| Roll Call Number | Agenda Item Number |
|---|----------------------|
| Date July 15, 2019 | |
| ABATEMENT OF PUBLIC NUISANCE AT 1113 37th | STREET |
| WHEREAS, the property located at 1113 37th Street, Des Moines, Io | wa, 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, Nafiz Hodzic, and Mortgage Holder, bank of America, N.A., 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 25 in KAUFFMAN PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1113 37th 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 | | | | |
| MOTION CARRIED | | m.Acmining control of the | API | PROVED |

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 |
|--|------------|
| | |



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 11, 2019

CASE NUMBER:

COD2019-00230

PROPERTY ADDRESS:

1113 37TH ST

LEGAL DESCRIPTION:

LOT 25 KAUFFMAN PLACE

NAFIZ HODZIC Title Holder 1113 37TH ST DES MOINES IA 50311-3616

BANK OF AMERICA, NA Mortgage Holder - C T CORPORATION SYSTEM, RA 400 E COURT AVE DES MOINES IA 50309

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 COMPONETS 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 FOE 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

KMD MAILED BY:



Areas that need attention: 1113 37TH ST

Component:

Floor Joists/Beams

Building Permit

Defect: Fire damaged

Location: Main Structure

Requirement:

Comments:

finalized BLD. permit for repair or demo. required

Component:

Electrical System

Defect:

Fire damaged

Requirement:

Electrical Permit

Location: Main Structure

Comments:

finalized ELE. permit required for repairs

Component:

Plumbing System

Defect:

Fire damaged

Requirement:

Plumbing Permit

Location: Main Structure

Comments:

finalized PLM. permit required for repairs

Component: Requirement: Roof

Building Permit

Defect:

Fire damaged

Location: Main Structure

Comments:

finalized BLD permit required for repairs

Component:

Accessory Buildings

Defect:

See Comments

Requirement:

Building Permit

Location: Garage

Comments:

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.

Component:

Mechanical System

Defect:

Fire damaged

Requirement:

Mechanical Permit

Location: Main Structure

Comments:

finalized MECH, permit required for repairs

Component:

Exterior Walls

Defect:

Fire damaged

Requirement:

Building Permit

Location: Main Structure

Comments:

finalized BLD. permit for repair or demo. required

Component:

Floor Joists/Beams

Defect: Fire damaged

Requirement:

Building Permit

Location: Main Structure

Comments:

finalized BLD. permit for repair or demo. required

Fire damaged Flooring Defect: Component: Requirement: **Building Permit Location:** Main Structure Comments: finalized BLD. permit for repair or demo. required Fire damaged Defect: Interior Walls /Ceiling Component: **Requirement: Building Permit Location:** Main Structure **Comments:** finalized BLD. permit for repair or demo. required



Polk County Assessor

111 Court Avenue #195 Des Moines, IA 50309-0904 (515) 286-30 polkweb@as

| 014 Fax (515) 286-3386 | 4 |
|------------------------|----|
| ssess.co.polk.ia.us | DE |

| | | Lo | ocation | | |
|-----------------|----------------------|-------------|--------------------------------|------------------------|---------------------|
| Address | 1113 37TH ST | | | | |
| City | DES MOINES | Zip | 50311 | Jurisdiction | Des Moines |
| District/Parcel | 090/03318-000-000 | Geoparcel | 7824-06-127-007 | Status | Active |
| School | Des Moines | Nbhd/Pocket | DM51/Z | Tax Authority Group | DEM-C-DEM- 77131 |
| Submarket | Northwest Des Moines | Appraiser | Brett Tierney 515- 286-3019 | | |

