



Date April 5, 2021

**ABATEMENT OF PUBLIC NUISANCE AT 1438 DEAN AVENUE**

WHEREAS, the property located at 1438 Dean 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, Deena H DeLeon, 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 Lot 17 in GOVERNOR'S SQUARE ADDITION to the City of Des Moines, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1438 Dean 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:

/s/ Megan Norberg  
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

# 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](mailto:polkweb@assess.co.polk.ia.us)

Location					
Address	1438 DEAN AVE				
City	DES MOINES	Zip	50316	Jurisdiction	Des Moines
District/Parcel	040/02474-000-000	Geoparcels	7824-02-301-014	Status	Active
School	Des Moines	Nbhd/Pocket	DM15/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Andrew Rand 515-286-3368		

## Map and Current Photos - 1 Record

<p><b>Click on parcel to get a new listing</b></p> <p><a href="#">Bigger Map</a> <a href="#">Polk County GIS</a> <a href="#">Google Map</a> <a href="#">Pictometry</a></p>	<p><b>Photo Processed on 2013-04-26 a</b></p>
--	---

## Historical Photos

## Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	DE LEON, DEENA H	1985-06-26	5469/299

## Legal Description and Mailing Address

LOT 17 GOVERNORS SQUARE	DEENA H DE LEON 340 E THORNTON AVE DES MOINES, IA 50315-2856
-------------------------	--

## Current Values

Type	Class	Kind	Land	Bldg	Total
2020 Value	Residential	Full	\$8,300	\$63,100	\$71,400

