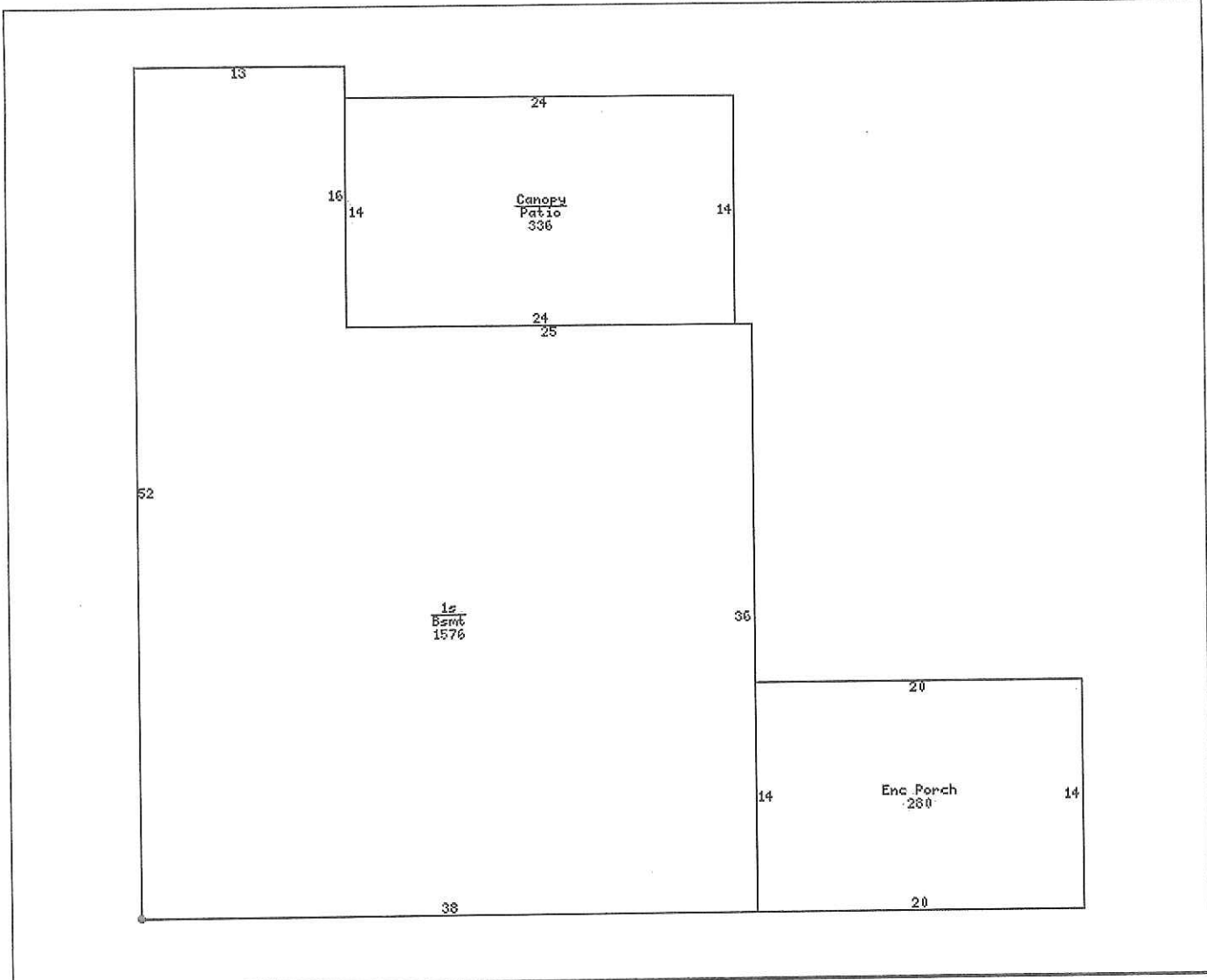
**Land**

Square Feet	Acres	Topography
211,148	4.847	Blank
Shape	Vacancy	Unbuildable
Irregular	Blank	Blank

**Residences - 1 Record**

**Residence #1**

Occupancy	Single Family	Residence Type	1 Story	Building Style	Early 20s
Year Built	1924	Year Remodel	1984	Number Families	1
Grade	4+00	Condition	Normal	Total Square Foot Living Area	1576
Main Living Area	1576	Basement Area	1576	Finished Basement Area 1	1064
Finished Basement Quality 1	Low	Total Basement Finish	1064	Enclosed Porch Area	280
Patio Area	336	Canopy Square Foot	336	Foundation	Brick
Exterior Wall Type	Metal Siding	Roof Type	Gable	Roof Material	Asphalt Shingle
Heating	Gas Forced Air	Air Conditioning	100	Number Bathrooms	1
Bedrooms	2	Rooms	5		



