



Roll Call Number

Agenda Item Number

50B

Date July 15, 2019

ABATEMENT OF PUBLIC NUISANCE AT 2548 E 23rd STREET

WHEREAS, the property located at 2548 E 23rd 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 Contract Buyer, L & R Real Estate, LLC, and the Titleholder, Craig C. Venard, Sr., 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 97 and the North 28 feet of Lot 98 in WILLOUGHBY PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2548 E 23rd 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



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

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DATE OF NOTICE: March 15, 2019

DATE OF INSPECTION: March 08, 2019

CASE NUMBER: COD2019-00820

PROPERTY ADDRESS: 2548 E 23RD ST

LEGAL DESCRIPTION: LOT 97 & N 28 F LOT 98 WILLOUGHBY PLACE

LINDA M JONES D/B/A L & R REAL ESTATE LLC
Contract Buyer
3320 48TH ST
DES MOINES IA 50310

RANDY KARAIIDOS D/B/A L&R REAL ESTATE LLC
Contract Buyer
3320 48TH ST
DES MOINES IA 50310-3216

CRAIG C VENARD SR
Title Holder
1088 160TH ST
FT DODGE IA 50501

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.

Steve Landwehr

(515) 283-4008


Nid Inspector

DATE MAILED: 3/15/2019

MAILED BY: JDH

Areas that need attention: 2548 E 23RD ST

Component:	Mechanical System	Defect:	Water Damage
Requirement:	Compliance with Int Residential Code	Location:	Main Structure
Comments:			
Component:	Electrical System	Defect:	Fire damaged
Requirement:	Compliance with Int Residential Code	Location:	Main Structure Throughout
Comments:			
Component:	Electrical Lighting Fixtures	Defect:	Fire damaged
Requirement:	Compliance with Int Residential Code	Location:	Main Structure Throughout
Comments:			
Component:	Electrical Receptacles	Defect:	Fire damaged
Requirement:	Compliance with Int Residential Code	Location:	Main Structure Throughout
Comments:			
Component:	Exterior Doors/Jams	Defect:	Fire damaged
Requirement:	Compliance with Int Residential Code	Location:	Main Structure
Comments:			
Component:	Roof	Defect:	Fire damaged
Requirement:	Compliance with Int Residential Code	Location:	Main Structure Throughout
Comments:			
Component:	Floor Joists/Beams	Defect:	Fire damaged
Requirement:	Compliance with Int Residential Code	Location:	Main Structure Throughout
Comments:			
Component:	Flooring	Defect:	Water Damage
Requirement:	Compliance with Int Residential Code	Location:	Main Structure Throughout
Comments:			

Component:	Furnace	Defect:	Water Damage
Requirement:	Compliance with Int Residential Code	Location:	Main Structure
Comments:			
Component:	Interior Walls /Ceiling	Defect:	Fire damaged
Requirement:	Compliance with Int Residential Code	Location:	Main Structure Throughout
Comments:			
Component:	Plumbing System	Defect:	Fire damaged
Requirement:	Compliance with Int Residential Code	Location:	Main Structure Throughout
Comments:			
Component:	Soffit/Facia/Trim	Defect:	Water Damage
Requirement:	Compliance with Int Residential Code	Location:	Main Structure Throughout
Comments:			
Component:	Trusses	Defect:	Fire damaged
Requirement:	Compliance with Int Residential Code	Location:	Main Structure Throughout
Comments:			
Component:	Water Heater	Defect:	Water Damage
Requirement:	Compliance with Int Residential Code	Location:	Main Structure
Comments:			
Component:	Windows/Window Frames	Defect:	Water Damage
Requirement:	Compliance with Int Residential Code	Location:	Main Structure Throughout
Comments:			
Component:	Wiring	Defect:	Fire damaged
Requirement:	Compliance with Int Residential Code	Location:	Main Structure
Comments:			
Component:	Accessory Buildings	Defect:	
Requirement:	Structure absent of one required	Location:	Accessory Building Throughou

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Comments:

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 only pursuant to Des Moines Municipal Code Section 134-343.

