

**Date** November 23, 2020

**ABATEMENT OF PUBLIC NUISANCES AT 1108 GUTHRIE AVENUE**

WHEREAS, the property located at 1108 Guthrie Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and accessory structure in their present condition constitutes not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholder, Amber Haltom, and Mortgage Holder, Sterns Lending, LLC, was notified more than thirty days ago to repair or demolish the main structure and accessory structure and as of this date has failed to abate the nuisances.

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

The main structure and accessory structure on the real estate legally described as Lot 13 in GUTHRIE'S SECOND ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1108 Guthrie Avenue, have previously been declared public nuisances;

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisances, and should the owner(s) fail to abate the nuisances, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structures.

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.

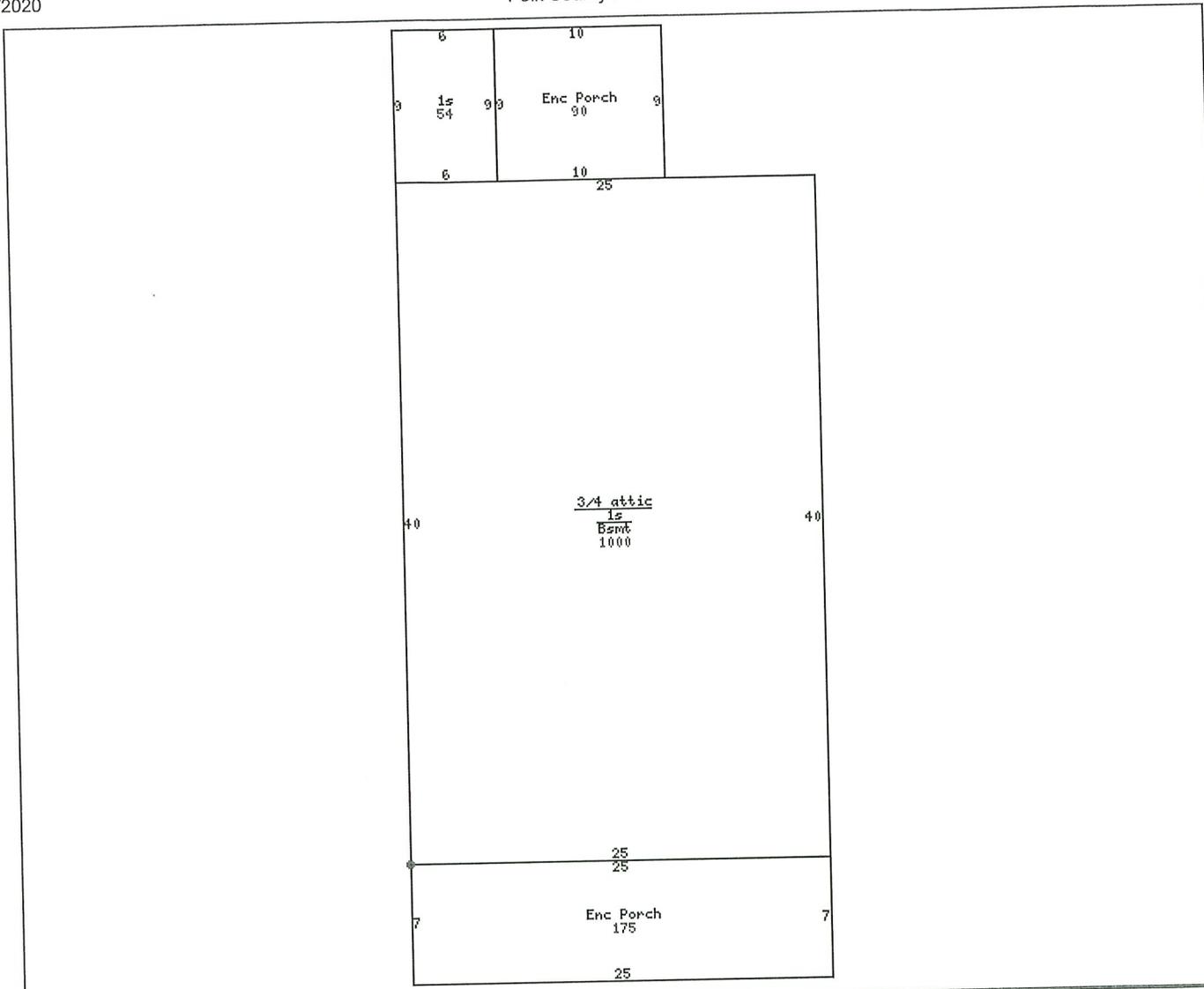
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
 Mayor

