



Roll Call Number

Agenda Item Number

34D

Date August 19, 2019

ABATEMENT OF PUBLIC NUISANCES AT 1630 E WALNUT STREET

WHEREAS, the property located at 1630 E Walnut Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and garage structure in their present condition constitutes not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholders, Akhaphone Phounsavath and Chanthanom Khamphavongsa, were notified more than thirty days ago to repair or demolish the main structure and garage structure and as of this date have 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 garage structure on the real estate legally described as West 52.5 feet of Lot 6 Block 60 STEWARTS ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1630 E Walnut 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:

[Signature of Luke DeSmet]
Luke DeSmet, Assistant City Attorney

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.

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and TOTAL.

MOTION CARRIED APPROVED
Mayor

City Clerk

Polk County Assessor

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

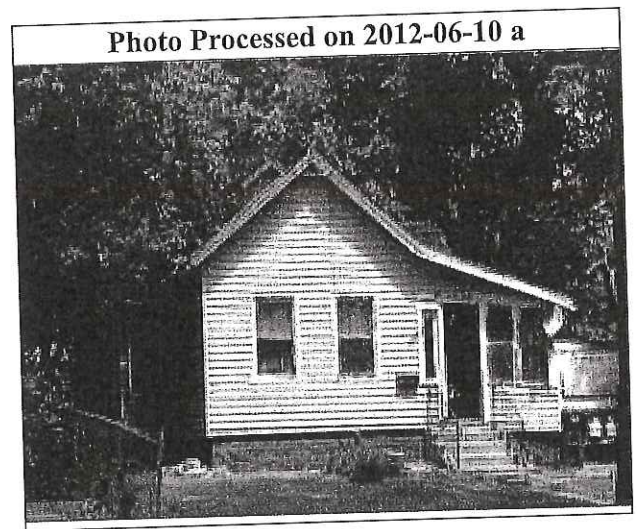
(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	1630 E WALNUT ST				
City	DES MOINES	Zip	50316	Jurisdiction	Des Moines
District/Parcel	040/05545-000-000	Geoparcels	7824-02-178-026	Status	Active
School	Des Moines	Nbhd/Pocket	DM15/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](#)



Historical Photos

Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	PHOUNSAVATH, AKHAPHONE	2013-02-22	14668/428
Title Holder	2	KHAMPHAVONGSA, CHANTHANOM	2013-02-22	14668/428

Legal Description and Mailing Address

W 52.5 F LOT 6 BLK 60 STEWARTS ADDITION

AKHAPHONE PHOUNSAVATH
8333 CLAIREMONT MESA BLVD STE 109
SAN DIEGO, CA 92111

Current Values

Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential	Full	\$9,700	\$8,800	\$18,500

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

Zoning - 1 Record

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

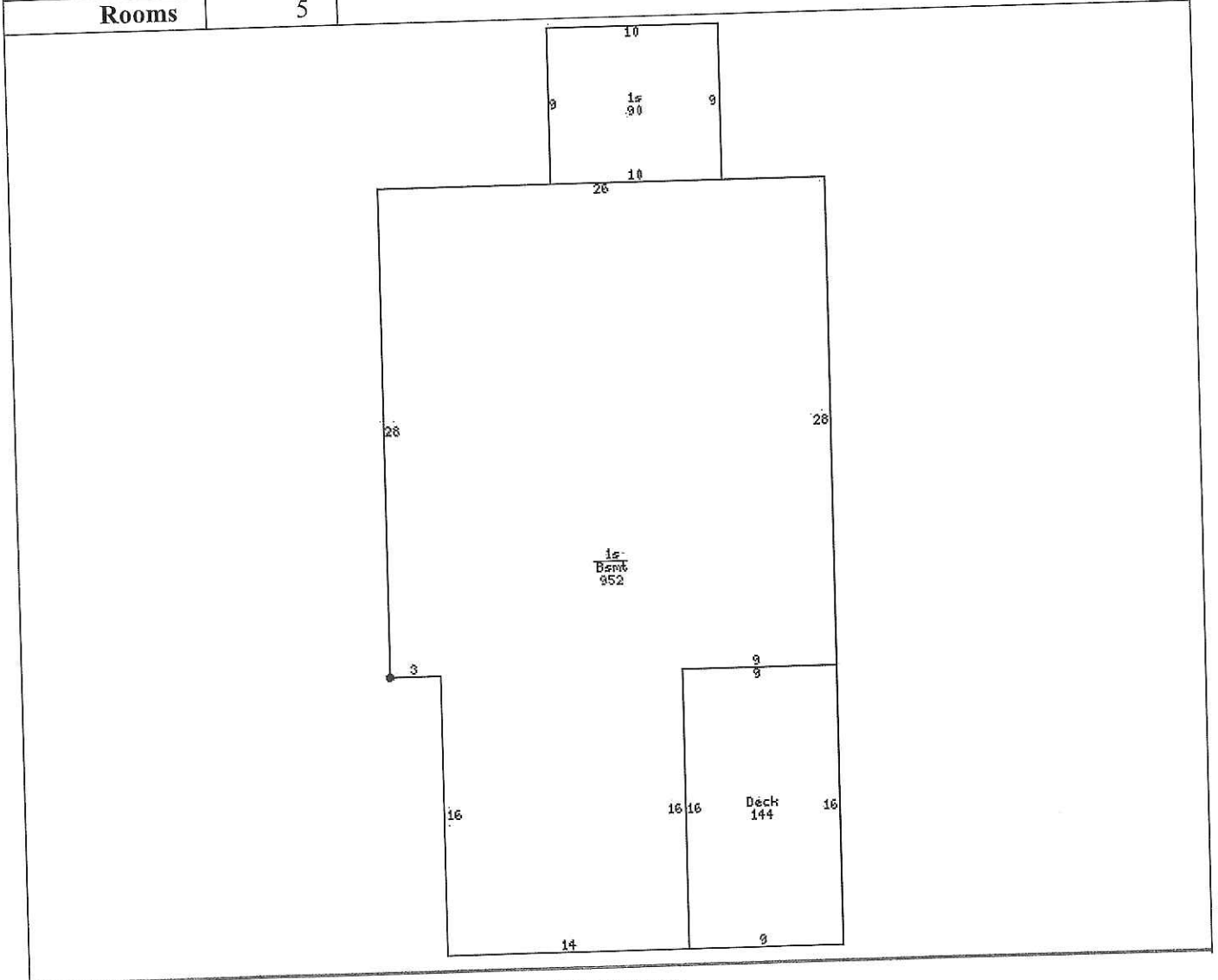
City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)

