



Date October 22, 2018

ABATEMENT OF PUBLIC NUISANCE AT 2411 E 36TH COURT

WHEREAS, the property located at 2411 E 36th Court, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the garage structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholders, David J. Leinen and Dianna L. Leinen; and Mortgage Holder, Bayview Loan Servicing, LLC, were notified by personal service more than thirty days ago to repair or demolish the garage 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 garage structure on the real estate legally described as The North 30 feet of Lot 846 and all of Lots 847 and 848 in FOUR MILE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, AND the following described premises, situated in the County of Polk and State of Iowa, To-Wit: North 40 feet Lot 845 and South 20 feet Lot 846 FOUR MILE and locally known as 2411 E 36th Court, 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 garage 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



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

33B

DATE OF NOTICE: August 15, 2018 **DATE OF INSPECTION:** March 30, 2018
CASE NUMBER: COD2018-02316
PROPERTY ADDRESS: 2411 E 36TH CT
LEGAL DESCRIPTION: N 40F LT 845 & ALL LTS 846, 847 & 848 FOUR MILE

DAVID J LEINEN
Title Holder
2411 E 36TH CT
DES MOINES IA 50317

BAYVIEW LOAN SERVICING LLC
Mortgage Holder
CORPORATION SERV. CO., R.A.
505 5TH AVE SUITE 729
DES MOINES IA 50309

DIANNA L LEINEN
Title Holder
3701 BROOK RIDGE CT # 302
DES MOINES IA 50317

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 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.

Neighborhood Inspection Division

(515) 283-4208

Nid Inspector



DATE MAILED: 8/15/2018

MAILED BY: JDH

Areas that need attention: 2411 E 36TH CT

Component:	Electrical System	Defect:	In disrepair
Requirement:	Electrical Permit	Location:	Garage
Comments:	Throughout.		
Component:	Roof	Defect:	Collapsed
Requirement:	Building Permit	Location:	Garage
Comments:	Throughout.		
Component:	Soffit/Facia/Trim	Defect:	Deteriorated
Requirement:	Compliance with International Building Code	Location:	Garage
Comments:	Throughout.		
Component:	Shingles Flashing	Defect:	Deteriorated
Requirement:	Compliance with International Building Code	Location:	Garage
Comments:	Throughout.		
Component:	00	Defect:	Structurally inadequate
Requirement:	Compliance with International Building Code	Location:	Garage
Comments:	Throughout.		
Component:	Exterior Walls	Defect:	Deteriorated
Requirement:	Compliance with International Building Code	Location:	Garage
Comments:	Throughout.		

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	2411 E 36TH CT				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	060/04531-001-000	Geoparcels	7923-29-478-009	Status	Active
School	Des Moines	Nbhd/Pocket	DM12/D	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Victor Scaglione 515-286-3898		

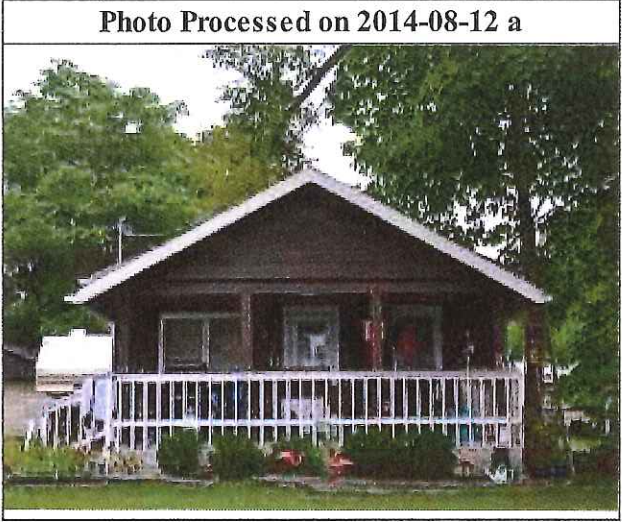
Map and Current Photos - 1 Record

Click on parcel to get a new listing

E 36TH ST	2421	E 36TH CT	2433 2431	2500	E 37TH ST	2607
			2427 2426	2424		2601
			2421 2419	2420		2426
	2410			2412		2416
	2411		2410	2411		2413
				2404		2411
				2400		2401
	2351		2348	2351		2336
						2346
			2340	2341		2328
		2320		2337		

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

Photo Processed on 2014-08-12 a



[Historical Photos](#)

Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	LEINEN, DAVID J	1993-10-08	6872/22
Title Holder	2	LEINEN, DIANNA L		

