



Date August 9, 2021

ABATEMENT OF PUBLIC NUISANCE AT 1300 E. WATROUS AVE.

WHEREAS, the property located at 1300 E. Watrous Ave., 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, Southern Knolls, LLC, 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 that part of the Southeast 1/4 of the Northeast 1/4 of Section 22, Township 78 North, Range 24 West of the 5th P.M., now included in and forming a part of the City of Des Moines, Polk County, Iowa, described as follows: Commencing at the East 1/4 corner of said Section 22, thence North 0°00' East along the East line of the Northeast 1/4 of said Section 22, 292.0 feet, thence North 89°38' West, parallel to and 292.0 feet North of the South line of the Northeast 1/4 of said Section 22, 50.0 feet, to the point of beginning, thence continuing North 89°38' West. 380.0 feet to the East line of Southern Knolls Plat No. 1, thence South 0°00' East, along the East line of said Southern Knolls Plat No. 1, 19.0 feet, thence North 89°38' West, along the South line of East Rose Avenue, as it is presently established, 30.0 feet to the Northeast corner of Lot 5 in said Southern Knolls Plat no. 1, thence South 0°0' East, along the East line of Lots 5 and 4 in Southern Knolls Plat No. 1, 238.0 feet to the Southeast corner of said Lot 4, thence South 89°38' East parallel to and 35.0 feet North of the South line of the Northeast 1/4 of said Section 22, 247.5 feet, thence North 0°00' East, 150.00 feet; thence South 89°38' East 162.5 feet, thence North 000' East, parallel to and 50.0 feet West of the East line of the Northeast 1/4 of said Section 22, and along the West right-of-way line of Southeast 14th Street as it is presently established 107.0 feet to the point of beginning; except that parcel conveyed to the State of Iowa by Warranty Deed recorded in Book 5215, Page 125 of the records in the Office of the Recorder of Polk County, Iowa, and locally known as 1300 E. Watrous Ave., 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.



Roll Call Number

Agenda Item Number

39C

Date August 9, 2021

FORM APPROVED:

*Kristine Stone*

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**

39C

**DATE OF NOTICE:** May 26, 2021

**DATE OF INSPECTION:** May 03, 2021

**CASE NUMBER:** COD2021-01872

**PROPERTY ADDRESS:** 1302 E WATROUS AVE

**LEGAL DESCRIPTION:** BEG 292F N & 55.5F W OF SE COR THN W 374.5F S19F W 30F S 238F E 247.5F N150F E157F N107F TO POB SE 1/4 NE 1/4 SEC 22-78-24

SOUTHERN KNOLLS LLC  
Title Holder - DAVID L WETSCH - REG. AGENT  
699 WALNUT ST, STE 1600  
DES MOINES IA 50309

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.

Neighborhood Inspection Division

(515) 283-4046



Nid Inspector

DATE MAILED: 5/26/2021

MAILED BY: TSY

39C

**Areas that need attention:** 1302 E WATROUS AVE

<b>Component:</b>	Flooring	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Compliance with International Building Code	<b>Location:</b>	Unknown
<b>Comments:</b>	Repair and replace any and all damaged flooring throughout the structure.		
<b>Component:</b>	Windows/Window Frames	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Compliance with International Building Code	<b>Location:</b>	Unknown
<b>Comments:</b>	Replace all damaged or missing windows as needed. Permit required if changing opening size.		
<b>Component:</b>	Electrical Service	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Electrical Permit	<b>Location:</b>	Unknown
<b>Comments:</b>	Replace electrical service by licensed electrical contractor, obtain final on electrical permit.		
<b>Component:</b>	Electrical Lighting Fixtures	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Electrical Permit	<b>Location:</b>	Unknown
<b>Comments:</b>	Replace electrical receptacles by licensed electrical contractor, obtain final on electrical permit		
<b>Component:</b>	Electrical Receptacles	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Electrical Permit	<b>Location:</b>	Unknown
<b>Comments:</b>	Replace electrical wires by licensed electrical contractor, obtain final on electrical permit		
<b>Component:</b>	Plumbing System	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Plumbing Permit	<b>Location:</b>	Unknown
<b>Comments:</b>	Replace plumbing and plumbing fixtures by licensed plumbing contractor, obtain final on plumbing permit or provide receipt from licensed contractor.		
<b>Component:</b>	Mechanical System	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Mechanical Permit	<b>Location:</b>	Unknown
<b>Comments:</b>	Replace mechanical system by licensed mechanical contractor, obtain final on mechanical permit or provide receipt from licensed contractor.		
<b>Component:</b>	Interior Walls /Ceiling	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Unknown
<b>Comments:</b>	Obtain final on permit to repair or replace of any damaged or missing interior walls.		

