



Roll Call Number

Agenda Item Number

39 G

Date October 19, 2020

ABATEMENT OF PUBLIC NUISANCE AT 1106 17th STREET

WHEREAS, the property located at 1106 17th Street, 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, Biel Deng, and Mortgage Holder, Oak Helm Partners 82, L.C., 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 17 & S ½ Lot 16 MYERLYS ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1106 17th 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 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

1106 17th Street

top



10/08/2020 10:42

top

1106 17th Street



10/08/2020 10:43



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

396

DATE OF NOTICE: July 30, 2020

DATE OF INSPECTION: February 11, 2020

CASE NUMBER: COD2020-00945

PROPERTY ADDRESS: 1106 17TH ST

LEGAL DESCRIPTION: LOT 17 & S 1/2 LOT 16 MYERLYS ADDITION

BIEL DENG
Title Holder
1106 17TH ST
DES MOINES IA 50314

OAK HELM PARTNERS 82 LC
Mortgage Holder - NANCY COON, REG AGENT
2920 HARRISON ST
DAVENPORT IA 52803

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.

Brad Rissman
(515) 283-4754



Nid Inspector

DATE MAILED: 7/30/2020

MAILED BY: BJR

Areas that need attention: 1106 17TH ST

Component:	Electrical System	Defect:	Fire damaged
Requirement:	Electrical Permit	Location:	Main Structure Throughout
Comments:	Have licensed contractor check and repair or replace entire electrical system. Bring any and all components up to code.		

Component:	Exterior Doors/Jams	Defect:	Fire damaged
Requirement:	Compliance with Int Residential Code	Location:	Main Structure Throughout
Comments:	Repair or replace all damaged or missing.		

Component:	Exterior Stairs	Defect:	Missing
Requirement:	Building Permit	Location:	Main Structure
Comments:	Rear entry requires deck or stairs.		

Component:	Exterior Walls	Defect:	Fire damaged
Requirement:	Compliance with Int Residential Code	Location:	Main Structure Throughout
Comments:	Have licensed contractor repair or replace all damaged wall components, including; framing, sheeting, and coverings. Permit required for replacement of all structural components.		

Component:	Floor Joists/Beams	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Main Structure Throughout
Comments:	Have licensed contractor check and replace all damaged.		

Component:	Interior Walls /Ceiling	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Main Structure Throughout
Comments:	Have licensed contractor repair or replace all damaged and missing.		

Component:	Mechanical System	Defect:	Flame/Smoke Spread
Requirement:	Mechanical Permit	Location:	Main Structure Throughout
Comments:	Have licensed contractor check and repair or replace system. Bring any and all components up to code.		

Component:	Plumbing System	Defect:	Fire damaged
Requirement:	Plumbing Permit	Location:	Main Structure Throughout
Comments:	Have licensed contractor repair or replace system. Bring any and all components up to code.		

Component: Soffit/Facia/Trim
Requirement: Compliancne with Int Residential Code
Defect: Fire damaged
Location: Main Structure Throughout
Comments: Repair or replace all damaged or missing items as needed.

Component: Sub Floor
Requirement: Compliancne with Int Residential Code
Defect: Fire damaged
Location: Main Structure Throughout
Comments: Have licensed contractor replace all damaged.

Component: Windows/Window Frames
Requirement: Compliancne with Int Residential Code
Defect: Cracked/Broken
Location: Main Structure Throughout
Comments: Repair or replace all damaged or missing windows as needed. Permit required if changing opening size.

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

3919

Location					
Address	1106 17TH ST				
City	DES MOINES	Zip	50314	Jurisdiction	Des Moines
District/Parcel	030/03673-000-000	Geoparcels	7824-05-204-043	Status	Active
School	Des Moines	Nbhd/Pocket	DM76/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northwest Des Moines	Appraiser	Andrew Rand 515-286-3368		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

Photo Processed on 2014-04-16 a



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

Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	DENG, BIEL	2016-01-26	15878/793

Legal Description and Mailing Address

LOT 17 & S 1/2 LOT 16 MYERLYS ADDITION	OHP 82 LC 2920 N HARRISON ST DAVENPORT, IA 52803-1044
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Current Values

Type	Class	Kind	Land	Bldg	Total
2020 Value	Residential	Full	\$5,900	\$44,900	\$50,800

