



**Date** May 10, 2021

**ABATEMENT OF PUBLIC NUISANCE AT 532 36<sup>th</sup> STREET**

WHEREAS, the property located at 532 36<sup>th</sup> 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 Titleholder, R. Rae Smith, and the Mortgage Holders, Pauline Spitznagel and Walter Spitznagel, 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 South 53 feet of the North 103 feet of the South 156 feet of the North 284 feet of Lot 28 of the Official Plat of the Southeast quarter of the Southwest quarter of Section 6, Township 78 North, Range 24, West of the 5<sup>th</sup> P.M., Iowa, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 532 36<sup>th</sup> 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

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

**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.

MOTION CARRIED APPROVED  
\_\_\_\_\_  
Mayor

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



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

43F

**DATE OF NOTICE:** January 20, 2021

**DATE OF INSPECTION:** August 25, 2020

**CASE NUMBER:** COD2020-03753

**PROPERTY ADDRESS:** 532 36TH ST

**LEGAL DESCRIPTION:** S 53F N 231F LT 28 OP SE 1/4 SW 1/4 SEC 6-78-24

R RAE SMITH  
Title Holder - ATTN: MAUREEN SMITH  
5309 TONYAWATHA TRL  
MONONA WI 53716-2920

PAULINE SPITZNAGEL  
Mortgage Holder  
2016 SOUTHLAWN DR  
DES MOINES IA 50315

WALTER SPITZNAGEL  
Mortgage Holder  
2016 SOUTHLAWN DR  
DES MOINES IA 50315

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: 1/20/2021

MAILED BY: BJR

43F

**Areas that need attention:** 532 36TH ST

|  |  |
|--|--|
| <b>Component:</b> Electrical System                                | <b>Defect:</b> In poor repair              |
| <b>Requirement:</b> Electrical Permit                              | <b>Location:</b> Main Structure Throughout |
| <b>Comments:</b> Have licensed contractor bring system up to code. |  |

|  |  |
|--|--|
| <b>Component:</b> Mechanical System                                | <b>Defect:</b> In poor repair              |
| <b>Requirement:</b> Mechanical Permit                              | <b>Location:</b> Main Structure Throughout |
| <b>Comments:</b> Have licensed contractor bring system up to code. |  |

|  |  |
|--|--|
| <b>Component:</b> Plumbing System                                  | <b>Defect:</b> In poor repair              |
| <b>Requirement:</b> Plumbing Permit                                | <b>Location:</b> Main Structure Throughout |
| <b>Comments:</b> Have licensed contractor bring system up to code. |  |

|   |                                      |
|---|--------------------------------------|
| <b>Component:</b> Roof  | <b>Defect:</b> Holes or major defect |
| <b>Requirement:</b> Building Permit   | <b>Location:</b> Roof                |
| <b>Comments:</b> Replace all damaged roofing components by licensed contractor. |                                      |

|  |  |
|--|--|
| <b>Component:</b> See Comments   | <b>Defect:</b> See Comments                |
| <b>Requirement:</b> Compliance with Int Residential Code                             | <b>Location:</b> Main Structure Throughout |
| <b>Comments:</b> Unable to gain access into the structure. Possibly more violations. |  |

|  |  |
|--|--|
| <b>Component:</b> Trusses  | <b>Defect:</b> Deteriorated                |
| <b>Requirement:</b> Building Permit  | <b>Location:</b> Main Structure Throughout |
| <b>Comments:</b> Have licensed contractor check and replace all damage and deteriorated trusses. |  |

|  |  |
|--|--|
| <b>Component:</b> Soffit/Facia/Trim                      | <b>Defect:</b> Deteriorated                |
| <b>Requirement:</b> Compliance with Int Residential Code | <b>Location:</b> Main Structure Throughout |
| <b>Comments:</b> Replace all damaged                     |  |

|  |  |
|--|--|
| <b>Component:</b> Windows/Window Frames                  | <b>Defect:</b> Cracked/Broken              |
| <b>Requirement:</b> Compliance with Int Residential Code | <b>Location:</b> Main Structure Throughout |
| <b>Comments:</b> Replace all damaged.                    |  |

**Component:** Stairs/Stoop  
**Requirement:** Building Permit  
**Defect:** Deteriorated  
**Location:** Porch  
**Comments:** Have licensed contractor repair or replace damage decking, railing, joist, beams, hand rail, and stairs.

