



**Roll Call Number**

**Agenda Item Number**

50 I

**Date** ..... January 13, 2020

**ABATEMENT OF PUBLIC NUISANCE AT 4115 8<sup>th</sup> PLACE**

WHEREAS, the property located at 4115 8<sup>th</sup> Place, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the accessory structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, Brock Wing, was notified more than thirty days ago to repair or demolish the accessory 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 accessory structure on the real estate legally described as Lot 8 in AETNA PLACE REPLAT, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 4115 8<sup>th</sup> Place, 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 accessory structure.

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

\_\_\_\_\_  
Megan Norberg, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

**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



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

**DATE OF NOTICE: October 21, 2019**

**DATE OF INSPECTION: September 25, 2019**

**CASE NUMBER:** COD2019-05776

**PROPERTY ADDRESS:** 4115 8TH PL

**LEGAL DESCRIPTION:** LOT 8 AETNA PLACE REPLAT

BROCK WING - OFFENDER #9168

Title Holder

POLK COUNTY JAIL

1985 NE 51ST PL

DES MOINES IA 50313

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.

Kevin Pyles  
(515) 283-4122



Nid Inspector

DATE MAILED: 10/21/2019

MAILED BY: JDH

**Areas that need attention:** 4115 8TH PL

<p><b><u>Component:</u></b> Exterior Walls <b><u>Requirement:</u></b> Complainece with Int Residential Code <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> Cracked/Broken <b><u>Location:</u></b> Accessory Building Throughou</p>
<p><b><u>Component:</u></b> Trusses <b><u>Requirement:</u></b> Building Permit <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> Cracked/Broken <b><u>Location:</u></b> Accessory Building Throughou</p>
<p><b><u>Component:</u></b> Soffit/Facia/Trim <b><u>Requirement:</u></b> Complainece with Int Residential Code <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> Cracked/Broken <b><u>Location:</u></b> Accessory Building Throughou</p>
<p><b><u>Component:</u></b> Electrical System <b><u>Requirement:</u></b> Electrical Permit <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> In poor repair <b><u>Location:</u></b> Accessory Building Throughou</p>
<p><b><u>Component:</u></b> Roof <b><u>Requirement:</u></b> Building Permit <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> Holes or major defect <b><u>Location:</u></b> Accessory Building Throughou</p>

# 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

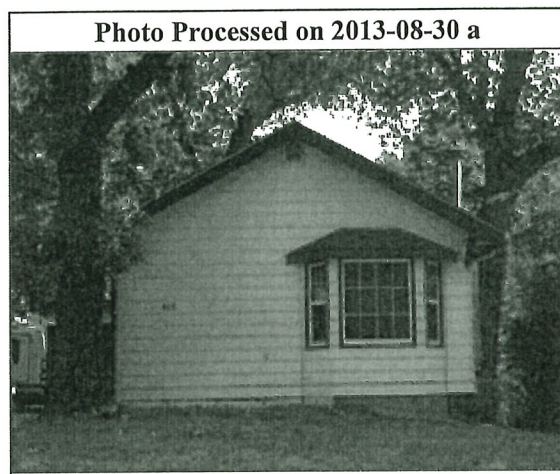
Location					
<b>Address</b>	4115 8TH PL				
<b>City</b>	DES MOINES	<b>Zip</b>	50313	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	070/00024-000-000	<b>Geoparcels</b>	7924-22-401-020	<b>Status</b>	Active
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM83/Z	<b>Tax Authority Group</b>	DEM-C-DEM-77131
<b>Submarket</b>	Northwest Des Moines	<b>Appraiser</b>	Patrick Zaines, ICA 515-286-3832		

### Map and Current Photos - 1 Record

**Click on parcel to get a new listing**

		4121			
				4120	
4118			4119	4118	
		4115		4114	
831	819	817	811	807	801

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



### Historical Photos

### Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	WING, BROCK	2002-12-16	9515/733

### Legal Description and Mailing Address

LOT 8 AETNA PLACE REPLAT	BROCK WING 4115 8TH PL DES MOINES, IA 50313-3303
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### Current Values

Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential	Full	\$27,700	\$48,200	\$75,900

