



Roll Call Number

Agenda Item Number

37C

Date May 24, 2021

ABATEMENT OF PUBLIC NUISANCE AT 818 E. 27TH ST.

WHEREAS, the property located at 818 E. 27th St., 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, Ana M. Murueta Espinoza, 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 20 in Block Two (2) in Farwell Place, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 818 E. 27th St., has previously been declared a public nuisance;

The City Legal Department, through special counsel Ahlers & Cooney, P.C., 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:

Kristine Stone, Special Counsel
Ahlers & Cooney, P.C.

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**

DATE OF NOTICE: January 4, 2021

DATE OF INSPECTION:

May 19, 2020

CASE NUMBER: COD2020-02623

PROPERTY ADDRESS: 818 E 27TH ST

LEGAL DESCRIPTION: LOT 20 BLK 2 FARWELL PLACE

ANA M MURUETA ESPINOZA
Title Holder
825 E 27TH ST
DES MOINES IA 50317

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

Nld Inspector

DATE MAILED: 1/4/2021

MAILED BY: JDH

Areas that need attention: 818 E 27TH ST

Component:	Mechanical System	Defect:	Disconnected Utility
Requirement:	Mechanical Permit		Water/Gas/Electric
		Location:	Main Structure Throughout
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.		
Component:	Electrical System	Defect:	In poor repair
Requirement:	Electrical Permit		
		Location:	Main Structure Throughout
Comments:	Hire licensed electrical contractor to verify safety of electrical system and correct any violations that may exist.		
Component:	Plumbing System	Defect:	In poor repair
Requirement:	Plumbing Permit		
		Location:	Main Structure Throughout
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.		
Component:	Interior Walls /Ceiling	Defect:	Missing
Requirement:	Building Permit		
		Location:	Main Structure Throughout
Comments:	Repair/replace any rotted, damaged or broken boards. Any repairs to the structure will require a building permit.		
Component:	Interior Walls /Ceiling	Defect:	Missing
Requirement:	Compliance, International Property Maintenance Code		
		Location:	Main Structure Throughout
Comments:	Repair/replace any missing, rotted or damaged windows/window frames. Any repairs to the structure will require a building permit.		
Component:	Exterior Walls	Defect:	In poor repair
Requirement:	Compliance, International Property Maintenance Code		
		Location:	Main Structure Throughout
Comments:	Repair/replace any broken, missing , damaged or rotted siding. Any repairs to the structure will require a building permit.		
Component:	Soffit/Facia/Trim	Defect:	In poor repair
Requirement:	Compliance, International Property Maintenance Code		
		Location:	Main Structure Throughout
Comments:	Repair/replace any rotted, damaged or broken boards. Any repairs to the structure will require a building permit.		
Component:	Soffit/Facia/Trim	Defect:	Absence of paint
Requirement:	Compliance, International Property Maintenance Code		
		Location:	Main Structure Throughout
Comments:	Scrape loose paint, repair where needed and 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

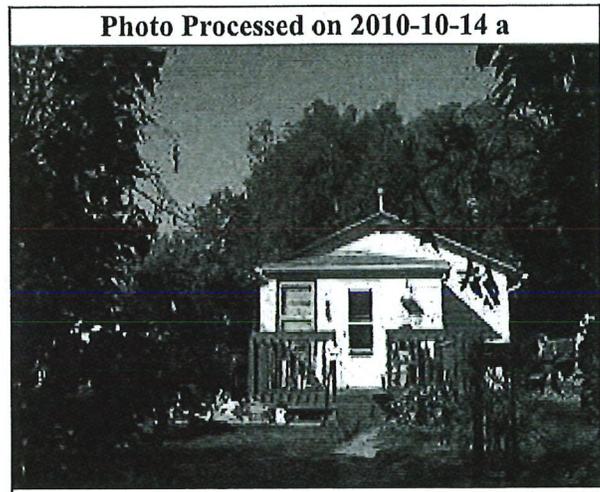
Location					
Address	818 E 27TH ST				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	050/01232-000-000	Geoparcel	7824-01-202-016	Status	Active
School	Des Moines	Nbhd/Pocket	DM16/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Braxton Peats 515-286-3839		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

