



Roll Call Number

Agenda Item Number

33A

Date January 28, 2019

ABATEMENT OF PUBLIC NUISANCE AT 1253 E 33rd COURT

WHEREAS, the property located at 1253 E 33rd Court, 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, UTC 5, LLC, 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 55 FAIRVIEW HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1253 E 33rd 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 structure.

Moved by _____ to adopt.

FORM APPROVED:


Jessica D. Spoden, Assistant City Attorney

COUNCIL ACTION	YEAS	NAVS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	

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.

Mayor

City Clerk



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

33A

DATE OF NOTICE: November 14, 2018 **DATE OF INSPECTION: October 26, 2018**

CASE NUMBER: COD2018-08444

PROPERTY ADDRESS: 1253 E 33RD CT

LEGAL DESCRIPTION: LOT 55 FAIRVIEW HEIGHTS

UTC 5 LLC
 Title Holder
 NICK STAHLY, MEMBER
 6750 WESTOWN PKWY #200-351
 WEST DES MOINES IA 50266

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.



Nid Inspector

DATE MAILED: 11/14/2018

MAILED BY: JDH

Areas that need attention: 1253 E 33RD CT

Component:	Foundation	Defect:	Cracked/Broken
Requirement:	Building Permit	Location:	Deck
Comments:			

Component:	Chimney Liner	Defect:	Collapsed
Requirement:	Mechanical Permit	Location:	Living Room
Comments:			

Component:	Ductwork	Defect:	Flame/Smoke Spread
Requirement:	Licensed Contractor Certification	Location:	Throughout
Comments:	Clean all ductwork		

Component:	Roof	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Throughout
Comments:			

Component:	68	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Living Room
Comments:	Roof trusses		

Component:	Electrical Lighting Fixtures	Defect:	In poor repair
Requirement:	Electrical Permit	Location:	Throughout
Comments:			

Component:	Electrical Receptacles	Defect:	In poor repair
Requirement:	Electrical Permit	Location:	Throughout
Comments:			

Component:	Electrical System	Defect:	Fire damaged
Requirement:	Compliance with National Electrical Code	Location:	Throughout
Comments:			

<u>Component:</u>	Exterior Doors/Jams	<u>Defect:</u>	Cracked/Broken
<u>Requirement:</u>	Compliance with Int. Exiting Building Code	<u>Location:</u>	Throughout
<u>Comments:</u>			
<u>Component:</u>	Hand Rails	<u>Defect:</u>	Not Supplied
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Throughout
<u>Comments:</u>			
<u>Component:</u>	Mechanical System	<u>Defect:</u>	In poor repair
<u>Requirement:</u>	Compliance, Uniform Mechanics Code	<u>Location:</u>	Throughout
<u>Comments:</u>	Permit may be required.		
<u>Component:</u>	Plumbing System	<u>Defect:</u>	In poor repair
<u>Requirement:</u>	Compliance with Uniform Plumbing Code	<u>Location:</u>	Throughout
<u>Comments:</u>	Permit may be required.		
<u>Component:</u>	Smoke Detectors	<u>Defect:</u>	Not installed as required
<u>Requirement:</u>	Compliance with Int Residential Code	<u>Location:</u>	Throughout
<u>Comments:</u>	Permit may be required.		
<u>Component:</u>	Interior Walls /Ceiling	<u>Defect:</u>	Fire damaged
<u>Requirement:</u>	Compliance with Int. Exiting Building Code	<u>Location:</u>	Throughout
<u>Comments:</u>	Permit may be required.		

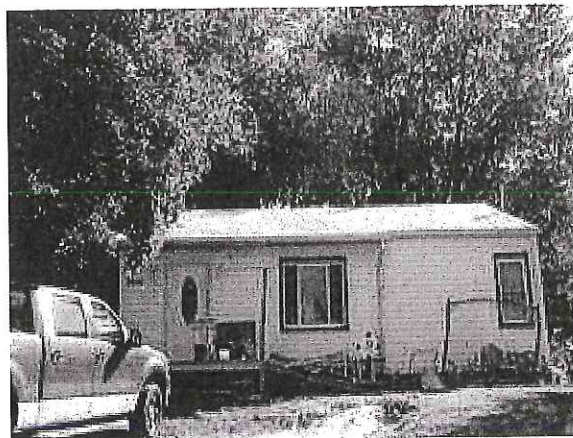


[[Home](#)] [[General Query](#)] [[Legal Query](#)] [[HomeOwner Query](#)] [[Book/Page Query](#)] [[Commercial Query](#)] [[Res Sales Query](#)] [[Comm Sales Query](#)] [[Help](#)]

District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
060/03734-000-000	7923-32-452-012	1291	DM13/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
1253 E 33RD CT			DES MOINES IA 50317		

Click on parcel to get new listing

Get Bigger Map Google Map	106.08	106.08	1274	1275
	1273	1274	1273	1271
	105.03	105.93	1270	1207
	1257	1258	1256	1253
	105.8	105.8	1252	1259
	1263	1264	1257	1255
	105.87	105.87	1258	1251
	1257	1258	1253	1247
	105.53	105.53	1245	1243
	1253	1254	1241	1239
	105.4	105.4	1240	1235
	105.3	105.3	1235	1231
	1245	1246	1231	
	105.17	105.17		
	1241	1242		
105.04	105.04			
1235	1235			
104.91	104.91			
1231	1232			
104.70	104.70			



