



**Roll Call Number**

**Agenda Item Number**

34C

**Date** August 19, 2019

**ABATEMENT OF PUBLIC NUISANCE AT 1915 E GRAND AVENUE**

WHEREAS, the property located at 1915 E Grand 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 Titleholders, Jesus G. Garcia and Maria Del Socorro Gonzalez, and the Mortgage Holder, Morningside Funding, LLC, 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 95 and the E 1/2 OF Lot 94, in GOODE AND LIKES ADDITION to Des Moines, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1915 E Grand 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:

  
\_\_\_\_\_  
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

# Polk County Assessor

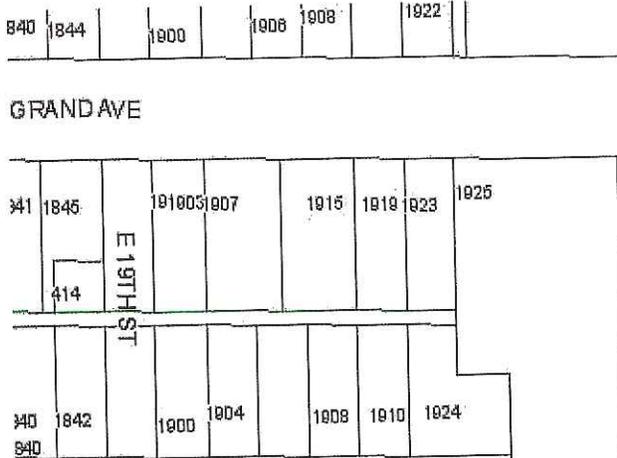
111 Court Avenue #195  
Des Moines, IA 50309-0904

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

Location					
Address	1915 E GRAND AVE				
City	DES MOINES	Zip	50316	Jurisdiction	Des Moines
District/Parcel	040/02365-001-000	Geoparcels	7824-02-252-003	Status	Active
School	Des Moines	Nbhd/Pocket	DM16/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Andrew Rand 515-286-3368		

## Map and Current Photos - 1 Record

Click on parcel to get a new listing



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

Photo Processed on 2012-06-19 a



## Historical Photos

## Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	GARCIA, JESUS G	2018-08-01	17022/878
Title Holder	2	DEL SOCORRO GONZALEZ, MARIA	2018-08-01	17022/878

## Legal Description and Mailing Address

E 1/2 LT 94 & ALL LT 95 GOODE & LIKES ADDITION

JESUS G GARCIA  
1915 E GRAND AVE  
DES MOINES, IA 50316

## Current Values

Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential	Full	\$19,300	\$27,700	\$47,000

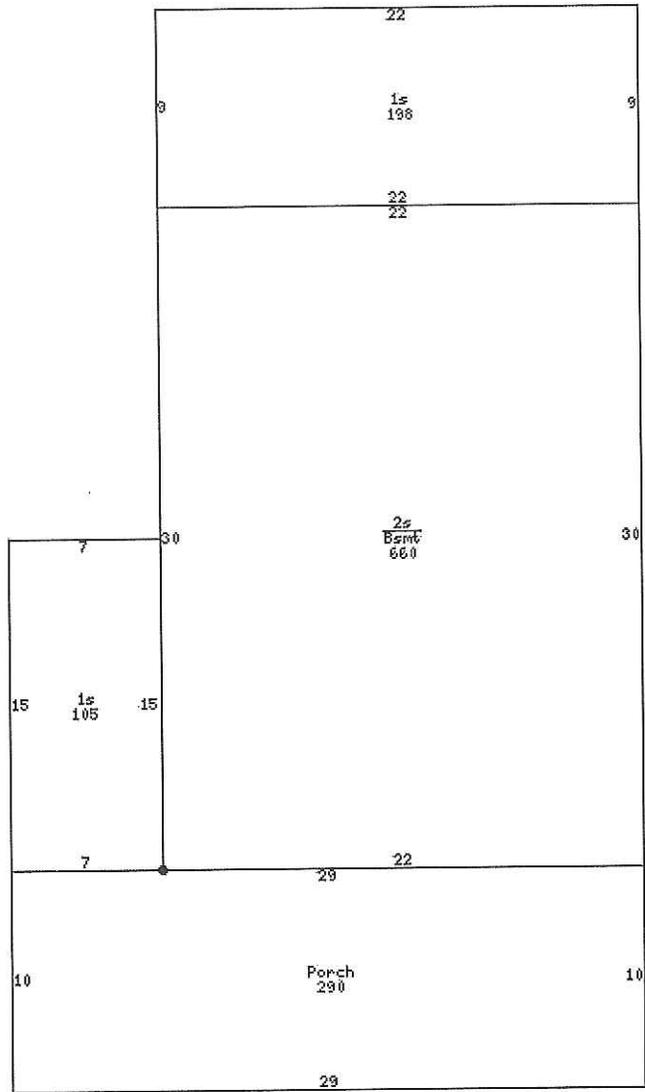
[Protest Notice](#) [Assessment Roll Notice](#) [Market Adjusted Cost Report](#)

## Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
R-2	One and Two Family Residential Districts		Residential

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

<b>Land</b>					
<b>Square Feet</b>	11,250	<b>Acres</b>	0.258	<b>Frontage</b>	75.0
<b>Depth</b>	150.0	<b>Topography</b>	Normal	<b>Shape</b>	Rectangle
<b>Vacancy</b>	No	<b>Unbuildable</b>	No		
<b>Residences - 1 Record</b>					
<b>Residence #1</b>					
<b>Occupancy</b>	Single Family	<b>Residence Type</b>	2 Stories	<b>Year Built</b>	1908
<b>Number Families</b>	1	<b>Grade</b>	4+00	<b>Condition</b>	Below Normal
<b>% Complete Improvement</b>	25	<b>Total Square Foot Living Area</b>	1623	<b>Main Living Area</b>	963
<b>Upper Living Area</b>	660	<b>Basement Area</b>	660	<b>Open Porch Area</b>	290
<b>Foundation</b>	Brick	<b>Exterior Wall Type</b>	Mixed Frame	<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>	3	<b>Rooms</b>	7



**Detached Structures - 1 Record**

**Detached Structure #101**

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	24	Measure 2	30	Grade	4
Year Built	1993	Condition	Normal		

**Sales - 3 Records**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
MORNINGSIDE FUNDING LLC	GARCIA, JESUS G.	<u>2018-07-27</u>	\$62,000	Deed	<u>17022/878</u>
FEDERAL NATIONAL MORTGAGE ASSOCIATION	MORNINGSIDE FUNDING LLC	<u>2012-10-24</u>	\$11,350	Deed	<u>14501/223</u>
DAUGHENBAUGH, JAMES E ESTATE	MORT III, FRANK T.	<u>2007-05-17</u>	\$90,000	Deed	<u>12220/45</u>

**Recent Ownership Transfers**

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
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Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
MORNINGSIDE FUNDING LLC	GARCIA, JESUS G DEL SOCORRO GONZALEZ, MARIA	2018-07-27	2018-08-01	Warranty Deed Corporate	<u>17022/878</u>
FEDERAL NATIONAL MORTGAGE ASSOCIATION	MORNINGSIDE FUNDING LLC	2012-10-22	2012-10-25	Special Warranty Deed	<u>14501/223</u>
MCCARTHY, BILL (Sheriff) MORT, FRANK (Defendant) Also Known As MORT III, FRANK T (Defendant) MORT, ANGELA (Defendant) Also Known As MORT, ANGIE D (Defendant)	FEDERAL NATIONAL MORTGAGE ASSOCIATION	2012-06-12	2012-06-22	Sheriffs Deed	<u>14320/245</u>

## Permits - 4 Records

Year	Type	Permit Status	Application	Description
2017	Permit	Complete	2015-06-10	addition/room (105 sf)
2016	Permit	Pass	2015-06-10	addition/room (105 sf)
2009	Permit	No Add	2008-06-04	addition/swimming pool
1994	Permit	Complete	1993-07-02	new garage

## Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Board Action</u>	Residential	Full	\$19,300	\$27,700	\$47,000
2019	<u>Assessment Roll</u>	Residential	Full	\$19,300	\$78,100	\$97,400
2017	<u>Assessment Roll</u>	Residential	Full	\$16,600	\$74,600	\$91,200
2015	<u>Assessment Roll</u>	Residential	Full	\$15,500	\$69,200	\$84,700
2013	<u>Assessment Roll</u>	Residential	Full	\$14,600	\$66,300	\$80,900
2011	<u>Assessment Roll</u>	Residential	Full	\$16,700	\$75,400	\$92,100
2009	<u>Assessment Roll</u>	Residential	Full	\$18,100	\$77,300	\$95,400
2007	<u>Assessment Roll</u>	Residential	Full	\$17,900	\$76,400	\$94,300
2005	<u>Assessment Roll</u>	Residential	Full	\$16,300	\$72,700	\$89,000
2004	<u>Assessment Roll</u>	Residential	Full	\$13,870	\$61,480	\$75,350
2003	<u>Assessment Roll</u>	Residential	Full	\$13,870	\$61,480	\$75,350
			Adj	\$13,870	\$51,420	\$65,290