901	830	E 27TH ST	901
826	828		826
821	824		823
819	818		817
816	814		813
			809

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



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	MURUETA ESPINOZA, ANA M	2017-08-18	16611/61

Legal Description and Mailing Address

LOT 20 BLK 2 FARWELL PLACE	ANA M MURUETA ESPINOZA 814 E 27TH ST DES MOINES, IA 50317
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Current Values

Type	Class	Kind	Land	Bldg	Total
2020 Value	Residential	Full	\$17,100	\$36,000	\$53,100

Market Adjusted Cost Report

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
N3C	N3c Neighborhood District		Residential

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

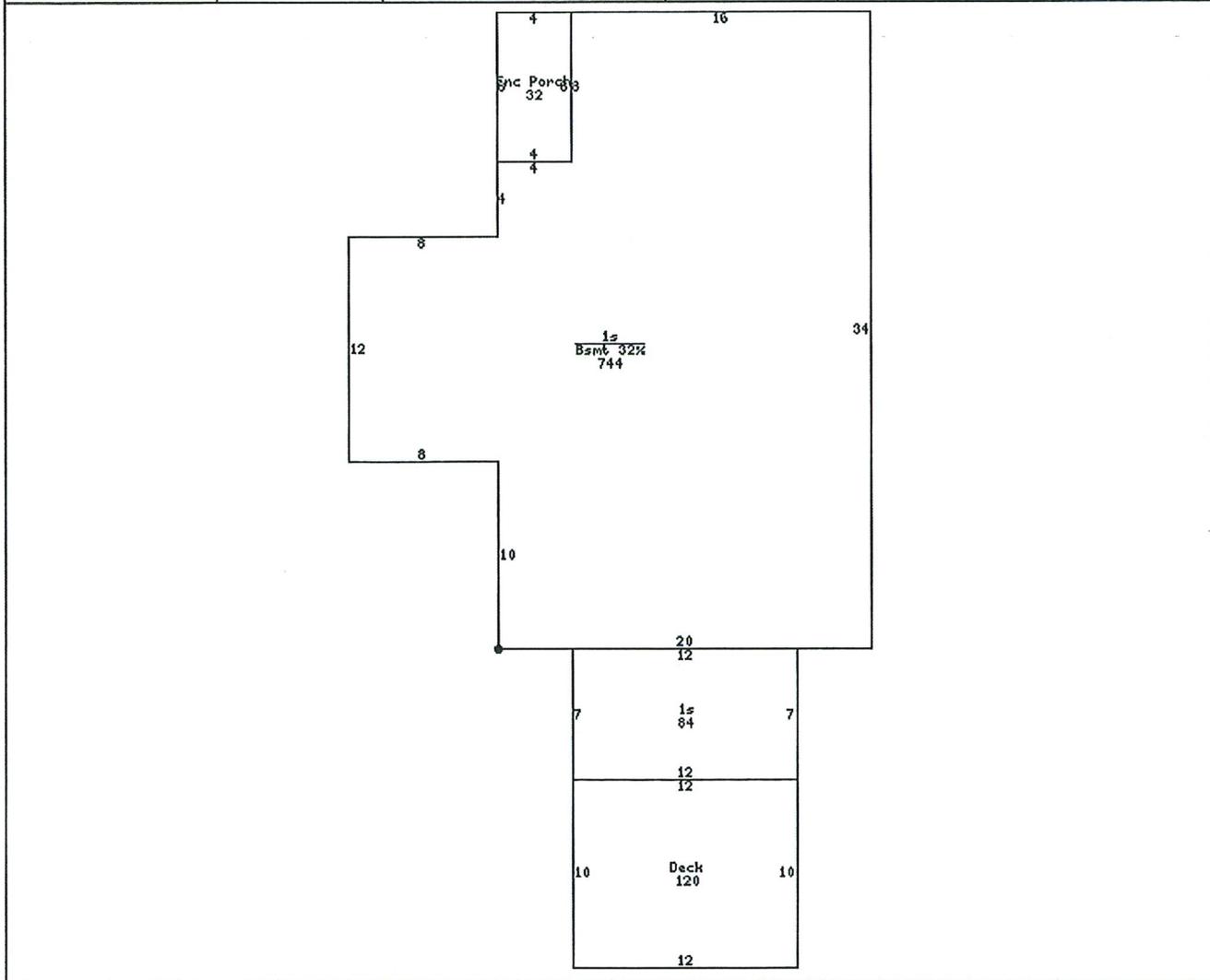
Land

Square Feet	6,950	Acres	0.160	Frontage	50.0
Depth	139.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record

Residence #1

Occupancy	Single Family	Residence Type	1 Story	Building Style	Bungalow
Year Built	1921	Number Families	1	Grade	5+05
