

Date October 19, 2020

ABATEMENT OF PUBLIC NUISANCE AT 2535 E 16th STREET

WHEREAS, the property located at 2535 E 16th 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, Linda R. Byers, and Mortgage Holder, Tradesmen Community Credit Union n/k/a Journey Credit Union, 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.

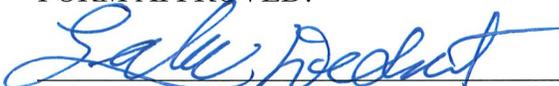
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The garage structure on the real estate legally described as Lot 11 in JOHNSON SMITH HEIGHTS, PLAT 3, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2535 E 16th 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:


 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

2535 E 16th St



10/08/2020 13:02

39E

top

2535 E 16th St



10/08/2020 13:03

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	2535 E 16TH ST				
City	DES MOINES	Zip	50316	Jurisdiction	Des Moines
District/Parcel	110/03625-011-000	Geoparcels	7924-25-377-001	Status	Active
School	Des Moines	Nbhd/Pocket	DM07/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast 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 2005-02-08 a

Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	BYERS, LINDA R	2001-10-05	9015/419

Legal Description and Mailing Address

LOT 11 JOHNSON SMITH HTS PLT 3	LINDA R BYERS 2535 E 16TH ST DES MOINES, IA 50316-1836
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Current Values

Type	Class	Kind	Land	Bldg	Total
2020 Value	Residential	Full	\$20,000	\$48,700	\$68,700

Market Adjusted Cost Report

Auditor Adjustments to Value

Category	Name	Information
2020 Homestead Credit	BYERS, LINDA R	Application #28758

Zoning - 1 Record

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	11,840	Acres	0.272	Frontage	79.3
Topography	Normal	Shape	Rectangular	Vacancy	No
Unbuildable	No				
Residences - 1 Record					
Residence #1					
Occupancy	Single Family	Residence Type	1 Story Unfinished Attic	Building Style	Bungalow
Year Built	1917	Number Families	1	Grade	5+10
Condition	Below Normal	Total Square Foot Living Area	811	Main Living Area	811
Attic Floor and Stairs Area	281	Basement Area	804	Open Porch Area	120
Foundation	Concrete Block	Exterior Wall Type	Metal Siding	Roof Type	Gable
Roof Material	Asphalt Shingle	Heating	Gas Forced Air	Air Conditioning	100
Number Bathrooms	1	Bedrooms	2	Rooms	5

Year	Type	Permit Status	Application	Reason	Reason1
2001	Permit	Pass	1999-08-17	Addition	DECK (79 sf)
2000	Permit	Pass	1999-08-17	Addition	DECK (79 sf) (Cost \$670)

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$20,000	\$48,700	\$68,700
2017	<u>Assessment Roll</u>	Residential	Full	\$18,600	\$49,000	\$67,600
2015	<u>Assessment Roll</u>	Residential	Full	\$16,800	\$44,600	\$61,400
2013	<u>Assessment Roll</u>	Residential	Full	\$16,900	\$45,700	\$62,600
2011	<u>Assessment Roll</u>	Residential	Full	\$16,900	\$45,300	\$62,200
2009	<u>Assessment Roll</u>	Residential	Full	\$16,800	\$43,700	\$60,500
2007	<u>Assessment Roll</u>	Residential	Full	\$16,800	\$43,700	\$60,500
2005	<u>Assessment Roll</u>	Residential	Full	\$19,600	\$40,900	\$60,500
2003	<u>Assessment Roll</u>	Residential	Full	\$17,200	\$36,800	\$54,000
2001	<u>Assessment Roll</u>	Residential	Full	\$14,920	\$29,370	\$44,290
1999	Assessment Roll	Residential	Full	\$14,120	\$29,070	\$43,190
1997	Assessment Roll	Residential	Full	\$13,510	\$27,820	\$41,330
1995	Assessment Roll	Residential	Full	\$11,920	\$27,820	\$39,740
1993	Assessment Roll	Residential	Full	\$10,560	\$29,180	\$39,740
1991	Assessment Roll	Residential	Full	\$10,560	\$27,760	\$38,320
1991	Was Prior Year	Residential	Full	\$10,560	\$25,100	\$35,660

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**

39E

DATE OF NOTICE: June 18, 2020

DATE OF INSPECTION: September 03, 2019

CASE NUMBER: COD2019-05456

PROPERTY ADDRESS: 2535 E 16TH ST

LEGAL DESCRIPTION: LOT 11 JOHNSON SMITH HTS PLT 3

LINDA R BYERS
 Title Holder
 2535 E 16TH ST
 DES MOINES IA 50316-1836

TRADESMEN COMMUNITY CREDIT UNION N/K/A
 Mortgage Holder
 JOURNEY CREDIT UNION
 1400 2ND AVE
 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.

Kevin Pyles

(515) 283-4122



Nid Inspector

DATE MAILED: 6/18/2020

MAILED BY: JDH

Areas that need attention: 2535 E 16TH ST

Component:	Accessory Buildings	Defect:	Deteriorated
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage Throughout
Comments:	Have structure checked for any defects. Any repairs to the structure may require a building permit.		
Component:	Roof	Defect:	Deteriorated
Requirement:	Building Permit	Location:	Garage Throughout
Comments:	Any repairs to the structure require a building permit.		
Component:	Exterior Walls	Defect:	Deteriorated
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage Throughout
Comments:	Scrape any loose or chipped paint, fill any holes then paint to match. Any repairs to the structure may require a building permit.		
Component:	Exterior Doors/Jams	Defect:	Deteriorated
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage Throughout
Comments:	Scrape any loose or chipped paint, fill any holes then paint to match. Any repairs to the structure may require a building permit.		
Component:	Shingles Flashing	Defect:	Deteriorated
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage
Comments:	Replace shingles one layer only		
Component:	See Comments	Defect:	Missing
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage
Comments:	Corner trim pieces		