



Roll Call Number

Agenda Item Number

34B

Date August 19, 2019

ABATEMENT OF PUBLIC NUISANCES AT 1544 E 36<sup>th</sup> STREET

WHEREAS, the property located at 1544 E 36<sup>th</sup> Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and accessory structures in their present conditions constitutes not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholder, Tandem Capital, LLC, was notified more than thirty days ago to repair or demolish the main structure and accessory structures and as of this date has failed to abate the nuisances.

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

The main structure and accessory structures on the real estate legally described as Lot 42 in GRAYS WOODS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1544 E 36<sup>th</sup> Street, have previously been declared public nuisances;

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisances, and should the owner(s) fail to abate the nuisances, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structures.

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

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

**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](mailto:polkweb@assess.co.polk.ia.us)

Location					
Address	1544 E 36TH ST				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	060/05599-000-000	Geoparcel	7923-32-426-003	Status	Active
School	Des Moines	Nbhd/Pocket	DM13/Z	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

1540	1552	E 36TH ST	1553
	1548		
1543	1544		1543
1537	1540		
1539	1534		1533

[Bigger Map](#) [Polk County GIS](#)  
[Google Map](#) [Pictometry](#)

Photo Processed on 2013-09-27 a

**Historical Photos****Ownership - 1 Record**

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	TANDEM CAPITAL LLC	2019-05-09	17320/331

**Legal Description and Mailing Address**

LOT 42 GRAYS WOODS	BRIAN KAY 2001 25TH ST S SAINT CLOUD, MN 56301-9073
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**Current Values**

Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential	Full	\$14,700	\$7,500	\$22,200

[Protest Notice](#) [Assessment Roll Notice](#) [Market Adjusted Cost Report](#)**Zoning - 1 Record**