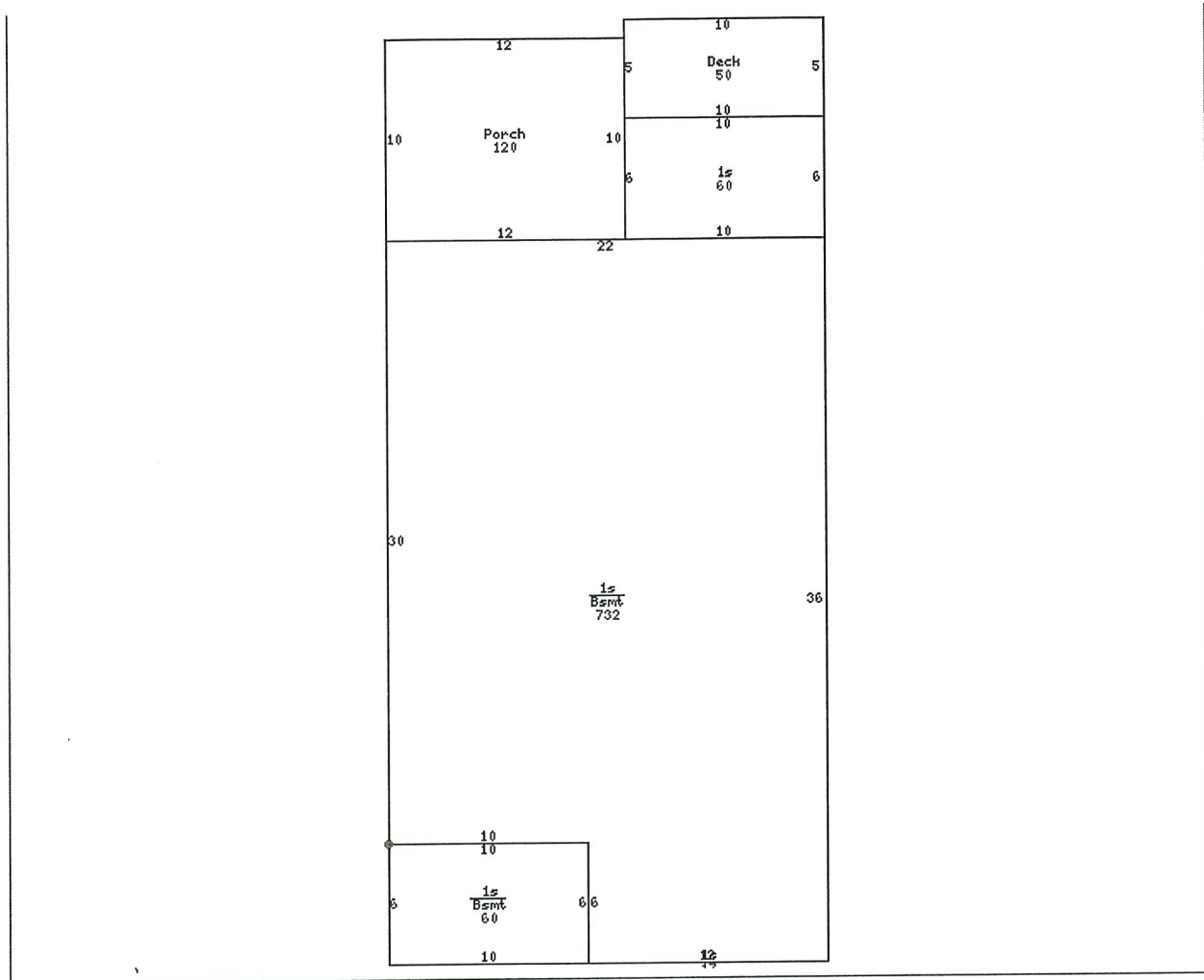
[Assessment Roll Notice](#) [Market Adjusted Cost Report](#)

