



Roll Call Number

Agenda Item Number

42D

Date November 4, 2019

ABATEMENT OF PUBLIC NUISANCE AT 2216 CLARK STREET

WHEREAS, the property located at 2216 Clark Street, 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 Titleholder, JACD-S INC, was notified by personal service more than thirty days ago to repair or demolish the main structure and as of this date has 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 The East ½ of Lots 21 and 22, Block 2, MARQUARDT ADDITION TO NORTH 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 2216 Clark Street, 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:


Megan Norberg, Assistant City Attorney

CERTIFICATE

I, P. Kay Cmelik, 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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
<div></div> <div>Mayor</div>				



42D

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

DATE OF NOTICE: September 4, 2019

DATE OF INSPECTION: August 29, 2019

CASE NUMBER: COD2019-05434

PROPERTY ADDRESS: 2216 CLARK ST

LEGAL DESCRIPTION: E 1/2 LOTS 21 & 22 BLK 2 MARQUARDT ADD

JACD-S INC
Title Holder - CURTIS WHITE, REG AGENT
1340 8TH ST
DES MOINES IA 50314

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.

Brad Rissman
(515) 283-4754



Nid Inspector

DATE MAILED: 9/4/2019

MAILED BY: BJR

Areas that need attention: 2216 CLARK ST

<u>Component:</u>	Electrical System	<u>Defect:</u>	In disrepair
<u>Requirement:</u>	Electrical Permit	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>			

<u>Component:</u>	Exterior Doors/Jams	<u>Defect:</u>	In poor repair
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>			

<u>Component:</u>	Exterior Stairs	<u>Defect:</u>	In disrepair
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>			

<u>Component:</u>	Exterior Walls	<u>Defect:</u>	In poor repair
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>			

<u>Component:</u>	Foundation	<u>Defect:</u>	In poor repair
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>	Foundation Needs Engineers Report		

<u>Component:</u>	Floor Joists/Beams	<u>Defect:</u>	Deteriorated
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>			

<u>Component:</u>	Flooring	<u>Defect:</u>	Deteriorated
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>			

<u>Component:</u>	Interior Stairway	<u>Defect:</u>	In disrepair
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>			

<u>Component:</u>	Interior Walls /Ceiling	<u>Defect:</u>	In poor repair
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>			

<u>Component:</u>	Landings	<u>Defect:</u>	In poor repair
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>			

<u>Component:</u>	Mechanical System	<u>Defect:</u>	In poor repair
<u>Requirement:</u>	Mechanical Permit	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>			

<u>Component:</u>	Plumbing System	<u>Defect:</u>	In poor repair
<u>Requirement:</u>	Plumbing Permit	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>			

<u>Component:</u>	Shingles Flashing	<u>Defect:</u>	Deteriorated
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>			

<u>Component:</u>	Soffit/Facia/Trim	<u>Defect:</u>	Deteriorated
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>			

<u>Component:</u>	Window Glazing/Paint	<u>Defect:</u>	Deteriorated
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>			

<u>Component:</u>	Windows/Window Frames	<u>Defect:</u>	Deteriorated
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>			

<u>Component:</u>	Roof	<u>Defect:</u>	In poor repair
<u>Requirement:</u>	Building Permit	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>			

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	2216 CLARK ST				
City	DES MOINES	Zip	50311	Jurisdiction	Des Moines
District/Parcel	080/04294-000-000	Geoparcel	7924-33-406-003	Status	Active
School	Des Moines	Nbhd/Pocket	DM75/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northwest 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 2012-04-16 a



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	JACD-S INC	2019-06-17	17369/751

Legal Description and Mailing Address

E 1/2 LOTS 21 & 22 BLK 2 MARQUARDT ADD	JACD-S INC 1327 4TH ST DES MOINES, IA 50314
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Current Values

Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential	Full	\$10,000	\$24,300	\$34,300

[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)