Land					
Square Feet	8,977	Acres	0.206	Frontage	52.0
Depth	171.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record

Residence #1

Occupancy	Single Family	Residence Type	1 Story Unfinished Attic	Building Style	Bungalow
Year Built	1890	Year Remodel	1983	Number Families	1
Grade	4-10	Condition	Very Poor	Total Square Foot Living Area	1042
Main Living Area	1042	Attic Floor and Stairs Area	333	Basement Area	952
Deck Area	144	Foundation	Brick	Exterior Wall Type	Metal Siding
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning Rooms	0	Number Bathrooms	1	Bedrooms	2



Detached Structures - 1 Record

Detached Structure #101					
Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	20	Measure 2	20	Story Height	1
Grade	4	Year Built	1989	Condition	Very Poor

Sales - 1 Record

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
HALF MOON HOLDINGS LC	PHOUNSAVETH, AKHAPHONE	<u>2013-01-18</u>	\$7,000	Deed	<u>14668/428</u>

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
HALF MOON HOLDINGS LC	PHOUNSAVATH, AKHAPHONE KHAMPHAVONGSA, CHANTHANOM	2013-02-11	2013-02-22	Special Warranty Deed	<u>14668/428</u>
OHP 5 LLC	HALF MOON HOLDINGS LC	2013-02-11	2013-02-22	Corrected Quit Claim Deed	<u>14668/427</u>
OHP5, LLC	HALF MOON HOLDINGS, LC	2012-10-26	2012-11-01	Quit Claim Deed	<u>14512/464</u>
WALNUT MANAGEMENT, LTD	OHP 5 LLC	2012-09-07	2012-09-24	Quit Claim Deed	<u>14451/371</u>
OHP 83, LC	WALNUT MANAGEMENT, LTD	2012-09-01	2012-09-24	Quit Claim Deed	<u>14451/361</u>
MALONEY, MARY (Treasurer)	OHP 83 LC	2012-08-17	2012-08-21	Tax Sale Deed	<u>14402/566</u>

Permits - 7 Records

Year	Type	Permit Status	Application	Description
2014	Permit	Complete	2013-07-17	addition/misc
2002	Permit	Cancel	2000-04-14	remove/garage
2002	Permit	Cancel	2000-04-14	alterations/roof
2001	Permit	Pass	2000-04-14	remove/garage
2001	Permit	Pass	2000-04-14	alterations/roof
1991	Permit	Complete	1989-12-15	new garage
1990	Permit	Partial	1989-12-15	new garage

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$9,700	\$8,800	\$18,500
2017	<u>Assessment Roll</u>	Residential	Full	\$8,100	\$24,200	\$32,300
2015	<u>Assessment Roll</u>	Residential	Full	\$7,400	\$22,900	\$30,300
2014	<u>Assessment Roll</u>	Residential	Full	\$7,400	\$22,000	\$29,400
2013	<u>Assessment Roll</u>	Residential	Full	\$7,400	\$22,700	\$30,100

