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Date October 19, 2020

ABATEMENT OF PUBLIC NUISANCE AT 3103 GARFIELD AVENUE

WHEREAS, the property located at 3103 Garfield Avenue, 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, Mark Ramirez, and Mortgage Holder, Wells Fargo Bank, N.A., were notified more than thirty days ago to repair or demolish the main 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 main structure on the real estate legally described as Lot 8, except that part conveyed by Warranty Deed recorded in Book 8865, Page 922, in Block 8 in HYDE PARK PLAT 2, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3103 Garfield 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 structure.

Moved by _____ to adopt.

FORM APPROVED:

Luke DeSmet, 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

top

3103 Garfield Avenue



10/08/2020 10:28

297

top

3103 Garfield Avenue



10/08/2020 10:29

39A

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	3103 GARFIELD AVE				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	060/06545-001-000	Geoparcels	7923-32-356-033	Status	Active
School	Des Moines	Nbhd/Pocket	DM14/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Victor Scaglione 515-286-3898		

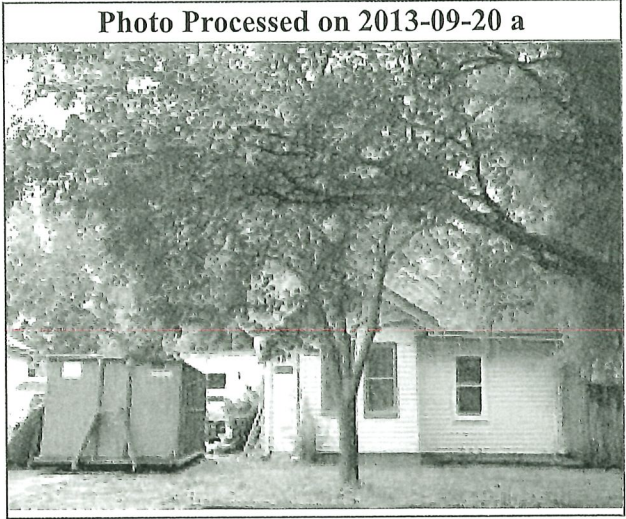
Map and Current Photos - 1 Record

Click on parcel to get a new listing

3012	3016	3020	3024	3100	3104	3108	3112	3116	3120
GARFIELD AVE									
3015	3017	3025	3029	3103	3105	3109	3113	3117	3121
3008	3012	3016	3024	3028	3104	3108	3112	3116	3120

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

Photo Processed on 2013-09-20 a



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	RAMIREZ, MARK	2002-02-12	9094/563

Legal Description and Mailing Address

-EX PARCEL A BK 8768 PG 331 BEG NW COR THN E 3F S138.92F W2.36F N138.98F TO POB- LOT 8 BLK 8 HYDE PARK PLAT NO 2	MARK RAMIREZ 5806 SE 7TH CT DES MOINES, IA 50315-5336
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Current Values

Type	Class	Kind	Land	Bldg	Total
2020 Value	Residential	Full	\$16,800	\$58,200	\$75,000

Market Adjusted Cost Report

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential

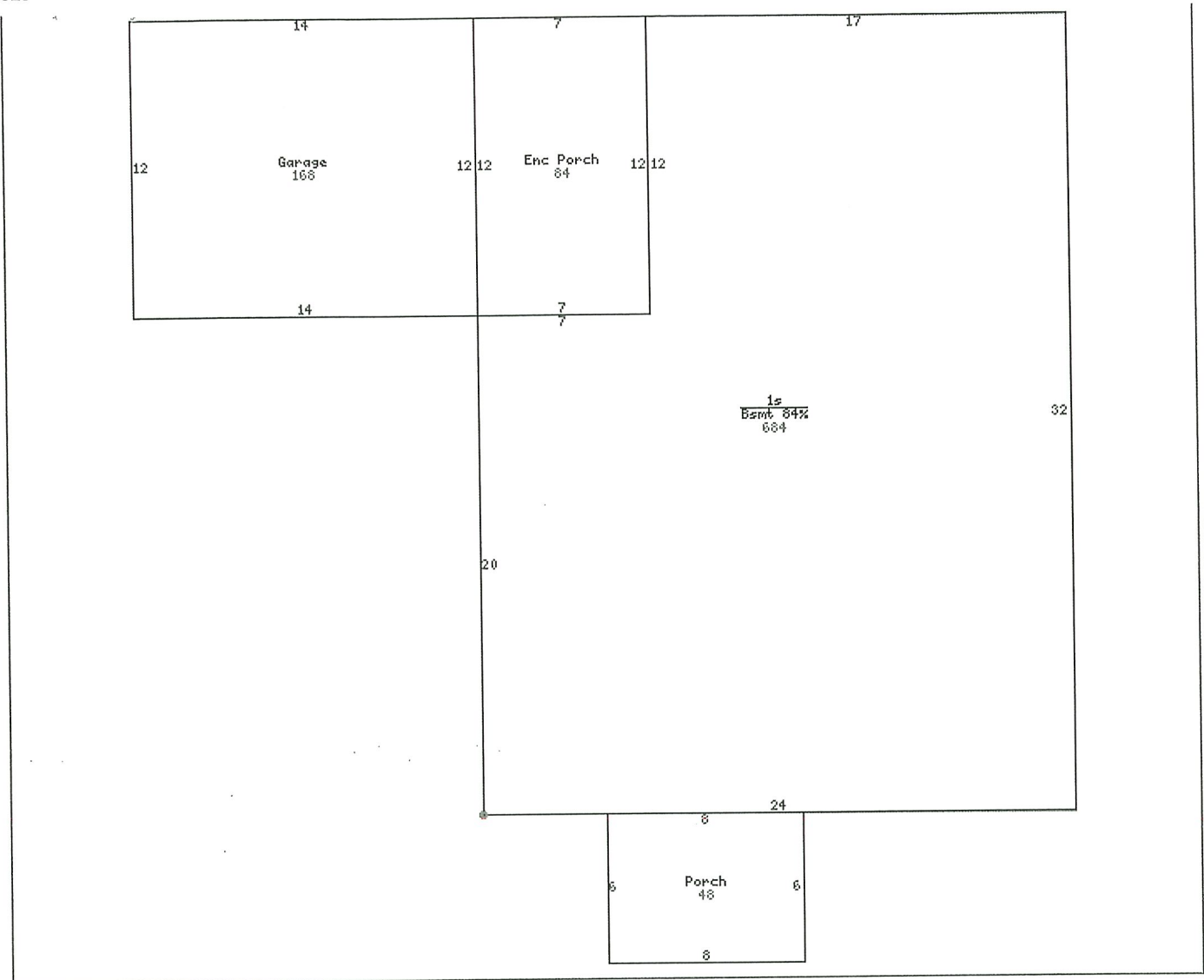
City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)

