



Roll Call Number

Agenda Item Number

31J

Date March 9, 2020

ABATEMENT OF PUBLIC NUISANCE AT 1112 OAK PARK AVENUE

WHEREAS, the property located at 1112 Oak Park 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, Raymond L. Ethell, and the Mortgage Holder, Argent Mortgage Company, LLC, were notified 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 7 in Block 1 in OAKLAND HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1112 Oak Park 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:

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

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	1112 OAK PARK AVE				
City	DES MOINES	Zip	50313	Jurisdiction	Des Moines
District/Parcel	070/03954-000-000	Geoparcels	7924-27-129-007	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 - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	ETHELL, RAYMOND L	1993-09-17	<u>6856/632</u>
Title Holder	2	ETHELL, KAY S	1959-05-29	3146/385

Legal Description and Mailing Address

LOT 7 BLK 1 OAKLAND HEIGHTS	RAYMOND L ETHELL 1112 OAK PARK AVE DES MOINES, IA 50313-3208
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Current Values

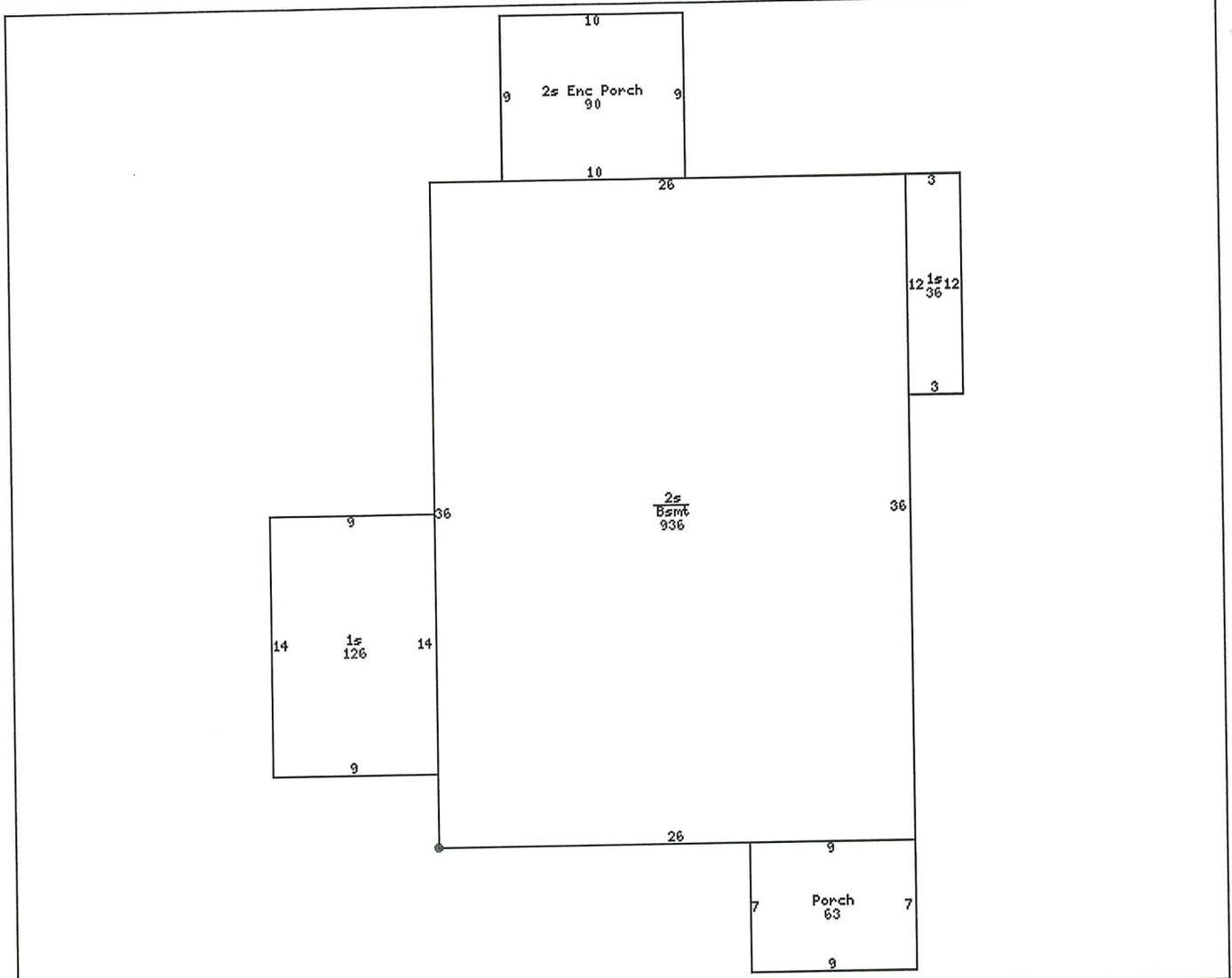
Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential	Full	\$20,800	\$128,400	\$149,200

