



Date January 25, 2021

ABATEMENT OF PUBLIC NUISANCE AT 1818 48th STREET

WHEREAS, the property located at 1818 48th Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main commercial structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, We Can Build It, LC and Mortgage Holder, Community State Bank, were notified more than thirty days ago to repair or demolish the main commercial 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 Parcel 2016-115, as shown by the Plat of Survey recorded on May 31, 2016, in Book 16022, at Page 167; also described as follows: Lot 5 and part of Lot 3, FRANKLIN PLAZA, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa and more particularly described as follows: Beginning at the Southwest corner of said Lot 5, Franklin Plaza; thence North 00°10'12" West along the West Line of said Lot 5, a distance of 214.78 feet to the northwest corner of said Lot 5; thence South 89°57'53" East along the North line of said Lots 3 and 5, Franklin Plaza, 633.30 feet to the Northeast corner of said Lot 3; thence South 00°27'37" East along the East Line of said Lot 3, a distance of 285.94 feet; thence South 89°59'49" West, 305.04 feet to the West line of said Lot 3; thence North 00°36'37" West along said West line, 72.25 feet to the Southeast corner of said Lot 5; thence South 89°52'49" West along the South Line of said Lot 5, a distance of 329.15 feet to the Point of Beginning, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1818 48th 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:

/s/ Megan Norberg
Megan Norberg, Assistant City Attorney

★ Roll Call Number

Agenda Item Number

46B

Date January 25, 2021

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

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	1818 48TH ST				
City	DES MOINES	Zip	50310	Jurisdiction	Des Moines
District/Parcel	100/05038-005-006	Geoparcels	7924-31-251-038	Status	Active
School	Des Moines	Nbhd/Pocket	DM53/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northwest Des Moines	Appraiser	Austin Viggers 515-286-3958		

Map and Current Photos - 3 Records

Click on parcel to get a new listing

4925				2009	2010	2011	2011
				2005	2008	2007	2004
				2001		2001	2000
				1921	2000	1921	1921
				1919	1916	1917	191-
		4801		1909			1911
				47197	11470	4617461	1901
				1929	14702	1821828	
				1825	1822	18251821	
				1821	1820	181824	
				1817	1818	18171822	
				1815	1808	1813180	
				1805	1804	1805180	
				1801	1800	1801180	
				1733	1732	1731173	
				1729	1728		172
				1725	1724	17251724	
				1723	1720	17211718	
				1721	1716	17171716	
				1712			171
				1708	1709	1711	171
				1704	1707	1704	1707
				1700	1701	1700	1703
				1638	1633	1632	1635

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

Photo Processed on 2016-05-09 a

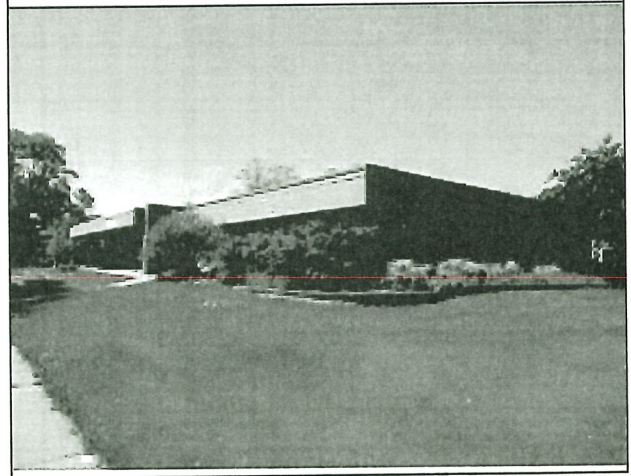
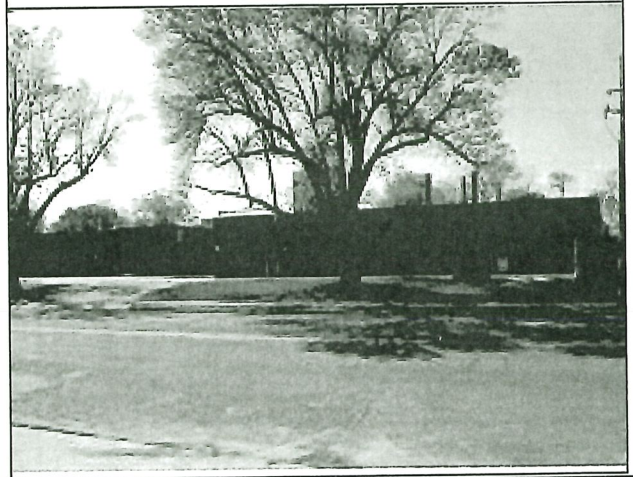


