



Date November 23, 2020

ABATEMENT OF PUBLIC NUISANCE AT 1836 MONDAMIN AVENUE

WHEREAS, the property located at 1836 Mondamin 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, Lucia E Bodensteiner, was notified more than thirty days ago to repair or demolish the main structure and as of this date has failed to abate the nuisance.

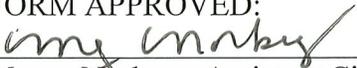
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure on the real estate legally described as The West 40 feet of the N 1/2 of Lot 33 in NORTH WASHINGTON PLACE, excepting therefrom a triangular piece in the Southwest corner thereof, lying within the following described lines: Beginning at a point on the South line of said tract which is 22 feet East of the Southwest corner, thence West along the South line of said tract to the Southwest corner, thence North along the West line of said tract, a distance of 34 feet, thence Southeasterly in a straight line to the point of beginning, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1836 Mondamin 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:



Megan Norberg, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

CERTIFICATE

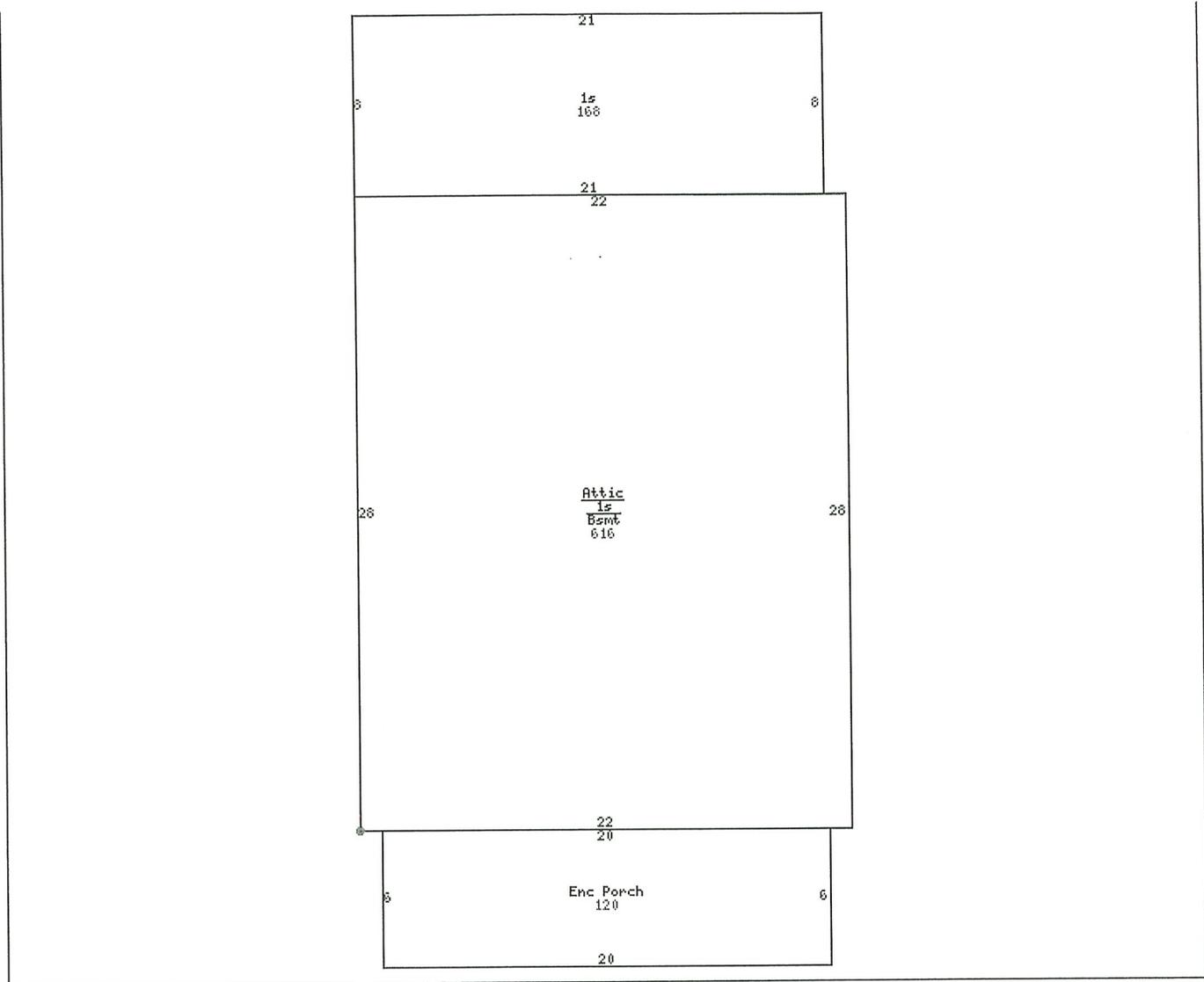
I, P. Kay Cmelik, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk

Conditional Zoning					
Docket no <u>14361</u>					
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	5,270	Acres	0.121	Topography	Normal
Shape	Rectangular	Vacancy	No	Unbuildable	No
Residences - 1 Record					
Residence #1					
Occupancy	Single Family	Residence Type	1 Story Finished Attic	Building Style	Conventional
Year Built	1905	Number Families	1	Grade	5+10
Condition	Poor	Total Square Foot Living Area	1123	Main Living Area	784
Attic Finished Area	339	Basement Area	616	Enclosed Porch Area	120
Foundation	Brick	Exterior Wall Type	Composition	Roof Type	Gable
Roof Material	Asphalt Shingle	Heating	Gas Forced Air	Air Conditioning	0
Number Bathrooms	1	Bedrooms	2	Rooms	7