Condition	Below Normal	Total Square Foot Living Area	828	Main Living Area	828
Basement Area	238	Enclosed Porch Area	32	Deck Area	120
Foundation	Brick	Exterior Wall Type	Hardboard	Roof Type	Gable
Roof Material	Asphalt Shingle	Heating	Gas Forced Air	Air Conditioning	100
Number Bathrooms	1	Bedrooms	2	Rooms	4



Sales - 3 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
ELDON WOLTZ TRUST	MURUETA ESPINOZA, ANA M	<u>2017-08-18</u>	\$10,000	Deed	<u>16611/61</u>
ELDON WOLTZ, TRUST	WISEMAN, DIANE	<u>1997-02-28</u>	\$37,500	Contract	<u>7585/358</u>
CLOVER, JEFFREY D	ELDON WOLTZ TRUST	<u>1995-08-07</u>	\$15,000	Deed	<u>7242/83</u>

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
WOLTZ, PETER C (Trustee) _____ ELDON WOLTZ TRUST	MURUETA ESPINOZA, ANA M	2017-08-18	2017-08-18	Trustee Warranty Deed	<u>16611/61</u>
Formerly Known As WISEMAN, DIANE _____ COWLES, DIANE	ELDON WOLTZ TRUST	2016-12-14	2017-01-10	Forfeiture of Contract	<u>16339/762</u>