**Component:** Foundation  
**Requirement:** Compliance with Int Residential Code  
**Defect:** Leaks  
**Location:** Main Structure Throughout  
**Comments:** Missing motar, needs tuck pointing throughout.

**Component:** Exterior Walls  
**Requirement:** Complaine with Int Residential Code  
**Defect:** In poor repair  
**Location:** Main Structure Throughout  
**Comments:** Missing motar, needs tuck pointing throughout.

# 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

43F

| Location               |   |                    |                      |                            |                               |
|------------------------|---|--------------------|----------------------|----------------------------|-------------------------------|
| <b>Address</b>         | 532 36TH ST                                 |                    |                      |                            |                               |
| <b>City</b>            | DES MOINES                                  | <b>Zip</b>         | 50312                | <b>Jurisdiction</b>        | Des Moines                    |
| <b>District/Parcel</b> | 090/07917-000-000                           | <b>Geoparcels</b>  | 7824-06-380-026      | <b>Status</b>              | Active                        |
| <b>School</b>          | Des Moines                                  | <b>Nbhd/Pocket</b> | DM54/Z               | <b>Tax Authority Group</b> | DEM-C-DEM-77843               |
| <b>TIF</b>             | 84/Des Moines Ingersoll-Grand Commercial UR | <b>Submarket</b>   | Northwest Des Moines | <b>Appraiser</b>           | Brett Tierney<br>515-286-3019 |

### Map and Current Photos - 1 Record

**Click on parcel to get a new listing**

36TH ST

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

**Photo Processed on 2017-07-17 a**

### Historical Photos

### Ownership - 1 Record

| Ownership    | Num | Name         | Recorded   | Book/Page |
|--------------|-----|--------------|------------|-----------|
| Title Holder | 1   | SMITH, R RAE | 1983-07-01 | 5265/336  |

### Legal Description and Mailing Address

|   |   |
|---|---|
| S 53F N 231F LT 28 OP SE 1/4 SW 1/4 SEC 6-78-24 | MAUREEN SMITH<br>5309 TONYAWATHA TRL<br>MONONA, WI 53716-2920 |
|---|---|

