

Date April 4, 2022

ABATEMENT OF PUBLIC NUISANCES AT 323 E. JACKSON

WHEREAS, the property located at 323 E. Jackson, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and garage structure in their present condition constitute not only a menace to health and safety but are also public nuisances; and

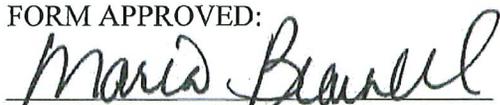
WHEREAS, the Titleholder, Globe Tax 37, LLC, was notified more than thirty days ago to repair or demolish the main structure and garage structure and as of this date has failed to abate the nuisances.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure and garage structure on the real estate legally described as Lot 7 and the East Half of Lot 6 in Block 8 in SECOND PLAT OF CLIFTON HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, locally known as 323 E. Jackson, have previously been declared public nuisances;

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 nuisances, and should the owner(s) fail to abate the nuisances, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structures.

Moved by _____ to adopt,
Seconded by _____

FORM APPROVED:

Maria E. Brownell, Special Counsel
Ahlers & Cooney, P.C.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
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

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City of Des Moines
400 Robert D. Ray Drive
Des Moines, IA 50309

Case Number: NUIS-2022-000051	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 02/16/2022
	Date of Notice: 02/22/2022
Date of Inspection: 02/16/2022	

GLOBE TAX 37 LLC
THOMAS BERNAU - REG. AGENT
1001 GRAND AVE
WEST DES MOINES IA 50265

Address of Property: 323 E JACKSON AVE, DES MOINES IA 50315
Parcel Number: 782410329003
Legal Description: LOT 7 & E 1/2 LOT 6 BLK 8 SECOND PLAT OF CLIFTON HEIGHTS

Upon inspection of the property located at and locally known as the Address of Property shown above, located in Des Moines, Iowa, ("Property"), there was/were found to be violation(s) of the Municipal Code of the City of Des Moines, Iowa. It has been determined from that inspection that the dwelling currently constitutes a danger to health and safety to the public and is a public nuisance.

We are notifying you that you have the time set out in this notice (below under "Compliance Due Date") to abate the following violation(s) and complete the required remedial action.

VIOLATION(S)

Violation	Corrective Action	Compliance Due Date
60-191 - Vacation and Abatement	Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	03/31/2022

60-192(10) - Dangerous Structure or
Premise - Lack of Sufficient Construction

Vacate and secure the structure or premises, OR, demolish the structure after obtaining required demolition permit, OR, repair or replace insufficient construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause that is a threat to life or health.

03/31/2022

HAVE A LICENSED MECHANICAL CONTRACTOR INSPECT THE ENTIRE MECHANICAL SYSTEM AND PROVIDE A COPY OF THE FINDING. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE MECHANICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED MECHANICAL CONTRACTOR. OBTAIN FINAL ON MECHANICAL PERMIT.

HAVE A LICENSED PLUMBING CONTRACTOR INSPECT THE ENTIRE PLUMBING SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE PLUMBING SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED PLUMBING CONTRACTOR. OBTAIN FINAL ON PLUMBING PERMIT.

HAVE A LICENSED ELECTRICAL CONTRACTOR INSPECT THE ENTIRE ELECTRICAL SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE ELECTRICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED ELECTRICAL CONTRACTOR. OBTAIN FINAL ON ELECTRICAL PERMIT.

60-192(13) - Unsafe or dangerous structure

Repair or replace the building or structure that is in a condition that it presents either a substantial risk of fire, building collapse, or any other threat to life and safety, OR, demolish the structure.

03/31/2022

REPAIR AND REPLACE ANY AND ALL DAMAGED EXTERIOR DOORS AND DOOR JAMS AND MUST BE IN GOOD WORKING ORDER.

REPAIR AND REPLACE ANY AND ALL DAMAGED FLOORING THROUGHOUT THE STRUCTURE.