## Market Adjusted Cost Report

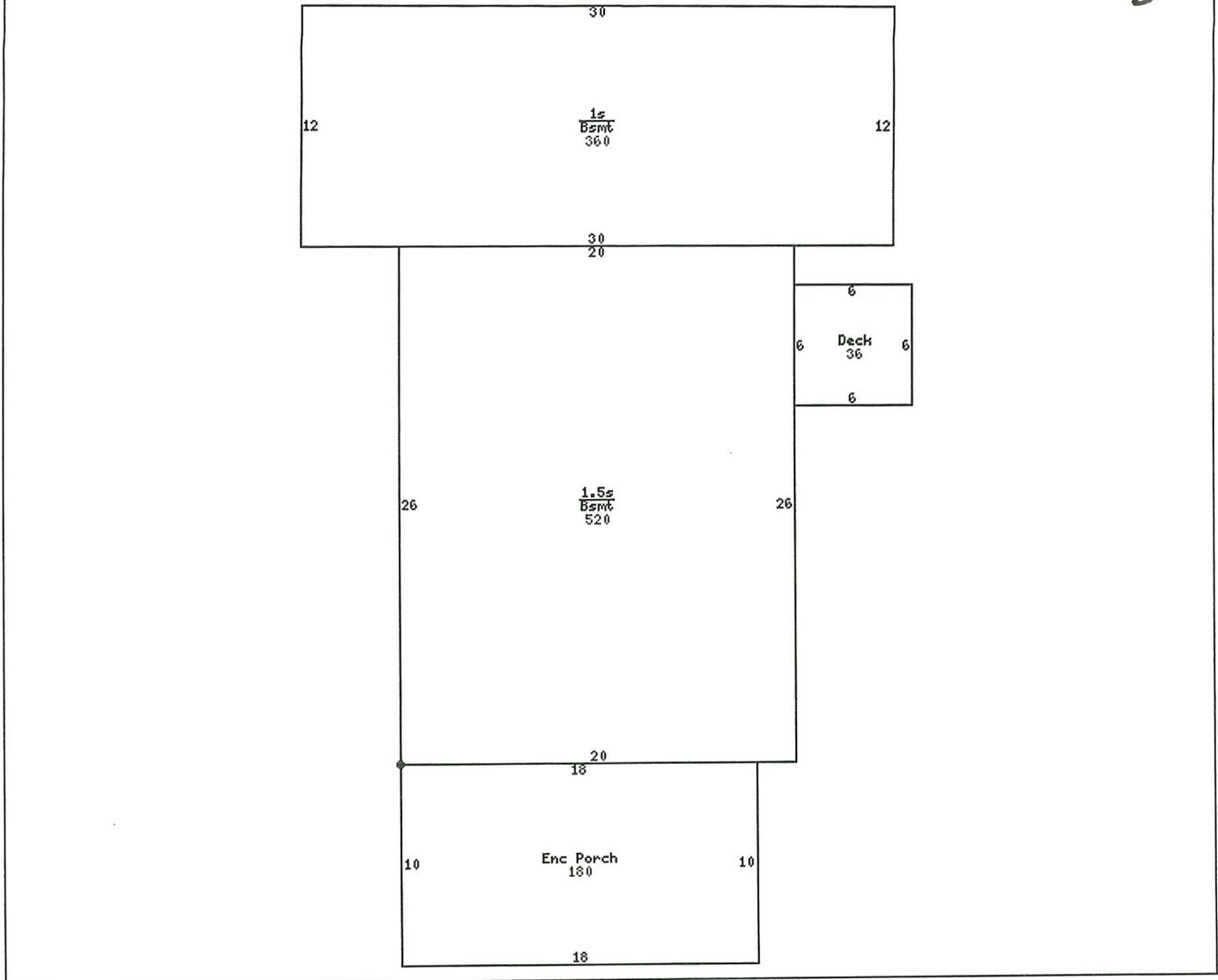
## Auditor Adjustments to Value

Category	Name	Information
<u>2020 Homestead Credit</u>	DE LEON, DEENA H	Application #81826

## Zoning - 1 Record

Zoning	Description		SF	Assessor Zoning	
N3C-4	N3c-4 Neighborhood District			Residential	
<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>	7,000	<b>Acres</b>	0.161	<b>Frontage</b>	70.0
<b>Depth</b>	100.0	<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>	1.5 Stories	<b>Building Style</b>	Early 20s
<b>Year Built</b>	1905	<b>Number Families</b>	1	<b>Grade</b>	4+00
<b>Condition</b>	Normal	<b>Total Square Foot Living Area</b>	1228	<b>Main Living Area</b>	880
<b>Upper Living Area</b>	348	<b>Basement Area</b>	880	<b>Enclosed Porch Area</b>	180
<b>Deck Area</b>	36	<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 Rooms</b>	0	<b>Number Bathrooms</b>	1	<b>Number Toilet Rooms</b>	1
<b>Rooms</b>	6				

23B



**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$8,300	\$63,100	\$71,400
2017	<u>Assessment Roll</u>	Residential	Full	\$6,900	\$53,100	\$60,000
2015	<u>Assessment Roll</u>	Residential	Full	\$6,300	\$49,300	\$55,600
2013	<u>Assessment Roll</u>	Residential	Full	\$6,200	\$46,800	\$53,000
2011	<u>Assessment Roll</u>	Residential	Full	\$7,000	\$55,100	\$62,100
2009	<u>Assessment Roll</u>	Residential	Full	\$7,400	\$55,400	\$62,800
2007	<u>Assessment Roll</u>	Residential	Full	\$7,500	\$56,000	\$63,500
2005	<u>Assessment Roll</u>	Residential	Full	\$8,100	\$47,700	\$55,800
2003	<u>Assessment Roll</u>	Residential	Full	\$7,060	\$40,650	\$47,710
2001	<u>Assessment Roll</u>	Residential	Full	\$7,240	\$31,970	\$39,210
1999	Assessment Roll	Residential	Full	\$9,370	\$26,290	\$35,660
1997	Assessment Roll	Residential	Full	\$8,080	\$22,660	\$30,740
1995	Assessment Roll	Residential	Full	\$7,340	\$20,580	\$27,920
1993	Assessment Roll	Residential	Full	\$6,470	\$18,140	\$24,610
1989	Assessment Roll	Residential	Full	\$6,470	\$15,230	\$21,700

This template was last modified on Sun Jan 31 22:36:22 2021.



23B

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

**DATE OF NOTICE:** January 4, 2021

**DATE OF INSPECTION:** September 16, 2020

**CASE NUMBER:** COD2020-04859

**PROPERTY ADDRESS:** 1438 DEAN AVE

**LEGAL DESCRIPTION:** LOT 17 GOVERNORS SQUARE

DEENA H DE LEON  
Title Holder  
340 E THORNTON AVE  
DES MOINES IA 50315-2856

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: 1/4/2021

MAILED BY: JDH

**Areas that need attention:** 1438 DEAN 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>	Hire licensed electrical contractor to verify safety of electrical system and correct any violations that may exist. Electrical permit required.		
<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>	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.		
<b>Component:</b>	Plumbing System	<b>Defect:</b>	Disconnected Utility
<b>Requirement:</b>	Plumbing Permit		Water/Gas/Electric
		<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	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.		
<b>Component:</b>	Exterior Walls	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Compliance, International Property Maintenance Code	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Repair/replace any broken, missing, damaged or rotted siding. Any repairs to the structure will require a building permit.		
<b>Component:</b>	Exterior Doors/Jams	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Compliance, International Property Maintenance Code	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Repair/replace any rotted, damaged or broken doors. Any repairs to the structure will require a building permit.		
<b>Component:</b>	Interior Walls /Ceiling	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Compliance, International Property Maintenance Code	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Repair/replace any broken, missing, damaged or rotted drywall/paleling/wall covering. Any repairs to the structure will require a building permit.		
<b>Component:</b>	Flooring	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Compliance, International Property Maintenance Code	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Replace any damaged flooring material. Any structural repairs will require a permit.		
<b>Component:</b>	See Comments	<b>Defect:</b>	See Comments
<b>Requirement:</b>	Compliance, International Property Maintenance Code	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Other violations may exist inside the structure due to inspection being limited to first floor and basement only at this time.		