### Auditor Adjustments to Value

Category	Name	Information
2019 Homestead Credit	WING, BROCK	Application #402750

### Zoning - 1 Record

<b>Zoning</b>	<b>Description</b>			<b>SF</b>	<b>Assessor Zoning</b>
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>					
<b>Land</b>					
<b>Square Feet</b>	7,590	<b>Acres</b>	0.174	<b>Frontage</b>	55.0
<b>Depth</b>	138.0	<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>	1 Story	<b>Building Style</b>	Bungalow
<b>Year Built</b>	1922	<b>Number Families</b>	1	<b>Grade</b>	5+10
<b>Condition</b>	Very Poor	<b>Total Square Foot Living Area</b>	869	<b>Main Living Area</b>	869
<b>Basement Area</b>	792	<b>Finished Basement Area 1</b>	500	<b>Finished Basement Quality 1</b>	Low
<b>Total Basement Finish</b>	500	<b>Open Porch Area</b>	120	<b>Deck Area</b>	50
<b>Foundation</b>	Masonry	<b>Exterior Wall Type</b>	Metal Siding	<b>Roof Type</b>	Gable
<b>Roof Material</b>	Asphalt Shingle	<b>Number Fireplaces</b>	1	<b>Heating</b>	Gas Forced Air
<b>Air Conditioning</b>	100	<b>Number Bathrooms</b>	1	<b>Bedrooms</b>	2
<b>Rooms</b>	4				



Detached Structures - 3 Records					
Detached Structure #101					
Occupancy	Garage	Construction Type	Frame	Measurement Code	Square Feet
Measure 1	640	Story Height	1	Grade	4
Year Built	1922	Condition	Below Normal		
Comment	16 X 30 && 8 X 20				
Detached Structure #102					
Occupancy	Carport	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	24	Measure 2	20	Grade	4
Year Built	1998	Condition	Below Normal		
Detached Structure #201					
Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	12	Measure 2	18	Story Height	1
Grade	4	Year Built	1940	Condition	Below Normal

Sales - 1 Record

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
CONSECO FINANCE	WING, BROCK	2002-12-12	\$60,000	Deed	9515/733
<b>Permits - 8 Records</b>					
Year	Type	Permit Status	Application	Description	
Current	Permit	To Work	2019-02-21	fix damage/misc	
Current	Permit	To Work	2018-11-14	fix damage/fire	
Current	Permit	To Work	2016-09-16	fix damage/fire	
2019	Permit	Pass	2018-11-14	fix damage/fire	
2019	Permit	Pass	2016-09-16	fix damage/fire	
2018	Permit	Pass/Partial	2016-09-16	fix damage/fire	
2017	Permit	Partial	2016-09-16	fix damage/fire	
1999	Permit	Complete	1998-02-25	addition/kitchen (66 sf) (cost \$3,677)	

**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$27,700	\$48,200	\$75,900
2017	<u>Assessment Roll</u>	Residential	Full	\$23,800	\$42,200	\$66,000
2015	<u>Assessment Roll</u>	Residential	Full	\$20,700	\$62,100	\$82,800
2013	<u>Assessment Roll</u>	Residential	Full	\$20,200	\$61,700	\$81,900
2011	<u>Assessment Roll</u>	Residential	Full	\$20,200	\$61,000	\$81,200
2009	<u>Assessment Roll</u>	Residential	Full	\$21,800	\$70,900	\$92,700
2007	<u>Assessment Roll</u>	Residential	Full	\$20,400	\$66,300	\$86,700
2005	<u>Assessment Roll</u>	Residential	Full	\$20,400	\$62,900	\$83,300
2003	<u>Assessment Roll</u>	Residential	Full	\$18,600	\$58,240	\$76,840
2001	<u>Assessment Roll</u>	Residential	Full	\$16,880	\$49,450	\$66,330
1999	Assessment Roll	Residential	Full	\$11,600	\$51,630	\$63,230
1997	Assessment Roll	Residential	Full	\$10,770	\$41,820	\$52,590
1995	Assessment Roll	Residential	Full	\$9,660	\$37,500	\$47,160
1993	Assessment Roll	Residential	Full	\$8,360	\$32,450	\$40,810
1990	Assessment Roll	Residential	Full	\$8,360	\$26,940	\$35,300

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4115 8<sup>th</sup> Place



01/02/2020 12:17