REPAIR OR REPLACE ALL DAMAGED OR MISSING DOORS AND OR JAMS AS NEEDED. OBTAIN FINAL ON PERMIT REQUIRED IF CHANGING OPENING SIZE

REPAIR OR REPLACE ALL DAMAGED OR MISSING WINDOWS AS NEEDED. PERMIT REQUIRED IF CHANGING OPENING SIZE.

OBTAIN FINAL ON PERMIT TO REPAIR OR REPLACE OF ANY DAMAGED OR MISSING EXTERIOR WALLS.

OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE DAMAGE DECKING, RAILING, JOIST, BEAMS, HANDRAIL, AND STAIRS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS. OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR PROPERLY REMEDIATE ALL MOLD. PROVIDE COPY OF INVOICE.

OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE ALL DAMAGED WALL COMPONENTS, INCLUDING: FRAMING, SHEETING, AND COVERINGS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.

HAVE LICENSED CONTRACTOR CHECK AND OBTAIN FINAL ON PERMIT REPLACE ALL DAMAGE AND DETERIORATED TRUSSES.

REPLACE ANY DAMAGED ROOFING MATERIAL. PER CITY CODE SHINGLES

LIMITED TO ONE LAYER. ANY STRUCTURAL REPAIRS WILL REQUIRE A PERMIT

REPLACE ALL DAMAGED ROOFING COMPONENTS BY LICENSED CONTRACTOR. BUILDING PERMIT REQUIRED IF REPLACING SHEETING.

REPAIR/REPLACE ANY BROKEN, MISSING, DAMAGED OR ROTTED SIDING. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT.

60-192(3) - Dangerous Structure or Premise
- Damaged

Repair or replace any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.

03/31/2022

THE GARAGE OR SHED IN ITS CURRENT CONDITION DOES NOT CONSTITUTE A PUBLIC NUISANCE. HOWEVER, IF THE PRIMARY STRUCTURE IS DEMOLISHED AND NO PRIMARY STRUCTURE IS IMMEDIATELY BUILT ON THE PROPERTY, THE GARAGE MUST BE DEMOLISHED AS WELL BECAUSE IT IS AN ACCESSORY USE ONLY PURSUANT TO DES MOINES MUNICIPAL CODE SECTION 134-343.

60-192(5) - Dangerous Structure or Premise
- Dilapidated or Deteriorated

Repair or replace the building or structure, or part of a structure which is likely to partially or completely collapse because of dilapidation, deterioration, decay, faulty construction, the removal of movement of some portion of the ground necessary for the support, or for any other reason, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.

03/31/2022

FOUNDATION NEEDS ENGINEERS REPORT. REPAIR PER ENGINEER'S REPORT. BUILDING PERMIT MAY BE REQUIRED.

UNSAFE TO GAIN ACCESS INTO STRUCTURE, POSSIBLE MORE VIOLATIONS.

If not occupied, the structure is to remain vacant and unoccupied until occupancy is authorized by this office.

If the structure 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 may seek a court order directing you to vacate the structure, pursuant to Section 60-191 and 60-192 of the Municipal Code of the City of Des Moines, Iowa.

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. Should you have any 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 over a year, there may be zoning issues, which may affect the renovation plans. Please contact the Development Zoning Division at (515) 283-4207 to determine if there is anything you should be aware of.

If you decide to demolish the building or take the structure down, you will need a demolition permit.

If you cannot renovate or demolish the structure, contact me to discuss allowing the City to remove the structure. There will be costs billed out to you and possibly a judgment. It may be cheaper for you to remove the structure yourself.

If you no longer own this property, please let us know.

Unpaid costs may be collected by personal judgment, collection, or assessment to be collected as a property tax.

Should you have any questions, feel free to call. I can usually be reached between 8:00 a.m. and 9:00 a.m., Monday through Friday.

