



Date June 28, 2021

ABATEMENT OF PUBLIC NUISANCE AT 1424 E VIRGINIA AVENUE LOT 28

WHEREAS, the property located at 1424 E Virginia Avenue Lot 28, 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 of the land, Capital MHP, LLC, Titleholder of the mobile home, James Clark Sands, and the Mortgage Holder of the land, Sentry Bank, 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 Lots 9, 10, 11, 12, 41, 42, 43, 44, 45 and 46 in Official Plat of the SW 1/4 SW 1/4 of Section 14, Township 78 North, Range 24 West of the 5th P.M. (except the North 20 feet), an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1424 E Virginia Avenue, Lot 28 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

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include 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**

50F

DATE OF NOTICE: March 15, 2021

DATE OF INSPECTION: February 17, 2020

CASE NUMBER: COD2019-07821

PROPERTY ADDRESS: 1424 E VIRGINIA AVE LOT 28

LEGAL DESCRIPTION: LTS 9,10,11,12,41,42 & 43 THRU 46 OP SW 1/4 SW 1/4 -EX N 20F- SEC 14-78-24

CAPITAL MHP LLC
Title Holder - INCORP.SERVIC. INC. REG.AGENT
400 LOCUST ST STE 400
DES MOINES IA 50309

SENTRY BANK - DARREN HEYING, PRESIDENT
Management Agent
400 4TH AVE NE
ST. JOSEPH MN 56374

JAMES CLARK SANDS
Title Holder
142 AVENIDA ADOBE
SAN CLEMENTE CA 92672

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.

Matt Stock

(515) 283-4046



Nid Inspector

DATE MAILED: 3/15/2021

MAILED BY: TSY

Areas that need attention: 1424 E VIRGINIA AVE

Component:	Electrical Lighting Fixtures	Defect:	In disrepair
Requirement:	Electrical Permit	Location:	Main Structure Throughout
Comments:	Electrical light fixtures throughout the home must be repaired or replaced by a licensed electrician with a building permit		

Component:	Electrical Receptacles	Defect:	In disrepair
Requirement:	Electrical Permit	Location:	Main Structure Throughout
Comments:	Electrical receptacles throughout the home must be repaired or replaced by a licensed electrician with a building permit		

Component:	Electrical System	Defect:	In disrepair
Requirement:	Electrical Permit	Location:	Main Structure Throughout
Comments:	Electrical system is in disrepair. Replacement of electrical system must be done by a licensed electrician with electrical permit		

Component:	Floor Joists/Beams	Defect:	Deteriorated
Requirement:	Building Permit	Location:	Main Structure Throughout
Comments:	Floor joists are heavily damaged and exposed to exterior elements. Replace with building permit.		

Component:	Flooring	Defect:	Not Supplied
Requirement:	Unknown	Location:	Main Structure Throughout
Comments:	Flooring throughout the home has been removed. Replace all flooring		

Component:	Furnace	Defect:	In poor repair
Requirement:	Mechanical Permit	Location:	Unknown
Comments:	Furnace is inoperable. Licensed HVAC professional must repair or replace with a mechanical permit		

Component:	Interior Walls /Ceiling	Defect:	Not Supplied
Requirement:	Building Permit	Location:	Main Structure Throughout
Comments:	Interior wall have been removed and partially replaced with out proper building permit. Replace walls. Building permit required.		

Component:	Mechanical System	Defect:	In disrepair
Requirement:	Mechanical Permit	Location:	Main Structure Throughout
Comments:	Mechanical system is in disrepair. Licensed HVAC professional must replace HVAC systems with HVAC permit.		

Component: Plumbing System
Requirement: Plumbing Permit
Defect: In disrepair
Location: Main Structure Throughout
Comments: Plumbing system is in disrepair. Licensed plumber must replace plumbing system with plumbing permit

Component: Roof
Requirement: Building Permit
Defect: Not Supplied
Location: Main Structure Throughout
Comments: Roof has been removed on more than 50% of the structure and in disrepair throughout the remaining sections. Roof replacement with building permit required

Component: Smoke Detectors
Requirement:
Defect: Not Supplied
Location: Main Structure Throughout
Comments: Smoke detectors must be installed in required locations throughout the home

Component: Trusses
Requirement: Building Permit
Defect: Improperly Installed
Location: Main Structure Throughout
Comments: Trusses improperly installed with out a building permit. Permit for replacement of trusses is required

Component: Tub/Shower Walls
Requirement: Building Permit
Defect: In disrepair
Location: Bathroom
Comments: Bathroom walls and tub are in disrepair. Replace. May require, building, electrical, and plumbing permits.

