



Roll Call Number

Agenda Item Number

43 G

Date September 23, 2019

ABATEMENT OF PUBLIC NUISANCE AT 1113 CLINTON AVENUE

WHEREAS, the property located at 1113 Clinton Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the garage structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, Charles E. Wood, and the Mortgage Holder, US Bank, N.A., were notified by personal service more than thirty days ago to repair or demolish the garage 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 garage structure on the real estate legally described as Lot 22 in Block 13 in 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 1113 Clinton 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 garage 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



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

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DATE OF NOTICE: February 1, 2019

DATE OF INSPECTION: August 01, 2018

CASE NUMBER: COD2018-06509

PROPERTY ADDRESS: 1113 CLINTON AVE

LEGAL DESCRIPTION: LOT 22 BLK 13 OAK PARK

CHARLES E WOOD
Title Holder
1113 CLINTON AVE
DES MOINES IA 50313-3204

US BANK, N.A.
Mortgage Holder
C T CORP. SYSTEM, REG. AGENT
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 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: 2/1/2019

MAILED BY: JDH

Areas that need attention: 1113 CLINTON AVE

Component: Exterior Walls Requirement: Compliance with Int Residential Code Comments: Siding.	Defect: In poor repair Location: Garage
Component: Exterior Walls Requirement: Compliance with Int Residential Code Comments:	Defect: Absence of paint Location: Garage
Component: Roof Requirement: Building Permit Comments:	Defect: Deteriorated Location: Garage
Component: Shingles Flashing Requirement: Compliance with International Building Code Comments:	Defect: In poor repair Location: Garage
Component: Soffit/Facia/Trim Requirement: Compliance with Int Residential Code Comments:	Defect: In poor repair Location: Garage
Component: Windows/Window Frames Requirement: Compliance with Int Residential Code Comments:	Defect: In poor repair Location: Garage

Polk County Assessor

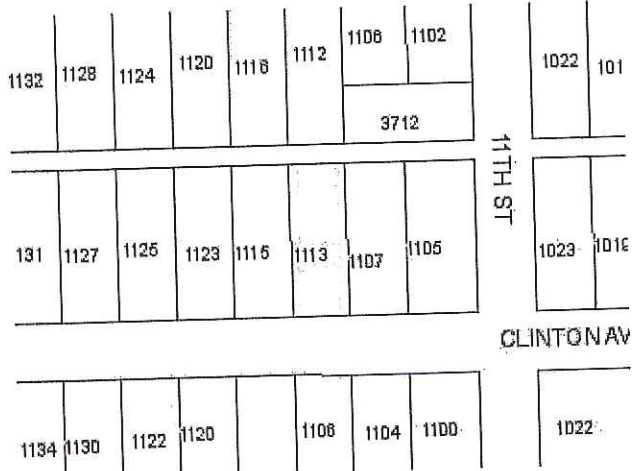
111 Court Avenue #195
Des Moines, IA 50309-0904

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

Location					
Address	1113 CLINTON AVE				
City	DES MOINES	Zip	50313	Jurisdiction	Des Moines
District/Parcel	070/04298-000-000	Geoparcels	7924-27-126-023	Status	Active
School	Des Moines	Nbhd/Pocket	DM82/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northwest Des Moines	Appraiser	Patrick Zaimes, ICA 515-286-3832		

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 2014-07-30 a



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	WOOD, CHARLES E	1997-10-30	7758/254

Legal Description and Mailing Address

LOT 22 BLK 13 OAK PARK	CHARLES E WOOD 1113 CLINTON AVE DES MOINES, IA 50313-3204
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Current Values

Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential	Full	\$19,200	\$84,600	\$103,800

Assessment Roll Notice Market Adjusted Cost Report

Auditor Adjustments to Value

Category	Name	Information
2019 Homestead Credit	WOOD, CHARLES E	Application #38939
2019 Military Exemption	WOOD, CHARLES E	Desert Storm Application #55997

Zoning - 1 Record

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Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>			

