

Date November 23, 2020

ABATEMENT OF PUBLIC NUISANCE AT 3123 4th STREET

WHEREAS, the property located at 3123 4th 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 Titleholders, Kent E Lehs and Beverly Lehs, and Mortgage Holder, Greater Iowa Credit Union, 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 The North ½ of Lot 15 and the South ½ of Lot 16 in Block 3 NORTHMORELAND, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3123 4th 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:



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



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

436

DATE OF NOTICE: August 31, 2020

DATE OF INSPECTION: April 06, 2020

CASE NUMBER: COD2020-02104

PROPERTY ADDRESS: 3123 4TH ST

LEGAL DESCRIPTION: N 1/2 LOT 15 & S 1/2 LOT 16 BLK 3 NORTHMORELAND

KENT E LEHS
Title Holder
4026 BEAVER AVE
DES MOINES IA 50310-2828

GREATER IOWA CREDIT UNION
Mortgage Holder
1630 22ND ST
WEST DES MOINES IA 50266

BEVERLY LEHS
Title Holder
4026 BEAVER 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.

Kevin Pyles

(515) 283-4122



Nid Inspector

DATE MAILED: 8/31/2020

MAILED BY: JDH

Areas that need attention: 3123 4TH ST

<p>Component: Electrical System Requirement: Electrical Permit Comments: Hire licensed electrical contractor to verify safety of electrical system and correct any violations that may exist.</p>	<p>Defect: Fire damaged Location: Main Structure Throughout</p>
<p>Component: Mechanical System Requirement: Mechanical Permit Comments: Gas service has been shut off need licensed mechanical contractor to verify safety of mechanical systems and correct any violations prior to service being restored. Permit required.</p>	<p>Defect: Fire damaged Location: Main Structure Throughout</p>
<p>Component: Wiring Requirement: Electrical Permit Comments: Hire licensed contractor to repair/replace any damaged wiring.</p>	<p>Defect: Fire damaged Location: Main Structure Throughout</p>
<p>Component: Windows/Window Frames Requirement: Compliance, International Property Maintenance Code Comments: Repair/replace any missing, rotted or damaged windows/window frames. Any repairs to the structure will require a building permit.</p>	<p>Defect: Fire damaged Location: Main Structure Throughout</p>
<p>Component: Interior Walls /Ceiling Requirement: Building Permit Comments: Repair/replace any rotted, missing or damaged boards. Any structural repairs will require a permit.</p>	<p>Defect: Fire damaged Location: Main Structure Throughout</p>
<p>Component: Interior Walls /Ceiling Requirement: Building Permit Comments: Repair/replace any broken, missing , damaged or rotted drywall. Any repairs to the structure will require a building permit.</p>	<p>Defect: Smoke Damage Location: Main Structure Throughout</p>
<p>Component: Smoke Detectors Requirement: Compliance, International Property Maintenance Code Comments: Replace all smoke detectors.</p>	<p>Defect: Smoke Damage Location: Main Structure Throughout</p>
<p>Component: Plumbing System Requirement: Plumbing Permit Comments: Have plumbing system checked for any defects. All violations need to be corrected prior to utility being restored. Any repairs to the plumbing system will require a plumbing permit.</p>	<p>Defect: Fire damaged Location: Main Structure Throughout</p>

<u>Component:</u>	Interior Walls /Ceiling	<u>Defect:</u>	Smoke Damage
<u>Requirement:</u>	Compliance, International Property Maintenance Code	<u>Location:</u>	Main Structure Throughout
<u>Comments:</u>	Clean somke damage from walls and then paint to match.		

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

4369

Location					
Address	3123 4TH ST				
City	DES MOINES	Zip	50313	Jurisdiction	Des Moines
District/Parcel	070/03641-000-000	Geoparcels	7924-27-280-017	Status	Active
School	Des Moines	Nbhd/Pocket	DM82/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northwest Des Moines	Appraiser	Patrick Zaines, ICA 515-286-3832		

