



Date May 4, 2020

ABATEMENT OF PUBLIC NUISANCE AT 1305 E 37th STREET

WHEREAS, the property located at 1305 E 37th Street, 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, IB Flipping, LLC, was notified more than thirty days ago to repair or demolish the garage 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 garage structure on the real estate legally described as Lot 173 in GRAY'S WOODS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1305 E 37th 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 garage structure.

Moved by _____ to adopt.

FORM APPROVED:

/s/ Megan Norberg
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	1305 E 37TH ST				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	060/05725-000-000	Geoparcels	7923-32-479-003	Status	Active
School	Des Moines	Nbhd/Pocket	DM13/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Victor Scaglione 515-286-3898		

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 2013-09-27 a

Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	IB FLIPPING LLC	2020-03-11	17730/649

Legal Description and Mailing Address

LOT 173 GRAYS WOODS	KOGA BARTON 1305 E 37TH ST DES MOINES, IA 50317-6719
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Current Values

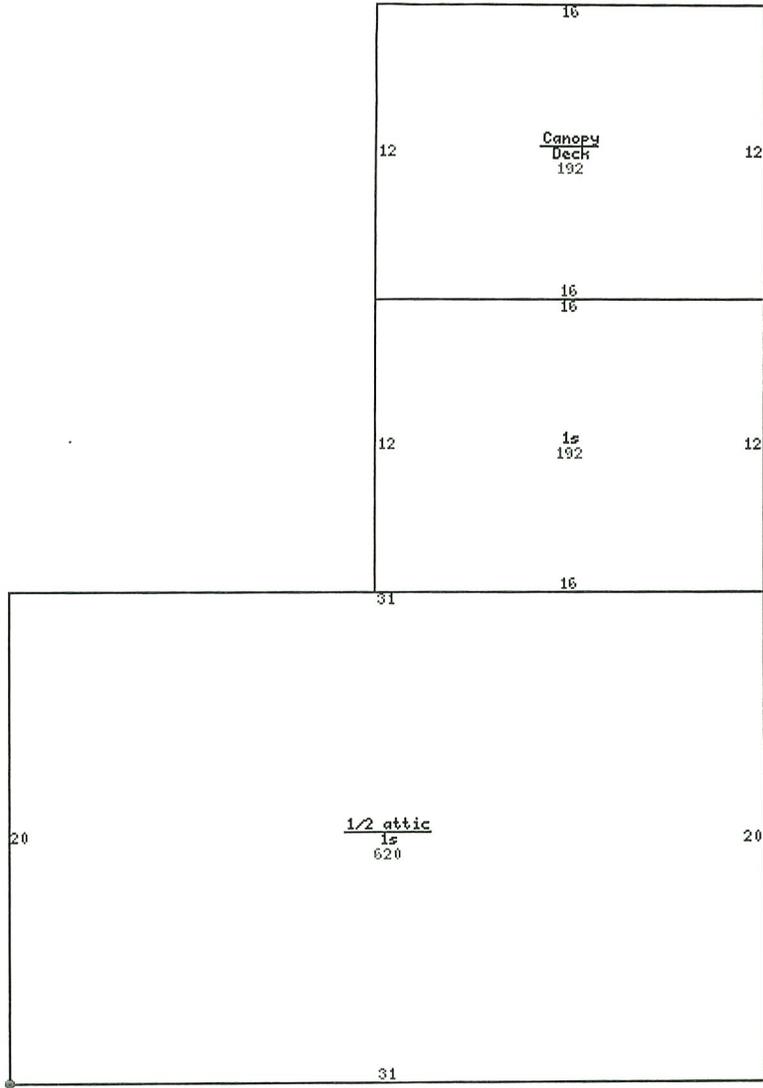
Type	Class	Kind	Land	Bldg	Total
2020 Assessment Roll	Residential	Full	\$14,500	\$75,300	\$89,800
2019 Value	Residential	Full	\$14,500	\$83,300	\$97,800

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

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning

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	6,850	Acres	0.157	Frontage	50.0
Depth	137.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence #1					
Occupancy	Single Family	Residence Type	1 Story Finished Attic	Building Style	Cape Cod
Year Built	1950	Year Remodel	2014	Number Families	1
Grade	4-10	Condition	Normal	Total Square Foot Living Area	1029
Main Living Area	812	Attic Finished Area	217	Deck Area	192
Canopy Square Foot	192	Foundation	Concrete Block	Exterior Wall Type	Metal Siding
Roof Type	Gable	Roof Material	Asphalt Shingle	Number Fireplaces	1
Heating	Gas Forced Air	Air Conditioning	100	Number Bathrooms	1
Bedrooms	2	Rooms	5		



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	24	Measure 2	24	Story Height	1
Grade	4	Year Built	1976	Condition	Normal

Sales - 2 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
CONSERVATORSHIP OF DAVID W NUNEMANN	BARTON, KOGA	<u>2020-01-24</u>	\$51,000	Deed	<u>17679/591</u>
NUNEMANN, A LORRAINE	CROWDER, ROBERT DALE	<u>2001-10-17</u>	\$75,000	Contract	<u>9371/820</u>