Polk County Assessor

111 Court Avenue #195
Des Moines, IA 50309-0904

(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	2548 E 23RD ST				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	060/08720-000-000	Geoparcels	7923-30-376-002	Status	Active
School	Des Moines	Nbhd/Pocket	DM10/A	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Victor Scaglione 515-286-3898		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

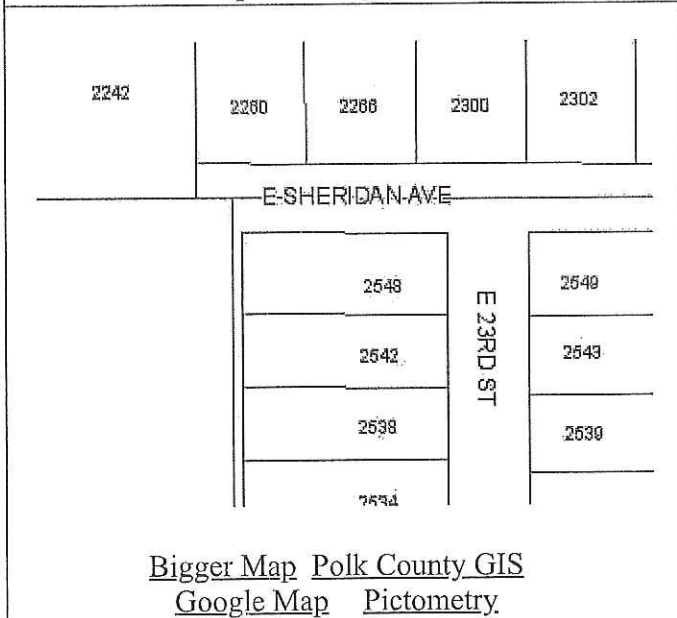
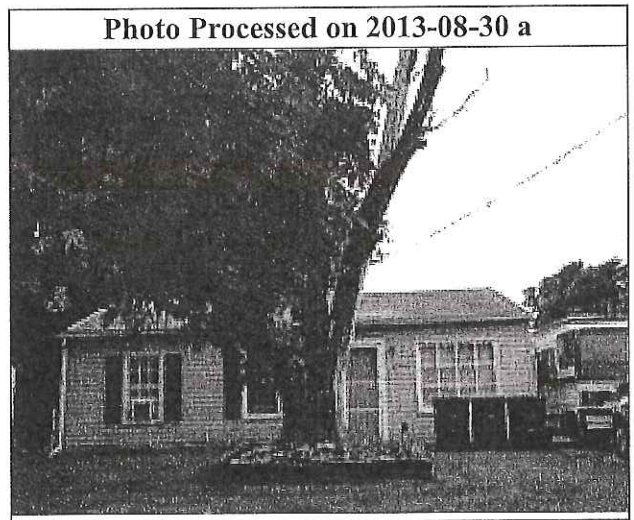


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Historical Photos

Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	VENARD SR, CRAIG C	2007-05-01	12169/997
Contract Buyer	1	L & R REAL ESTATE LLC	2013-01-28	14631/921

Legal Description and Mailing Address

LOT 97 & N 28 F LOT 98 WILLOUGHBY PLACE	L & R REAL ESTATE LLC 3320 48TH ST DES MOINES, IA 50310-3216
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Current Values

Type	Class	Kind	Land	Bldg	Total
2019 Assessment Roll	Residential	Full	\$19,100	\$82,300	\$101,400
2018 Value	Residential	Full	\$16,200	\$71,700	\$87,900

[Assessment Roll Notice](#) [Market Adjusted Cost Report](#)

Zoning - 1 Record

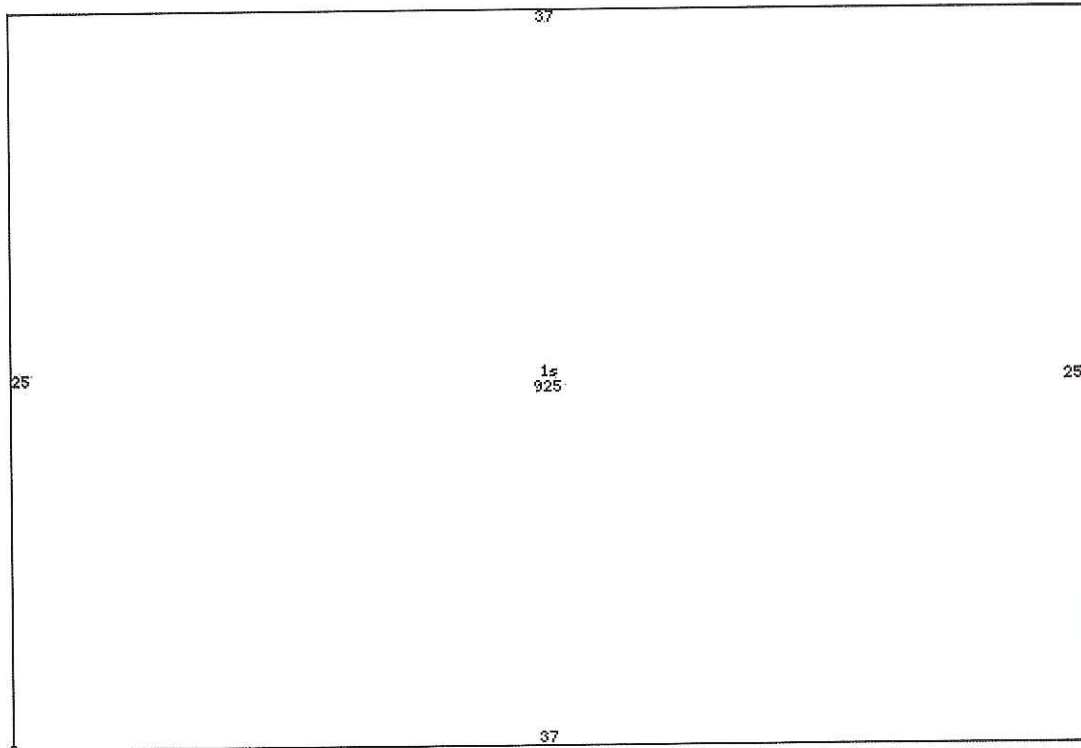
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Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>			