Approximate date of photo 09/25/2013

Mailing Address
UTC 5 LLC 6750 WESTOWN PKWY STE 200-351 WEST DES MOINES, IA 50266

Legal Description
LOT 55 FAIRVIEW HEIGHTS

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	UTC 5 LLC	2018-09-24	17086/103	

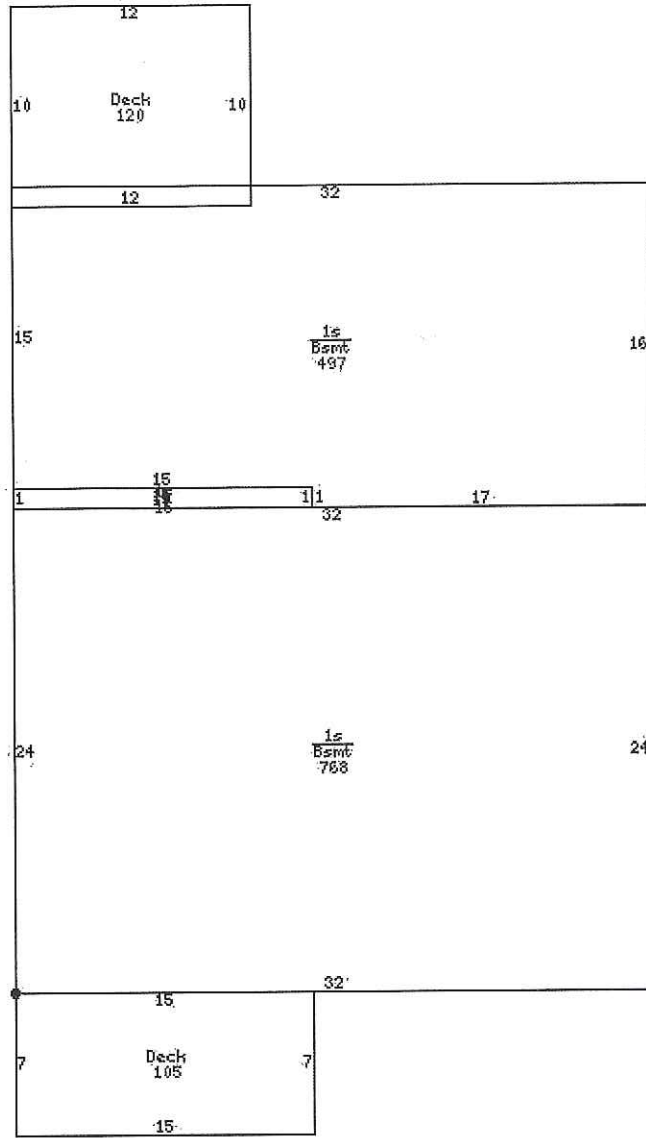
Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	11,900	90,400	0	102,300
Estimate Taxes Polk County Treasurer Tax Information Pay Taxes						

Taxable Value Credit	Name	Number	Info
Homestead	MENTZER, DENNIS F	74495	

Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential
Source: City of Des Moines Community Development Published: 2012-03-20 Contact: Planning and Urban Design 515 283-4182			

Land					
SQUARE FEET	6,420	FRONTAGE	60.0	DEPTH	107.0
ACRES	0.147	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S1/1 Story	BLDG STYLE	RN/Ranch
YEAR BUILT	1950	YEAR REMODEL	1978	# FAMILIES	1
GRADE	4	GRADE ADJUST	-05	CONDITION	NM/Normal
TSFLA	1,280	MAIN LV AREA	1,280	BSMT AREA	1,265
DECK AREA	225	FOUNDATION	C/Concrete Block	EXT WALL TYP	VN/Vinyl Siding
ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle	FIREPLACES	1
BSMT GAR CAP	1	HEATING	A/Gas Forced Air	AIR COND	100
BATHROOMS	1	BEDROOMS	2	ROOMS	5



Year	Type	Status	Application	Permit/Pickup Description
2010	P/Permit	NA/No Add	2009-10-15	RD/FOUNDATION

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2017	Assessment Roll	Residential	Full	11,900	90,400	0	102,300
2015	Assessment Roll	Residential	Full	11,100	86,800	0	97,900
2013	Assessment Roll	Residential	Full	11,500	91,900	0	103,400
2011	Assessment Roll	Residential	Full	11,500	92,100	0	103,600
2009	Assessment Roll	Residential	Full	12,100	96,100	0	108,200
2007	Assessment Roll	Residential	Full	11,700	92,800	0	104,500
2005	Assessment Roll	Residential	Full	9,200	72,200	0	81,400
2003	Assessment Roll	Residential	Full	8,080	64,060	0	72,140
2001	Assessment Roll	Residential	Full	6,410	46,100	0	52,510
1999	Assessment Roll	Residential	Full	8,390	39,460	0	47,850

Polk/Des Moines Assessor - 060/03734-000-000 Listing

1997	Assessment Roll	Residential	Full	7,600	35,740	0	43,340
1995	Assessment Roll	Residential	Full	6,590	30,980	0	37,570
1993	Assessment Roll	Residential	Full	6,210	29,210	0	35,420
1990	Board Action	Residential	Full	6,210	25,990	0	32,200
1990	Assessment Roll	Residential	Full	6,210	29,590	0	35,800

[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

top

1253 E. 33rd ct



01/18/2019 12:23

top

1253 E. 33rd Ct



01/18/2019 12:22

top

1253 E. 33rd Ct



01/18/2019 12:22

334