Yr	Type	Class	Kind	Land	Bldg	Total
2011	<u>Assessment Roll</u>	Residential	Full	\$8,300	\$27,000	\$35,300
2009	<u>Assessment Roll</u>	Residential	Full	\$8,600	\$27,000	\$35,600
2007	<u>Assessment Roll</u>	Residential	Full	\$8,700	\$27,300	\$36,000
2005	<u>Assessment Roll</u>	Residential	Full	\$8,300	\$26,700	\$35,000
2003	<u>Assessment Roll</u>	Residential	Full	\$7,560	\$24,180	\$31,740
2001	<u>Assessment Roll</u>	Residential	Full	\$8,530	\$18,180	\$26,710
1999	Assessment Roll	Residential	Full	\$8,340	\$31,090	\$39,430
1997	Assessment Roll	Residential	Full	\$7,190	\$26,800	\$33,990
1995	Assessment Roll	Residential	Full	\$6,530	\$24,340	\$30,870
1994	Assessment Roll	Residential	Full	\$5,760	\$21,460	\$27,220
1993	Assessment Roll	Residential	Full	\$5,760	\$21,460	\$27,220
			Adj	\$5,760	\$16,780	\$22,540
1990	Assessment Roll	Residential	Full	\$5,760	\$18,240	\$24,000
1989	Assessment Roll	Residential	Full	\$5,760	\$16,740	\$22,500

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

DATE OF NOTICE: April 24, 2019

DATE OF INSPECTION: April 09, 2019

CASE NUMBER: COD2019-01669

PROPERTY ADDRESS: 1630 E WALNUT ST

LEGAL DESCRIPTION: W 52.5 F LOT 6 BLK 60 STEWARTS ADDITION

AKHAPHONE PHOUNSAVATH
Title Holder
8333 CLAIREMONT MESA BLVD
STE 109
SAN DIEGO CA 92111

CHANTHANOM KHAMPHAVONGSA
Title Holder
8333 CLAIREMONT MESA BLVD
STE 109
SAN DIEGO CA 92111

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: 4/24/2019

MAILED BY: JDH

Areas that need attention: 1630 E WALNUT ST

Component: Electrical Service	Defect: Deteriorated
Requirement: Electrical Permit	Location: Main Structure Throughout
Comments:	
Component: Exterior Doors/Jams	Defect: Deteriorated
Requirement: Compliancse with Int Residential Code	Location: Main Structure Throughout
Comments:	
Component: Floor Joists/Beams	Defect: Deteriorated
Requirement: Building Permit	Location: Main Structure Throughout .
Comments:	
Component: Flooring	Defect: Deteriorated
Requirement: Compliancse with Int Residential Code	Location: Main Structure Throughout
Comments:	
Component: Foundation	Defect: Deteriorated
Requirement: Engineering Report	Location: Main Structure Throughout
Comments:	
Component: Furnace	Defect: Deteriorated
Requirement: Mechanical Permit	Location: Main Structure Throughout
Comments:	
Component: Interior Stairway	Defect: Deteriorated
Requirement: Building Permit	Location: Main Structure Throughout
Comments:	
Component: Interior Walls /Ceiling	Defect: Deteriorated
Requirement: Building Permit	Location: Main Structure Throughout
Comments:	

Component: Plumbing System	Defect: Deteriorated
Requirement: Plumbing Permit	Location: Main Structure Throughout
Comments:	
Component: Roof	Defect: Deteriorated
Requirement: Compliancpe with Int Residential Code	Location: Main Structure Throughout
Comments:	
Component: Soffit/Facia/Trim	Defect: Deteriorated
Requirement: Compliancpe with Int Residential Code	Location: Main Structure Throughout
Comments:	
Component: Sub Floor	Defect: Deteriorated
Requirement: Compliancpe with Int Residential Code	Location: Main Structure Throughout
Comments:	
Component: Windows/Window Frames	Defect: Deteriorated
Requirement: Compliancpe with Int Residential Code	Location: Main Structure Throughout
Comments:	
Component: Wiring	Defect: Deteriorated
Requirement: Electrical Permit	Location: Main Structure Throughout
Comments:	
Component: Electrical Service	Defect: Deteriorated
Requirement: Electrical Permit	Location: Garage Throughout
Comments:	
Component: Roof	Defect: Deteriorated
Requirement: Building Permit	Location: Garage Throughout
Comments:	
Component: Exterior Walls	Defect: Deteriorated
Requirement: Building Permit	Location: Garage Throughout
Comments:	

Component:	Exterior Doors/Jams	Defect:	Deteriorated
Requirement:	Compliance with Int Residential Code	Location:	Garage Throughout
Comments:			
Component:	Soffit/Facia/Trim	Defect:	Deteriorated
Requirement:	Compliance with Int Residential Code	Location:	Garage Throughout
Comments:			
Component:	Floor Joists/Beams	Defect:	Deteriorated
Requirement:	Building Permit	Location:	Garage Throughout
Comments:			
Component:	Wiring	Defect:	Deteriorated
Requirement:	Electrical Permit	Location:	Garage Throughout
Comments:			

top

1630 E. Walnut St



08/08/2019 09:12

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1630 E. Walnut St



08/08/2019 09:12

1630 E. Walnut St

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1630 E. Walnut St



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