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
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Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
BARTON, KOGA <hr/> BARTON, IAN MATTHEW	IB FLIPPING LLC	2020-03-02	2020-03- 11	Quit Claim Deed	<u>17730/649</u>
NUNEMANN, DAVID W <hr/> O'NEIL, FRANK LEE (Conservator)	BARTON, KOGA	2020-01-24	2020-01- 28	Court Officer Deed	<u>17679/591</u>
NUNEMANN, ALMA LORRAINE	NUNEMANN, DAVID WAYNE	2016-06-22	2016-06- 22	Quit Claim Deed	<u>16057/942</u>

Permits - 3 Records

Year	Type	Permit Status	Application	Description
Current	Pickup	Complete	2019-06-05	remove/misc
2015	Permit	Complete	2014-05-28	addition/fireplace
2015	Permit	Complete	2014-04-28	fix damage/fire

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$14,500	\$83,300	\$97,800
2017	<u>Assessment Roll</u>	Residential	Full	\$12,700	\$74,100	\$86,800
2015	<u>Assessment Roll</u>	Residential	Full	\$11,800	\$71,600	\$83,400
2013	<u>Assessment Roll</u>	Residential	Full	\$11,100	\$68,400	\$79,500
2011	<u>Assessment Roll</u>	Residential	Full	\$11,100	\$68,700	\$79,800
2009	<u>Assessment Roll</u>	Residential	Full	\$12,300	\$75,900	\$88,200
2007	<u>Assessment Roll</u>	Residential	Full	\$11,800	\$73,300	\$85,100
2005	<u>Assessment Roll</u>	Residential	Full	\$9,500	\$71,100	\$80,600
2003	<u>Assessment Roll</u>	Residential	Full	\$8,420	\$63,040	\$71,460
2001	<u>Assessment Roll</u>	Residential	Full	\$8,380	\$52,510	\$60,890
1999	Assessment Roll	Residential	Full	\$6,070	\$41,470	\$47,540
1997	Assessment Roll	Residential	Full	\$5,500	\$37,560	\$43,060
1995	Assessment Roll	Residential	Full	\$4,770	\$32,560	\$37,330
1993	Assessment Roll	Residential	Full	\$4,500	\$30,700	\$35,200
1990	Board Action	Residential	Full	\$4,500	\$27,500	\$32,000
1990	Assessment Roll	Residential	Full	\$4,500	\$28,000	\$32,500

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

DATE OF NOTICE: February 6, 2020

DATE OF INSPECTION: September 18, 2019

CASE NUMBER: COD2019-05937

PROPERTY ADDRESS: 1305 E 37TH ST

LEGAL DESCRIPTION: LOT 173 GRAYS WOODS

KOGA BARTON
Title Holder
12729 TANGLEWOOD DR
URBANDALE IA 50323

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: 2/6/2020

MAILED BY: JDH

Areas that need attention: 1305 E 37TH ST

Component:	Accessory Buildings	Defect:	Deteriorated
Requirement:	Building Permit	Location:	Garage Throughout
Comments:	Have structure checked for any defects. Any repairs to the structure may require a building permit.		
Component:	Electrical System	Defect:	Unknown
Requirement:	Electrical Permit	Location:	Garage Throughout
Comments:	Hire licensed electrical contractor to verify safety of electrical system. Any repairs would require a permit.		
Component:	Exterior Doors/Jams	Defect:	Deteriorated
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage Throughout
Comments:	Chipped/peeling paint. Scrape and paint to match. Any repairs to the structure may require a building permit.		
Component:	Exterior Walls	Defect:	Deteriorated
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage Throughout
Comments:	Chipped/peeling paint. Scrape and paint to match. Any repairs to the structure may require a building permit.		
Component:	Roof	Defect:	Deteriorated
Requirement:	Building Permit	Location:	Garage Throughout
Comments:	Permit required for structural repairs.		
Component:	Shingles Flashing	Defect:	Deteriorated
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage Throughout
Comments:	Needs repair.		
Component:	Windows/Window Frames	Defect:	Deteriorated
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage Throughout
Comments:	Chipped/peeling paint. Scrape and paint to match. Any repairs to the structure may require a building permit.		
Component:	Exterior Doors/Jams	Defect:	In poor repair
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage
Comments:	Overhead door		

<u>Component:</u> Exterior Walls	<u>Defect:</u> In poor repair
<u>Requirement:</u> Compliance, International Property Maintenance Code	<u>Location:</u> Garage
<u>Comments:</u> Replace deteriorated siding	

<u>Component:</u> Soffit/Facia/Trim	<u>Defect:</u> Absence of paint
<u>Requirement:</u> Compliance, International Property Maintenance Code	<u>Location:</u> Garage
<u>Comments:</u> Scrape and paint	

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1305 E 37th Street

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1305 E 37th Street 41D



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