



Roll Call Number

Agenda Item Number

29F

Date May 23, 2022

ABATEMENT OF PUBLIC NUISANCE AT 1431 8TH ST.

WHEREAS, the property located at 1431 8th 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 public nuisance; and

WHEREAS, the Titleholders, Sourinh Dolan and Richard J. Dolan, were 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 9 in BUTT' S SUBDIVISION of Block " C" of Thompson' s Subdivision of Lot 45 of the Official Plat of Government Lot 3 in Southwest Quarter of Section 34, Township 79, Range 23, West of the 5th P.M., now included in and forming a part of the City of Des Moines, Polk County, Iowa, according to the recorded plat thereof and locally known as 1431 8th 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,

Second by _____

FORM APPROVED:

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED	APPROVED			

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.

Mayor

City Clerk

29F



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

Case Number: NUIS-2022-000027	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 01/20/2022
	Date of Notice: 03/15/2022
	Date of Inspection: 01/20/2022

BANK OF NEW YORK MELLON TRUST
C/O OCWEN LOAN SERVICING LLC
240 GREENWICH ST
NEW YORK NY 10286

Address of Property: 1431 8TH ST, DES MOINES IA 50314
Parcel Number: 792434406005
Legal Description: LOT 9 BUTTS SUB DIV

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.	03/11/2022
60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction	MAIN STRUCTURE THOUGHOUT 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.	03/11/2022

60-192(13) - Unsafe or dangerous structure	MAIN STRUCTURE THOUGHOUT 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.	03/11/2022
60-192(14) - Unsafe or dangerous structure	MAIN STRUCTURE THOUGHOUT Repair or replace the unsafe equipment OR demolish the structure.	03/11/2022
60-192(15) - Unsafe or dangerous structure	MAIN STRUCTURE THOUGHOUT Repair or replace the unsafe or unlawful structure OR demolish the structure.	03/11/2022

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.

*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.

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*CLEAN SMOKE DAMAGE FROM WALLS

AND THEN PAINT TO MATCH.

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60-192(4) - Dangerous Structure or Premise - Insufficient Strength or Stability	MAIN STRUCTURE THOUGHOUT Repair or replace any portion of a building, or any member, appurtenance, or ornamentation on the exterior of the structure that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.	03/11/2022
60-192(5) - Dangerous Structure or Premise - Dilapidated or Deteriorated	MAIN STRUCTURE THOUGHOUT 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.	03/11/2022
60-192(6) - Dangerous Structure or Premise - Unsafe	MAIN STRUCTURE THOUGHOUT Vacate and secure any structure that is clearly unsafe for its use and occupancy, OR, demolish the structure after obtaining required permit, OR repair or replace the building or structure, or any portion thereof, that is clearly unsafe for its use and occupancy.	03/11/2022
60-192(7) - Dangerous Structure or Premise - Attractive Nuisance, Harbor for Vagrants	MAIN STRUCTURE THOUGHOUT Vacate and secure the structure, OR, repair or replace the building or structure that is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.	03/11/2022
60-194 - Defacing and Removing Placard	Replace or restore defaced or removed placard.	03/11/2022

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,



Charles McClaran
Vehicle Impound Clerk
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
(515) 283-4722
CWMcClaran@dmgov.org

29F



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	Date of Notice: 03/09/2022
	Date of Inspection: 01/20/2022

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C/O OCWEN LOAN SERVICING LLC
333 S HOPE ST STE 2525
LOS ANGELES CA 90071

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Parcel Number: 792434406005
Legal Description: LOT 9 BUTTS SUB DIV

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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,



Charles McClaran

Vehicle Impound Clerk

Neighborhood Services

602 Robert D. Ray Drive, Des Moines, IA 50309

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Notice of Violation	Case Type: Public Nuisance
	Case Opened: 01/20/2022
	Date of Notice: 03/01/2022
Date of Inspection: 01/20/2022	

RICHARD DOLAN - OFFENDER ID 105503
1985 NE 51ST PL
DES MOINES IA 50313

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Charles McClaran

Vehicle Impound Clerk

Neighborhood Services

602 Robert D. Ray Drive, Des Moines, IA 50309

(515) 283-4722

CWMcClaran@dmgov.org

29F



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

Case Number: NUIS-2022-000027	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 01/20/2022
	Date of Notice: 03/01/2022
Date of Inspection: 01/20/2022	

BANK OF NEW YORK MELLON TRUST
C/O OCWEN LOAN SERVICING LLC
5720 PREMIER PARK DR
WEST PALM BEACH FL 33407

Address of Property: 1431 8TH ST, DES MOINES IA 50314
Parcel Number: 792434406005
Legal Description: LOT 9 BUTTS SUB DIV

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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.	03/11/2022
60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction	MAIN STRUCTURE THOUGHOUT 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.	03/11/2022

60-192(13) - Unsafe or dangerous structure	MAIN STRUCTURE THOUGHOUT 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.	03/11/2022
60-192(14) - Unsafe or dangerous structure	MAIN STRUCTURE THOUGHOUT Repair or replace the unsafe equipment OR demolish the structure.	03/11/2022
60-192(15) - Unsafe or dangerous structure	MAIN STRUCTURE THOUGHOUT Repair or replace the unsafe or unlawful structure OR demolish the structure.	03/11/2022

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.