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

*City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)*

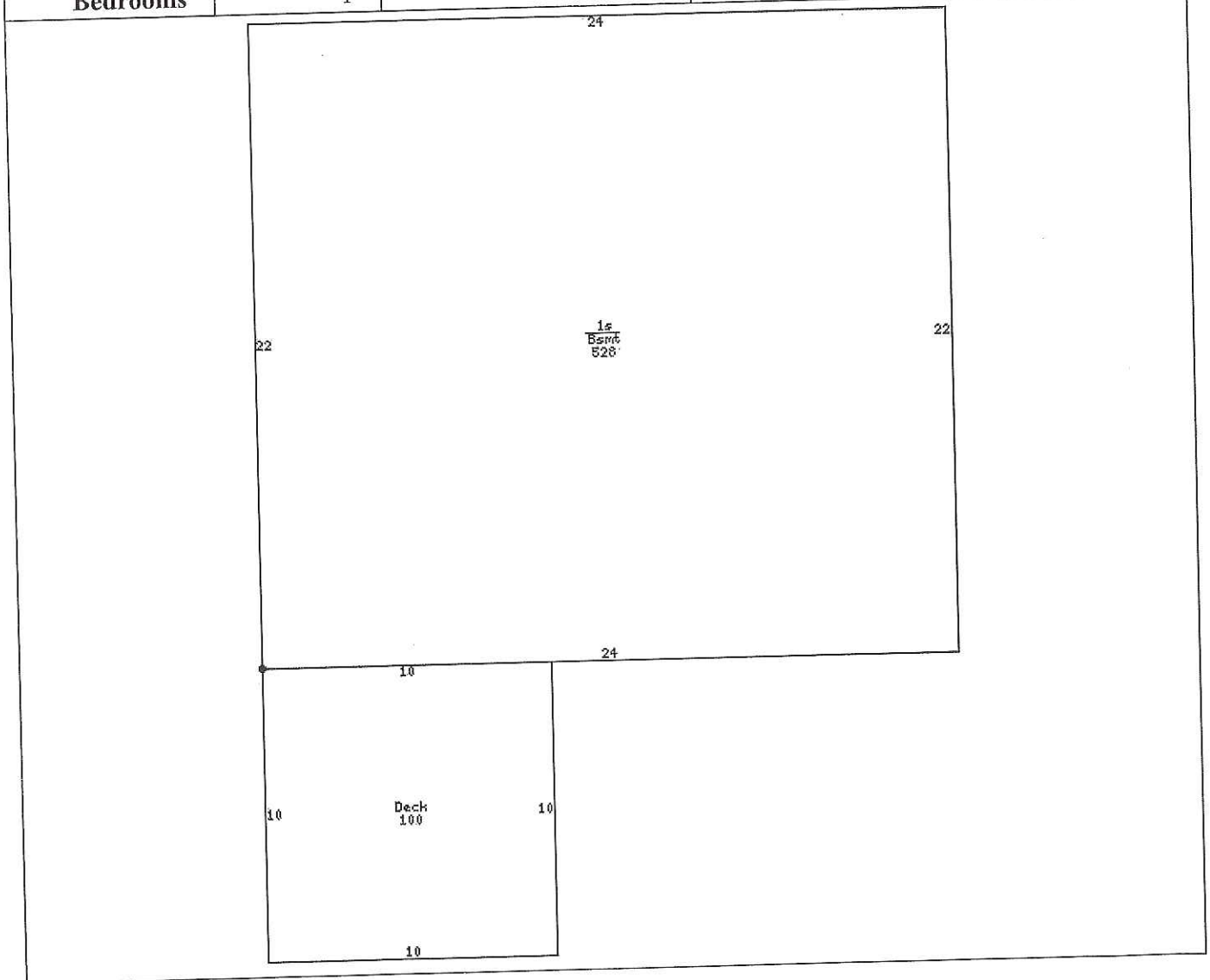


**Land**

<b>Square Feet</b>	6,950	<b>Acres</b>	0.160	<b>Frontage</b>	50.0
<b>Depth</b>	139.0	<b>Topography</b>	Normal	<b>Shape</b>	Rectangle
<b>Vacancy</b>	No	<b>Unbuildable</b>	No		

**Residences - 1 Record****Residence #1**

<b>Occupancy</b>	Single Family	<b>Residence Type</b>	1 Story	<b>Building Style</b>	Ranch
<b>Year Built</b>	1940	<b>Number Families</b>	1	<b>Grade</b>	5+10
<b>Condition</b>	Very Poor	<b>Total Square Foot Living Area</b>	528	<b>Main Living Area</b>	528
<b>Basement Area</b>	528	<b>Deck Area</b>	100	<b>Foundation</b>	Brick
<b>Exterior Wall Type</b>	Metal Siding	<b>Roof Type</b>	Gable	<b>Roof Material</b>	Asphalt Shingle
<b>Heating</b>	Gas Forced Air	<b>Air Conditioning</b>	0	<b>Number Bathrooms</b>	1
<b>Bedrooms</b>	1	<b>Rooms</b>	3		

**Sales - 2 Records**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
COMPOUND INTEREST LLC	TANDEM CAPITAL LLC	<u>2019-05-07</u>	\$24,000	Deed	<u>17320/331</u>
KINSHAW, BETTY J	JOHNSON, SEAN E	<u>1989-10-30</u>	\$53,000	Contract	<u>6426/482</u>

## Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
COMPOUND INTEREST LLC	TANDEM CAPITAL LLC	2019-05-07	2019-05-09	Quit Claim Deed	<u>17320/331</u>
MALONEY, MARY (Treasurer)	COMPOUND INTEREST LLC	2019-03-28	2019-04-01	Tax Sale Deed	<u>17275/627</u>

## Permits - 2 Records

Year	Type	Permit Status	Application	Description
1996	Permit	No Add	0695-06-22	addition/fence
1994	Permit	No Add	1993-06-02	alterations

## Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Board Action</u>	Residential	Full	\$14,700	\$7,500	\$22,200
2019	<u>Assessment Roll</u>	Residential	Full	\$14,700	\$44,900	\$59,600
2017	<u>Assessment Roll</u>	Residential	Full	\$12,800	\$40,600	\$53,400
2015	<u>Assessment Roll</u>	Residential	Full	\$12,000	\$38,800	\$50,800
2013	<u>Assessment Roll</u>	Residential	Full	\$11,700	\$38,800	\$50,500
2011	<u>Assessment Roll</u>	Residential	Full	\$11,600	\$39,000	\$50,600
2009	<u>Assessment Roll</u>	Residential	Full	\$12,500	\$42,400	\$54,900
2007	<u>Assessment Roll</u>	Residential	Full	\$12,100	\$41,000	\$53,100
2005	<u>Assessment Roll</u>	Residential	Full	\$9,800	\$35,400	\$45,200
2003	<u>Assessment Roll</u>	Residential	Full	\$8,500	\$30,980	\$39,480
2001	<u>Assessment Roll</u>	Residential	Full	\$9,020	\$27,420	\$36,440
1999	Assessment Roll	Residential	Full	\$4,080	\$12,110	\$16,190
1997	Assessment Roll	Residential	Full	\$3,700	\$10,970	\$14,670
1995	Assessment Roll	Residential	Full	\$3,210	\$9,510	\$12,720
1993	Assessment Roll	Residential	Full	\$3,030	\$8,970	\$12,000
1990	Assessment Roll	Residential	Full	\$3,030	\$6,970	\$10,000

This template was last modified on Sat Mar 4 12:31:48 2017 .