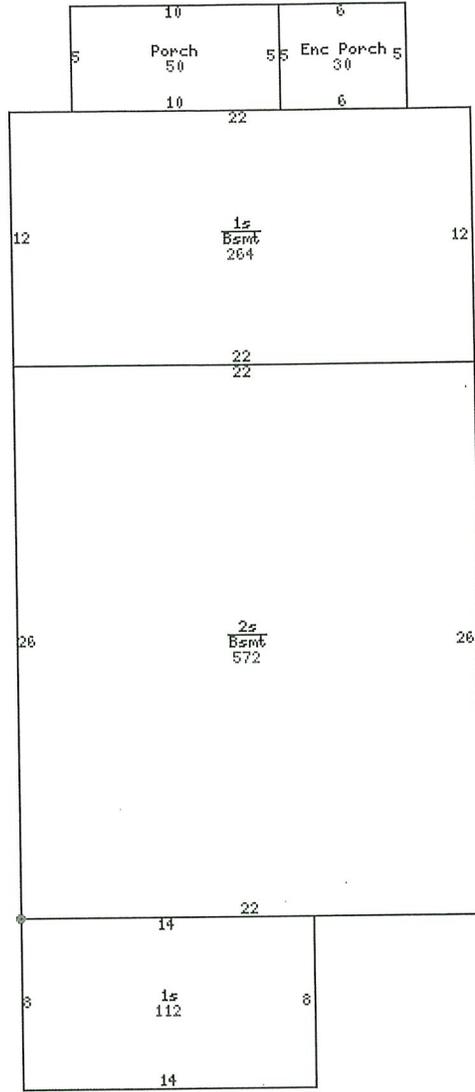
Market Adjusted Cost Report

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
R-3	Multiple Family Residential District		Multi-Family Residential

Conditional Zoning

Conditional Zoning					
Docket no 14361					
City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)					
Land					
Square Feet	4,612	Acres	0.106	Frontage	37.0
Depth	123.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence #1					
Occupancy	Single Family	Residence Type	2 Stories	Building Style	Early 20s
Year Built	1903	Year Remodel	1995	Number Families	1
Grade	4+05	Condition	Below Normal	Total Square Foot Living Area	1520
Main Living Area	948	Upper Living Area	572	Basement Area	836
Open Porch Area	50	Enclosed Porch Area	30	Foundation	Brick
Exterior Wall Type	Metal Siding	Roof Type	Hip	Roof Material	Asphalt Shingle
Number Fireplaces	1	Heating	Gas Forced Air	Air Conditioning	0
Number Bathrooms	1	Bedrooms	2	Rooms	8



Sales - 3 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
OHP 82 LC	DENG, BIEL	<u>2015-12-03</u>	\$22,500	Deed	<u>15878/793</u>
HOGUE, KAREN E.	DENG, BIEL	<u>2011-11-09</u>	\$40,000	Contract	<u>14092/578</u>
CON KARE, PROPS	JOHNSON, KALEB	<u>2005-03-29</u>	\$88,000	Contract	<u>11011/755</u>

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
OHP 82 LC	DENG, BIEL	2015-12-03	2016-01-26	Warranty Deed	<u>15878/793</u>
MALONEY, MARY (Treasurer)	OHP 82 LC	2015-10-20	2015-10-22	Tax Sale Deed	<u>15780/39</u>

Permits - 5 Records

Year	Type	Permit Status	Application	Reason	Reason1
1997	Permit	Complete	1995-07-08	Alterations	MISC (Cost \$250)
1997	Pickup	Complete	1994-10-17	Review Value	VACANT
1996	Permit	Partial	1995-07-08	Alterations	MISC (Cost \$250)

Year	Type	Permit Status	Application	Reason	Reason1
1996	Pickup	Partial	1994-10-17	Review Value	VACANT
1995	Pickup	Partial	1994-10-17		Vacant/Revalue

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Board Action</u>	Residential	Full	\$5,900	\$44,900	\$50,800
2019	<u>Assessment Roll</u>	Residential	Full	\$5,900	\$44,900	\$50,800
2017	<u>Assessment Roll</u>	Residential	Full	\$5,300	\$40,700	\$46,000
2015	<u>Assessment Roll</u>	Residential	Full	\$5,200	\$44,900	\$50,100
2013	<u>Assessment Roll</u>	Residential	Full	\$5,400	\$42,000	\$47,400
2011	<u>Assessment Roll</u>	Residential	Full	\$5,800	\$50,500	\$56,300
2009	<u>Assessment Roll</u>	Residential	Full	\$4,600	\$55,300	\$59,900
2007	<u>Assessment Roll</u>	Residential	Full	\$4,500	\$53,000	\$57,500
2005	<u>Assessment Roll</u>	Residential	Full	\$4,200	\$44,900	\$49,100
2003	<u>Assessment Roll</u>	Residential	Full	\$3,470	\$36,980	\$40,450
2001	<u>Assessment Roll</u>	Residential	Full	\$2,810	\$30,720	\$33,530
1999	Assessment Roll	Residential	Full	\$3,850	\$26,700	\$30,550
1997	Board Action	Residential	Full	\$3,150	\$21,850	\$25,000
1997	Assessment Roll	Residential	Full	\$3,150	\$28,160	\$31,310
1996	Assessment Roll	Residential	Full	\$2,940	\$7,060	\$10,000
1995	Assessment Roll	Residential	Full	\$2,940	\$1,500	\$4,440
1989	Assessment Roll	Residential	Full	\$2,540	\$14,360	\$16,900

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