



Roll Call Number

Agenda Item Number

27A

Date May 6, 2019

ABATEMENT OF PUBLIC NUISANCE AT 2032 CAPITOL AVENUE

WHEREAS, the property located at 2032 Capitol 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, Beverly M. Clark, 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 99 in TIMMONS PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2032 Capitol 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

[Signature of Luke DeSmet]
Luke DeSmet, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and TOTAL. Includes MOTION CARRIED and APPROVED status.

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**

27A

**DATE OF NOTICE:** February 6, 2019

**DATE OF INSPECTION:** January 11, 2019

**CASE NUMBER:** COD2019-00240

**PROPERTY ADDRESS:** 2032 CAPITOL AVE

**LEGAL DESCRIPTION:** LOT 99 TIMMONS PLACE

BEVERLY M CLARK  
Title Holder  
2032 CAPITOL AVE  
DES MOINES IA 50317-2230

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.

Chris Reindl

(515) 283-4797



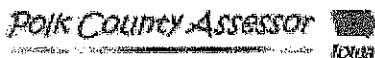
Nid Inspector

DATE MAILED: 2/6/2019

MAILED BY: JDH

**Areas that need attention:** 2032 CAPITOL AVE

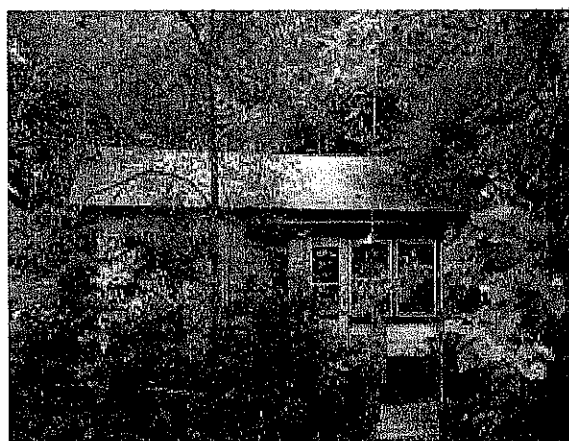
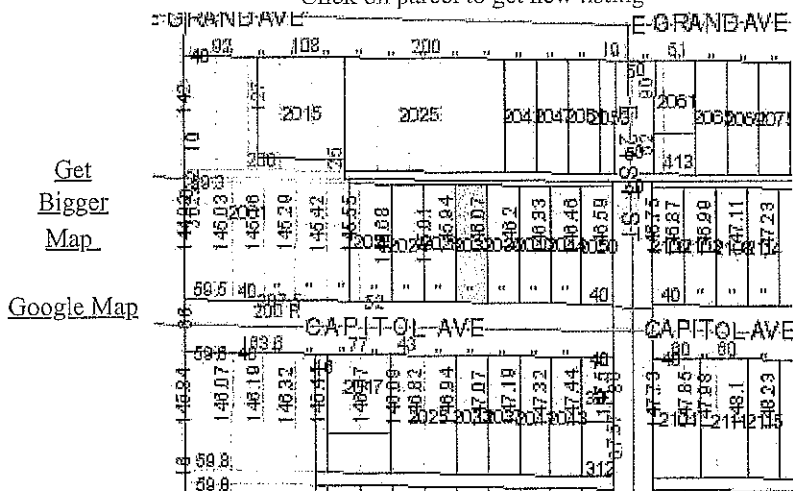
<b>Component:</b> Electrical Service <b>Requirement:</b> Electrical Permit  <b>Comments:</b>	<b>Defect:</b> In disrepair  <b>Location:</b> Main Structure
<b>Component:</b> Foundation <b>Requirement:</b> Building Permit  <b>Comments:</b>	<b>Defect:</b> In disrepair  <b>Location:</b> Main Structure
<b>Component:</b> Interior Walls /Ceiling <b>Requirement:</b> Building Permit  <b>Comments:</b>	<b>Defect:</b> In disrepair  <b>Location:</b> Main Structure
<b>Component:</b> Flooring <b>Requirement:</b> Building Permit  <b>Comments:</b>	<b>Defect:</b> In poor repair  <b>Location:</b> Main Structure
<b>Component:</b> Plumbing System <b>Requirement:</b> Plumbing Permit  <b>Comments:</b>	<b>Defect:</b> In disrepair  <b>Location:</b> Main Structure
<b>Component:</b> Mechanical System <b>Requirement:</b> Mechanical Permit  <b>Comments:</b>	<b>Defect:</b> In disrepair  <b>Location:</b> Main Structure



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<b>District/Parcel</b>	<b>GeoParcel</b>	<b>Map</b>	<b>Nbhd</b>	<b>Jurisdiction</b>	<b>Status</b>
040/06298-000-000	7824-02-276-012	0409	DM16/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>	
2032 CAPITOL AVE				DES MOINES IA 50317-2230	

