



Roll Call Number

Agenda Item Number

37D

Date January 14, 2019

ABATEMENT OF PUBLIC NUISANCE AT 3314 E 7th STREET

WHEREAS, the property located at 3314 E 7th 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, Aeon Financial Iowa, LLC d/b/a LBT Iowa 8935, 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.

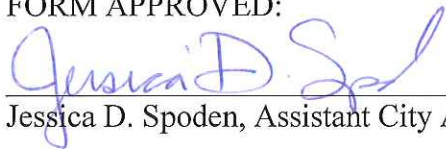
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure on the real estate legally described as Lot 190 in WRIGHTS GROVE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3314 E 7th 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



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

37D

DATE OF NOTICE: September 28, 2018

DATE OF INSPECTION: August 23, 2018

CASE NUMBER: COD2018-06956

PROPERTY ADDRESS: 3314 E 7TH ST

LEGAL DESCRIPTION: LT 190 WRIGHTS GROVE

AEON FINANCIAL IOWA LLC D/B/A LBT IOWA 8935
Title Holder
CT CORP. SYS., REG. AGENT
208 S LA SALLE ST SUITE 814
CHICAGO IL 60604

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.

Mike F Lehman
(515) 283-4299

A handwritten signature in cursive script that reads "Mike Lehman" with a stylized flourish underneath.

Nid Inspector

DATE MAILED: 9/28/2018

MAILED BY: JDH

Areas that need attention: 3314 E 7TH ST

<p>Component: Accessory Buildings Requirement: Comments:</p>	<p>Defect: See Comments Location: Garage</p> <p>The garage in it's 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 pursuant to Des Moines Code Section 134-343.</p>
<p>Component: Electrical System Requirement: Electrical Permit Comments:</p>	<p>Defect: In poor repair Location: Main Structure</p>
<p>Component: Exterior Doors/Jams Requirement: Compliance, International Property Maintenance Code Comments:</p>	<p>Defect: In poor repair Location: Main Structure</p>
<p>Component: Exterior Walls Requirement: Compliance, International Property Maintenance Code Comments:</p>	<p>Defect: In poor repair Location: Main Structure</p>
<p>Component: Foundation Requirement: Building Permit Comments:</p>	<p>Defect: In poor repair Location: Main Structure</p>
<p>Component: Roof Requirement: Building Permit Comments:</p>	<p>Defect: Holes or major defect Location: Main Structure</p>
<p>Component: Shingles Flashing Requirement: Compliance with International Building Code Comments:</p>	<p>Defect: In poor repair Location: Main Structure</p>
<p>Component: Soffit/Facia/Trim Requirement: Building Permit Comments:</p>	<p>Defect: In poor repair Location: Main Structure</p>

Component:	Weather Head	Defect:	In poor repair
Requirement:	Electrical Permit	Location:	Main Structure
Comments:			
Component:	Window Glazing/Paint	Defect:	In poor repair
Requirement:	Compliance, International Property Maintenance Code	Location:	Main Structure
Comments:			
Component:	Windows/Window Frames	Defect:	In poor repair
Requirement:	Compliance with International Building Code	Location:	Main Structure
Comments:			
Component:	See Comments	Defect:	See Comments
Requirement:		Location:	
Comments:	Exterior inspection only. Viewing through the windows, extensive interior violations appear to exist and may be added to violation list at a later date.		

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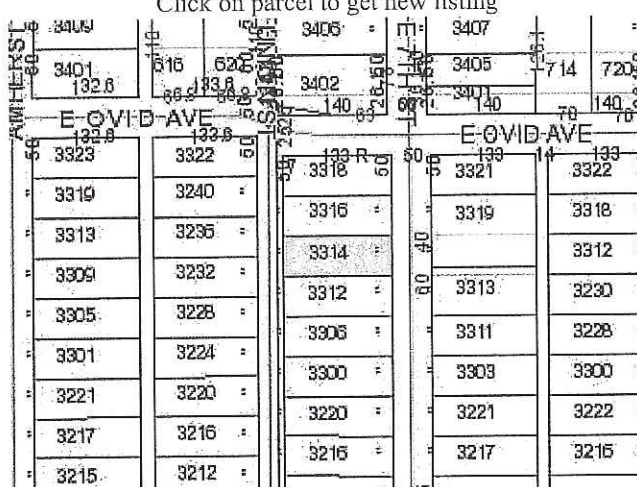
Polk County Assessor 

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District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
110/06456-002-000	7924-26-251-003	0693	DM86/A	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
3314 E 7TH ST			DES MOINES IA 50316-1140		

Click on parcel to get new listing

Get Bigger Map
Google Map



3323	3322	3318	3321	3322
3319	3240	3316	3319	3318
3313	3235	3314		3312
3309	3232	3312	3313	3230
3305	3228	3306	3311	3228
3301	3224	3300	3303	3300
3221	3220	3220	3221	3222
3217	3216	3216	3217	3216
3215	3212			



Approximate date of photo 06/13/2016

Mailing Address
CAPITAL SOURCE BANK FBO AEON FINANCIAL IOWA LLC 27 N WACKER DR STE 503 CHICAGO, IL 60606-2800

Legal Description
LT 190 WRIGHTS GROVE

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	LBT IOWA 8935	2012-11-05	14516/942	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	17,000	8,100	0	25,100

