



**Roll Call Number**

**Agenda Item Number**

29B

**Date** February 11, 2019

**ABATEMENT OF PUBLIC NUISANCE AT 814 Olinda Avenue**

WHEREAS, the property located at 814 Olinda Avenue, 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, Optimum Wealth Asset Management, 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 382 in FIRST PLAT OF CLIFTON HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 814 Olinda Avenue, 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**

29B

**DATE OF NOTICE: November 16, 2018**

**DATE OF INSPECTION: November 16, 2018**

**CASE NUMBER:** COD2018-08559

**PROPERTY ADDRESS:** 814 OLINDA AVE

**LEGAL DESCRIPTION:** LOT 382 1ST PLAT OF CLIFTON HGTS

OPTIMUM WEALTH ASSET MANAGEMENT LLC  
 Title Holder  
 DAVID R ELKIN - REG. AGENT  
 315 E 5TH ST SUITE 5  
 DES MOINES IA 50309

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.

Daniel Adams  
(515) 237-1612



Nid Inspector

DATE MAILED: 11/16/2018

MAILED BY: TSY



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**Areas that need attention:** 814 OLINDA AVE

<b>Component:</b> Plumbing System <b>Requirement:</b> Plumbing Permit <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Throughout
<b>Component:</b> Electrical System <b>Requirement:</b> Electrical Permit <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Throughout
<b>Component:</b> Exterior Walls <b>Requirement:</b> Compliancance with Int Residential Code <b>Comments:</b> Entire structure.	<b>Defect:</b> Absence of paint <b>Location:</b> Throughout
<b>Component:</b> Foundation <b>Requirement:</b> Building Permit <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Basement
<b>Component:</b> Interior Stairway <b>Requirement:</b> Building Permit <b>Comments:</b>	<b>Defect:</b> Improperly Installed <b>Location:</b> Basement
<b>Component:</b> Interior Walls /Ceiling <b>Requirement:</b> Building Permit <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Throughout
<b>Component:</b> Mechanical System <b>Requirement:</b> Mechanical Permit <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Throughout
<b>Component:</b> Window Glazing/Paint <b>Requirement:</b> Compliancance with Int Residential Code <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Throughout

**Component:** Windows/Window Frames  
**Requirement:** Complaine with Int Residential Code

**Defect:** In poor repair

**Location:** Throughout

**Comments:**

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<b>District/Parcel</b>	<b>GeoParcel</b>	<b>Map</b>	<b>Nbhd</b>	<b>Jurisdiction</b>	<b>Status</b>
010/00770-000-000	7824-16-205-010	0498	DM26/Z	DES MOINES	ACTIVE
<b>School District</b>	<b>Tax Increment Finance District</b>	<b>Bond/Fire/Sewer/Cemetery</b>			
1/Des Moines					
<b>Street Address</b>			<b>City State Zipcode</b>		
814 OLINDA AVE			DES MOINES IA 50315-1545		



Approximate date of photo 03/28/2017

<b>Mailing Address</b>
ZION CAPITAL GROUP LLC 13309 WOODBRIDGE ST STE 204 SHERMAN OAKS, CA 91423

<b>Legal Description</b>
LOT 382 1ST PLAT OF CLIFTON HGTS

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	OPTIMUM WEALTH ASSET MANAGEMENT LLC	2018-09-05	17065/480	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	12,200	17,400	0	29,600

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

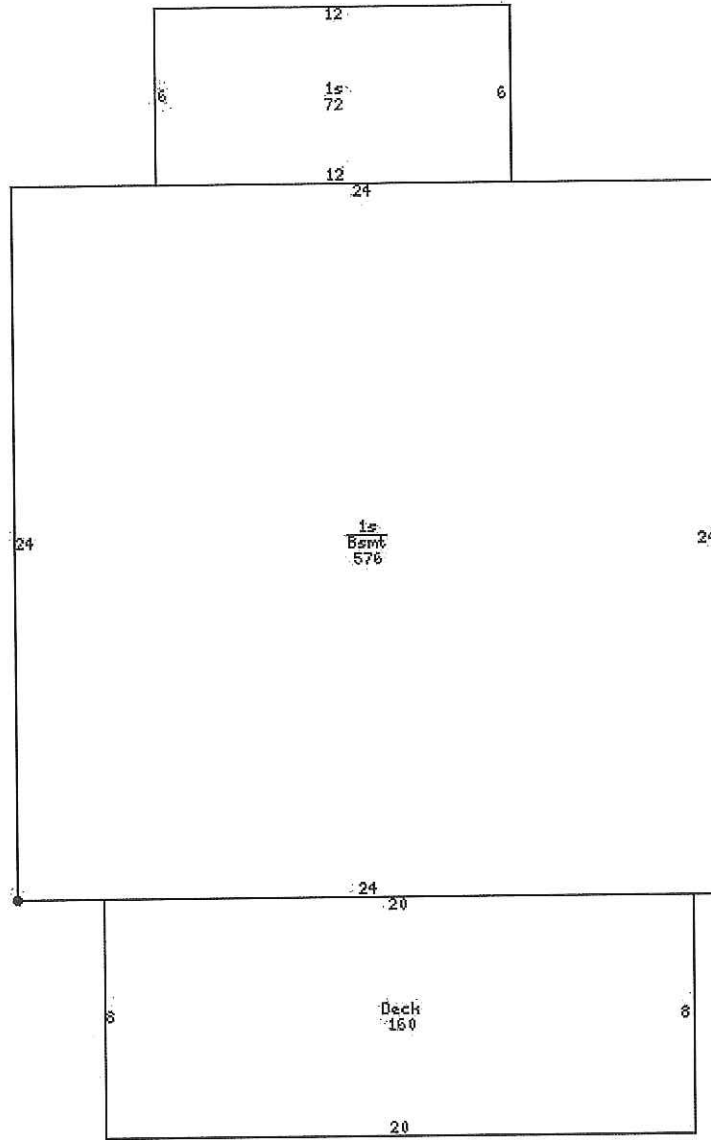
Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential



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

<b>Land</b>					
<b>SQUARE FEET</b>	6,600	<b>FRONTAGE</b>	50.0	<b>DEPTH</b>	132.0
<b>ACRES</b>	0.152	<b>SHAPE</b>	RC/Rectangle	<b>TOPOGRAPHY</b>	N/Normal

<b>Residence # 1</b>					
<b>OCCUPANCY</b>	SF/Single Family	<b>RESID TYPE</b>	S1/1 Story	<b>BLDG STYLE</b>	BG/Bungalow
<b>YEAR BUILT</b>	1908	<b># FAMILIES</b>	1	<b>GRADE</b>	5
<b>GRADE ADJUST</b>	+00	<b>CONDITION</b>	VP/Very Poor	<b>TSFLA</b>	648
<b>MAIN LV AREA</b>	648	<b>BSMT AREA</b>	576	<b>DECK AREA</b>	160
<b>FOUNDATION</b>	B/Brick	<b>EXT WALL TYP</b>	WS/Wood Siding	<b>ROOF TYPE</b>	GB/Gable
<b>ROOF MATERL</b>	A/Asphalt Shingle	<b>HEATING</b>	A/Gas Forced Air	<b>AIR COND</b>	0
<b>BATHROOMS</b>	1	<b>BEDROOMS</b>	1	<b>ROOMS</b>	4



Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
KING, JERRY	OPTIMUM WEALTH ASSET MANAGEMENT LLC	2018-08-23	16,500	D/Deed	17065/480
LOOSE, THOMAS E	KING, JERRY	2016-01-12	15,000	D/Deed	15866/832
ESTATE OF JAMES A NICHOLS	LOOSE, THOMAS E	2013-12-13	5,000	D/Deed	15068/34

Year	Type	Status	Application	Permit/Pickup Description
Current	P/Permit	TW/To Work	2018-06-22	AL/Alterations REMODEL Cost Estimate 15979
2010	U/Pickup	CP/Complete	2010-01-13	CL/SKETCH
2010	P/Permit	NA/No Add	2009-12-29	RD/FOUNDATION (24 sf)

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2017	Assessment Roll	Residential	Full	12,200	17,400	0	29,600



2015	<u>Assessment Roll</u>	Residential	Full	11,100	28,700	0	39,800
2013	<u>Assessment Roll</u>	Residential	Full	11,100	29,100	0	40,200
2011	<u>Assessment Roll</u>	Residential	Full	11,100	28,800	0	39,900
2010	<u>Assessment Roll</u>	Residential	Full	11,900	30,700	0	42,600
2009	<u>Assessment Roll</u>	Residential	Full	11,900	31,600	0	43,500
2007	<u>Assessment Roll</u>	Residential	Full	11,600	34,200	0	45,800
2005	<u>Assessment Roll</u>	Residential	Full	11,400	30,700	0	42,100
2003	<u>Assessment Roll</u>	Residential	Full	10,590	28,270	0	38,860
2001	<u>Assessment Roll</u>	Residential	Full	8,850	25,850	0	34,700
1999	Assessment Roll	Residential	Full	9,460	26,660	0	36,120
1997	Assessment Roll	Residential	Full	8,420	23,740	0	32,160
1995	Assessment Roll	Residential	Full	7,650	21,580	0	29,230
1993	Assessment Roll	Residential	Full	7,150	20,170	0	27,320
1991	Assessment Roll	Residential	Full	6,500	18,340	0	24,840
1991	Was Prior Year	Residential	Full	6,500	15,280	0	21,780

email this page

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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](mailto:polkweb@assess.co.polk.ia.us)



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