



Roll Call Number

Agenda Item Number

33B

Date April 8, 2019

ABATEMENT OF PUBLIC NUISANCE AT 1302 E 27th COURT

WHEREAS, the property located at 1302 E 27th 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 Titleholders, Gary Lincoln and Denny Lincoln, 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.

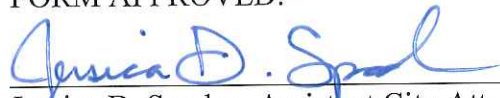
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure on the real estate legally described as Lot 7 in Block 3 of FAIRVIEW, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1302 E 27th 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	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

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.

City Clerk

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Polk County Assessor  Iowa

[[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
060/03556-000-000	7923-31-476-020	0320	DM14/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines	3/Des Moines Accent UR				
Street Address			City State Zipcode		
1302 E 27TH CT			DES MOINES IA 50317-2603		

Click on parcel to get new listing

Get Bigger Map

Google Map

1320	1321	1320	1321	1320
1314	1319	1316	1319	1314
1310	1315	1312	1311	1310
1304	1309	1308	1309	1306
1300	1305	1305		1304
1296	1301	1302	2730	1300
1292				1296
1288	1259		1255	1292
1284			1253	
1280			1251	1288
1276		2720	1249	1284

E 27TH ST

E 27TH CT

GARFIELD AVE



Approximate date of photo 02/08/2012

Mailing Address

DENNY LINCOLN
1302 E 27TH CT
DES MOINES, IA 50317-2603

Legal Description

LOT 7 BLK 3 FAIRVIEW

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	LINCOLN, GARY	2007-07-18	12289/285	
Title Holder #2	LINCOLN, DENNY			

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	17,000	30,300	0	47,300
Estimate Taxes Polk County Treasurer Tax Information Pay Taxes						

Taxable Value Credit	Name	Number	Info
Homestead	LINCOLN, DENNY	261649	

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			

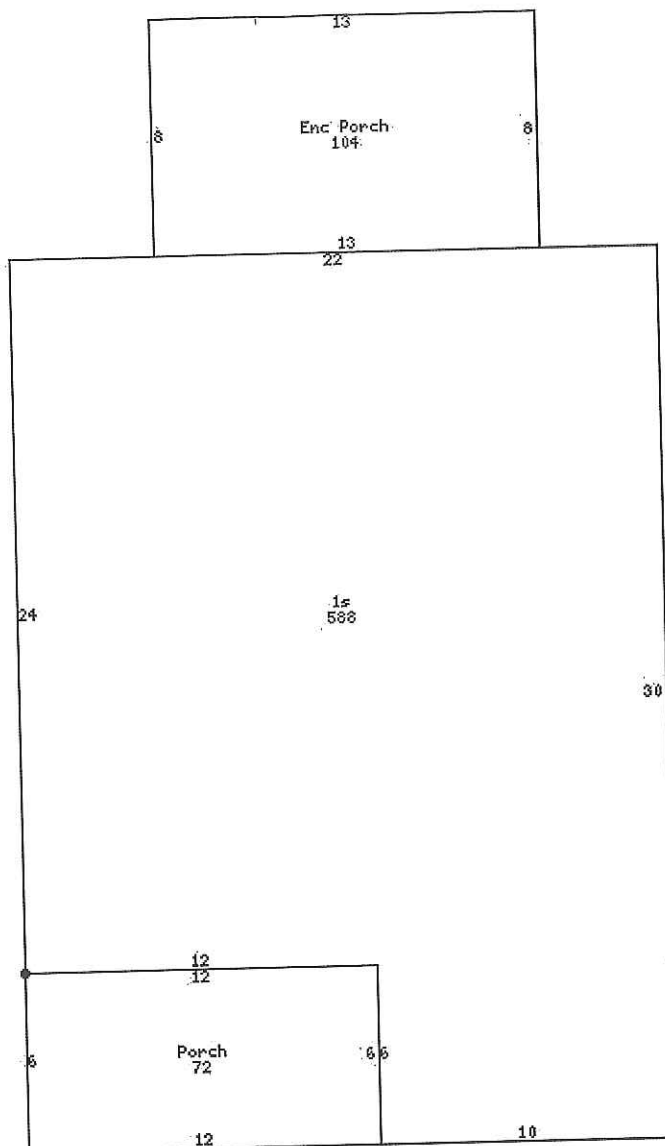
Land

SQUARE FEET	7,500	FRONTAGE	50.0	DEPTH	150.0
ACRES	0.172	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1