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60-194 - Defacing and Removing Placard	Replace or restore defaced or removed placard.	03/11/2022

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Notice of Violation	Case Type: Public Nuisance
	Case Opened: 01/20/2022
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SOURINH DOLAN
1431 8TH ST
DES MOINES IA 50314

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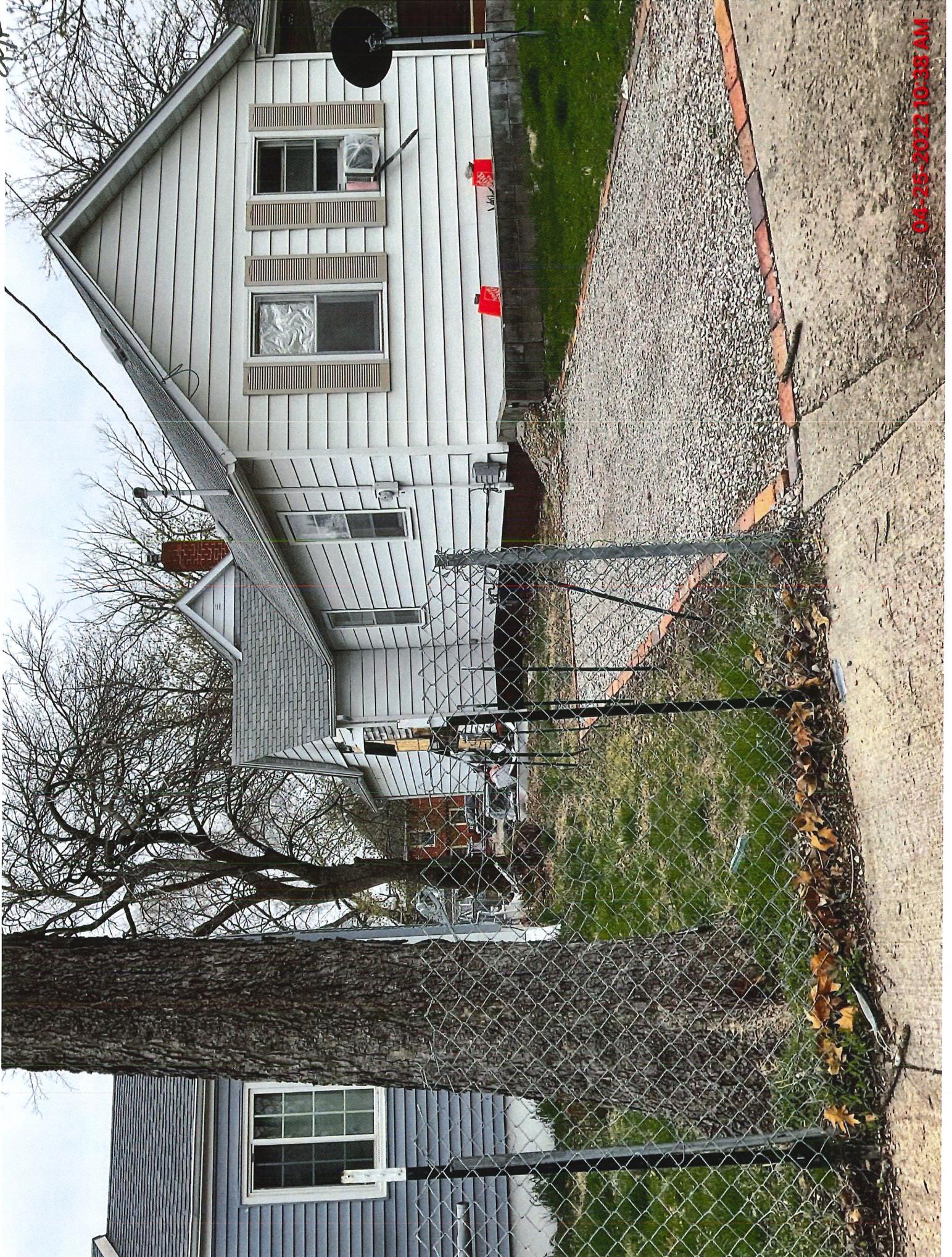
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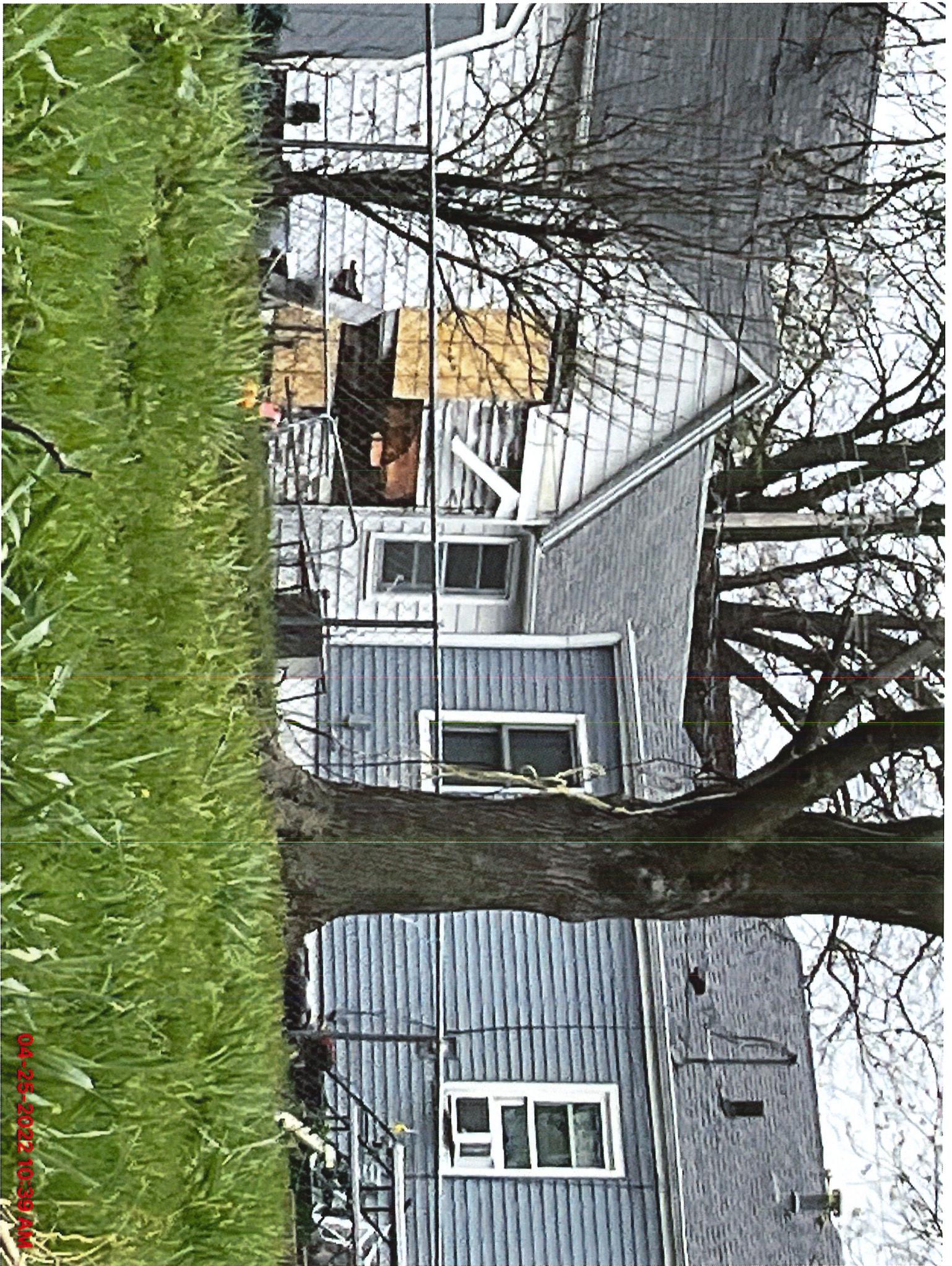
File



