



Roll Call Number

Agenda Item Number

32A

Date March 11, 2019

ABATEMENT OF PUBLIC NUISANCE AT 143 E SENECA AVENUE

WHEREAS, the property located at 143 E Seneca 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, All Known and Unknown Heirs to Jane Graves and Mortgage Holder, Wilmington Savings Fund Society, FSB, as Trustee of Stanwich Mortgage Loan Trust, 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 3, an Official Plat, West Half of the SE Quarter of the SW Quarter of the SW Quarter, Section 23, Township 79, Range 24, West 5th P.M., now in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 143 E Seneca 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**

32A

DATE OF NOTICE: November 28, 2018

DATE OF INSPECTION: June 06, 2018

CASE NUMBER: COD2018-02828

PROPERTY ADDRESS: 143 E SENECA AVE

LEGAL DESCRIPTION: LOT 3 OP W 1/2 SE 1/4 SW 1/4 SW 1/4 SEC 23-79-24

JANE GRAVES
Title Holder
143 SENECA AVE
DES MOINES IA 50313-3662

AS TRUSTEE OF STANWICH MORTGAGE LOAN TRUST
Mortgage Holder - WILMINGTON SAV FND SOCIETY FSB
WILMINGTON SAV FND SOC., R.A.
500 DELAWARE AVE
WILMINGTON DE 19801

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.

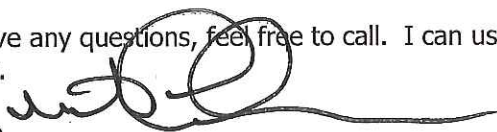
ALL ELECTRICAL, MECHANICAL, PLUMBING, AND STRUCTURAL COMPONENTS IN NEED OF REPLACEMENT OR REPAIR, ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET CITY CODES.

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

Nid Inspector

DATE MAILED: 11/28/2018

MAILED BY: JDH

Areas that need attention: 143 E SENECA AVE

<p>Component: Interior Walls /Ceiling Requirement: Building Permit Comments:</p>	<p>Defect: Water Damage Location: Main Structure</p>
<p>Component: Bathroom Lavatory Requirement: Plumbing Permit Comments:</p>	<p>Defect: In poor repair Location: Main Structure</p>
<p>Component: Electrical System Requirement: Electrical Permit Comments:</p>	<p>Defect: Water Damage Location: Main Structure</p>
<p>Component: Floor Joists/Beams Requirement: Building Permit Comments:</p>	<p>Defect: Water Damage Location: Main Structure</p>
<p>Component: Flooring Requirement: Compliance, International Property Maintenance Code Comments:</p>	<p>Defect: Water Damage Location: Main Structure</p>
<p>Component: Functioning Water Closet Requirement: Plumbing Permit Comments:</p>	<p>Defect: In poor repair Location: Main Structure</p>
<p>Component: Plumbing System Requirement: Plumbing Permit Comments: Main stack leaking, toilet, sinks, etc.</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: Roof</p>

<u>Component:</u>	Smoke Detectors	<u>Defect:</u>	Not installed as required
<u>Requirement:</u>	Compliance with International Building Code	<u>Location:</u>	Main Structure
<u>Comments:</u>			

<u>Component:</u>	Sub Floor	<u>Defect:</u>	Water Damage
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Main Structure
<u>Comments:</u>			

<u>Component:</u>		<u>Defect:</u>	See Comments
<u>Requirement:</u>		<u>Location:</u>	Garage
<u>Comments:</u>	The garage in its 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 Municipal Code section 134-343.		

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District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
070/05386-000-000	7924-23-357-004	0677	DM82/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
143 E SENECA AVE			DES MOINES IA 50313-3662		

Click on parcel to get new listing

Get Bigger Map

Google Map



Approximate date of photo 03/25/2016

Mailing Address
JANE GRAVES 143 E SENECA AVE DES MOINES, IA 50313-3662

Legal Description
LOT 3 OP W 1/2 SE 1/4 SW 1/4 SW 1/4 SEC 23-79-24

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	GRAVES, JANE	2000-07-03	8534/398	79.20