Click on parcel to get new listing



Approximate date of photo 06/07/2012

<b>Mailing Address</b>
BEVERLY M CLARK 2032 CAPITOL AVE DES MOINES, IA 50317-2230

<b>Legal Description</b>
LOT 99 TIMMONS PLACE

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	CLARK, BEVERLY M	1995-06-27	7216/896	35.20

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Assmt Roll	Residential	Full	14,300	3,500	0	17,800
Current	Residential	Full	12,300	27,500	0	39,800

Assessment Roll Notice

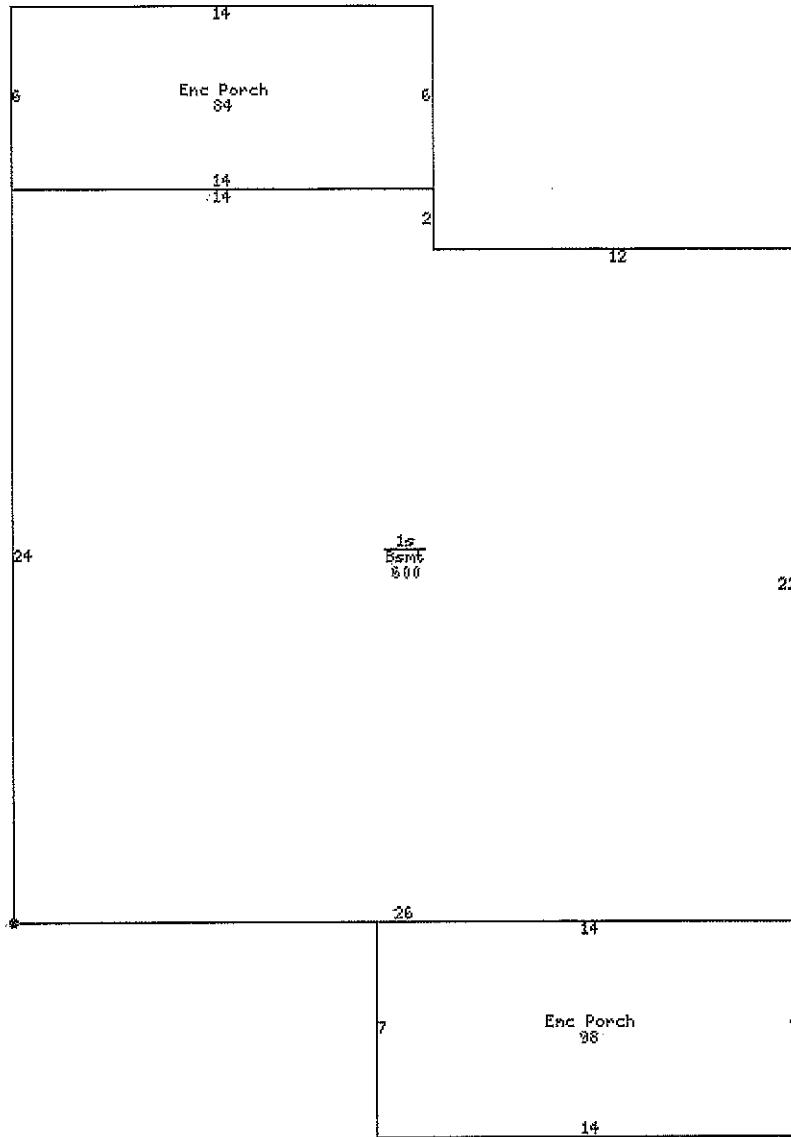
Taxable Value Credit	Name	Number	Info
Homestead	CLARK, BEVERLY M	23729	

Military	CLARK, ROY E	52720	World War II
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Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential
<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			

Land					
SQUARE FEET	5,840	FRONTAGE	40.0	DEPTH	146.0
ACRES	0.134	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S1/1 Story	BLDG STYLE	BG/Bungalow
YEAR BUILT	1910	# FAMILIES	1	GRADE	5
GRADE ADJUST	-05	CONDITION	VP/Very Poor	TSFLA	600
MAIN LV AREA	600	BSMT AREA	600	ENCL PORCH	182
FOUNDATION	B/Brick	EXT WALL TYP	AS/Asbestos	ROOF TYPE	GB/Gable
ROOF MATERL	A/Asphalt Shingle	HEATING	A/Gas Forced Air	AIR COND	100
BATHROOMS	1	BEDROOMS	1	ROOMS	4



Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
COX, VIRGINIA M	CLARK, BEVERLY M	1995-06-07	22,210	D/Deed	7216/896

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2017	Assessment Roll	Residential	Full	12,300	27,500	0	39,800
2015	Assessment Roll	Residential	Full	11,500	25,900	0	37,400
2013	Assessment Roll	Residential	Full	11,800	26,700	0	38,500
2011	Assessment Roll	Residential	Full	13,400	30,300	0	43,700
2009	Assessment Roll	Residential	Full	13,600	30,500	0	44,100
2007	Assessment Roll	Residential	Full	13,400	30,200	0	43,600
2005	Assessment Roll	Residential	Full	10,700	28,900	0	39,600
2003	Assessment Roll	Residential	Full	9,080	24,180	0	33,260
2001	Assessment Roll	Residential	Full	8,590	22,540	0	31,130
1999	Assessment Roll	Residential	Full	6,030	22,140	0	28,170