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

**DATE OF NOTICE:** May 31, 2019

**DATE OF INSPECTION:** May 10, 2019

**CASE NUMBER:** COD2019-02267

**PROPERTY ADDRESS:** 1544 E 36TH ST

**LEGAL DESCRIPTION:** LOT 42 GRAYS WOODS

TANDEM CAPITAL LLC  
Title Holder  
DAVID ELKIN, REG. AGENT  
315 E 5TH ST SUITE 5  
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.**

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.

Casey Doran  
(515) 283-4183



Nid Inspector

DATE MAILED: 5/31/2019

MAILED BY: JDH

**Areas that need attention:** 1544 E 36TH ST

<b><u>Component:</u></b>	Electrical Service	<b><u>Defect:</u></b>	In poor repair
<b><u>Requirement:</u></b>	Compliance with National Electrical Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Permit required.		
<b><u>Component:</u></b>	Mechanical System	<b><u>Defect:</u></b>	In poor repair
<b><u>Requirement:</u></b>	Compliance, Uniform Mechanics Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Permit required.		
<b><u>Component:</u></b>	Plumbing System	<b><u>Defect:</u></b>	In poor repair
<b><u>Requirement:</u></b>	Compliance with Uniform Plumbing Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Permit required.		
<b><u>Component:</u></b>	Interior Walls /Ceiling	<b><u>Defect:</u></b>	Cracked/Broken
<b><u>Requirement:</u></b>	Compliance with Int. Exiting Building Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Permit may be required.		
<b><u>Component:</u></b>	Flooring	<b><u>Defect:</u></b>	In disrepair
<b><u>Requirement:</u></b>	Unknown	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Repair and replace as needed.		
<b><u>Component:</u></b>	Shingles Flashing	<b><u>Defect:</u></b>	Improperly Installed
<b><u>Requirement:</u></b>		<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	All shingles must match.		
<b><u>Component:</u></b>	Soffit/Facia/Trim	<b><u>Defect:</u></b>	In disrepair
<b><u>Requirement:</u></b>		<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Fix as needed and protect raw wood from weather.		
<b><u>Component:</u></b>	Windows/Window Frames	<b><u>Defect:</u></b>	In disrepair
<b><u>Requirement:</u></b>	Compliance with Int. Exiting Building Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Must open and close with no tools or special knowledge.		



<b><u>Component:</u></b>	Exterior Doors/Jams	<b><u>Defect:</u></b>	In disrepair
<b><u>Requirement:</u></b>	Compliance with Int. Exiting Building Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>			
<b><u>Component:</u></b>	Flooring	<b><u>Defect:</u></b>	In disrepair
<b><u>Requirement:</u></b>	Compliance with Int. Exiting Building Code	<b><u>Location:</u></b>	Deck
<b><u>Comments:</u></b>	Front Deck in disrepair.		
<b><u>Component:</u></b>	Exterior Walls	<b><u>Defect:</u></b>	In poor repair
<b><u>Requirement:</u></b>	Compliance with International Building Code	<b><u>Location:</u></b>	Shed
<b><u>Comments:</u></b>	Shed1-South shed. Fix and paint to protect raw wood.		
<b><u>Component:</u></b>	Exterior Doors/Jams	<b><u>Defect:</u></b>	Cracked/Broken
<b><u>Requirement:</u></b>	Compliance with International Building Code	<b><u>Location:</u></b>	Shed
<b><u>Comments:</u></b>	Shed1-South shed. Fix door as needed.		
<b><u>Component:</u></b>	Exterior Doors/Jams	<b><u>Defect:</u></b>	Cracked/Broken
<b><u>Requirement:</u></b>	Compliance with International Building Code	<b><u>Location:</u></b>	Shed
<b><u>Comments:</u></b>	Shed2-North shed. Fix door as needed.		



top

1544 E. 36<sup>th</sup> St



08/08/2019 09:35



top

1544 E 36<sup>th</sup> St



08/08/2019 09:34



top

1544 E 36th St



08/08/2019 09:34



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1544 E. 36<sup>th</sup> St



08/08/2019 09:34