Photo Processed on 2016-05-09 b



Photo Processed on 2016-05-09 c



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	WE CAN BUILD IT LC	2019-11-13	17586/341

Legal Description and Mailing Address

-EX BEG SE COR LT 4 THN N 344.06F W 166.56F S 20.37F E 33.78F S 70.3F W 170.79F S 252.46F E 304.15F TO POB- PARCEL 2016-115 BK 16022 PG 167 BEG SW COR LT 5 THN ALNG W LN LT 5 N 214.78F TO NW COR LT 5 E 633.30F TO NE COR LT 3 THN S 285.94F W 305.04F TO E LN LT 3 THN N72.25F TO SE COR LT 5 THN W 329.15F TO POB LOTS 3 & 5 FRANKLIN PLAZA	WE CAN BUILD IT LC 3400 LINCOLN PLACE DR DES MOINES, IA 50312
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Current Values

Type	Class	Kind	Land	Bldg	Total
2020 Value	Commercial	Full	\$280,000	\$19,000	\$299,000

Unadjusted Cost Report

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
C-0	Commercial Residential District		Commercial

City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)

Land

Square Feet	157,731	Acres	3.621	Topography	Blank
Shape	Irregular	Vacancy	Blank	Unbuildable	Blank

Commercial Summary

Occupancy	Hospital	Age, Weighted	1980	Total Story Height	1
Land Area	157,731	Gross Area	55,366	Finished Area	55,366
Unfinished Bsmt Area	0	Finished Bsmt Area	0	Number of Units	0
Primary Group	Hospital	Percent Primary Group	100.00	Percent Secondary Group	0.00
Grade, Weighted	3/Grade 3	Bldg Class, Weighted	2/Brick or Masonry	Condition, Weighted	BN/Below Normal
Ground Floor Area	55,366	Perimeter	2,276		