Sales - 1 Record

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
MAIN, GRACE M., ESTATE	MARTINEZ CHAVEZ ENTERPRISES	<u>2010-11-23</u>	\$10,000	Deed	<u>13678/513</u>

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
BODENSTEINER, FRANCISCA Doing Business As MARTINEZ CHAVEZ ENTERPRISES BODENSTEINER, EDWARD	BODENSTEINER, LUCIA ELIZABETH	2017-12-19	2017-12-19	Quit Claim Deed	<u>16765/43</u>

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
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Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$6,700	\$16,100	\$22,800
2017	<u>Assessment Roll</u>	Residential	Full	\$6,000	\$14,700	\$20,700
2015	<u>Assessment Roll</u>	Residential	Full	\$6,000	\$14,700	\$20,700
2013	<u>Assessment Roll</u>	Residential	Full	\$6,400	\$14,100	\$20,500
2011	<u>Assessment Roll</u>	Residential	Full	\$6,900	\$17,000	\$23,900
2009	<u>Assessment Roll</u>	Residential	Full	\$5,100	\$17,700	\$22,800
2007	<u>Assessment Roll</u>	Residential	Full	\$4,900	\$17,000	\$21,900
2005	<u>Assessment Roll</u>	Residential	Full	\$4,400	\$35,000	\$39,400
2003	<u>Assessment Roll</u>	Residential	Full	\$3,710	\$29,720	\$33,430
2001	<u>Assessment Roll</u>	Residential	Full	\$2,780	\$22,910	\$25,690
1999	Assessment Roll	Residential	Full	\$3,850	\$9,480	\$13,330
1997	Assessment Roll	Residential	Full	\$3,150	\$7,760	\$10,910
1995	Assessment Roll	Residential	Full	\$2,940	\$7,230	\$10,170
1989	Assessment Roll	Residential	Full	\$2,540	\$6,260	\$8,800

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

DATE OF NOTICE: September 3, 2020

DATE OF INSPECTION: August 11, 2020

CASE NUMBER: COD2020-02480

PROPERTY ADDRESS: 1836 MONDAMIN AVE

LEGAL DESCRIPTION: -EX TRI PC SW COR MEAS 34 F W LINE 22 F S LINE- W 40 F N 1/2 LOT 33 NORTH WASHINGTON PLACE

LUCIA E BODENSTEINER
Title Holder
3701 FRANKLIN AVE
DES MOINES IA 50310

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: 9/3/2020

MAILED BY: BJR

Areas that need attention: 1836 MONDAMIN AVE

<p>Component: Electrical System Requirement: Electrical Permit Comments: Have licensed contractor repair or replace electrical system. Bring any and all components up to code.</p>	<p>Defect: In poor repair Location: Main Structure Throughout</p>
<p>Component: Exterior Walls Requirement: Compliance with Int Residential Code Comments: Have licensed contractor repair or replace all damaged wall components, Including; framing, sheeting, and coverings. Permit required for replacement of all structural components.</p>	<p>Defect: Deteriorated Location: Main Structure Throughout</p>
<p>Component: Exterior Doors/Jams Requirement: Compliance with Int Residential Code Comments: Repair or replace all damaged or missing doors and or jams as needed. Permit required if changing opening size.</p>	<p>Defect: In poor repair Location: Main Structure Throughout</p>
<p>Component: Foundation Requirement: Building Permit Comments: Foundation Needs Engineers Report. Repair per engineer's report. Building Permit may be required.</p>	<p>Defect: Collapsed Location: Main Structure Throughout</p>
<p>Component: Interior Walls /Ceiling Requirement: Compliance with Int Residential Code Comments: Replace all damaged and deteriorated wall and ceiling's.</p>	<p>Defect: In poor repair Location: Main Structure Throughout</p>
<p>Component: Mechanical System Requirement: Mechanical Permit Comments: Have licensed contractor repair or replace mechanical system. Bring system and its components up to code.</p>	<p>Defect: In poor repair Location: Main Structure Throughout</p>
<p>Component: Plumbing System Requirement: Plumbing Permit Comments: Have licensed contractor repair or replace plumbing system. Bring system and its components up to code.</p>	<p>Defect: In poor repair Location: Main Structure Throughout</p>
<p>Component: Roof Requirement: Compliance with Int Residential Code Comments: Replace all damaged roofing components by licensed contractor. Building permit required if replacing sheeting.</p>	<p>Defect: Deteriorated Location: Main Structure Throughout</p>

Component: See Comments **Defect:** See Comments
Requirement: Complaine with Int Residential Code **Location:** Main Structure Throughout
Comments: Unable to gain access into the structure. Possibly more violations.

Component: Soffit/Facia/Trim **Defect:** Deteriorated
Requirement: Complaine with Int Residential Code **Location:** Main Structure Throughout
Comments: Repair or replace all damaged and deteriorated.

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

Component: Stairs/Stoop **Defect:** Cracked/Broken
Requirement: Complaine with Int Residential Code **Location:** Main Structure Throughout
Comments: Replace damaged stoop.

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