OCCUPANCY	SF/Single Family	RESID TYPE	S1/1 Story	BLDG STYLE	BG/Bungalow
YEAR BUILT	1920	# FAMILIES	1	GRADE	5
GRADE ADJUST	+00	CONDITION	VP/Very Poor	TSFLA	588
MAIN LV AREA	588	OPEN PORCH	72	ENCL PORCH	104
FOUNDATION	M/Masonry	EXT WALL TYP	MT/Metal Siding	ROOF TYPE	GB/Gable
ROOF MATERL	A/Asphalt Shingle	HEATING	F/Floor Wall	AIR COND	0
BATHROOMS	1	BEDROOMS	2	ROOMS	4

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Year	Type	Status	Application	Permit/Pickup Description
Current	U/Pickup	PA/Pass	2018-12-20	RV/Review Value FIRE

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2017	<u>Assessment Roll</u>	Residential	Full	17,000	30,300	0	47,300
2015	<u>Assessment Roll</u>	Residential	Full	16,100	28,800	0	44,900
2013	<u>Assessment Roll</u>	Residential	Full	15,400	27,700	0	43,100
2011	<u>Assessment Roll</u>	Residential	Full	15,400	27,500	0	42,900
2009	<u>Assessment Roll</u>	Residential	Full	16,100	30,700	0	46,800
2007	<u>Assessment Roll</u>	Residential	Full	16,100	30,700	0	46,800
2005	<u>Assessment Roll</u>	Residential	Full	14,800	28,100	0	42,900
2003	<u>Assessment Roll</u>	Residential	Full	13,060	24,930	0	37,990
2001	<u>Assessment Roll</u>	Residential	Full	11,450	20,890	0	32,340
1999	<u>Assessment Roll</u>	Residential	Full	5,050	23,080	0	28,130

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1997	Assessment Roll	Residential	Full	4,570	20,910	0	25,480
1995	Assessment Roll	Residential	Full	4,160	19,030	0	23,190
1993	Assessment Roll	Residential	Full	3,590	16,430	0	20,020
1991	Assessment Roll	Residential	Full	3,590	12,460	0	16,050
1991	Was Prior Year	Residential	Full	3,590	10,710	0	14,300

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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



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

DATE OF NOTICE: December 28, 2018

DATE OF INSPECTION: December 17, 2018

CASE NUMBER: COD2018-09524

PROPERTY ADDRESS: 1302 E 27TH CT

LEGAL DESCRIPTION: LOT 7 BLK 3 FAIRVIEW

DENNY LINCOLN
Title Holder
4046 HUBBELL AVE #152
DES MOINES IA 50317

GARY LINCOLN
Title Holder
4046 HUBBELL AVE #152
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.

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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: 12/28/2018

MAILED BY: CAD1

Areas that need attention: 1302 E 27TH CT

<u>Component:</u> Exterior Walls <u>Requirement:</u> Building Permit <u>Comments:</u>	<u>Defect:</u> Fire damaged <u>Location:</u> Throughout
<u>Component:</u> Furnace <u>Requirement:</u> Mechanical Permit <u>Comments:</u>	<u>Defect:</u> Fire damaged <u>Location:</u> Throughout
<u>Component:</u> Electrical System <u>Requirement:</u> Electrical Permit <u>Comments:</u>	<u>Defect:</u> Fire damaged <u>Location:</u> Throughout
<u>Component:</u> Interior Walls /Ceiling <u>Requirement:</u> Building Permit <u>Comments:</u>	<u>Defect:</u> Fire damaged <u>Location:</u> Throughout
<u>Component:</u> Plumbing System <u>Requirement:</u> Plumbing Permit <u>Comments:</u>	<u>Defect:</u> Fire damaged <u>Location:</u> Throughout
<u>Component:</u> Wiring <u>Requirement:</u> Electrical Permit <u>Comments:</u>	<u>Defect:</u> Fire damaged <u>Location:</u> Throughout
<u>Component:</u> Windows/Window Frames <u>Requirement:</u> Building Permit <u>Comments:</u>	<u>Defect:</u> Fire damaged <u>Location:</u> Throughout
<u>Component:</u> See Comments <u>Requirement:</u> <u>Comments:</u>	<u>Defect:</u> See Comments <u>Location:</u> Shed The shed 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 only pursuant to Des Moines Municipal Code Section 134-343

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1302 E. 27th Ct



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for