### Current Values

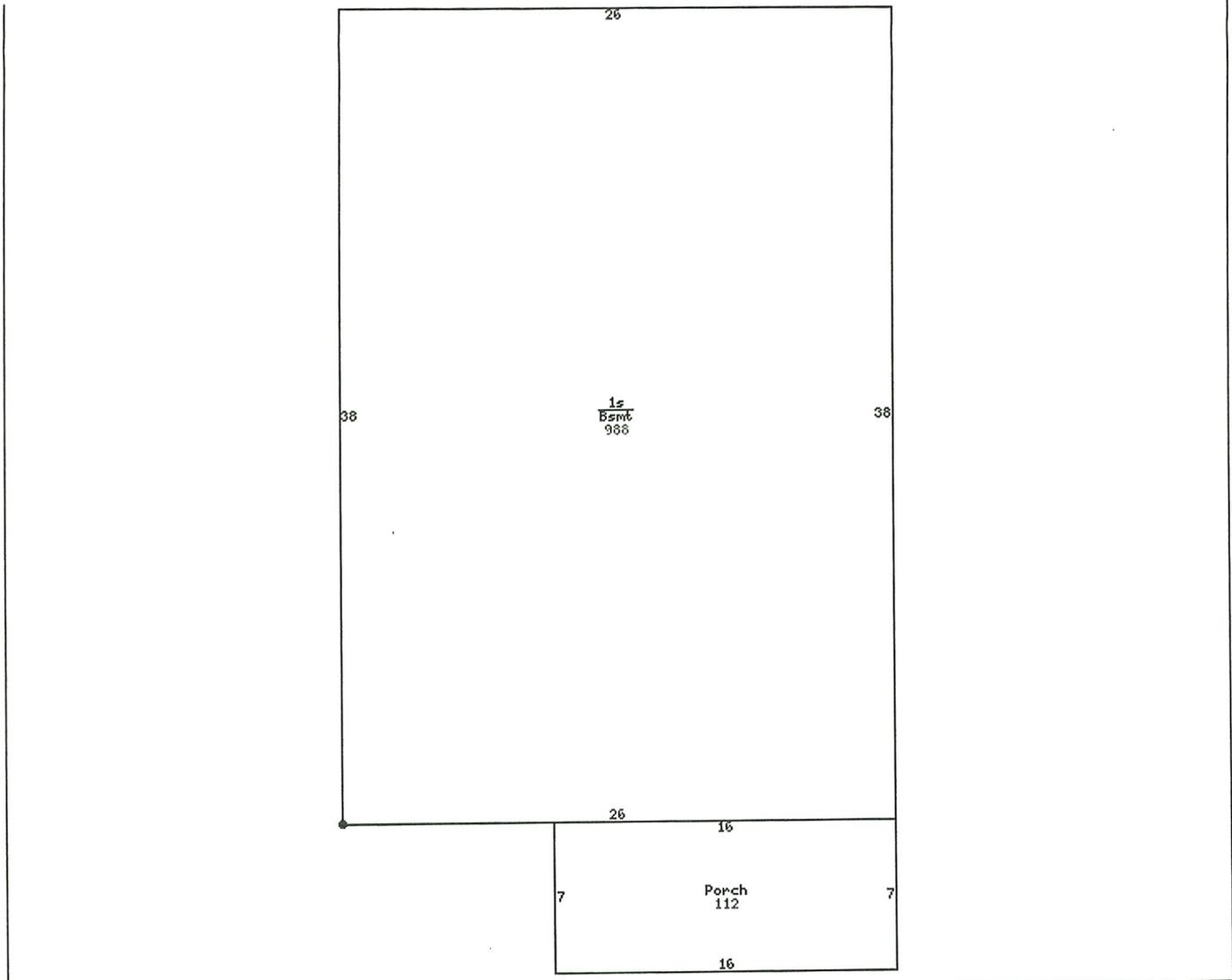
| Type                 | Class       | Kind | Land     | Bldg     | Total     |
|----------------------|-------------|------|----------|----------|-----------|
| 2021 Assessment Roll | Residential | Full | \$27,800 | \$96,700 | \$124,500 |
| 2020 Value           | Residential | Full | \$25,400 | \$87,900 | \$113,300 |

[Assessment Roll Notice](#) [Market Adjusted Cost Report](#)

### Zoning - 1 Record

| Zoning | Description | SF | Assessor Zoning |
|--------|-------------|----|-----------------|
|        |             |    |                 |

|   |                        |                                      |                          |                          |           |
|---|------------------------|--------------------------------------|--------------------------|--------------------------|-----------|
| <b>Zoning</b>   | <b>Description</b>     |                                      | <b>SF</b>                | <b>Assessor Zoning</b>   |           |
| MX2   | MX2 Mixed Use District |                                      |                          |                          |           |
| <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>  | 5,353                  | <b>Acres</b>                         | 0.123                    | <b>Frontage</b>          | 53.0      |
| <b>Depth</b>  | 101.0                  | <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 Unfinished Attic | <b>Building Style</b>    | Bungalow  |
| <b>Year Built</b>   | 1922                   | <b>Number Families</b>               | 1                        | <b>Grade</b>             | 4-05      |
| <b>Condition</b>  | Below Normal           | <b>Total Square Foot Living Area</b> | 988                      | <b>Main Living Area</b>  | 988       |
| <b>Attic Floor and Stairs Area</b>  | 346                    | <b>Basement Area</b>                 | 988                      | <b>Open Porch Area</b>   | 112       |
| <b>Foundation</b>   | Brick                  | <b>Exterior Wall Type</b>            | Brick                    | <b>Brick%</b>            | 100       |
| <b>Roof Type</b>  | Gable                  | <b>Roof Material</b>                 | Asphalt Shingle          | <b>Number Fireplaces</b> | 1         |
| <b>Heating</b>  | Gas Forced Air         | <b>Air Conditioning</b>              | 0                        | <b>Number Bathrooms</b>  | 1         |
| <b>Bedrooms</b>   | 2                      | <b>Rooms</b>                         | 5                        |                          |           |