Yr	Type	Class	Kind	Land	Bldg	Total
2001	Assessment Roll	Residential	Full	\$12,420	\$63,970	\$76,390
			Adj	\$12,420	\$53,910	\$66,330
1999	Assessment Roll	Residential	Full	\$8,750	\$37,270	\$46,020
			Adj	\$8,750	\$27,210	\$35,960
1997	Board Action	Residential	Full	\$7,930	\$33,760	\$41,690
			Adj	\$7,930	\$23,700	\$31,630
1997	Assessment Roll	Residential	Full	\$7,930	\$39,960	\$47,890
			Adj	\$7,930	\$29,900	\$37,830
1995	Assessment Roll	Residential	Full	\$6,900	\$34,790	\$41,690
			Adj	\$6,900	\$24,730	\$31,630
1994	Assessment Roll	Residential	Full	\$6,120	\$30,850	\$36,970
			Adj	\$6,120	\$20,790	\$26,910
1994	Was Prior Year	Residential	Full	\$6,120	\$22,100	\$28,220

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

**DATE OF NOTICE:** March 18, 2019

**DATE OF INSPECTION:** February 01, 2019

**CASE NUMBER:** COD2019-00477

**PROPERTY ADDRESS:** 1915 E GRAND AVE

**LEGAL DESCRIPTION:** E 1/2 LT 94 & ALL LT 95 GOODE & LIKES ADDITION

JESUS G GARCIA  
Title Holder  
1524 STEWART ST  
DES MOINES IA 50316

MORNINGSIDE FUNDING LLC  
Mortgage Holder  
DAVID GIBBS, REG. AGENT  
2370 RICE BLVD STE 200  
HOUSTON TX 77005

MARIA DEL SOCORRO GONZALEZ  
Title Holder  
1524 STEWART ST  
DES MOINES IA 50316

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: 3/18/2019

MAILED BY: JDH

**Areas that need attention:** 1915 E GRAND AVE

<b>Component:</b> Mechanical System <b>Requirement:</b> Compliance with Int Residential Code <b>Comments:</b> Pull permit and have inspected	<b>Defect:</b> Fire damaged <b>Location:</b> Main Structure Throughout
<b>Component:</b> Electrical System <b>Requirement:</b> Compliance with Int Residential Code <b>Comments:</b> Pull permit and have inspected	<b>Defect:</b> Fire damaged <b>Location:</b> Main Structure Throughout
<b>Component:</b> Plumbing System <b>Requirement:</b> Compliance with Int Residential Code <b>Comments:</b> Pull permit and have inspected	<b>Defect:</b> Fire damaged <b>Location:</b> Main Structure Throughout
<b>Component:</b> Exterior Doors/Jams <b>Requirement:</b> Compliance with Int Residential Code <b>Comments:</b> Pull permit and have inspected	<b>Defect:</b> Fire damaged <b>Location:</b> Main Structure Throughout
<b>Component:</b> Floor Joists/Beams <b>Requirement:</b> Compliance with Int Residential Code <b>Comments:</b> Pull permit and have inspected	<b>Defect:</b> Fire damaged <b>Location:</b> Main Structure Throughout
<b>Component:</b> Ductwork <b>Requirement:</b> Compliance with Int Residential Code <b>Comments:</b> Pull permit and have inspected	<b>Defect:</b> Fire damaged <b>Location:</b> Main Structure Throughout
<b>Component:</b> Electrical Lighting Fixtures <b>Requirement:</b> Compliance with Int Residential Code <b>Comments:</b> Pull permit and have inspected	<b>Defect:</b> Fire damaged <b>Location:</b> Main Structure Throughout
<b>Component:</b> Electrical Receptacles <b>Requirement:</b> Compliance with Int Residential Code <b>Comments:</b> Pull permit and have inspected	<b>Defect:</b> Fire damaged <b>Location:</b> Main Structure Throughout

<b>Component:</b>	Interior Stairway	<b>Defect:</b>	Smoke Damage
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Main Structure
<b>Comments:</b>	Pull permit and have inspected		
<b>Component:</b>	Interior Walls /Ceiling	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Pull permit and have inspected		
<b>Component:</b>	Roof	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Main Structure
<b>Comments:</b>	Pull permit and have inspected		
<b>Component:</b>	Soffit/Facia/Trim	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Main Structure
<b>Comments:</b>	Pull permit and have inspected		
<b>Component:</b>	See Comments	<b>Defect:</b>	
<b>Requirement:</b>	Unknown	<b>Location:</b>	Garage
<b>Comments:</b>	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		
<b>Component:</b>	Flooring	<b>Defect:</b>	Water Damage
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>			

top

1915 E. Grand Ave



08/08/2019 09:22

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1915 E. Grand Ave



08/08/2019 09:22

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1915 E. Grand Ave



1915

08/08/2019 09:21

top

1915 E. Grand Ave



08/08/2019 09:21