<b><u>Component:</u></b>	Ductwork	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>	Mechanical Permit	<b><u>Location:</u></b>	Unknown
<b><u>Comments:</u></b>	Replace/repair ductwork by licensed mechanical contractor, obtain final on mechanical permit or provide receipt from licensed contractor		
<b><u>Component:</u></b>	Floor Joists/Beams	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>	Building Permit	<b><u>Location:</u></b>	Unknown
<b><u>Comments:</u></b>	Obtain final on permit and have licensed contractor repair or replace damage decking, railing, joist, beams, hand rail, and stairs. Permit required for replacement of all structural components		
<b><u>Component:</u></b>	Wiring	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>	Electrical Permit	<b><u>Location:</u></b>	Unknown
<b><u>Comments:</u></b>	Replace electrical wires by licensed electrical contractor, obtain final on electrical permit		
<b><u>Component:</u></b>	Air Conditioning	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>	Mechanical Permit	<b><u>Location:</u></b>	Unknown
<b><u>Comments:</u></b>	Replace mechanical system by licensed mechanical contractor, obtain final on mechanical permit or provide receipt from licensed contractor.		
<b><u>Component:</u></b>	See Comments	<b><u>Defect:</u></b>	Fire damaged
<b><u>Requirement:</u></b>	Compliance with International Building Code	<b><u>Location:</u></b>	Unknown
<b><u>Comments:</u></b>	Replace Fire Doors and jams on units 39, 44, 43.		

# Case Activity Listing

7/29/2021

*39c*

Page 1 of 1

Description	Date 1	Date 2	Date 3	Hold	Disp	Assigned To	Done By	Updated By	Notes
<b>COD2021-01872</b>	<b>1302 E WATROUS AVE</b>								
Complaint Received			4/22/21	None			SAC	SAC	
PN Supervisor Review	4/30/21	5/3/21	4/30/21	None	DONE		CEH	CEH	Multi family fire damage PN mgr MIKE BOGE 515-272-9000
PN Structure Inspection	4/9/21	4/9/21	5/3/21	None	DONE	SAC	SAC	SAC	Inspection 4/9/2021 at 11am pictures taken. SAC
PN Posted			4/22/21	None	DONE	SAC	SAC	SAC	PN Posted 4/22/2021 with picture added to case. SAC
PN Inspection Fee	5/3/21	5/6/21	5/3/21	None	DONE	TSY	TSY	TSY	Inspection and pictures taken. Initial inspection 4.9.2021 and posyed on 4.22.2021. SAC
PN Monitor	5/3/21	7/7/21		None		SAC		SAC	6.8.2021 Did walk thru, garden level is gutted down to studs, still a work in progress, will recheck in a month. SAC
NID PN Notice			5/26/21	None	DONE	SAC	TSY	TSY	

# Polk County Assessor

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

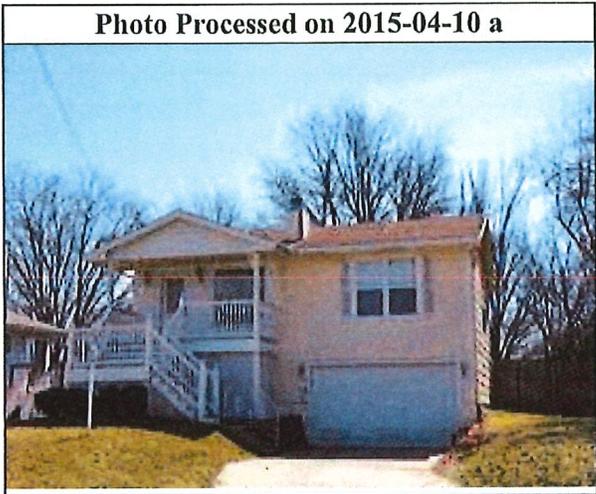
(515) 286-3014 Fax (515) 286-3386  
[polkweb@assess.co.polk.ia.us](mailto:polkweb@assess.co.polk.ia.us)