**Component:** Windows/Window Frames  
**Requirement:** Compliance, International Property  
Maintenance Code  
**Comments:** Repair any broken windows

**Defect:** In poor repair

**Location:** Main Structure Throughout

top

1438 Dean Ave

23B

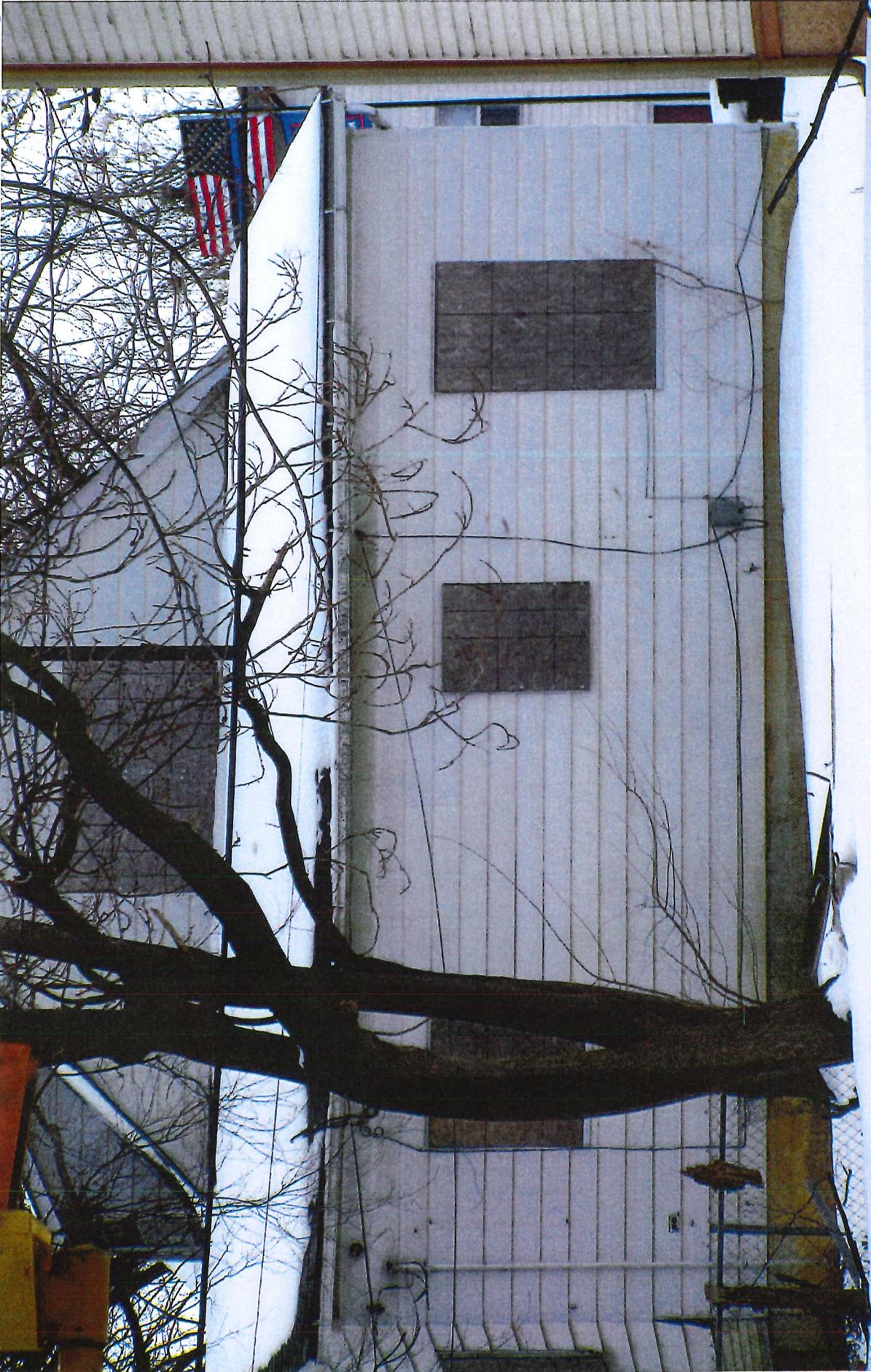


02/22/2021 13:33

238

1438 Dean Ave

top



02/22/2021 13:35