Legal Description and Mailing Address

N 40F LT 845 & ALL LTS 846, 847 & 848 FOUR MILE	HOWARD LEINEN 402 7TH STREET PL SW ALTOONA, IA 50009-1614
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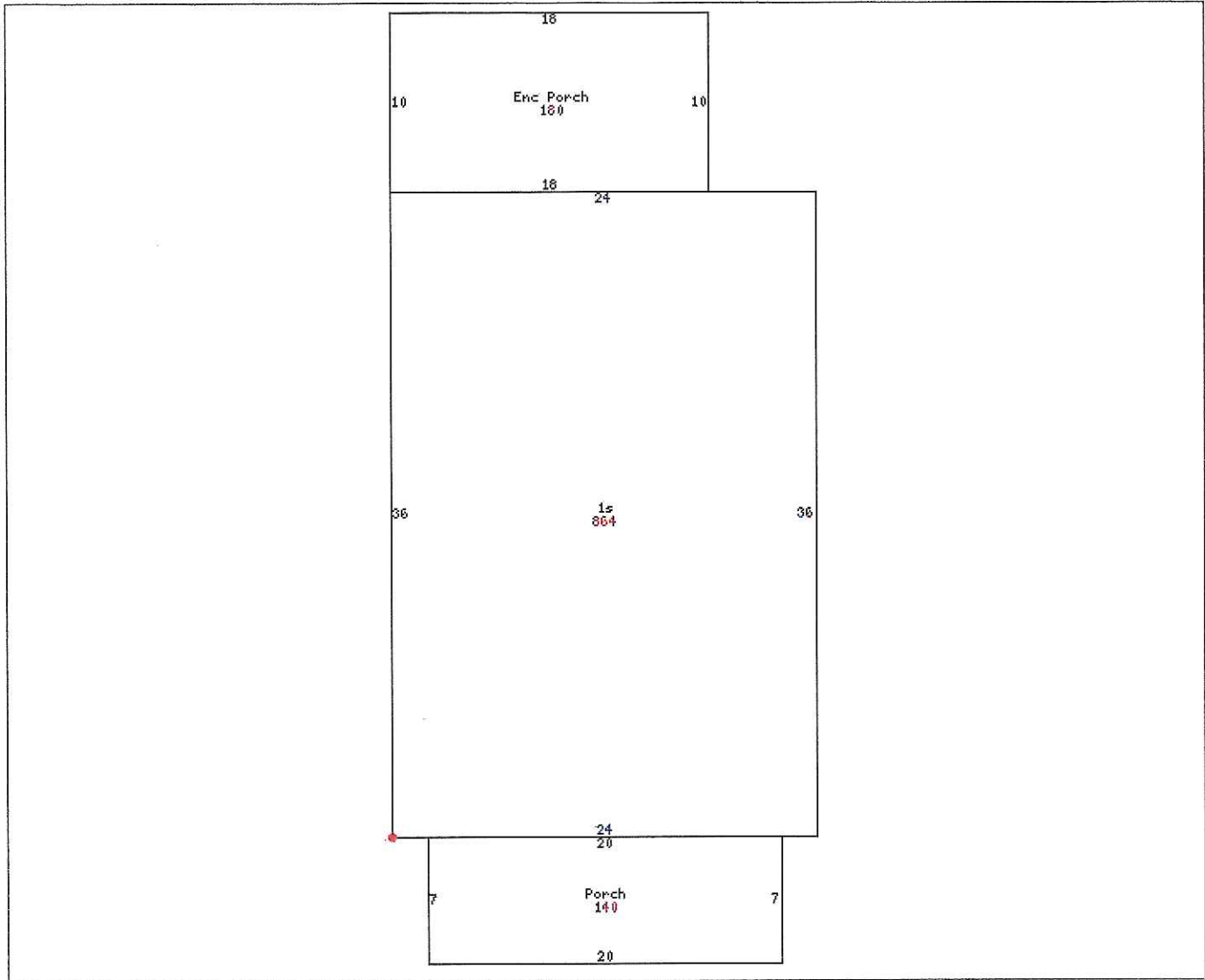
Current Values

Type	Class	Kind	Land	Bldg	Total
2018 Value	Residential	Full	\$25,400	\$43,600	\$69,000

[Market Adjusted Cost Report](#)

Auditor Adjustments to Value

Category		Name		Information	
2018 Homestead Credit		LEINEN, DAVID J		Application #24113	
Zoning - 2 Records					
Zoning	Description		SF	Assessor Zoning	
U-1	Flood Plain District		17640	Floodway	
R1-60	One Family, Low Density Residential District		6299	Residential	
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	23,940	Acres	0.550	Frontage	190.0
Depth	126.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence #1					
Occupancy	Single Family	Residence Type	1 Story	Building Style	Bungalow
Year Built	1922	Year Remodel	1981	Number Families	1
Grade	5+10	Condition	Poor	Total Square Foot Living Area	864
Main Living Area	864	Open Porch Area	140	Enclosed Porch Area	180
Foundation	Masonry	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



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	24	Measure 2	24	Story Height	1
Grade	4	Year Built	1980	Condition	Poor

Permits - 1 Record

Year	Type	Permit Status	Application	Description
Current	Pickup	To Work	2018-07-19	review value/review property

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2017	Assessment Roll	Residential	Full	\$25,400	\$43,600	\$69,000
2015	Assessment Roll	Residential	Full	\$23,300	\$40,400	\$63,700
2013	Assessment Roll	Residential	Full	\$22,800	\$40,500	\$63,300
2011	Assessment Roll	Residential	Full	\$22,800	\$40,300	\$63,100
2009	Assessment Roll	Residential	Full	\$23,600	\$41,700	\$65,300
2007	Assessment Roll	Residential	Full	\$24,400	\$43,000	\$67,400
2005	Assessment Roll	Residential	Full	\$23,000	\$37,800	\$60,800

Yr	Type	Class	Kind	Land	Bldg	Total
2003	Assessment Roll	Residential	Full	\$20,370	\$34,070	\$54,440
2001	Assessment Roll	Residential	Full	\$18,230	\$29,420	\$47,650
1999	Assessment Roll	Residential	Full	\$19,960	\$37,170	\$57,130
1997	Assessment Roll	Residential	Full	\$17,600	\$32,780	\$50,380
1995	Assessment Roll	Residential	Full	\$16,670	\$31,060	\$47,730
1994	Assessment Roll	Residential	Full	\$14,750	\$21,880	\$36,630
1994	Was Prior Year	Residential	Full	\$14,750	\$21,880	\$36,630

This template was last modified on Sat Mar 4 12:31:48 2017 .



10/10/2018 10:18

2411 E. 36th Ct

top

33B

10/10/2018 10:17

2411 E 34th Ct

top





2411 E. 36th Ct

top

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