



Roll Call Number

Agenda Item Number

43B

Date September 23, 2019

ABATEMENT OF PUBLIC NUISANCE AT 1220 EUCLID AVENUE

WHEREAS, the property located at 1220 Euclid 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, David Faris and Diane Faris, and Mortgage Holder, Capital One, 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 5 in SOUTH OAK PARK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1220 Euclid 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				

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



43B

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

DATE OF NOTICE: May 29, 2019

DATE OF INSPECTION: March 22, 2019

CASE NUMBER: COD2019-01200

PROPERTY ADDRESS: 1220 EUCLID AVE

LEGAL DESCRIPTION: LOT 5 SOUTH OAK PARK

DAVID FARIS
Title Holder
8301 CRESTVIEW DR
DES MOINES IA 50320-6910

CAPITOL ONE, NA
Mortgage Holder
CORPORATION.SERV. CO.,R.A.
100 SHOCKOE SLIP FL 2
RICHMOND VA 23219

DIANE FARIS
Title Holder
8301 CRESTVIEW DR
DES MOINES IA 50320-6910

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.

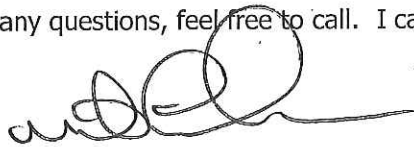
Appropriate building permits may be required for those violations noted in the "Special Requirements" section on the notice. Should you have questions regarding permits, contact the Permit and Development Center at (515) 283-4200. All work performed by a contractor or you must be completed in a workmanlike 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.

Mike F Lehman
(515) 283-4299



Nid Inspector

DATE MAILED: 5/29/2019

MAILED BY: JDH

Areas that need attention: 1220 EUCLID AVE

Component:	Electrical Service	Defect:	Fire damaged
Requirement:	Electrical Permit	Location:	Main Structure Throughout
Comments:			

Component:	Flooring	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Main Structure Throughout
Comments:			

Component:	Exterior Walls	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Main Structure Throughout
Comments:			

Component:	Interior Walls /Ceiling	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Main Structure Throughout
Comments:			

Component:	Roof	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Main Structure Throughout
Comments:			

Component:	Accessory Buildings	Defect:	
Requirement:	Unknown	Location:	Garage
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	1220 EUCLID AVE				
City	DES MOINES	Zip	50313	Jurisdiction	Des Moines
District/Parcel	070/04974-000-000	Geoparcels	7924-27-107-008	Status	Active
School	Des Moines	Nbhd/Pocket	DM82/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northwest Des Moines	Appraiser	Patrick Zaines, ICA 515-286-3832		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

12TH ST

EUCLID AVE

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

Photo Processed on 2014-07-30 a

Historical Photos

Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	FARIS, DAVID	2006-05-05	11640/906
Title Holder	2	FARIS, DIANE		

Legal Description and Mailing Address

LOT 5 SOUTH OAK PARK	DAVID FARIS 8301 CRESTVIEW DR DES MOINES, IA 50320-6910
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Current Values

Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential	Full	\$17,600	\$49,100	\$66,700