Assessment Roll Notice Market Adjusted Cost Report

Auditor Adjustments to Value

Category	Name	Information
2019 Homestead Credit	ETHELL, RAYMOND L	Application #49510

Category		Name		Information	
2019 Military Exemption		ETHELL, RAYMOND L		Korean Application #57589	
Zoning - 1 Record					
Zoning	Description			SF	Assessor Zoning
R1-60	One Family, Low Density Residential District				Residential
Conditional Zoning					
Docket no 14361					
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	8,712	Acres	0.200	Frontage	66.0
Depth	132.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence #1					
Occupancy	Conversion	Residence Type	2 Stories Plus	Building Style	Early 20s
Year Built	1919	Number Families	2	Grade	3-10
Condition	Above Normal	Total Square Foot Living Area	2034	Main Living Area	1098
Upper Living Area	936	Attic Floor and Stairs Area	328	Basement Area	936
Open Porch Area	63	Enclosed Porch Area	180	Foundation	Poured Concrete
Exterior Wall Type	Metal Siding	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning	0	Number Bathrooms	2	Number Extra Fixtures	1
Bedrooms	4	Rooms	8		



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	22	Measure 2	20	Story Height	1
Grade	4	Year Built	1955	Condition	Normal

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$20,800	\$128,400	\$149,200
2017	<u>Board Action</u>	Residential	Full	\$18,900	\$120,000	\$138,900
2017	<u>Assessment Roll</u>	Residential	Full	\$18,900	\$120,000	\$138,900
2015	<u>Assessment Roll</u>	Residential	Full	\$17,000	\$108,700	\$125,700
2013	<u>Assessment Roll</u>	Residential	Full	\$16,600	\$106,500	\$123,100
2011	<u>Assessment Roll</u>	Residential	Full	\$16,600	\$105,600	\$122,200
2009	<u>Assessment Roll</u>	Residential	Full	\$18,300	\$108,900	\$127,200
2007	<u>Assessment Roll</u>	Residential	Full	\$18,100	\$107,600	\$125,700
2005	<u>Assessment Roll</u>	Residential	Full	\$22,600	\$80,400	\$103,000
2003	<u>Assessment Roll</u>	Residential	Full	\$20,350	\$73,360	\$93,710
2001	<u>Assessment Roll</u>	Residential	Full	\$19,960	\$70,850	\$90,810
1999	Assessment Roll	Residential	Full	\$14,450	\$35,570	\$50,020
1997	Assessment Roll	Residential	Full	\$13,530	\$35,570	\$49,100

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Yr	Type	Class	Kind	Land	Bldg	Total
1995	Assessment Roll	Residential	Full	\$11,960	\$31,520	\$43,480
1990	Assessment Roll	Residential	Full	\$10,350	\$28,650	\$39,000

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



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

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DATE OF NOTICE: December 12, 2019

DATE OF INSPECTION: April 01, 2019

CASE NUMBER: COD2019-01349

PROPERTY ADDRESS: 1112 OAK PARK AVE

LEGAL DESCRIPTION: LOT 7 BLK 1 OAKLAND HEIGHTS

RAYMOND L ETHELL SR
Title Holder
3016 CLOVERDALE DR SE
TURNER OR 97392

ARGENT MORTGAGE COMPANY LLC
Mortgage Holder
NATIONAL REG. AGENTS INC. R.A.
818 W SEVENTH ST STE 930
LOS ANGELES CA 90017

KAY S ETHELL
Title Holder
DECEASED

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: 12/12/2019

MAILED BY: JDH

Areas that need attention: 1112 OAK PARK AVE

Component: Exterior Walls	Defect: Absence of paint
Requirement: Compliance, International Property Maintenance Code	Location: Garage
Comments:	

Component: Roof	Defect: Holes or major defect
Requirement: Building Permit	Location: Garage
Comments:	

1112 Oak Park Ave



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