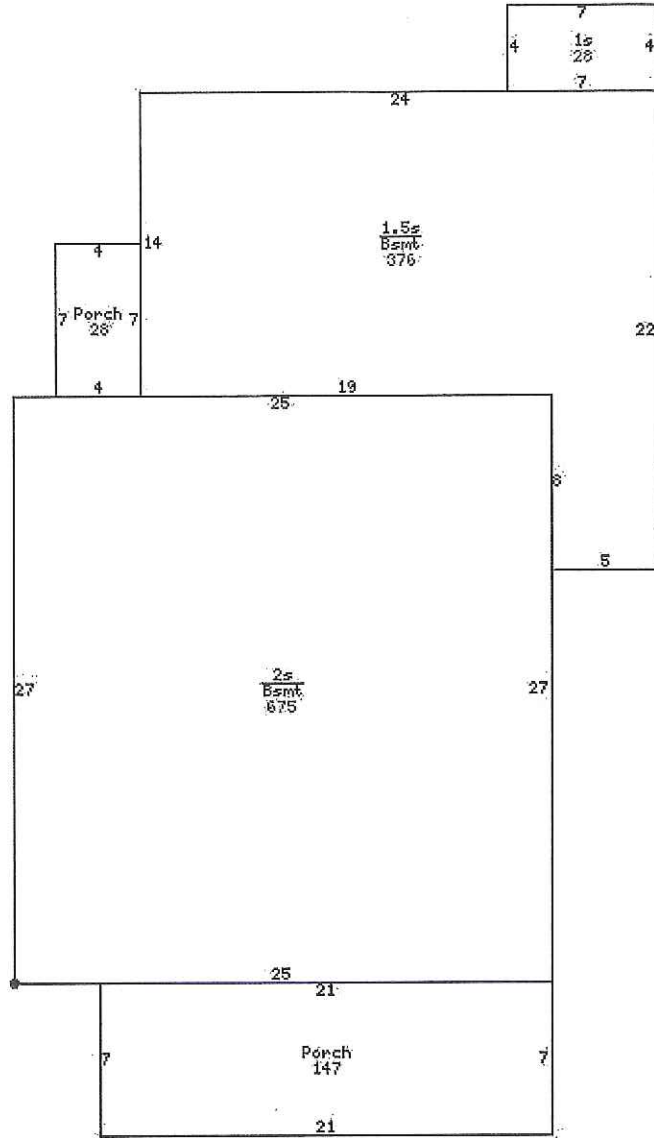
[Estimate Taxes](#) [Polk County Treasurer Tax Information](#) [Pay Taxes](#)

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

*Condition	Docket_no 14361		
Source: City of Des Moines Community Development Published: 2012-03-20 Contact: Planning and Urban Design 515 283-4182			

Land					
SQUARE FEET	6,650	FRONTAGE	50.0	DEPTH	133.0
ACRES	0.153	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	SP/Over 2 Stories	BLDG STYLE	ET/Early 20s
YEAR BUILT	1897	# FAMILIES	1	GRADE	4
GRADE ADJUST	-05	CONDITION	VP/Very Poor	TSFLA	2,006
MAIN LV AREA	1,079	UPPR LV AREA	927	ATTIC UNFIN	236
BSMT AREA	1,051	OPEN PORCH	175	FOUNDATION	B/Brick
EXT WALL TYP	MF/Mixed Frame	ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle
HEATING	A/Gas Forced Air	AIR COND	0	BATHROOMS	1
XTRA FIXTURE	1	BEDROOMS	5	ROOMS	8



Detached # 101					
OCCUPANCY	GAR/Garage	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	16	MEASURE2	19	STORY HEIGHT	1
GRADE	5	YEAR BUILT	1925	CONDITION	VP/Very Poor

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
RUPPERT, JOSEPH E	HOFFMAN, BRIAN	1990-05-04	28,000	D/Deed	6233/623
UNKNOWN	RUPPERT, JOSEPH E.	1987-06-29	19,000	C/Contract	5742/981

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2017	Assessment Roll	Residential	Full	17,000	8,100	0	25,100
2015	Assessment Roll	Residential	Full	15,300	7,400	0	22,700
2013	Assessment Roll	Residential	Full	13,200	54,600	0	67,800
2011	Assessment Roll	Residential	Full	16,100	66,000	0	82,100

2009	<u>Assessment Roll</u>	Residential	Full	19,700	76,800	0	96,500
2007	<u>Assessment Roll</u>	Residential	Full	18,600	72,400	0	91,000
2005	<u>Assessment Roll</u>	Residential	Full	15,400	37,300	0	52,700
2003	<u>Assessment Roll</u>	Residential	Full	14,040	33,660	0	47,700
2001	<u>Assessment Roll</u>	Residential	Full	13,870	32,440	0	46,310
1999	Assessment Roll	Residential	Full	10,460	34,500	0	44,960
1997	Assessment Roll	Residential	Full	9,390	30,970	0	40,360
1995	Assessment Roll	Residential	Full	8,330	27,470	0	35,800
1993	Assessment Roll	Residential	Full	7,060	23,290	0	30,350
1990	Assessment Roll	Residential	Full	7,060	22,040	0	29,100

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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

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