\_\_\_\_\_  
 City Clerk



<b>Zoning</b>	<b>Description</b>			<b>SF</b>	<b>Assessor Zoning</b>
R1-60	One Family, Low Density Residential District				Residential
<b>Conditional Zoning</b>					
Docket no <u>14361</u>					
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
<b>Land</b>					
<b>Square Feet</b>	8,052	<b>Acres</b>	0.185	<b>Frontage</b>	61.0
<b>Depth</b>	132.0	<b>Topography</b>	Normal	<b>Shape</b>	Rectangle
<b>Vacancy</b>	No	<b>Unbuildable</b>	No		
<b>Residences - 1 Record</b>					
<b>Residence #1</b>					
<b>Occupancy</b>	Single Family	<b>Residence Type</b>	1 Story Finished Attic	<b>Building Style</b>	Conventional
<b>Year Built</b>	1914	<b>Number Families</b>	1	<b>Grade</b>	4+00
<b>Condition</b>	Normal	<b>Total Square Foot Living Area</b>	1504	<b>Main Living Area</b>	1054
<b>Attic Finished Area</b>	450	<b>Basement Area</b>	1000	<b>Enclosed Porch Area</b>	265
<b>Foundation</b>	Brick	<b>Exterior Wall Type</b>	Metal Siding	<b>Roof Type</b>	Gable
<b>Roof Material</b>	Asphalt Shingle	<b>Heating</b>	Gas Forced Air	<b>Air Conditioning</b>	100
<b>Number Bathrooms</b>	1	<b>Bedrooms</b>	4	<b>Rooms</b>	6



**Detached Structures - 1 Record**

**Detached Structure #101**

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	14	Measure 2	20	Story Height	1
Grade	5	Year Built	1945	Condition	Below Normal

**Sales - 4 Records**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
HITCHCOCK, AMANDA R	HALTOM, AMBER	<u>2016-07-11</u>	\$92,000	Deed	<u>16086/780</u>
HEINS, LELAND S	HENRY, AMANDA R	<u>2001-09-20</u>	\$82,000	Deed	<u>9002/148</u>
WIEBELHAUS, BRENDA D	HEINS, LEELAND	<u>1996-07-26</u>	\$59,900	Deed	<u>7458/41</u>
UNKNOWN	WIEBELHAUS, ANTHONY	<u>1987-03-23</u>	\$39,000	Deed	<u>5697/925</u>

**Recent Ownership Transfers**

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
HITCHCOCK, AMANDA R <hr/> HITCHCOCK, TRAVIS	HALTOM, AMBER	2016-07-11	2016-07-12	Warranty Deed	<u>16086/780</u>

### Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$20,800	\$74,500	\$95,300
2017	<u>Assessment Roll</u>	Residential	Full	\$18,500	\$67,100	\$85,600
2015	<u>Assessment Roll</u>	Residential	Full	\$16,600	\$60,600	\$77,200
2013	<u>Assessment Roll</u>	Residential	Full	\$14,800	\$54,700	\$69,500
2011	<u>Assessment Roll</u>	Residential	Full	\$18,100	\$66,200	\$84,300
2009	<u>Assessment Roll</u>	Residential	Full	\$21,200	\$75,100	\$96,300
2007	<u>Assessment Roll</u>	Residential	Full	\$20,000	\$70,800	\$90,800
2005	<u>Assessment Roll</u>	Residential	Full	\$17,600	\$74,800	\$92,400
2003	<u>Assessment Roll</u>	Residential	Full	\$16,100	\$67,510	\$83,610
2001	<u>Assessment Roll</u>	Residential	Full	\$12,940	\$50,740	\$63,680
1999	Assessment Roll	Residential	Full	\$12,740	\$48,920	\$61,660
1997	Assessment Roll	Residential	Full	\$11,440	\$45,550	\$56,990
1995	Assessment Roll	Residential	Full	\$10,150	\$40,400	\$50,550
1993	Assessment Roll	Residential	Full	\$8,610	\$34,260	\$42,870
1990	Assessment Roll	Residential	Full	\$8,610	\$32,490	\$41,100