**Detached Structures - 1 Record**

**Detached Structure #101**

| Occupancy | Garage | Construction Type | Frame | Measurement Code | Dimensions   |
|-----------|--------|-------------------|-------|------------------|--------------|
| Measure 1 | 14     | Measure 2         | 17    | Story Height     | 1            |
| Grade     | 4      | Year Built        | 1922  | Condition        | Below Normal |

**Permits - 1 Record**

| Year | Type   | Permit Status | Application | Reason      | Reason1 |
|------|--------|---------------|-------------|-------------|---------|
| 2008 | Permit | Complete      | 2007-10-01  | Alterations | PORCH   |

**Historical Values**

| Yr   | Type                   | Class       | Kind | Land     | Bldg     | Total     |
|------|------------------------|-------------|------|----------|----------|-----------|
| 2019 | <u>Assessment Roll</u> | Residential | Full | \$25,400 | \$87,900 | \$113,300 |
| 2017 | <u>Assessment Roll</u> | Residential | Full | \$21,900 | \$76,400 | \$98,300  |
| 2015 | <u>Assessment Roll</u> | Residential | Full | \$19,300 | \$67,800 | \$87,100  |
| 2013 | <u>Assessment Roll</u> | Residential | Full | \$18,500 | \$65,300 | \$83,800  |
| 2011 | <u>Assessment Roll</u> | Residential | Full | \$18,500 | \$65,000 | \$83,500  |
| 2009 | <u>Assessment Roll</u> | Residential | Full | \$20,200 | \$71,500 | \$91,700  |
| 2008 | <u>Assessment Roll</u> | Residential | Full | \$20,400 | \$68,900 | \$89,300  |

| Yr   | Type                   | Class       | Kind | Land     | Bldg     | Total    |
|------|------------------------|-------------|------|----------|----------|----------|
| 2007 | <u>Assessment Roll</u> | Residential | Full | \$20,400 | \$68,800 | \$89,200 |
| 2005 | <u>Assessment Roll</u> | Residential | Full | \$13,300 | \$58,500 | \$71,800 |
| 2003 | <u>Assessment Roll</u> | Residential | Full | \$11,560 | \$51,410 | \$62,970 |
| 2001 | <u>Assessment Roll</u> | Residential | Full | \$9,720  | \$41,650 | \$51,370 |
| 1999 | Assessment Roll        | Residential | Full | \$16,510 | \$48,260 | \$64,770 |
| 1997 | Assessment Roll        | Residential | Full | \$14,820 | \$43,320 | \$58,140 |
| 1995 | Assessment Roll        | Residential | Full | \$12,800 | \$37,420 | \$50,220 |
| 1993 | Board Action           | Residential | Full | \$11,100 | \$32,460 | \$43,560 |
| 1993 | Assessment Roll        | Residential | Full | \$11,100 | \$32,460 | \$43,560 |
| 1991 | Assessment Roll        | Residential | Full | \$9,740  | \$28,470 | \$38,210 |
| 1991 | Was Prior Year         | Residential | Full | \$9,740  | \$24,310 | \$34,050 |

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532 36th Street

top



03/26/2021 10:18

top

532 36<sup>th</sup> Street 43E



03/26/2021 10:19