27A

1997	Assessment Roll	Residential	Full	5,460	20,050	0	25,510
1995	Assessment Roll	Residential	Full	4,750	17,460	0	22,210
1993	Assessment Roll	Residential	Full	4,210	15,480	0	19,690
1990	Board Action	Residential	Full	4,210	13,090	0	17,300
1990	Assessment Roll	Residential	Full	4,210	14,590	0	18,800

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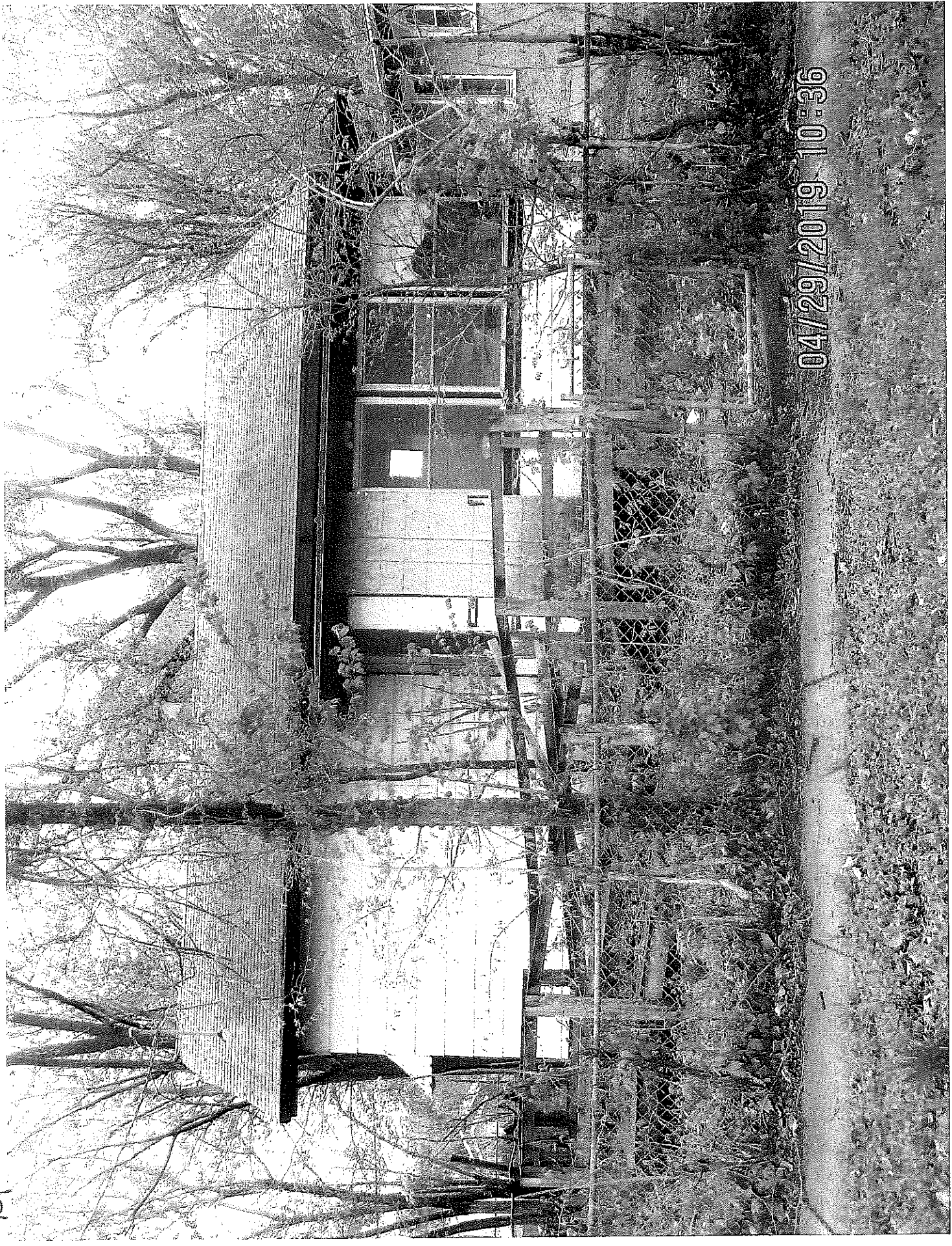
Room 195, 111 Court Avenue, Des Moines, IA 50309  
Phone 515 286-3140 / Fax 515 286-3386  
[polkweb@assess.co.polk.ia.us](mailto:polkweb@assess.co.polk.ia.us)



27A

2032 Capital Ave

top



04/29/2019 10:36

27A

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04/29/2019 10:35