Map and Current Photos - 1 Record

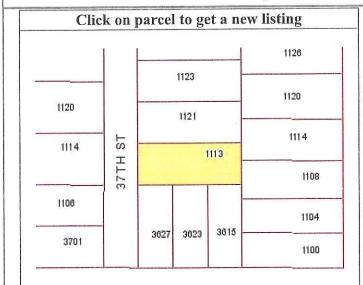


Photo Processed on 2017-01-04 a

Bigger Map Polk County GIS Google Map **Pictometry**

Historical Photos

| Ownership - 1 Record | | | | | |
|----------------------|-----|---------------|------------|-----------|--|
| Ownership | Num | Name | Recorded | Book/Page | |
| Title Holder | 1 | HODZIC, NAFIZ | 2008-03-04 | 12567/361 | |

Legal Description and Mailing Address

LOT 25 KAUFFMAN PLACE

NAFIZ HODZIC 1113 37TH ST DES MOINES, IA 50311-3616

Current Values

| Туре | Class | Kind | Land | Bldg | Total |
|----------------------|-------------|------|----------|-----------|-----------|
| 2019 Assessment Roll | Residential | Full | \$42,400 | \$103,200 | \$145,600 |
| 2018 Value | Residential | Full | \$36,800 | \$90,600 | \$127,400 |

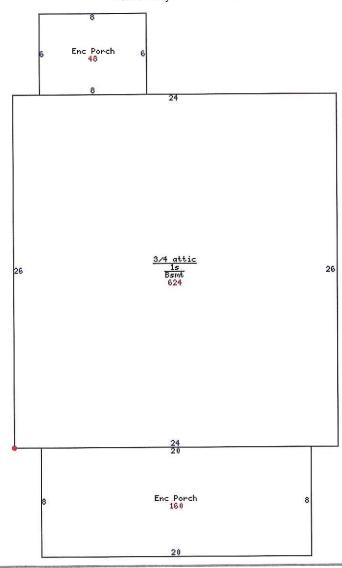
Assessment Roll Notice Market Adjusted Cost Report

Auditor Adjustments to Value

| Category | Name | Information |
|-----------------------|---------------|--------------------|
| 2018 Homestead Credit | HODZIC, NAFIZ | Application #30184 |



| 9 | | | Polk County A | ssessor 090/03318-00 | 00-000 | | |
|---------------------------|-------------------|----------|-------------------------------------|------------------------------|--------------|----------------|--------------|
| | | | Zoning - 1 | Record | | | |
| Zoning | | | Description | | SF | Ass | essor Zoning |
| R1-60 | One Family, | Low De | ensity Residential I | District | | | Residential |
| City of Des | Moines Commi | ınity De | velopment Planni | ng and Urban De | esign 515 2 | 83-4182 | (2012-03-20) |
| | | | Lan | d | | | |
| Square | Feet 8,8 | 80 | Acres | 0.204 | Fron | ntage | 60.0 |
| | | 8.0 | Topography | Normal | S | hape | Rectangle |
| Vaca | nncy | No | Unbuildable | No | | | |
| | | | Residences | s - 1 Record | | | |
| | | | Resider | rce #1 | | | |
| Occupancy | Single Family | I IN | Residence Type | 1 Story Finished Attic | | lding Style | Conventional |
| Year Buil | 1905 | | Number Families | 1 | G | rade | 4-05 |
| Condition | Above Norma | 1 | Total Square Foot Living Area | 905 | Main L | iving Area | 624 |
| Attic Finished Area | 281 | .] | Basement Area | 624 | Enc Porch | losed Area | 208 |
| Foundation | Concrete Block | | Exterior Wall Type | Vinyl Siding | Roof | Type | Gable |
| Roo Materia | 1 | 1 | Heating | Gas Forced Air | Condition | Air oning | 100 |
| Number Bathroom | • | | Bedrooms | 2 | R | ooms | 4 |



| | | Detached Struc | tures - 1 Re | ecord | | | | | |
|-----------|-------------------------|--------------------------|--------------|------------------|------------|--|--|--|--|
| | Detached Structure #101 | | | | | | | | |
| Occupancy | Garage | Construction Type | Frame | Measurement Code | Dimensions | | | | |
| Measure 1 | 22 | Measure 2 | 22 | Story Height | 1 | | | | |
| Grade | 4 | Year Built | 2003 | Condition | Normal | | | | |