Land					
Square Feet	8,850	Acres	0.203	Frontage	59.0
Depth	150.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record

Residence #1					
Occupancy	Single Family	Residence Type	1 Story	Building Style	Ranch
Year Built	1959	Number Families	1	Grade	4+00
Condition	Normal	Total Square Foot Living Area	925	Main Living Area	925
Foundation	Concrete Block	Exterior Wall Type	Vinyl Siding	Roof Type	Gable
Roof Material	Asphalt Shingle	Heating	Gas Forced Air	Air Conditioning	0
Number Bathrooms	1	Bedrooms	2	Rooms	5



Detached Structures - 1 Record					
Detached Structure #101					
Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	24	Measure 2	30	Story Height	1
Grade	4	Year Built	1976	Condition	Very Good
Comment	9603 NEW SIDING/ROOF				

Sales - 3 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
VENARD REV LIV TRST	EAST GRAND PARTNERSHIP	<u>1996-04-09</u>	\$45,000	Contract	<u>7381/255</u>
VENARD, PAUL	BEHLE, EUGENE	<u>1992-01-13</u>	\$34,500	Contract	<u>6506/136</u>
TAYLOR, DENNIS A	VENARD, PAUL C	<u>1991-07-02</u>	\$27,400	Deed	<u>6407/472</u>

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
KARAIIDOS, RANDY _____ JONES, LINDA	L & R REAL ESTATE LLC	2013-01-25	2013-01-28	Quit Claim Deed	<u>14631/921</u>

Permits - 1 Record

Year	Type	Permit Status	Application	Description
1997	Pickup	Complete		alterations/misc

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2017	<u>Board Action</u>	Residential	Full	\$16,200	\$71,700	\$87,900
2017	<u>Assessment Roll</u>	Residential	Full	\$16,200	\$76,000	\$92,200
2015	<u>Assessment Roll</u>	Residential	Full	\$14,700	\$70,400	\$85,100
2013	<u>Assessment Roll</u>	Residential	Full	\$14,800	\$72,100	\$86,900
2011	<u>Assessment Roll</u>	Residential	Full	\$14,800	\$72,400	\$87,200
2009	<u>Assessment Roll</u>	Residential	Full	\$15,200	\$71,900	\$87,100
2007	<u>Assessment Roll</u>	Residential	Full	\$15,200	\$71,900	\$87,100
2005	<u>Assessment Roll</u>	Residential	Full	\$14,600	\$60,500	\$75,100
2003	<u>Assessment Roll</u>	Residential	Full	\$13,520	\$56,350	\$69,870
2001	<u>Assessment Roll</u>	Residential	Full	\$11,600	\$45,960	\$57,560
1999	Assessment Roll	Residential	Full	\$6,580	\$42,960	\$49,540
1997	Assessment Roll	Residential	Full	\$5,980	\$39,020	\$45,000
1995	Assessment Roll	Residential	Full	\$5,300	\$31,540	\$36,840
1993	Assessment Roll	Residential	Full	\$5,080	\$30,220	\$35,300
1991	Assessment Roll	Residential	Full	\$5,080	\$28,340	\$33,420
1991	Was Prior Year	Residential	Full	\$5,080	\$24,700	\$29,780

2548 E. 23rd St

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2548 E 23rd St



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2548 E 23rd St



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