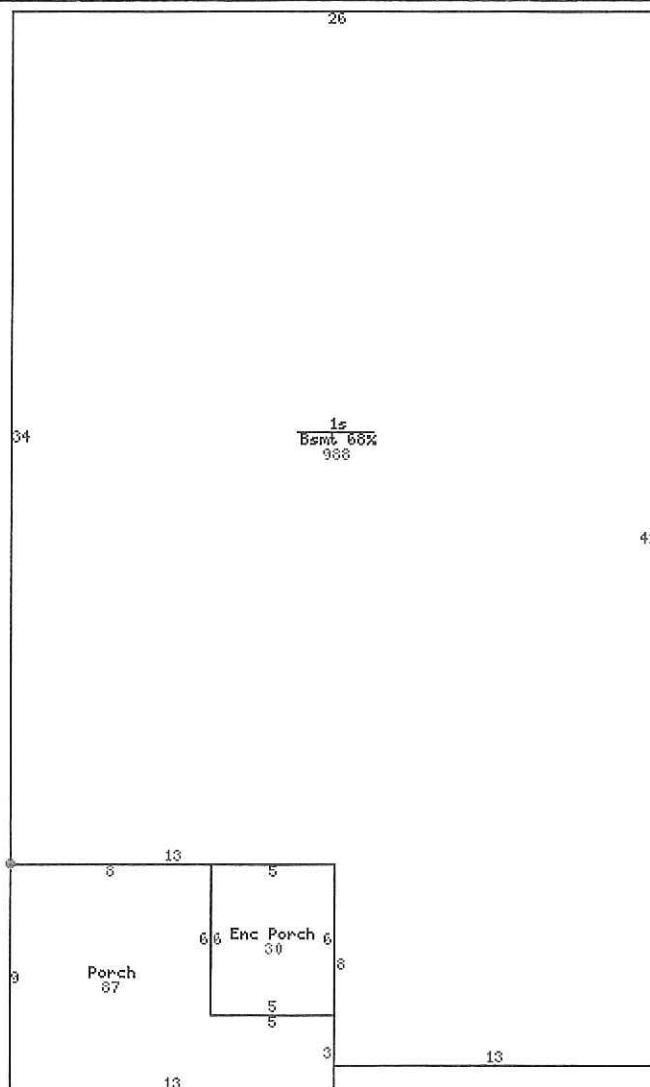
Land

Square Feet	8,957	Acres	0.206	Frontage	80.0
Depth	111.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record

Residence #1

Occupancy	Single Family	Residence Type	1 Story	Building Style	Bungalow
Year Built	1910	Number Families	1	Grade	4-10
Condition	Poor	Total Square Foot Living Area	988	Main Living Area	988
Basement Area	672	Open Porch Area	87	Enclosed Porch Area	30
Foundation	Brick	Exterior Wall Type	Wood Siding	Roof Type	Hip
Roof Material	Asphalt Shingle	Heating	Gas Forced Air	Air Conditioning	0
Number Bathrooms	1	Bedrooms	3	Rooms	6



Sales - 4 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
SWINNIE, JOSHUA D	JACD-S INC	<u>2019-06-17</u>	\$1,000	Deed	<u>17369/751</u>
SWINNIE, CHESTER	SWINNIE, JOSHUA D.	<u>2013-09-18</u>	\$10,000	Contract	<u>14986/142</u>
YARDLEY, LORM D	SWINNIE, LYDIA M.	<u>1998-08-14</u>	\$25,000	Contract	<u>7994/66</u>
APPLE CONSTRUCTION, INC	IDSA, ROD	<u>1992-12-18</u>	\$22,900	Contract	<u>6696/811</u>

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
SWINNIE, JOSHUA D	JACD-S INC	2019-06-17	2019-06-17	Forfeiture of Contract	<u>17369/741</u>
SWINNIE, JOSHUA D	JACD-S INC	2019-06-13	2019-06-17	Quit Claim Deed	<u>17369/751</u>
SWINNIE, JOSHUA D (Agent) SWINNIE, CHESTER	SWINNIE, JOSHUA D SWINNIE, PHILLIP L SWINNIE, CHESTINA M	2019-06-13	2019-06-17	Affidavit	<u>17369/749</u>
SWINNIE, PHILLIP L	SWINNIE, JOSHUA D	2019-06-08	2019-06-17	Quit Claim Deed	<u>17369/748</u>
SWINNIE, CHESTINA M	SWINNIE, JOSHUA D	2019-06-04	2019-06-17	Quit Claim Deed	<u>17369/747</u>
SWINNIE, CHESTER	SWINNIE, JOSHUA D	2013-09-18	2013-10-08	Contract	<u>14986/142</u>

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$10,000	\$24,300	\$34,300
2017	<u>Assessment Roll</u>	Residential	Full	\$9,400	\$22,900	\$32,300
2015	<u>Assessment Roll</u>	Residential	Full	\$8,800	\$21,600	\$30,400
2013	<u>Assessment Roll</u>	Residential	Full	\$8,300	\$20,200	\$28,500
2011	<u>Assessment Roll</u>	Residential	Full	\$8,300	\$20,200	\$28,500
2009	<u>Assessment Roll</u>	Residential	Full	\$8,200	\$19,500	\$27,700
2007	<u>Assessment Roll</u>	Residential	Full	\$7,900	\$18,700	\$26,600
2005	<u>Assessment Roll</u>	Residential	Full	\$8,200	\$15,900	\$24,100
2003	<u>Assessment Roll</u>	Residential	Full	\$6,370	\$21,920	\$28,290
2001	<u>Assessment Roll</u>	Residential	Full	\$6,960	\$17,520	\$24,480
1999	Assessment Roll	Residential	Full	\$6,840	\$12,160	\$19,000
1997	Assessment Roll	Residential	Full	\$6,320	\$11,230	\$17,550
1995	Assessment Roll	Residential	Full	\$5,950	\$10,570	\$16,520
1989	Assessment Roll	Residential	Full	\$5,150	\$9,150	\$14,300

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