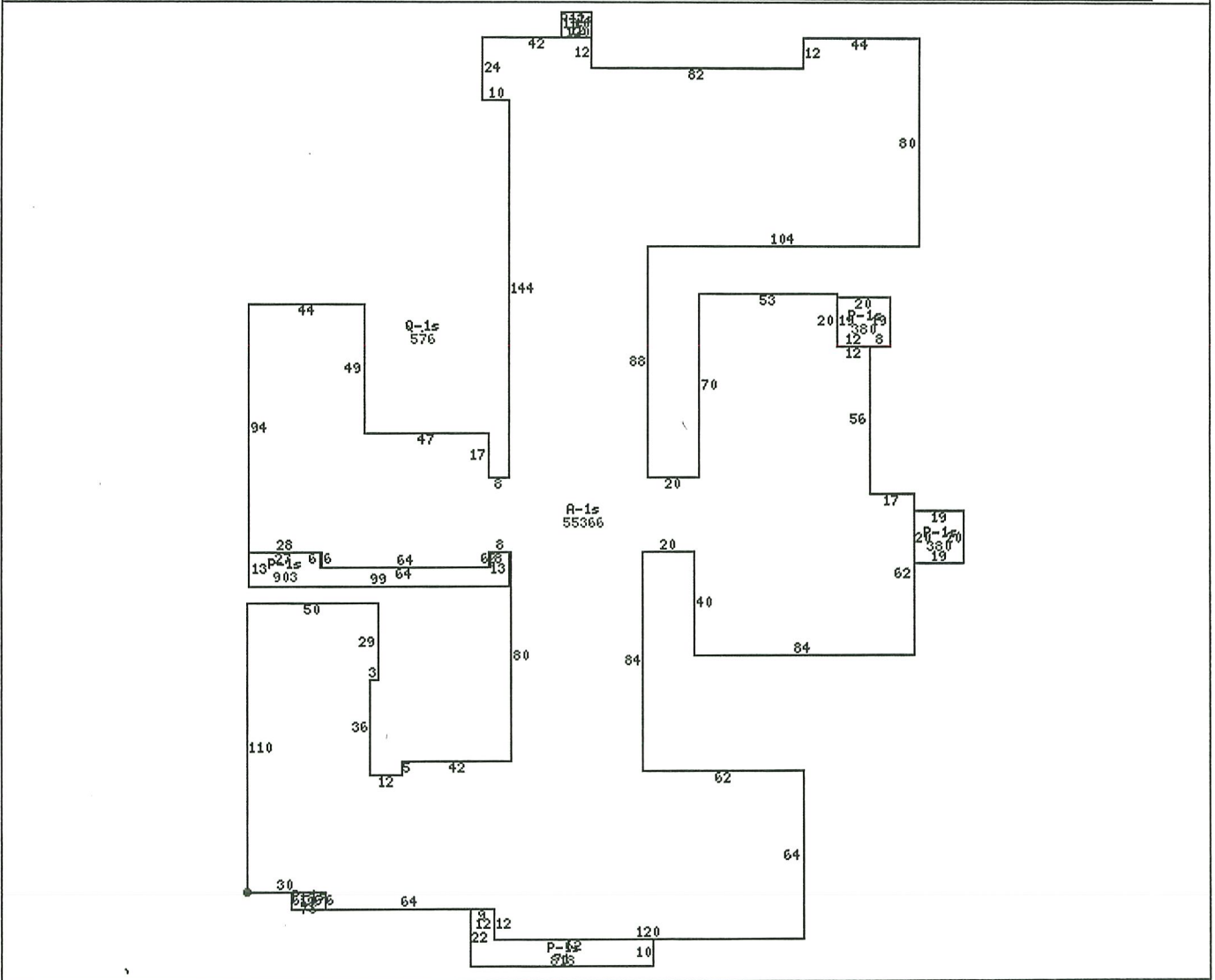
Commercial Sections - 1 Record

Commercial Section #101

Occupant	MERCY FRANKLIN CENTER				
Section Multiplier	1	Occupancy	Hospital	Foundation	Concrete
Exterior Wall	Brick on Masonry	Roof	Flat	Roof Material	Built-up
Covered Area	2,679	Covered Quality	Normal	Landings Square Foot	576
Landing Quality	Below Normal	Wiring	Adequate	Plumbing	Adequate
Total Story Height	1	Frame Type	Steel	Fireproof Construction	No
Bldg Class	Brick or Masonry	Total Section Area	55,366	Ground Floor Area	55,366

Perimeter	2,276	Grade	3+00	Year Built	1962
Year Remodel	1996	Condition	Below Normal		
Comment	p=canopies q= concr. patio.				

Commercial Groups - 1 Record					
Commercial Group #101 1					
Use Code	Hospital	Base Story	1	Number Stories	1
Total Group Area	55,366	Base Floor Area	55,366	Heating	Central
Air Conditioning	Yes	Sprinkler	Wet	Cooler SF	768
Cooler Equipment CF	768	Exhaust System	No		



Detached Structures - 3 Records					
Detached Structure #101					
Occupancy	Asphalt Paving	Measurement Code	Square Feet	Measure 1	57,000
Grade	4	Year Built	1988	Condition	Below Normal
Detached Structure #201					

