

Date May 6, 2019

ABATEMENT OF PUBLIC NUISANCE AT 1117 26th STREET

WHEREAS, the property located at 1117 26th Street, 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, S & S Investments of Iowa, LLC, and the Mortgage Holder, South Story Bank & 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 32 in DRAKE UNIVERSITY'S SECOND ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1117 26th Street, 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:


 Luke DeSmet, 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.

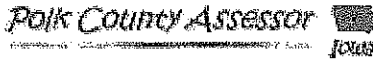
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED

APPROVED

 Mayor

 City Clerk



[[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
030/01436-000-000	7824-05-103-009	0002	DM95/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
1117 26TH ST			DES MOINES IA 50311		

Click on parcel to get new listing

[Get Bigger Map](#)
[Google Map](#)



Approximate date of photo 03/27/2014

Mailing Address
S&S INVESTMENTS OF IOWA LLC 1125 S 95TH ST WEST DES MOINES, IA 50266

Legal Description
LOT 32 DRAKE UNIVERSITY 2ND ADD

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	S&S INVESTMENTS OF IOWA LLC	2018-12-14	17182/759	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Assmt Roll	Multi-Residential	Full	11,400	124,600	0	136,000
		Adj	11,400	88,100	0	99,500
Current	Multi-Residential	Full	11,400	101,600	0	113,000
		Adj	11,400	65,100	0	76,500
Abatement	<u>J/Urban Revitalization</u> added value 36,500	<u>Plan 4A</u>	0	36,500		2010-2019

Assessment Roll Notice

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

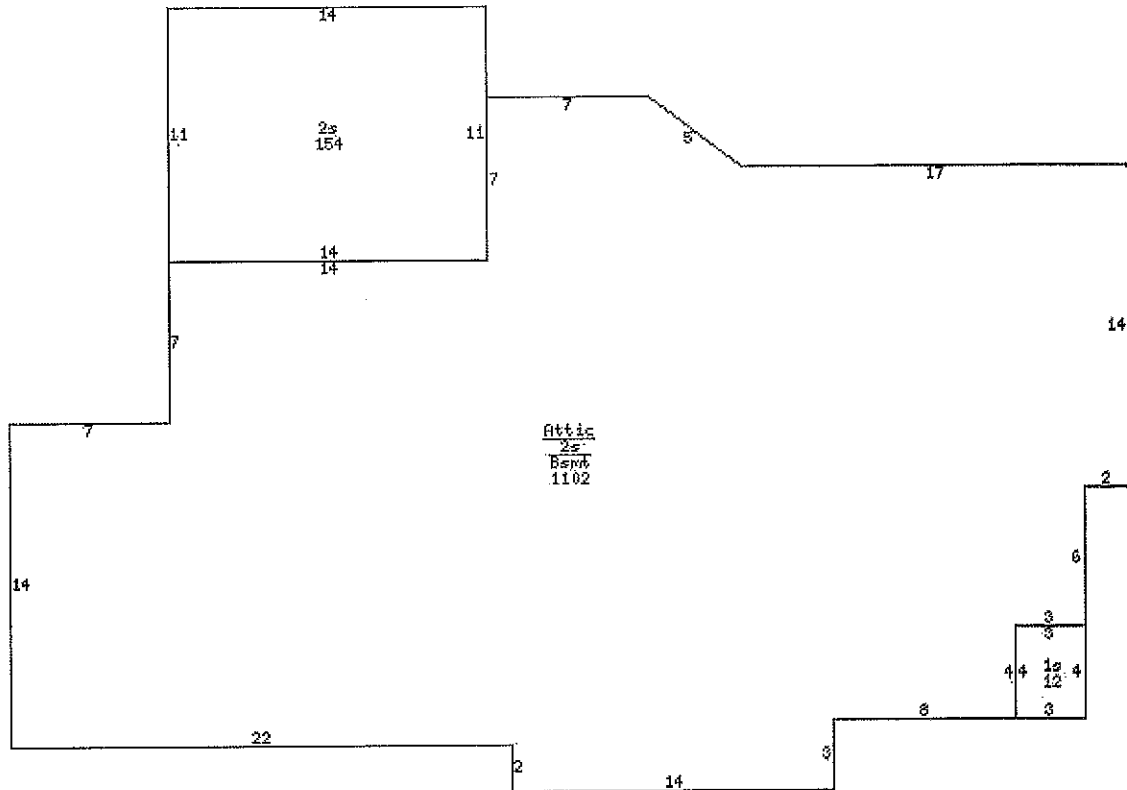
Source: City of Des Moines Community Development Published: 2012-03-20 Contact: Planning and Urban Design 515 283-4182