Permits - 1 Record

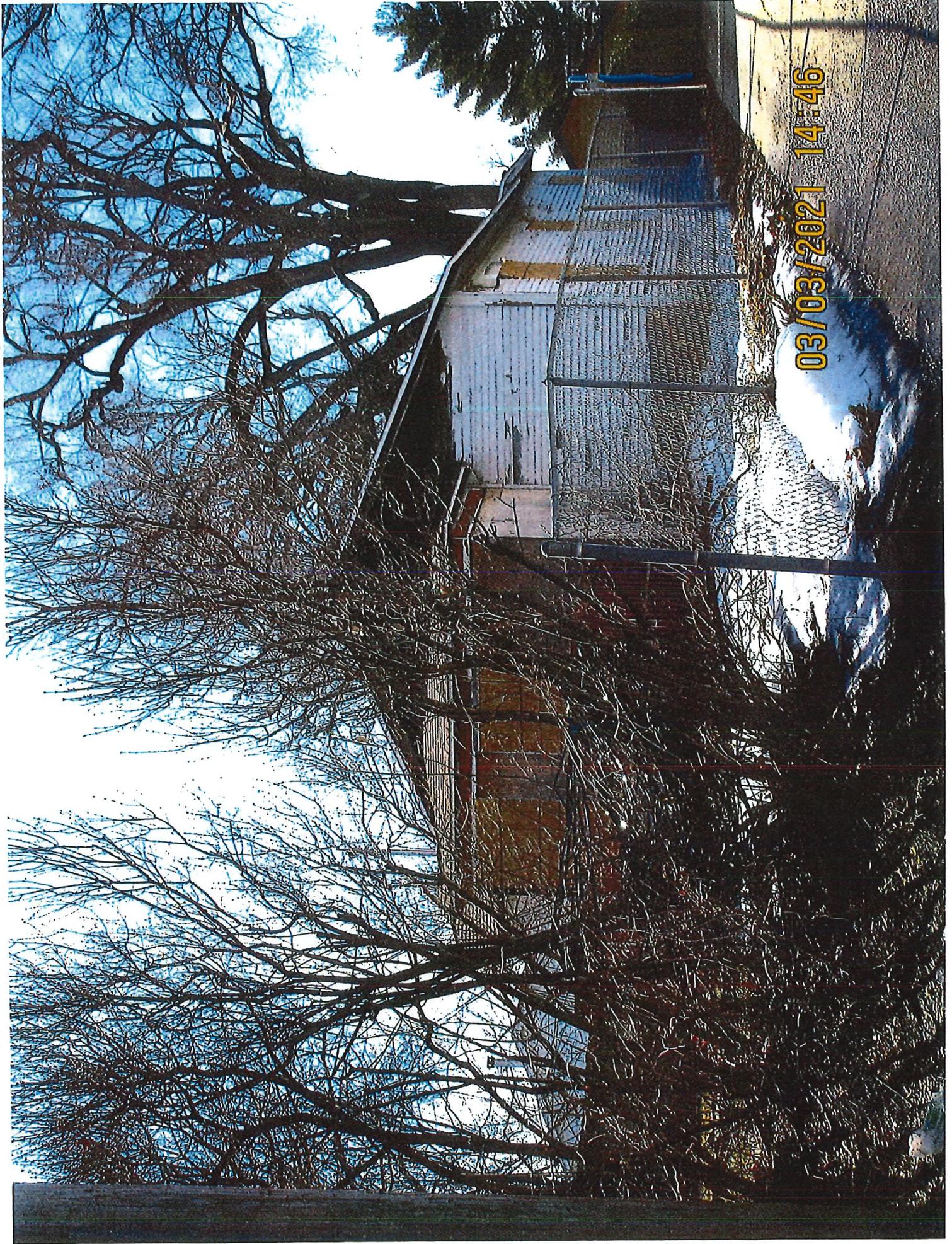
Year	Type	Permit Status	Application	Reason	Reason1
1989	Permit	Complete	1988-06-17		Demolish Garage

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$17,100	\$36,000	\$53,100
2017	<u>Assessment Roll</u>	Residential	Full	\$14,700	\$31,400	\$46,100
2015	<u>Assessment Roll</u>	Residential	Full	\$13,700	\$29,200	\$42,900
2013	<u>Assessment Roll</u>	Residential	Full	\$13,700	\$29,600	\$43,300
2011	<u>Assessment Roll</u>	Residential	Full	\$15,600	\$33,600	\$49,200
2009	<u>Assessment Roll</u>	Residential	Full	\$16,500	\$35,800	\$52,300
2007	<u>Assessment Roll</u>	Residential	Full	\$16,300	\$35,400	\$51,700
2005	<u>Assessment Roll</u>	Residential	Full	\$15,000	\$34,000	\$49,000
2003	<u>Assessment Roll</u>	Residential	Full	\$12,800	\$29,630	\$42,430
2001	<u>Assessment Roll</u>	Residential	Full	\$12,570	\$30,260	\$42,830
1999	Assessment Roll	Residential	Full	\$7,690	\$24,850	\$32,540
1997	Assessment Roll	Residential	Full	\$6,970	\$22,510	\$29,480
1995	Assessment Roll	Residential	Full	\$6,070	\$19,600	\$25,670
1993	Assessment Roll	Residential	Full	\$5,380	\$17,380	\$22,760
1990	Board Action	Residential	Full	\$5,380	\$14,620	\$20,000
1990	Assessment Roll	Residential	Full	\$5,380	\$16,320	\$21,700
1989	Assessment Roll	Residential	Full	\$5,380	\$14,930	\$20,310

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





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