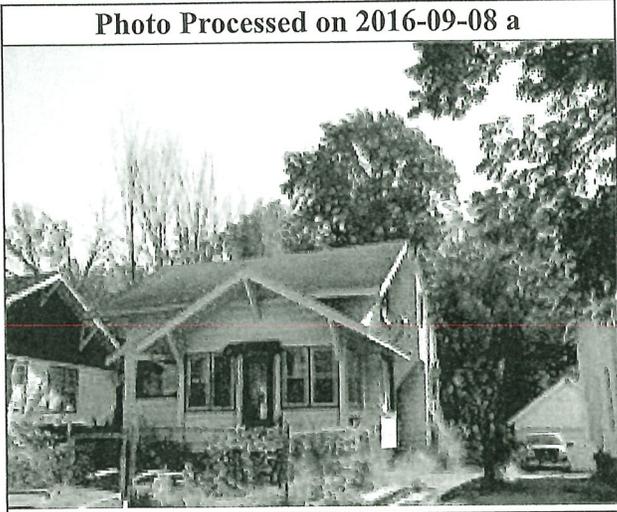
Map and Current Photos - 1 Record

Click on parcel to get a new listing

						3130	
3124	4TH ST	3127				3122	
		3125					
3120		3123	3123			3120	
3114			3119				3118
3112							
3110		3109				3112	

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

Photo Processed on 2016-09-08 a



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	LEHS, KENT E	2016-03-03	15913/602

Legal Description and Mailing Address

N 1/2 LOT 15 & S 1/2 LOT 16 BLK 3 NORTHMORELAND	KENT LEHS 4026 BEAVER AVE DES MOINES, IA 50310-2828
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Current Values

Type	Class	Kind	Land	Bldg	Total
2020 Value	Residential	Full	\$19,100	\$7,100	\$26,200

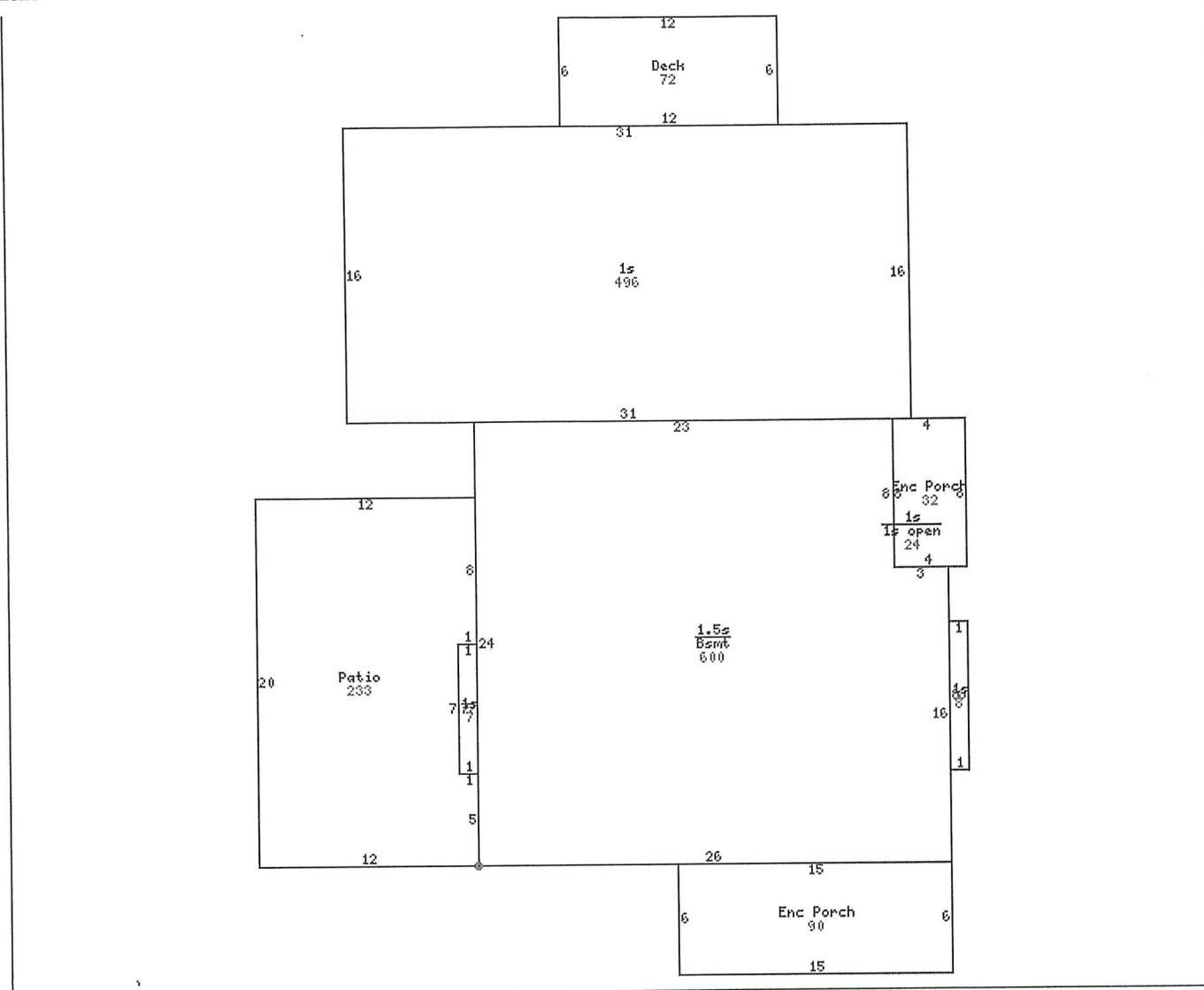
Protest Notice Market Adjusted Cost Report