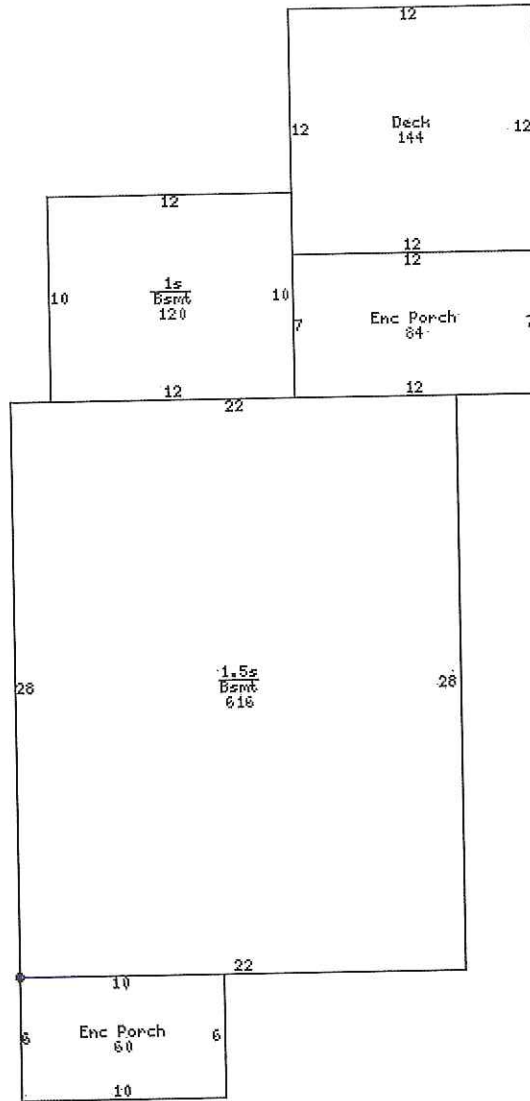
Land

Square Feet	6,600	Acres	0.152	Frontage	50.0
Depth	132.0	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	1905	Number Families	1	Grade	4+00
Condition	Normal	Total Square Foot Living Area	1149	Main Living Area	736
Upper Living Area	413	Basement Area	736	Enclosed Porch Area	144
Deck Area	144	Foundation	Concrete Block	Exterior Wall Type	Metal Siding
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning	100	Number Bathrooms	1	Number Toilet Rooms	1
Bedrooms	3	Rooms	4		



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	22	Measure 2	22	Story Height	1
Grade	4	Year Built	1972	Condition	Below Normal

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	Assessment Roll	Residential	Full	\$19,200	\$84,600	\$103,800
2017	Assessment Roll	Residential	Full	\$17,400	\$78,200	\$95,600
2015	Assessment Roll	Residential	Full	\$15,700	\$71,000	\$86,700
2013	Assessment Roll	Residential	Full	\$15,000	\$68,500	\$83,500
2011	Assessment Roll	Residential	Full	\$15,000	\$68,200	\$83,200
2009	Assessment Roll	Residential	Full	\$16,500	\$71,900	\$88,400
2007	Assessment Roll	Residential	Full	\$16,300	\$71,100	\$87,400
2005	Assessment Roll	Residential	Full	\$15,600	\$66,500	\$82,100
2003	Assessment Roll	Residential	Full	\$14,270	\$60,620	\$74,890
2001	Assessment Roll	Residential	Full	\$14,210	\$57,850	\$72,060
1999	Assessment Roll	Residential	Full	\$10,500	\$38,100	\$48,600

Yr	Type	Class	Kind	Land	Bldg	Total
1997	Board Action	Residential	Full	\$9,830	\$35,670	\$45,500
1997	Assessment Roll	Residential	Full	\$9,830	\$43,620	\$53,450
1995	Assessment Roll	Residential	Full	\$8,690	\$38,550	\$47,240
1993	Board Action	Residential	Full	\$7,520	\$33,360	\$40,880
1993	Assessment Roll	Residential	Full	\$7,520	\$33,360	\$40,880
1990	Assessment Roll	Residential	Full	\$7,520	\$28,980	\$36,500

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top

1113 Clinton Ave

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09/16/2019 09:09