Location					
Address	1300 WATROUS AVE				
City	DES MOINES	Zip	50315	Jurisdiction	Des Moines
District/Parcel	120/00228-002-000	Geoparcels	7824-21-301-048	Status	<a href="#">Active</a>
School	Des Moines	Nbhd/Pocket	DM34/A	Tax Authority Group	DEM-C-DEM-77131
Submarket	South Des Moines	Appraiser	Andrew Rand 515-286-3368		

## Map and Current Photos - 1 Record

Click on parcel to get a new listing

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



## [Historical Photos](#)

## Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	ROSE, MICHAEL N	2021-04-07	<a href="#">18461/390</a>

## Legal Description and Mailing Address

-EX S 125F- W 62.5F LT 10 CARLISLE PLACE	MICHAEL N ROSE 1300 WATROUS AVE DES MOINES, IA 50315-3032
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## Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential	Full	\$23,400	\$144,200	\$167,600

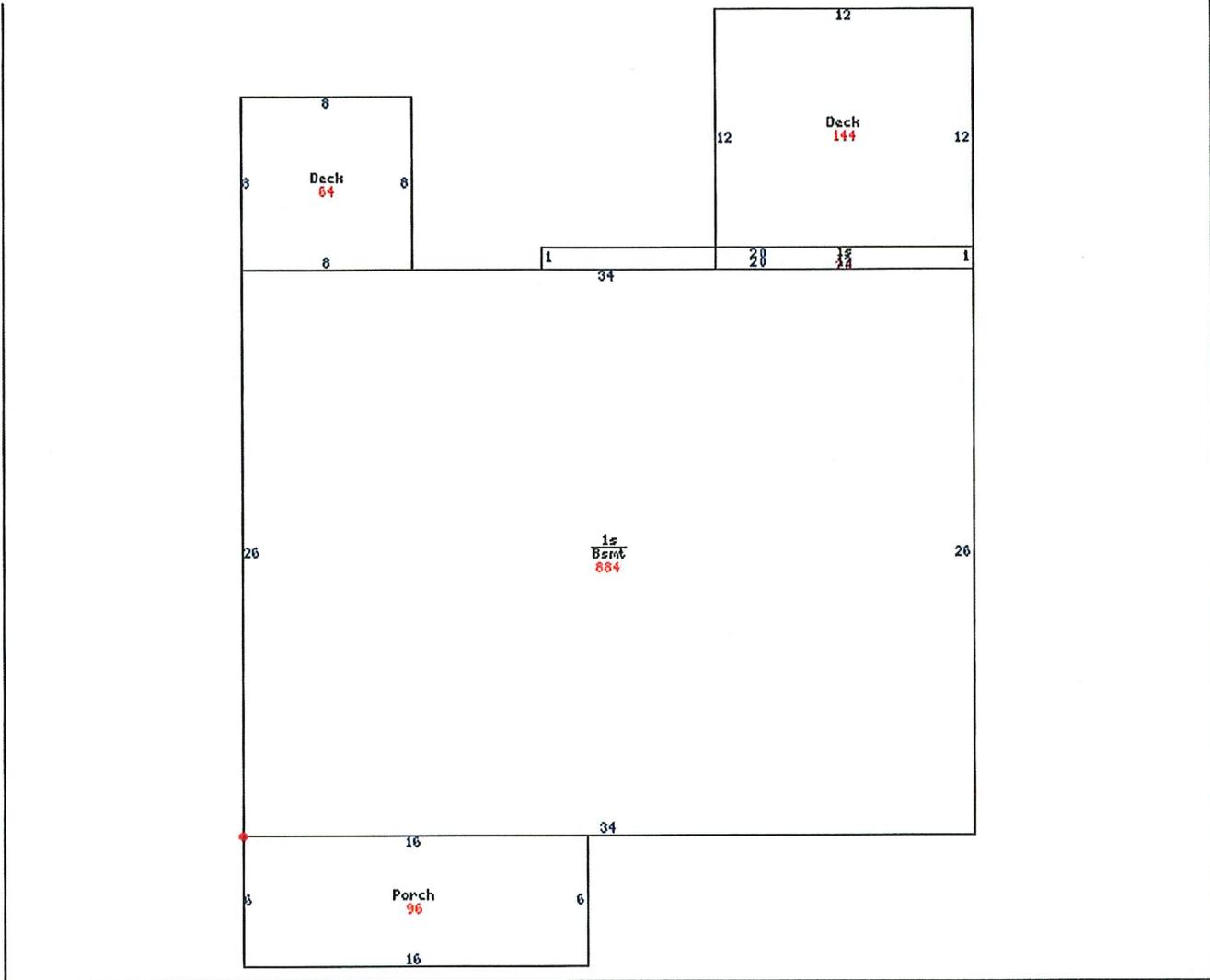
[Assessment Roll Notice](#) [Market Adjusted Cost Report](#)

## Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
N3A	N3a Neighborhood District		Residential

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

<b>Land</b>					
<b>Square Feet</b>	7,382	<b>Acres</b>	0.169	<b>Frontage</b>	62.5
<b>Depth</b>	118.1	<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	<b>Building Style</b>	Ranch
<b>Year Built</b>	1998	<b>Number Families</b>	1	<b>Grade</b>	4+05
<b>Condition</b>	Normal	<b>Total Square Foot Living Area</b>	904	<b>Main Living Area</b>	904
<b>Basement Area</b>	884	<b>Finished Basement Area 1</b>	350	<b>Finished Basement Quality 1</b>	Average
<b>Total Basement Finish</b>	350	<b>Open Porch Area</b>	96	<b>Deck Area</b>	208
<b>Foundation</b>	Poured Concrete	<b>Exterior Wall Type</b>	Hardboard	<b>Roof Type</b>	Gable
<b>Roof Material</b>	Asphalt Shingle	<b>Number Fireplaces</b>	1	<b>Basement Garage Capacity</b>	2
<b>Heating</b>	Gas Forced Air	<b>Air Conditioning</b>	100	<b>Number Bathrooms</b>	2
<b>Bedrooms</b>	2	<b>Rooms</b>	6		



Sales - 4 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
BREKKE, ELIZABETH	ROSE, MICHAEL N	<a href="#">2021-03-24</a>	\$191,500	Deed	<a href="#">18461/390</a>
REILING, SEAN	BREKKE, ELIZABETH	<a href="#">2016-08-16</a>	\$135,000	Deed	<a href="#">16140/948</a>
KONSHAK, RICHARD	REILING, SEAN	<a href="#">2009-03-16</a>	\$115,000	Deed	<a href="#">12990/561</a>
GAZZO, FREDERICK M	KONSHAK, MARY	<a href="#">2004-07-27</a>	\$133,000	Deed	<a href="#">10670/889</a>

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
BREKKE, ELIZABETH	ROSE, MICHAEL N	2021-03-24	2021-04-07	Warranty Deed	<a href="#">18461/390</a>
REILING, SEAN	BREKKE, ELIZABETH	2016-08-16	2016-08-18	Warranty Deed	<a href="#">16140/948</a>

Permits - 4 Records

Year	Type	Permit Status	Application	Reason	Reason1
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Year	Type	Permit Status	Application	Reason	Reason1
2010	Pickup	Complete	2010-02-18	Correct Data	LISTING
1999	Permit	Complete	1998-09-30	Addition	FENCE (Cost \$800)
1999	Permit	Complete	1998-04-29	Construction	SINGLE FAMILY (Cost \$65,569)
1999	Permit	Complete	1998-03-04	Remove	HOUSE

#### Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<a href="#">Assessment Roll</a>	Residential	Full	\$23,400	\$144,200	\$167,600
2019	<a href="#">Assessment Roll</a>	Residential	Full	\$21,800	\$136,200	\$158,000
2017	<a href="#">Assessment Roll</a>	Residential	Full	\$20,000	\$126,200	\$146,200
2015	<a href="#">Assessment Roll</a>	Residential	Full	\$17,500	\$112,200	\$129,700
2013	<a href="#">Assessment Roll</a>	Residential	Full	\$16,800	\$110,200	\$127,000
2011	<a href="#">Assessment Roll</a>	Residential	Full	\$16,800	\$110,300	\$127,100
2010	<a href="#">Assessment Roll</a>	Residential	Full	\$17,500	\$114,200	\$131,700
2009	<a href="#">Assessment Roll</a>	Residential	Full	\$17,500	\$109,300	\$126,800
2007	<a href="#">Assessment Roll</a>	Residential	Full	\$16,600	\$120,500	\$137,100
2005	<a href="#">Assessment Roll</a>	Residential	Full	\$14,700	\$113,800	\$128,500
2004	<a href="#">Assessment Roll</a>	Residential	Full	\$13,570	\$105,410	\$118,980
2003	<a href="#">Board Action</a>	Residential	Full	\$13,570	\$105,410	\$118,980
			Adj	\$13,570	\$15,160	\$28,730
2003	<a href="#">Assessment Roll</a>	Residential	Full	\$13,570	\$105,410	\$118,980
			Adj	\$13,570	\$15,160	\$28,730
2001	<a href="#">Assessment Roll</a>	Residential	Full	\$12,730	\$93,760	\$106,490
			Adj	\$12,730	\$8,200	\$20,930
1999	Assessment Roll	Residential	Full	\$8,380	\$98,450	\$106,830
			Adj	\$8,380	\$8,200	\$16,580
1999	Was Prior Year	Residential	Full	\$7,970	\$8,200	\$16,170

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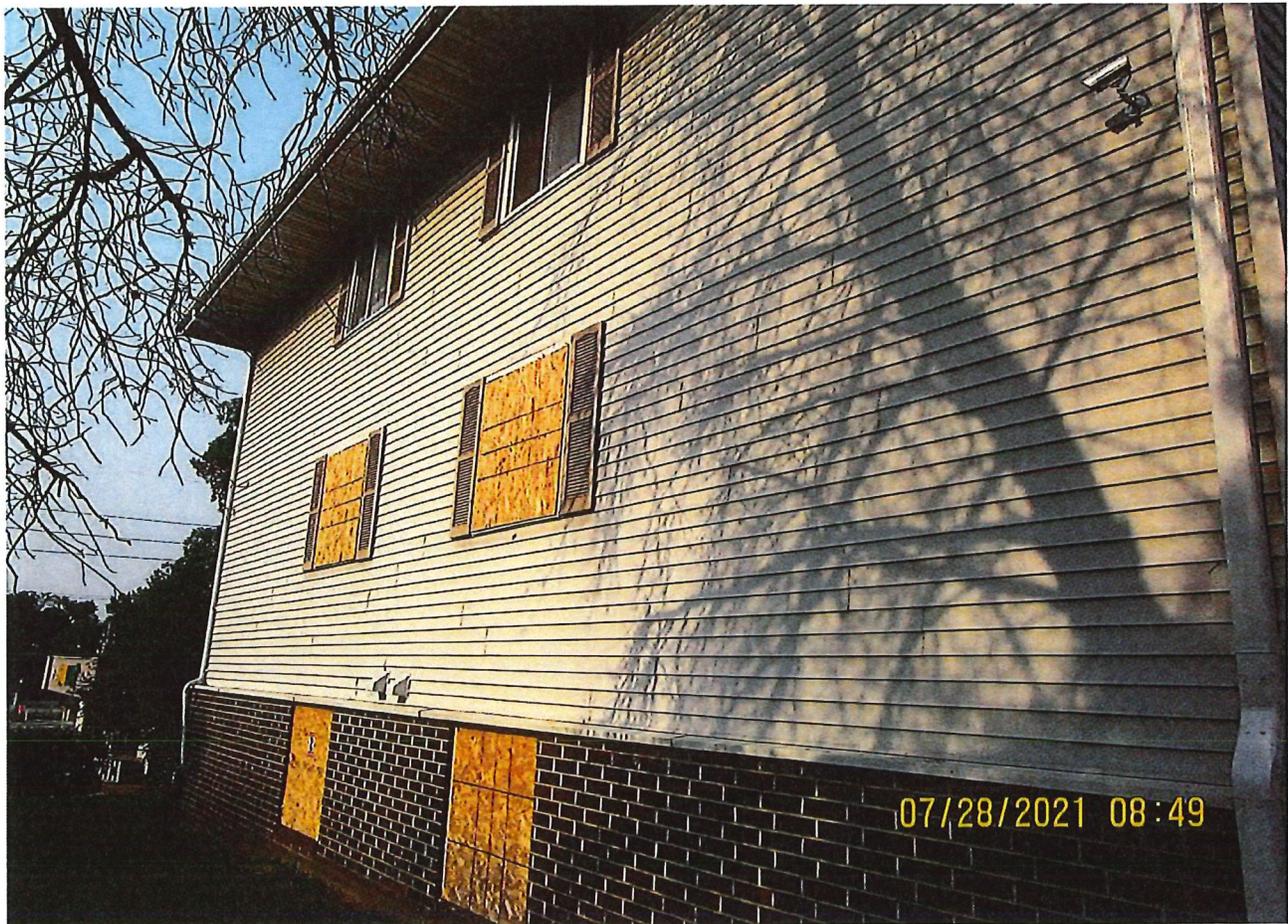