Land					
SQUARE FEET	6,144	FRONTAGE	48.0	DEPTH	128.0
ACRES	0.141	SHAPE	RC/Rectangle	TOPOGRAPHY	B/Blank

Commercial Summary					
OCCUPANCY	1B/Apartment Conversion	WEIGHTED AGE	1891	STORY HEIGHT	3
LAND AREA	6,144	GROSS AREA	3,130	FINISH AREA	3,130
BSMT UNFIN	1,102	BSMT FINISH	0	NUMBER UNITS	6

Residence # 1					
OCCUPANCY	CV/Conversion	RESID TYPE	SP/Over 2 Stories	YEAR BUILT	1891
YEAR REMODEL	1971	# FAMILIES	6	GRADE	4
GRADE ADJUST	+00	CONDITION	BN/Below Normal	TSFLA	3,130
MAIN LV AREA	1,268	UPPR LV AREA	1,256	ATTIC FINISH	606
BSMT AREA	1,102	EXT WALL TYP	WS/Wood Siding	ROOF TYPE	H/Hip
ROOF MATERL	A/Asphalt Shingle	HEATING	A/Gas Forced Air	AIR COND	0
BATHROOMS	6				

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Detached # 101					
OCCUPANCY	GAR/Garage	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	12	MEASURE2	22	STORY HEIGHT	1
GRADE	5	YEAR BUILT	1965	CONDITION	BN/Below Normal

<u>Seller</u>	<u>Buyer</u>	<u>Sale Date</u>	<u>Sale Price</u>	<u>Instrument</u>	<u>Book/Page</u>
PODRAY, BRAD	S&S INVESTMENTS OF IOWA LLC	2018-11-19	77,000	D/Deed	17182/759
SMIKER PROPERTIES LLC	PODRAY, BRAD	2018-06-07	132,500	D/Deed	16972/532
LENAGHAN LODGING LLC	SMIKER PROPERTIES LLC	2016-10-19	115,000	D/Deed	16233/854
LOCKSTEP LLC	LENAGHAN LODGING LLC	2016-01-08	115,000	D/Deed	15875/36

LOCKSTEP 2, LLC	1117 26TH ST, LLC	2011-09-02	120,000	C/Contract	13979/614
STATE RESOURCES CORP.	M & M DES MOINES PROPERTIES, LLC	2008-12-09	167,000	D/Deed	12882/195 Multiple Parcels
EDWARD J. NAHAS	NATE JONES	1988-01-04	40,000	C/Contract	5822/469

Year	Type	Status	Application	Permit/Pickup Description
Current	U/Pickup	NA/No Add	2019-03-08	RV/Review Value CHECK ABATEMENT
2010	U/Pickup	CP/Complete	2010-03-02	RV/ABATEMENT FILED
2010	U/Pickup	CP/Complete	2008-06-03	RV/BOARD OF REVIEW
2009	U/Pickup	PR/Partial	2008-06-03	RV/BOARD OF REVIEW
1990	P/Permit	NA/No Add	1987-12-29	Alterations
1989	P/Permit	PA/Pass	1987-12-29	Alterations
1988	P/Permit	PA/Pass	1987-12-29	Alterations

Year	Type	Appellant	Case	Status
2008	PAAB	CRITELLI PROPERTIES, LLC	08-77-0175	Dismissed

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2017	<u>Assessment Roll</u>	Multi-Residential	Full	11,400	101,600	0	113,000
			Adj	11,400	65,100	0	76,500
2015	<u>Assessment Roll</u>	Multi-Residential	Full	9,500	92,500	0	102,000
			Adj	9,500	56,000	0	65,500
2013	<u>Assessment Roll</u>	Commercial Multiple	Full	9,500	81,500	0	91,000
			Adj	9,500	50,500	0	60,000
2011	<u>Assessment Roll</u>	Commercial Multiple	Full	9,500	81,500	0	91,000
			Adj	9,500	50,500	0	60,000
2010	<u>Assessment Roll</u>	Commercial Multiple	Full	9,500	87,000	0	96,500
			Adj	9,500	50,500	0	60,000
2009	<u>Assessment Roll</u>	Commercial Multiple	Full	9,500	50,500	0	60,000
2008	<u>Board Action</u>	Commercial Multiple	Full	9,500	110,500	0	120,000
2007	<u>Assessment Roll</u>	Commercial Multiple	Full	9,500	110,500	0	120,000
2006	<u>Assessment Roll</u>	Commercial Multiple	Full	8,600	111,400	0	120,000
2005	<u>Assessment Roll</u>	Commercial Multiple	Full	8,600	87,200	0	95,800
2003	<u>Assessment Roll</u>	Commercial Multiple	Full	7,500	76,500	0	84,000
2001	<u>Assessment Roll</u>	Commercial Multiple	Full	7,070	52,900	0	59,970
1999	<u>Assessment Roll</u>	Commercial Multiple	Full	7,000	52,900	0	59,900