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	17,300	68,400	0	85,700

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

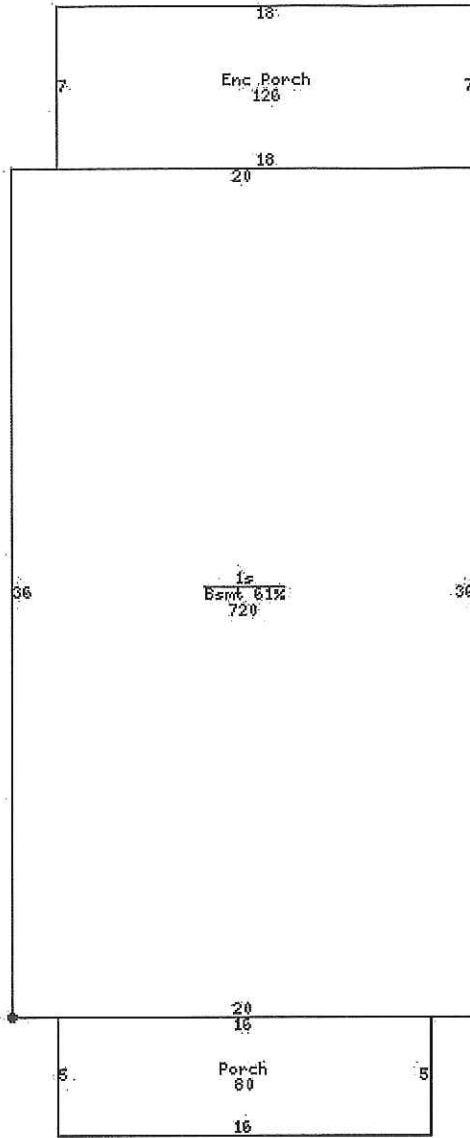
Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential

Source: City of Des Moines Community Development Published: 2012-03-20 Contact: Planning and

Urban Design 515 283-4182

Land					
SQUARE FEET	6,378	FRONTAGE	46.0	DEPTH	136.0
ACRES	0.146	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S1/1 Story	BLDG STYLE	BG/Bungalow
YEAR BUILT	1917	# FAMILIES	1	GRADE	5
GRADE ADJUST	+05	CONDITION	VG/Very Good	TSFLA	720
MAIN LV AREA	720	BSMT AREA	439	OPEN PORCH	80
ENCL PORCH	126	FOUNDATION	B/Brick	EXT WALL TYP	VN/Vinyl Siding
ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle	HEATING	A/Gas Forced Air
AIR COND	100	BATHROOMS	1	BEDROOMS	2
ROOMS	5				



Detached # 101					
OCCUPANCY	GAR/Garage	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	24	MEASURE2	24	GRADE	4
YEAR BUILT	1997	CONDITION	NM/Normal		

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
BARNARD, BILLY B	GRAVES, JANE	2000-06-22	50,000	D/Deed	8534/399

Year	Type	Status	Application	Permit/Pickup Description
1998	P/Permit	CP/Complete	1997-04-15	NC/GARAGE (576 sf) (Cost \$9,815)
1988	U/Pickup	CP/Complete	1987-08-26	A/C

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2017	Assessment Roll	Residential	Full	17,300	68,400	0	85,700
2015	Assessment Roll	Residential	Full	15,500	61,800	0	77,300

2013	<u>Assessment Roll</u>	Residential	Full	14,700	59,300	0	74,000
2011	<u>Assessment Roll</u>	Residential	Full	14,700	58,900	0	73,600
2009	<u>Assessment Roll</u>	Residential	Full	16,300	64,000	0	80,300
2008	<u>Assessment Roll</u>	Residential	Full	16,100	63,200	0	79,300
2007	<u>Assessment Roll</u>	Residential	Full	16,100	63,200	0	79,300
			Adj	16,100	53,420	0	69,520
2005	<u>Assessment Roll</u>	Residential	Full	13,900	53,200	0	67,100
			Adj	13,900	43,420	0	57,320
2003	<u>Assessment Roll</u>	Residential	Full	12,300	47,830	0	60,130
			Adj	12,300	38,050	0	50,350
2001	<u>Assessment Roll</u>	Residential	Full	10,840	40,270	0	51,110
			Adj	10,840	35,070	0	45,910
1999	Assessment Roll	Residential	Full	9,960	47,900	0	57,860
			Adj	9,960	38,120	0	48,080
1998	Assessment Roll	Residential	Full	9,330	44,850	0	54,180
			Adj	9,330	35,070	0	44,400
1997	Assessment Roll	Residential	Full	9,330	36,350	0	45,680
1995	Assessment Roll	Residential	Full	8,250	32,130	0	40,380
1993	Assessment Roll	Residential	Full	7,140	27,800	0	34,940
1990	Assessment Roll	Residential	Full	7,140	24,060	0	31,200

[email this page](#)

Room 195, 111 Court Avenue, Des Moines, IA 50309
 Phone 515 286-3140 / Fax 515 286-3386
polkaveb@assess.co.polk.ia.us

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