Occupancy	Fence	Construction Type	Steel	Measurement Code	Lineal Feet
Lineal Feet	69	Height	6	Grade	4
Year Built	1989	Condition	Normal		
Detached Structure #601					
Occupancy	Shed	Measurement Code	Dimensions	Measure 1	9
Measure 2	10	Grade	4	Year Built	1981
Condition	Normal				

Sales - 2 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
HUBBELL PROPERTIES I LC (SERIES D)	WE CAN BUILD IT LC	<u>2019-10-22</u>	\$525,000	Deed	<u>17586/341</u>
CATHOLIC HEALTH INITIATIVES, IOWA CORP	HUBBELL PROPERTIES I LC (SERIES D)	<u>2016-05-26</u>	\$280,000	Deed	<u>16022/169</u>

Appeals - 1 Record

Year	Type	Case #	Status	Appellant
2016	PAAB	<u>00-12-3C</u>	Stipulated	HUBBELL REALTY COMPANY

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
HUBBELL PROPERTIES I LC (SERIES D)	WE CAN BUILD IT LC	2019-10-22	2019-11-13	Warranty Deed	<u>17586/341</u>

Permits - 1 Record

Year	Type	Permit Status	Application	Reason	Reason1
2017	Pickup	Complete	2017-02-01	Review Value	TREND

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Commercial	Full	\$280,000	\$19,000	\$299,000
2017	<u>Assessment Roll</u>	Commercial	Full	\$280,000	\$100	\$280,100
2016	PAAB Order	Commercial	Full	\$279,900	\$100	\$280,000

ate 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**

46B

DATE OF NOTICE: November 5, 2020

DATE OF INSPECTION: August 03, 2020

CASE NUMBER: COD2020-03559

PROPERTY ADDRESS: 1818 48TH ST

LEGAL DESCRIPTION: -EX BEG SE COR LT 4 THN N 344.06F W 166.56F S 20.37F E 33.78F S 70.3F W 170.79F S
252.46F E 304.15F TO POB- PARCEL 2016-115 BK 16022 PG 167 BEG SW COR LT 5 THN ALNG
W LN LT 5 N 214.78F TO NW COR LT 5 E 633.30F TO NE COR LT 3 THN S 285.94F W 305.04F