Component: Utilities
Requirement:
Defect: Not Supplied
Location: Main Structure Throughout
Comments: Water, electric, sewer, and gas not provided

Component: Water Heater
Requirement: Plumbing Permit
Defect: In disrepair
Location: Utility Room
Comments: Water heater is in poor repair. Licensed plumber must replace with plumbing permit

Component: Windows/Window Frames
Requirement:
Defect: Cracked/Broken
Location: Main Structure Throughout
Comments: Cracked/Broken windows must be replaced. May require building permit

Component: See Comments
Requirement: Engineering Report
Defect: See Comments
Location: Main Structure Throughout
Comments: Mobile home being completely remodeled. DOT Engineering report will be required for all new materials being used

Polk County Assessor

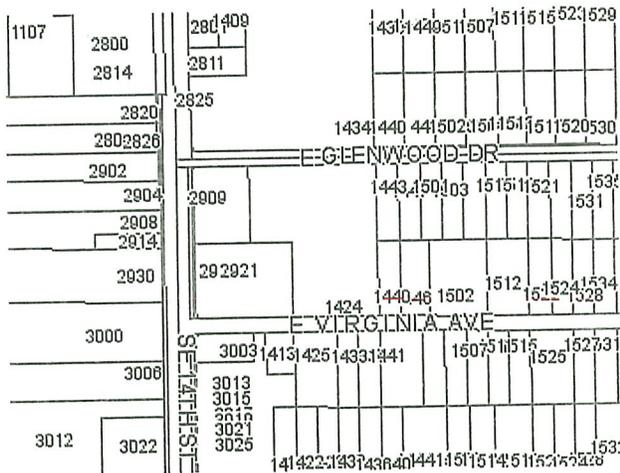
111 Court Avenue #195
Des Moines, IA 50309-0904

(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	1424 E VIRGINIA AVE				
City	DES MOINES	Zip	50320	Jurisdiction	Des Moines
District/Parcel	010/06159-000-000	Geoparcels	7824-14-351-002	Status	Active
School	Des Moines	Nbhd/Pocket	DM25/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	South Des Moines	Appraiser	Cary Halfpop, ICA 515-286-2279		

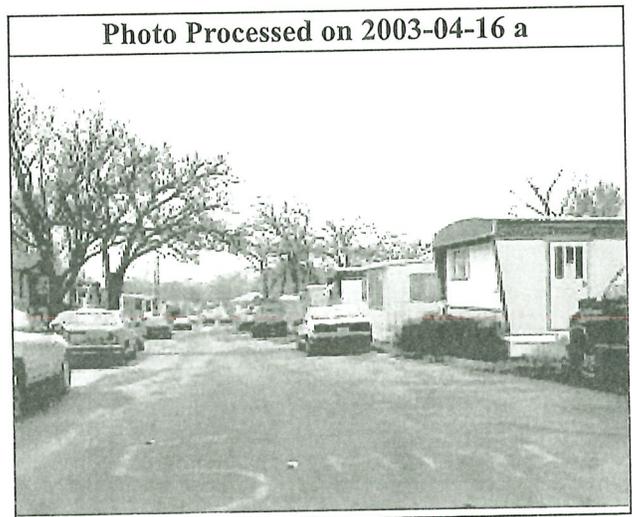
Map and Current Photos - 1 Record

Click on parcel to get a new listing



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

Photo Processed on 2003-04-16 a



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	CAPITAL MHP LLC	2019-08-15	17452/360

Legal Description and Mailing Address

LTS 9,10,11,12,41,42 & 43 THRU 46 OP SW 1/4 SW
1/4 -EX N 20F- SEC 14-78-24

Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Assessment Roll	Multi-Residential	Full	\$196,000	\$289,000	\$485,000
2020 Value	Multi-Residential	Full	\$178,000	\$218,000	\$396,000