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

**DATE OF NOTICE: February 6, 2020**

**DATE OF INSPECTION: January 17, 2020**

**CASE NUMBER:** COD2019-07707  
**PROPERTY ADDRESS:** 1108 GUTHRIE AVE  
**LEGAL DESCRIPTION:** LOT 13 GUTHRIES 2ND ADD

AMBER HALTOM  
 Title Holder  
 1108 GUTHRIE AVE  
 DES MOINES IA 50316-1932

STERNS LENDING, LLC  
 Mortgage Holder  
 STEVE SMITH, PRESIDENT  
 4 HUTTON CENTRE DR STE 400  
 SANTA ANA CA 92707

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: 2/6/2020

MAILED BY: JDH

**Areas that need attention:** 1108 GUTHRIE AVE

<b>Component:</b>	Electrical System	<b>Defect:</b>	Disconnected Utility
<b>Requirement:</b>	Electrical Permit		Water/Gas/Electric
		<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Repair fire damage with permit.		

<b>Component:</b>	Mechanical System	<b>Defect:</b>	Disconnected Utility
<b>Requirement:</b>	Mechanical Permit		Water/Gas/Electric
		<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Repair any fire damage with permit		

<b>Component:</b>	Exterior Doors/Jams	<b>Defect:</b>	Cracked/Broken
<b>Requirement:</b>	Building Permit		
		<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Repair/replace any rotted or broken doors. Any repairs to the structure may require a building permit.		

<b>Component:</b>	Exterior Walls	<b>Defect:</b>	Flame/Smoke Spread
<b>Requirement:</b>	Compliance, International Property Maintenance Code		
		<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Repair/replace any rotted or broken doors. Any repairs to the structure may require a building permit.		

<b>Component:</b>	Accessory Buildings	<b>Defect:</b>	See Comments
<b>Requirement:</b>	Compliance, International Property Maintenance Code		
		<b>Location:</b>	Garage
<b>Comments:</b>	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.		

<b>Component:</b>	Interior Walls /Ceiling	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Compliance, International Property Maintenance Code		
		<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Repair/replace any rotted, missing or damaged areas. Chipped/peeling paint. Scrape and paint to match. Clean all smoke damage from all walls. Any structural repairs may require a permit.		

<b>Component:</b>	Soffit/Facia/Trim	<b>Defect:</b>	Flame/Smoke Spread
<b>Requirement:</b>	Compliance, International Property Maintenance Code		
		<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Repair/replace any rotted, missing or damaged areas. Chipped/peeling paint. Scrape and paint to match. Any structural repairs may require a permit.		

<b>Component:</b>	Trusses	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Building Permit		
		<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Repair/replace any damaged trusses.		

<b><u>Component:</u></b>	Windows/Window Frames	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>	Compliance, International Property Maintenance Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Repair/replace any rotted or damaged frames and paint to match. Any repairs to the structure may require a building permit.		
<b><u>Component:</u></b>	Ductwork	<b><u>Defect:</u></b>	Flame/Smoke Spread
<b><u>Requirement:</u></b>	Compliance, International Property Maintenance Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Clean and verify the duct work system.		
<b><u>Component:</u></b>	Accessory Buildings	<b><u>Defect:</u></b>	In poor repair
<b><u>Requirement:</u></b>	Compliance, International Property Maintenance Code	<b><u>Location:</u></b>	Shed
<b><u>Comments:</u></b>	Shed is in poor repair repair or replace		
<b><u>Component:</u></b>	Roof	<b><u>Defect:</u></b>	Collapsed
<b><u>Requirement:</u></b>	Compliance, International Property Maintenance Code	<b><u>Location:</u></b>	Shed
<b><u>Comments:</u></b>	Repair or replace		
<b><u>Component:</u></b>	Exterior Walls	<b><u>Defect:</u></b>	In poor repair
<b><u>Requirement:</u></b>	Compliance, International Property Maintenance Code	<b><u>Location:</u></b>	Shed
<b><u>Comments:</u></b>	Repair or replace		
<b><u>Component:</u></b>	See Comments	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>	Compliance, International Property Maintenance Code	<b><u>Location:</u></b>	Main Structure Throughout
<b><u>Comments:</u></b>	Other violations may exist inside the structure due to inspection being limited to exterior only at this time.		

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1108 Guthrie Ave



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