WE CAN BUILD IT LC
Title Holder - AARON M HUBBARD, REG AGENT
2900 100TH ST STE 209
URBANDALE IA 50322

COMMUNITY STATE BANK
Mortgage Holder - KURT GIBSON, REG AGENT
6175 MERLE HAY RD
JOHNSTON IA 50131

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: 11/5/2020

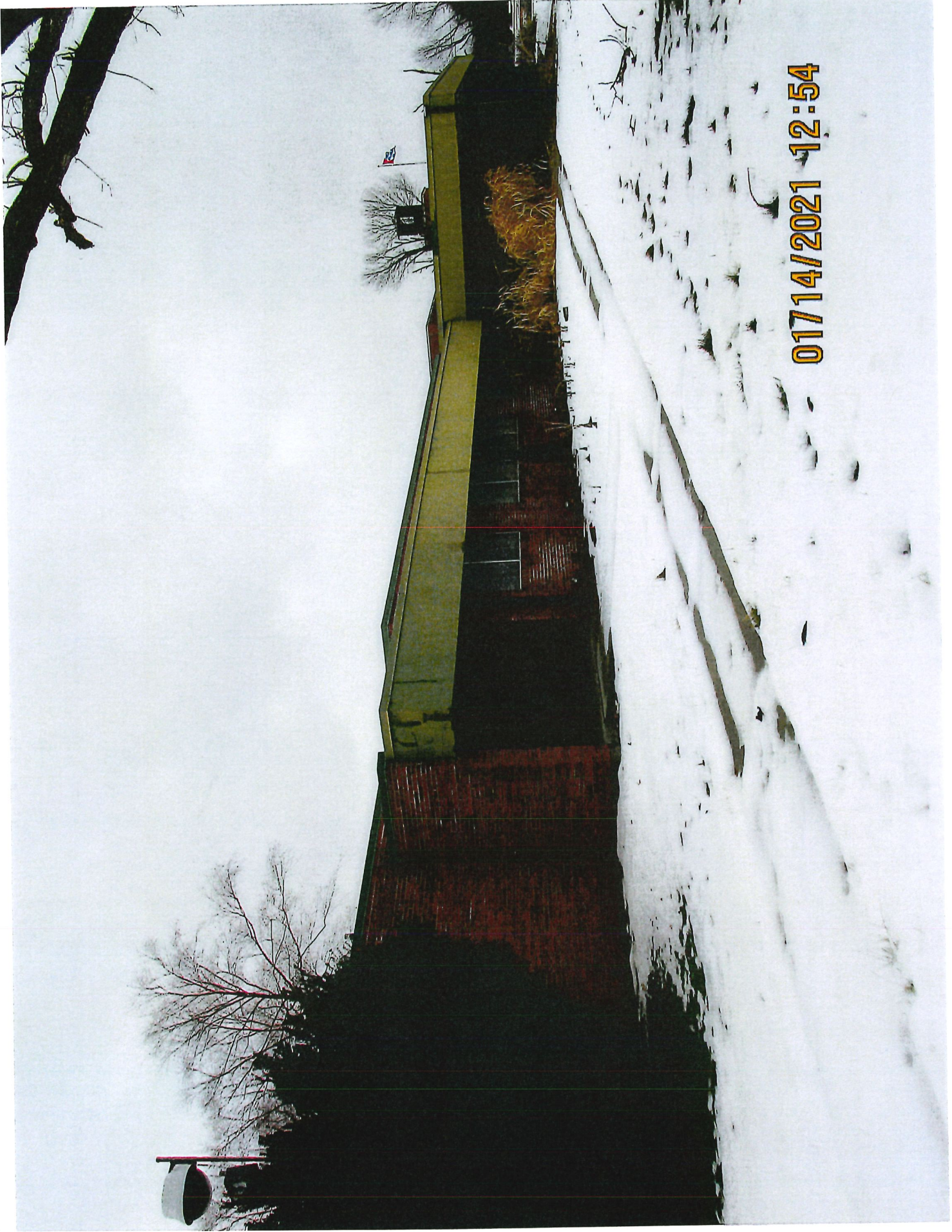
MAILED BY: KMD

Areas that need attention: 1818 48TH ST

Component: Electrical System Requirement: Electrical Permit Comments: Have licensed contractor repair or replace electrical system. Bring any and all components up to code.	Defect: In poor repair Location: Main Structure Throughout
Component: Plumbing System Requirement: Plumbing Permit Comments: Have licensed contractor repair or replace plumbing system. Bring any and all components up to code.	Defect: In poor repair Location: Main Structure Throughout
Component: Roof Requirement: Building Permit Comments: Replace all damaged roofing components by licensed contractor.	Defect: Holes or major defect Location: Main Structure Throughout
Component: See Comments Requirement: Compliance with International Building Code Comments: Have licensed contractor properly remediate all mold. Provide copy of invoice.	Defect: See Comments Location: Main Structure Throughout
Component: Windows/Window Frames Requirement: Compliance with International Building Code Comments: Repair or replace all damaged or missing windows as needed. Permit required if changing opening size.	Defect: Cracked/Broken Location: Main Structure Throughout
Component: Exterior Doors/Jams Requirement: Compliance with International Building Code Comments: Repair or replace all damaged or missing doors and or jams as needed. Permit required if changing opening size.	Defect: Cracked/Broken Location: Main Structure Throughout
Component: Mechanical System Requirement: Mechanical Permit Comments: Have licensed contractor repair or replace mechanical system. Bring any and all components up to code.	Defect: In poor repair Location: Main Structure Throughout
Component: Interior Walls /Ceiling Requirement: Compliance with International Building Code Comments: Repair or replace all damaged and missing.	Defect: Deteriorated Location: Main Structure Throughout

46B

1818 48th St



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46B



01/14/2021 12:56