[Assessment Roll Notice](#) [Unadjusted Cost Report](#)

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
NM	NM Neighborhood District		Residential

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

Land					
Square Feet	113,430	Acres	2.604	Topography	Blank
Shape	Rectangle	Vacancy	Blank	Unbuildable	Blank

Commercial Summary					
Occupancy	Land Semi-Improved	Age, Weighted	0	Total Story Height	0
Land Area	113,430	Gross Area	0	Finished Area	0
Unfinished Bsmt Area	0	Finished Bsmt Area	0	Number of Units	0
Percent Primary Group	0.00	Percent Secondary Group	0.00	Grade, Weighted	
Condition, Weighted					

Detached Structures - 3 Records

Detached Structure #101					
Occupancy	Mobile Home Pads	Measurement Code	Quantity	Quantity	31
Grade	4	Year Built	1955	Condition	Normal

Detached Structure #201					
Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	20	Measure 2	24	Story Height	1
Grade	4	Year Built	1950	Condition	Normal

Detached Structure #301					
Occupancy	Asphalt Paving	Measurement Code	Square Feet	Measure 1	1,200
Grade	4	Year Built	1969	Condition	Normal

Sales - 2 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
SANDS ASSET MANAGEMENT LLC	CAPITAL MHP LLC	<u>2019-07-25</u>	\$665,000	Deed	<u>17452/360</u>
ROBERT L COTTER TRUST	SANDS, JAMES C	<u>2006-12-29</u>	\$350,000	Deed	<u>12023/283</u>

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
SANDS ASSET MANAGEMENT LLC	CAPITAL MHP LLC	2019-07-25	2019-08-15	Warranty Deed	<u>17452/360</u>
IOWA GRAND OAKS LLC	SANDS ASSET MANAGEMENT LLC	2019-03-11	2019-04-02	Quit Claim Deed	<u>17277/707</u>

Permits - 5 Records

Year	Type	Permit Status	Application	Reason	Reason1
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Year	Type	Permit Status	Application	Reason	Reason1
2020	Pickup	No Add	2019-10-15	Review Value	PER SALE
2016	Permit	No Add	2015-04-27	Moved In	MOBILE HOME (960 sf)
2011	Pickup	Complete	2011-03-18	Review Value	REVAL
2005	Permit	No Add	2004-09-28	Alterations	MISC
1997	Pickup	Complete		Review Value	REVAL

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Multi-Residential	Full	\$178,000	\$218,000	\$396,000
2017	<u>Assessment Roll</u>	Multi-Residential	Full	\$178,100	\$150,900	\$329,000
2015	<u>Assessment Roll</u>	Multi-Residential	Full	\$149,000	\$148,000	\$297,000
2013	<u>Assessment Roll</u>	Commercial	Full	\$149,000	\$115,000	\$264,000
2011	<u>Assessment Roll</u>	Commercial	Full	\$149,000	\$115,000	\$264,000
2009	<u>Assessment Roll</u>	Commercial	Full	\$148,500	\$114,000	\$262,500
2007	<u>Assessment Roll</u>	Commercial	Full	\$148,500	\$114,000	\$262,500
2005	<u>Assessment Roll</u>	Commercial	Full	\$135,000	\$110,500	\$245,500
2003	<u>Assessment Roll</u>	Commercial	Full	\$117,500	\$103,500	\$221,000
2001	<u>Assessment Roll</u>	Commercial	Full	\$110,710	\$97,500	\$208,210
1999	Assessment Roll	Commercial	Full	\$87,500	\$97,500	\$185,000
1997	Board Action	Commercial	Full	\$85,000	\$94,800	\$179,800
1997	Assessment Roll	Commercial	Full	\$85,000	\$109,000	\$194,000
1995	Assessment Roll	Commercial	Full	\$51,000	\$90,000	\$141,000
1993	Assessment Roll	Commercial	Full	\$48,500	\$85,500	\$134,000
1991	Assessment Roll	Commercial	Full	\$46,500	\$82,100	\$128,600
1991	Was Prior Year	Commercial	Full	\$46,500	\$65,050	\$111,550

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1424 E Virginia Ave Lot 28



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1424 E Virginia Ave Lot 28



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