Sales - 2 Records

| Seller | Buyer | Sale Date | Sale Price | Instrument | Book/Page | |
|-------------------------|---------------------|------------|---------------|------------|-----------|--|
| JUCHEMS, MARLA L | HODZIC, NAFIZ | 1996-03-28 | \$61,500 | Deed | 7393/379 | |
| NOTHWEHR, LAWRENCE W | JUCHEMS, MARLA L | 1991-06-11 | \$30,000 | Deed | 6388/637 | |
| Permits - 2 Records | | | | | | |

| Year | Type | Permit Status | Application | Description |
|------|--------|---------------|-------------|------------------------------|
| 2004 | Permit | Complete | 2003-08-06 | alterations/porch |
| 2004 | Permit | Complete | 2003-06-20 | construction/garage (484 sf) |

Historical Values

| Yr | Type | Class | Kind | Land | Bldg | Total |
|------|-----------------|-------------|------|----------|----------|-----------|
| 2017 | Assessment Roll | Residential | Full | \$36,800 | \$90,600 | \$127,400 |

| 19 | Polk County Assessor 090/03318-000-000 Type Class Kind Land Bldg Total | | | | | | | |
|------|---|-------------|------|----------|----------|-----------|--|--|
| Yr | Туре | Class | Kind | Land | Bldg | Total | | |
| 2015 | Assessment Roll | Residential | Full | \$33,500 | \$83,400 | \$116,900 | | |
| 2014 | Assessment Roll | Residential | Full | \$29,600 | \$74,100 | \$103,700 | | |
| 2013 | Assessment Roll | Residential | Full | \$29,600 | \$74,100 | \$103,700 | | |
| | | | Adj | \$29,600 | \$64,910 | \$94,510 | | |
| 2011 | Assessment Roll | Residential | Full | \$29,600 | \$74,100 | \$103,700 | | |
| | | | Adj | \$29,600 | \$64,910 | \$94,510 | | |
| 2009 | Assessment Roll | Residential | Full | \$31,100 | \$74,900 | \$106,000 | | |
| | | | Adj | \$31,100 | \$65,710 | \$96,810 | | |
| 2007 | Assessment Roll | Residential | Full | \$33,100 | \$80,800 | \$113,900 | | |
| | <u></u> | | Adj | \$33,100 | \$71,610 | \$104,710 | | |
| 2005 | Assessment Roll | Residential | Full | \$29,500 | \$70,300 | \$99,800 | | |
| | | | Adj | \$29,500 | \$61,110 | \$90,610 | | |
| 2004 | Assessment Roll | Residential | Full | \$27,050 | \$64,220 | \$91,270 | | |
| | | | Adj | \$27,050 | \$55,030 | \$82,080 | | |
| 2003 | Assessment Roll | Residential | Full | \$27,050 | \$56,230 | \$83,280 | | |
| 2001 | Assessment Roll | Residential | Full | \$24,420 | \$45,550 | \$69,970 | | |
| 1999 | Assessment Roll | Residential | Full | \$14,920 | \$35,580 | \$50,500 | | |
| 1997 | Assessment Roll | Residential | Full | \$13,640 | \$32,520 | \$46,160 | | |
| 1995 | Assessment Roll | Residential | Full | \$12,090 | \$28,820 | \$40,910 | | |
| 1993 | Assessment Roll | Residential | Full | \$9,910 | \$23,620 | \$33,530 | | |
| 1991 | Board Action | Residential | Full | \$9,910 | \$22,090 | \$32,000 | | |
| 1991 | Assessment Roll | Residential | Full | \$9,910 | \$27,240 | \$37,150 | | |
| 1991 | Was Prior Year | Residential | Full | \$9,910 | \$22,090 | \$32,000 | | |

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J. J.