1308 E Waples

3012

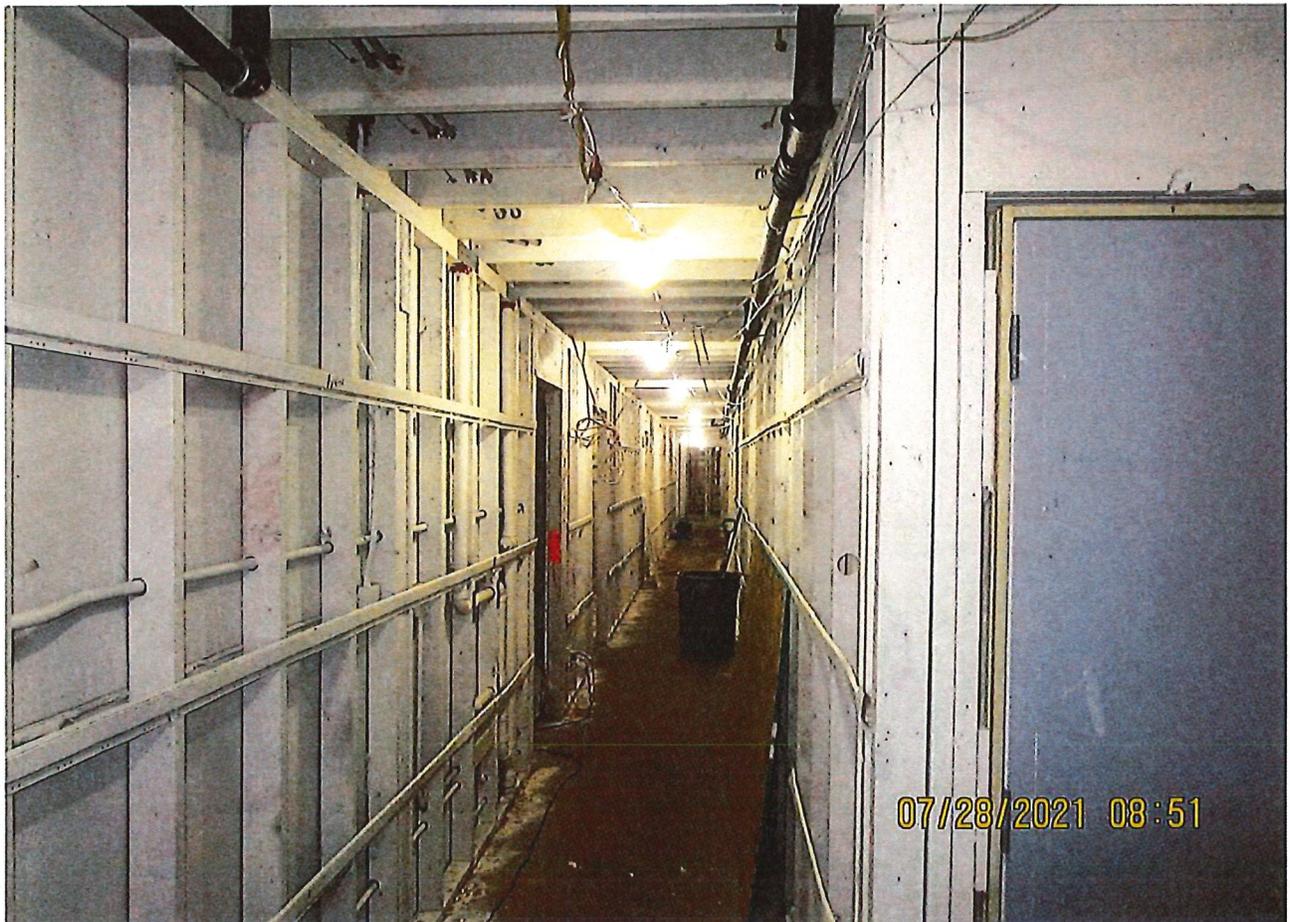
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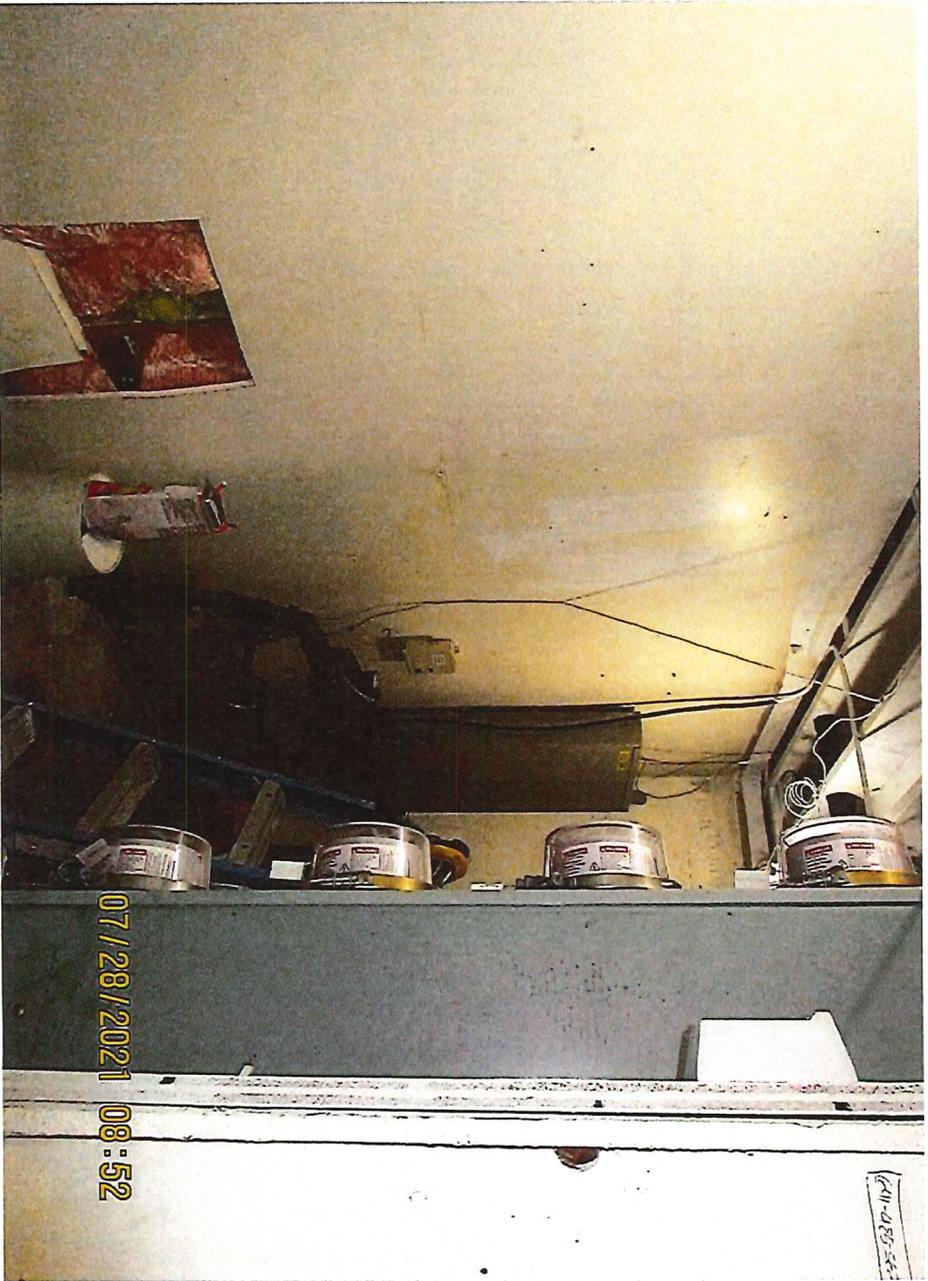
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1300 E Workrows



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W1





1300 E. Cass Street

302

1300 E Watrous

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