**Commercial Summary**

Occupancy	Mobile Home Park	Age, Weighted	1927	Total Story Height	1
Land Area	211,148	Gross Area	1,960	Finished Area	1,576
Unfinished Bsmt Area	1,576	Finished Bsmt Area	1,064	Number of Units	1
Primary Group	Residence Single Family	Percent Primary Group	89.14	Secondary Group	Warehouse
Percent Secondary Group	10.86	Grade, Weighted	4/Grade 4	Bldg Class, Weighted	5/Metal
Condition, Weighted	NM/Normal	Ground Floor Area	1,960	Perimeter	80
Unfinished Area	384				

**Commercial Sections - 1 Record**

**Commercial Section #101**

Occupant	BROADWAY MOBILE HOME PARK
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<b>Section Multiplier</b>	1	<b>Occupancy</b>	Mobile Home Park	<b>Foundation</b>	Concrete
<b>Exterior Wall</b>	Concrete Block or Tile	<b>Insulation</b>	No	<b>Roof</b>	Gable
<b>Roof Material</b>	Shingle	<b>Wiring</b>	Adequate	<b>Plumbing</b>	Adequate
<b>Total Story Height</b>	1	<b>Frame Type</b>	Frame	<b>Bldg Class</b>	Frame, Concrete Blk, Tile, Tilt Up
<b>Total Section Area</b>	384	<b>Ground Floor Area</b>	384	<b>Perimeter</b>	80
<b>Grade</b>	4+00	<b>Year Built</b>	1954	<b>Condition</b>	Normal
<b>Comment</b>	1997 BOR.DENIED.PROTEST 2419				

Commercial Groups - 1 Record					
Commercial Group #101 1					
<b>Use Code</b>	Warehouse	<b>Base Story</b>	1	<b>Number Stories</b>	1
<b>Total Group Area</b>	384	<b>Base Floor Area</b>	384	<b>Wall Height</b>	10
<b>Heating</b>	None	<b>Air Conditioning</b>	None	<b>Exhaust System</b>	No



Measure 2	40	Grade	4	Year Built	1983
Condition	Normal				
<b>Detached Structure #402</b>					
Occupancy	Fence	Construction Type	Frame	Measurement Code	Lineal Feet
Lineal Feet	148	Height	6	Grade	4
Year Built	1983	Condition	Normal		
Comment	perimeter fence for pool				
<b>Detached Structure #501</b>					
Occupancy	Garage	Measurement Code	Dimensions	Measure 1	28
Measure 2	28	Grade	4	Year Built	1991
Condition	Normal				
Comment	adjoining home on lot 32				

**Sales - 1 Record**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
KING, RONALD E	CANADA, WILLIAM	<u>2016-12-29</u>	\$600,000	Contract	<u>16327/576</u>

**Recent Ownership Transfers**

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
KING, RONALD EUGENE _____ KING, CHARM ANN _____ Also Known As KING, RONALD E _____ Also Known As KING, CHARM A	CANADA, WILLIAM PAUL	2016-12-29	2017-03-15	Corrected Contract	<u>16405/552</u>
KING, RONALD EUGENE _____ Also Known As KING, RONALD E	CANADA, WILLIAM PAUL	2016-12-29	2016-12-29	Contract	<u>16327/576</u>

**Permits - 2 Records**

Year	Type	Permit Status	Application	Description
2011	Pickup	Complete	2011-03-18	review value/reval

Year	Type	Permit Status	Application	Description
2010	Pickup	No Add	2009-09-18	review value/annexation

#### Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2017	<u>Assessment Roll</u>	Multi-Residential	Full	\$88,800	\$302,200	\$391,000
2015	<u>Assessment Roll</u>	Multi-Residential	Full	\$76,000	\$277,000	\$353,000
2013	<u>Assessment Roll</u>	Commercial	Full	\$76,000	\$238,000	\$314,000
2011	<u>Assessment Roll</u>	Commercial	Full	\$76,000	\$238,000	\$314,000
2010	<u>Assessment Roll</u>	Commercial	Full	\$76,500	\$198,500	\$275,000

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