Thank you for your help,

Respectfully,



Scott Clauson
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
SAClauson@dmgov.org

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	323 E JACKSON AVE				
City	DES MOINES	Zip	50315	Jurisdiction	Des Moines
District/Parcel	020/00486-000-000	Geoparcel	7824-10-329-003	Status	Active
School	Des Moines	Nbhd/Pocket	DM23/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	South Des Moines	Appraiser	Joseph Peterson 515-286-3011		

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	GLOBE TAX 37 LLC	2021-11-23	18876/248

Legal Description and Mailing Address

LOT 7 & E 1/2 LOT 6 BLK 8 SECOND PLAT OF CLIFTON HEIGHTS	GLOBE TAX 37 LLC 1001 GRAND AVE WEST DES MOINES, IA 50265-3565
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Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential	Full	\$16,800	\$56,400	\$73,200

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

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
NX1	NX1 Neighborhood Mix District		Residential

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

Land					
Square Feet	7,200	Acres	0.165	Frontage	60.0
Depth	120.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence #1					
Occupancy	Single Family	Residence Type	1 Story	Building Style	Conventional
Year Built	1886	Year Remodel	1950	Number Families	1
Grade	5+05	Condition	Above Normal	Total Square Foot Living Area	728
Main Living Area	728	Basement Area	430	Enclosed Porch Area	188
Foundation	Masonry	Exterior Wall Type	Metal Siding	Roof Type	Gable
Roof Material	Asphalt Shingle	Heating	Gas Forced Air	Air Conditioning	0
Number Bathrooms	1	Bedrooms	1	Rooms	4

The floor plan diagram illustrates the layout of the residence. It features a main living area of 728 sq ft, an enclosed porch of 128 sq ft, and a basement of 430 sq ft. The main living area is a large rectangle with a width of 14 and a height of 14. The enclosed porch is a smaller rectangle with a width of 8 and a height of 16. The basement is a large rectangle with a width of 12 and a height of 14. The overall dimensions of the main living area are 14 by 14. The enclosed porch is located on the left side of the main living area. The basement is located below the main living area. The diagram also shows various other dimensions and areas, such as a 60 sq ft enclosed porch and a 728 sq ft main living area.

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
WELLS, MARY L	GLOBE TAX 37 LLC	2021-11-18	2021-11-23	Tax Sale Deed	18876/248
TAFTA, BARBARA _____ Now Known As WALLACE, BARBARA	STUART SR, JAMES	2017-01-18	2017-01-18	Quit Claim Deed	16348/443

Permits - 2 Records

Year	Type	Permit Status	Application	Reason	Reason1
2007	Pickup	Cancel	2006-10-09	Review Value	REVIEW PROPERTY
1997	Permit	No Add	1996-12-26	Alterations	MISC

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$16,800	\$56,400	\$73,200
2019	Assessment Roll	Residential	Full	\$14,700	\$49,200	\$63,900
2017	Assessment Roll	Residential	Full	\$13,300	\$45,000	\$58,300
2015	Assessment Roll	Residential	Full	\$12,500	\$42,300	\$54,800
2013	Assessment Roll	Residential	Full	\$12,900	\$44,300	\$57,200
2011	Assessment Roll	Residential	Full	\$12,900	\$43,900	\$56,800
2009	Assessment Roll	Residential	Full	\$13,200	\$44,500	\$57,700
2007	Assessment Roll	Residential	Full	\$13,200	\$44,500	\$57,700
2005	Assessment Roll	Residential	Full	\$11,600	\$34,300	\$45,900
2003	Assessment Roll	Residential	Full	\$10,410	\$30,790	\$41,200
2001	Assessment Roll	Residential	Full	\$10,020	\$25,660	\$35,680
1999	Assessment Roll	Residential	Full	\$5,870	\$21,150	\$27,020
1997	Assessment Roll	Residential	Full	\$5,240	\$18,870	\$24,110
1995	Assessment Roll	Residential	Full	\$4,920	\$17,710	\$22,630
1993	Assessment Roll	Residential	Full	\$4,380	\$15,770	\$20,150
1991	Assessment Roll	Residential	Full	\$4,380	\$14,110	\$18,490
1991	Was Prior Year	Residential	Full	\$4,380	\$12,880	\$17,260

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