Land

Square Feet	6,533	Acres	0.150	Frontage	47.0
Depth	139.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	Blank		

Residences - 1 Record**Residence #1**

Occupancy	Single Family	Residence Type	1 Story	Building Style	Bungalow
Year Built	1922	Number Families	1	Grade	5+00
Condition	Very Good	Total Square Foot Living Area	684	Main Living Area	684
Attached Garage Square Foot	168	Basement Area	575	Open Porch Area	48
Enclosed Porch Area	84	Foundation	Brick	Exterior Wall Type	Vinyl Siding
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning	0	Number Bathrooms	1	Bedrooms	2
Rooms	4				



Sales - 2 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
RAMIREZ, MARK	THAYER, BROOKE A	<u>2008-06-06</u>	\$75,000	Contract	<u>12681/827</u>
MICHALEC, JOHN K	RAMIREZ, MARK	<u>2002-02-11</u>	\$72,000	Deed	<u>9094/563</u>

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$16,800	\$58,200	\$75,000
2017	<u>Assessment Roll</u>	Residential	Full	\$14,800	\$52,100	\$66,900
2015	<u>Assessment Roll</u>	Residential	Full	\$14,000	\$49,400	\$63,400
2013	<u>Assessment Roll</u>	Residential	Full	\$14,200	\$50,600	\$64,800
2011	<u>Assessment Roll</u>	Residential	Full	\$14,200	\$50,100	\$64,300
2009	<u>Assessment Roll</u>	Residential	Full	\$14,100	\$50,800	\$64,900
2007	<u>Assessment Roll</u>	Residential	Full	\$14,100	\$50,800	\$64,900
2005	<u>Assessment Roll</u>	Residential	Full	\$11,500	\$48,200	\$59,700
2003	<u>Assessment Roll</u>	Residential	Full	\$10,250	\$43,310	\$53,560
2001	<u>Assessment Roll</u>	Residential	Full	\$10,100	\$35,120	\$45,220



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

39A

DATE OF NOTICE: July 7, 2020

DATE OF INSPECTION: February 04, 2020

CASE NUMBER: COD2020-00749

PROPERTY ADDRESS: 3103 GARFIELD Ave

LEGAL DESCRIPTION: -EX PARCEL A BK 8768 PG 331 BEG NW COR THN E 3F S138.92F W2.36F N138.98F TO POB-
LOT 8 BLK 8 HYDE PARK PLAT NO 2

MARK RAMIREZ
Title Holder
5806 SE 7TH CT
DES MOINES IA 50315

WELLS FARGO BANK NA
Mortgage Holder
CORPORATION SERVICE CO. R.A.
505 5TH AVENUE STE 729
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.

Kevin Pyles

(515) 283-4122



Nid Inspector

DATE MAILED: 7/7/2020

MAILED BY: JDH

Areas that need attention: 3103 GARFIELD Ave

<p>Component: Electrical System Requirement: Electrical Permit Comments: Pull permit to correct violations</p>	<p>Defect: In poor repair Location: Main Structure Throughout</p>
<p>Component: Mechanical System Requirement: Mechanical Permit Comments: Pull permit to correct violations</p>	<p>Defect: Improperly Installed Location: Main Structure Throughout</p>
<p>Component: Floor Joists/Beams Requirement: Building Permit Comments: Repair/replace any rotted, missing or damaged boards. Any structural repairs will require a permit.</p>	<p>Defect: Holes or major defect Location: Main Structure Throughout</p>
<p>Component: Interior Walls /Ceiling Requirement: Compliance, International Property Maintenance Code Comments: Repair/replace any broken, missing , damaged or rotted drywall. Any repairs to the structure will require a building permit.</p>	<p>Defect: Holes or major defect Location: Main Structure Throughout</p>
<p>Component: Accessory Buildings Requirement: Unknown Comments: The garage or shed in its current condition does not constitute a public nuisance. However, if the primary structure is demolished and no primary structure is immediately built on the property, the garage must be demolished as well because it is an accessory use only pursuant to Des Moines Municipal Code Section 134-343.</p>	<p>Defect: See Comments Location: Garage</p>
<p>Component: Plumbing System Requirement: Plumbing Permit Comments:</p>	<p>Defect: Improperly Installed Location: Main Structure Throughout</p>