Zoning - 1 Record

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

Conditional Zoning

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	6,500	Acres	0.149	Frontage	50.0
Depth	130.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence #1					
Occupancy	Conversion	Residence Type	1.5 Stories	Year Built	1915
Number Families	2	Grade	4-05	Condition	Very Poor
Total Square Foot Living Area	1537	Main Living Area	1111	Upper Living Area	426
Basement Area	600	Enclosed Porch Area	122	Deck Area	72
Patio Area	233	Foundation	Brick	Exterior Wall Type	Metal Siding
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning	100	Number Bathrooms	2	Number Toilet Rooms	1
Number Extra Fixtures	1				



Sales - 4 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
FRERICHS, STEVE	LEHS, KENT E.	<u>2016-03-01</u>	\$72,300	Deed	<u>15913/602</u>
LIGOURI, CHARLES T	FRERICHS, STEVE	<u>2007-09-11</u>	\$89,900	Deed	<u>12374/179</u>
LIGOURI, CHARLES T	MCGINN, JOHN J	<u>2000-05-03</u>	\$43,000	Contract	<u>8487/302</u>
ROBERT L BURNETT	CHARLES LIGOURI	<u>1989-03-01</u>	\$43,500	Contract	<u>6187/555</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
FRERICHS, STEVEN P <hr/> FRERICHS, KELLY D <hr/> Also Known As FRERICHS, KELLEY D <hr/> ALBRIGHT, COLE ALLEN (Attorney- In-Fact)	LEHS, KENT E	2016-03-01	2016-03-03	Warranty Deed	<u>15913/602</u>

Permits - 3 Records

Year	Type	Permit Status	Application	Reason	Reason1
Current	Permit	To Work	2020-10-05	Alterations	CONVERSION
1995	Pickup	Complete	1995-01-05		Check for Duplex or 3 family conversion
1990	Pickup	Complete	1989-12-29		Land & Bldg Values need to be adjusted

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2020	<u>Board Action</u>	Residential	Full	\$19,100	\$7,100	\$26,200
2019	<u>Assessment Roll</u>	Residential	Full	\$19,100	\$67,200	\$86,300
2017	<u>Assessment Roll</u>	Residential	Full	\$17,400	\$60,800	\$78,200
2015	<u>Assessment Roll</u>	Residential	Full	\$15,600	\$56,700	\$72,300
2013	<u>Assessment Roll</u>	Residential	Full	\$14,400	\$53,900	\$68,300
2011	<u>Assessment Roll</u>	Residential	Full	\$14,400	\$54,800	\$69,200
2009	<u>Board Action</u>	Residential	Full	\$15,900	\$60,800	\$76,700
2009	<u>Assessment Roll</u>	Residential	Full	\$15,900	\$60,800	\$76,700
2007	<u>Assessment Roll</u>	Residential	Full	\$15,700	\$60,100	\$75,800
2005	<u>Assessment Roll</u>	Residential	Full	\$15,100	\$55,000	\$70,100
2003	<u>Assessment Roll</u>	Residential	Full	\$13,010	\$47,020	\$60,030
2001	<u>Assessment Roll</u>	Residential	Full	\$10,810	\$38,570	\$49,380
1999	Assessment Roll	Residential	Full	\$7,370	\$42,090	\$49,460
1997	Assessment Roll	Residential	Full	\$6,900	\$42,090	\$48,990
1995	Assessment Roll	Residential	Full	\$6,100	\$37,300	\$43,400
1993	Assessment Roll	Commercial Multiple	Full	\$3,960	\$39,440	\$43,400
1990	Assessment Roll	Commercial Multiple	Full	\$3,960	\$26,800	\$30,760

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3123 4th Street 436



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3123 4th Street



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