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

Zoning - 1 Record

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

Conditional Zoning

Docket no 14361

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

Land

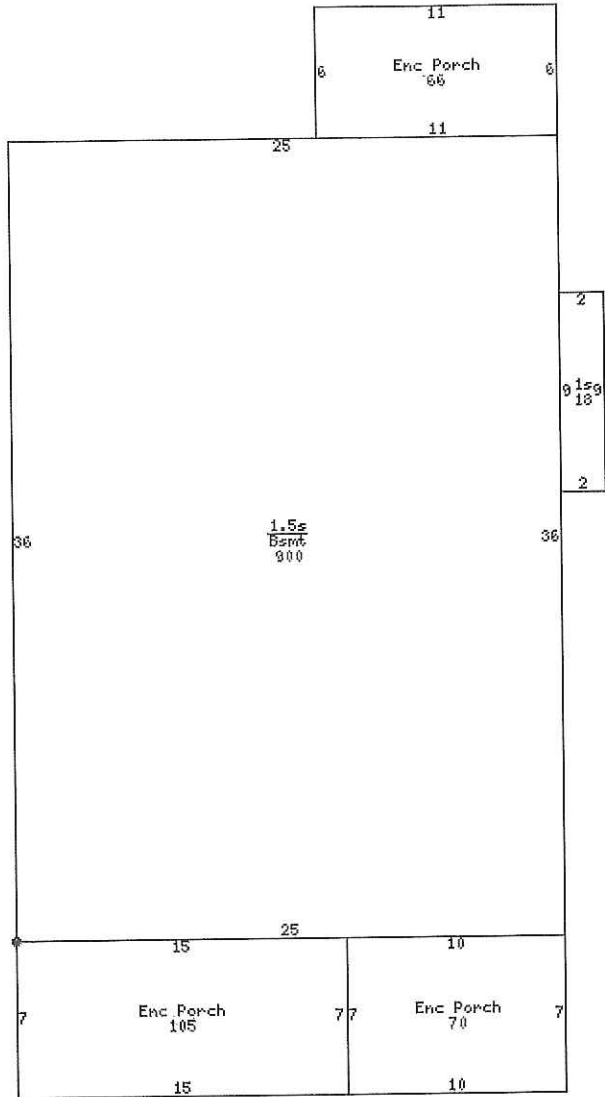
Square Feet	7,100	Acres	0.163	Frontage	50.0
Depth	142.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record

Residence #1

Occupancy	Single Family	Residence Type	1.5 Stories	Building Style	Early 20s
Year Built	1924	Number Families	1	Grade	4+00
Condition	Poor	Total Square Foot Living Area	1521	Main Living Area	918
Upper Living Area	603	Basement Area	900	Enclosed Porch Area	241
Foundation	Brick	Exterior Wall Type	Metal Siding	Roof Type	Gable
Roof Material	Asphalt Shingle	Number Fireplaces	1	Heating	Gas Forced Air
Air Conditioning	0	Number Bathrooms	1	Bedrooms	4
Rooms	7				

43B



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	20	Measure 2	24	Story Height	1
Grade	4	Year Built	1979	Condition	Normal

Sales - 3 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
FEDERAL NATIONAL MORTGAGE ASSOCIATION	FARIS, DAVID	<u>2006-05-01</u>	\$52,000	Deed	<u>11640/906</u>
DARR, TIM	MILLER, CHARLES F	<u>2000-07-11</u>	\$63,900	Deed	<u>8547/874</u>
POWELL, JACK	DARR, TIM	<u>1995-05-15</u>	\$28,000	Contract	<u>7322/840</u>

Permits - 1 Record

Year	Type	Permit Status	Application	Description
Current	Permit	To Work	2019-08-28	fix damage/fire

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$17,600	\$49,100	\$66,700
2017	<u>Assessment Roll</u>	Residential	Full	\$16,000	\$44,600	\$60,600
2015	<u>Assessment Roll</u>	Residential	Full	\$14,400	\$40,400	\$54,800
2013	<u>Assessment Roll</u>	Residential	Full	\$13,400	\$38,000	\$51,400
2011	<u>Assessment Roll</u>	Residential	Full	\$13,400	\$37,900	\$51,300
2009	<u>Assessment Roll</u>	Residential	Full	\$15,300	\$44,700	\$60,000
2007	<u>Assessment Roll</u>	Residential	Full	\$15,200	\$44,200	\$59,400
2005	<u>Assessment Roll</u>	Residential	Full	\$16,200	\$42,800	\$59,000
2003	<u>Assessment Roll</u>	Residential	Full	\$13,800	\$37,560	\$51,360
2001	<u>Assessment Roll</u>	Residential	Full	\$11,730	\$33,590	\$45,320
1999	Assessment Roll	Residential	Full	\$10,730	\$24,940	\$35,670
1997	Board Action	Residential	Full	\$10,050	\$23,350	\$33,400
1997	Assessment Roll	Residential	Full	\$10,050	\$33,600	\$43,650
1995	Assessment Roll	Residential	Full	\$8,880	\$29,700	\$38,580
1993	Assessment Roll	Residential	Full	\$7,680	\$25,700	\$33,380
1990	Assessment Roll	Residential	Full	\$7,680	\$22,120	\$29,800

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

top

1220 Euclid Ave

43B



09/16/2019 09:11

top

1220 Euclid Ave



09/16/2019 09:11