1995	Assessment Roll	Commercial Multiple	Full	6,800	49,000	0	55,800
1993	Assessment Roll	Commercial Multiple	Full	6,440	46,660	0	53,100
1993	Was Prior Year	Commercial Multiple	Full	6,440	32,890	0	39,330

[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



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

DATE OF NOTICE: March 12, 2019

DATE OF INSPECTION: January 17, 2019

CASE NUMBER: COD2019-00283

PROPERTY ADDRESS: 1117 26TH ST

LEGAL DESCRIPTION: LOT 32 DRAKE UNIVERSITY 2ND ADD

S&S INVESTMENTS OF IOWA LLC
Title Holder - JAMES G SMITH, REG AGENT
1125 S 95TH ST
WEST DES MOINES IA 50266

SOUTH STORY BANK & TRUST
Mortgage Holder - ATTN: BOB KRAUSE, PRESIDENT
905 U.S. HWY 69
HUXLEY IA 50124

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.

Nid Inspector



DATE MAILED: 3/12/2019

MAILED BY: KMD

Areas that need attention: 1117 26TH ST

Component:	Electrical System	Defect:	Fire damaged
Requirement:	Electrical Permit	Location:	Main Structure
Comments:			
Component:	Exterior Walls	Defect:	Fire damaged
Requirement:		Location:	Main Structure
Comments:			
Component:	Windows/Window Frames	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Main Structure
Comments:			
Component:	Brick Chimney	Defect:	Cracked/Broken
Requirement:	Building Permit	Location:	Main Structure
Comments:	Basement		
Component:	Electrical Receptacles	Defect:	Fire damaged
Requirement:	Electrical Permit	Location:	Main Structure
Comments:			
Component:	Furnace	Defect:	Fire damaged
Requirement:	Plumbing Permit	Location:	Main Structure
Comments:			
Component:	Floor Joists/Beams	Defect:	Deteriorated
Requirement:	Building Permit	Location:	Main Structure
Comments:	Basement		
Component:	Foundation	Defect:	Deteriorated
Requirement:	Engineering Report	Location:	Main Structure
Comments:			

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Component:	Foundation	Defect:	Deteriorated
Requirement:	Building Permit	Location:	Main Structure
Comments:			
Component:	Interior Stairway	Defect:	Smoke Damage
Requirement:		Location:	Main Structure
Comments:			
Component:	Interior Walls /Ceiling	Defect:	Smoke Damage
Requirement:		Location:	Main Structure
Comments:			
Component:	Mechanical System	Defect:	Fire damaged
Requirement:	Mechanical Permit	Location:	Main Structure
Comments:			
Component:	Exterior Stairs	Defect:	Deteriorated
Requirement:	Building Permit	Location:	Main Structure
Comments:	Rear 2nd Egress		
Component:	Plumbing System	Defect:	Fire damaged
Requirement:	Plumbing Permit	Location:	Main Structure
Comments:			
Component:	Smoke Detectors	Defect:	Fire damaged
Requirement:		Location:	Main Structure
Comments:			
Component:	Water Heater	Defect:	In poor repair
Requirement:	Plumbing Permit	Location:	Main Structure
Comments:	Vent Pipe		
Component:	Soffit/Facia/Trim	Defect:	In poor repair
Requirement:		Location:	Main Structure
Comments:			

<u>Component:</u>	See Comments	<u>Defect:</u>	Cracked/Broken
<u>Requirement:</u>		<u>Location:</u>	Main Structure
<u>Comments:</u>	Apt. # 5 Knock Out Panel - Not to Be Used		

<u>Component:</u>	Exterior Stairs	<u>Defect:</u>	In poor repair
<u>Requirement:</u>	Unknown	<u>Location:</u>	Main Structure
<u>Comments:</u>	May Need Engineering Report		

<u>Component:</u>	See Comments	<u>Defect:</u>	
<u>Requirement:</u>		<u>Location:</u>	Garage
<u>Comments:</u>	The garage or 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.		

27C

1117 26th St

top



2019/04/25 12:04:07

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1117 26th St

top



2019/04/25 12:03:45