04-25-2022 10:38 AM



04-25-2022 10:38 AM



04-25-2022 10:39 AM



04-25-2022 10:38 AM

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	1431 8TH ST				
City	DES MOINES	Zip	50314	Jurisdiction	Des Moines
District/Parcel	080/00544-000-000	Geoparcels	7924-34-406-005	Status	Active
School	Des Moines	Nbhd/Pocket	DM79/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northwest Des Moines	Appraiser	Joseph Peterson 515-286-3011		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

1448	1445	1436
1446	1443	1434
1444		1432
1442	1439	
1430	1431	1430
1428	1427	1428
1422		1424
1420	1421	
1418		1420

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

Photo Processed on 2013-08-05 a



[Historical Photos](#)

Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	DOLAN, SOURINH	2004-06-14	10588/903
Title Holder	2	DOLAN, RICHARD J	1992-11-20	6679/572

Legal Description and Mailing Address

LOT 9 BUTTS SUB DIV	SOURINH DOLAN 1431 8TH ST DES MOINES, IA 50314-2810
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Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential	Full	\$7,400	\$61,800	\$69,200

[Market Adjusted Cost Report](#)

Auditor Adjustments to Value

Category	Name	Information
2021 Homestead Credit	DOLAN, SOURINH	Application #23736

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
N5	N5 Neighborhood District		Residential

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

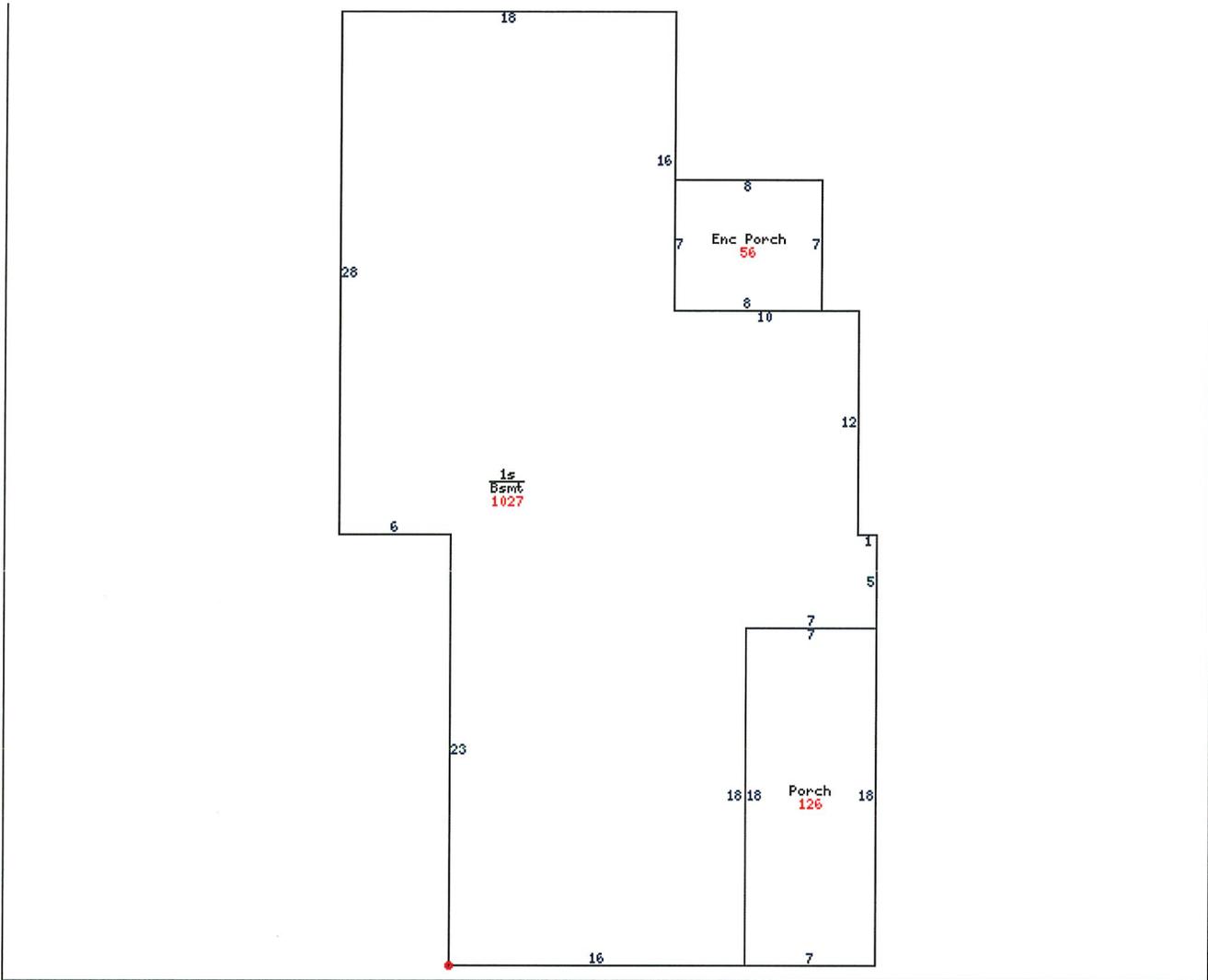
Land

Square Feet	7,332	Acres	0.168	Frontage	52.0
Depth	141.0	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	1884	Year Remodel	1983	Number Families	1
Grade	4-05	Condition	Above Normal	Total Square Foot Living Area	1027
Main Living Area	1027	Basement Area	1027	Open Porch Area	126
Enclosed Porch Area	56	Foundation	Concrete Block	Exterior Wall Type	Metal Siding
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning Rooms	100	Number Bathrooms	1	Bedrooms	2
Rooms	5				



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	12	Measure 2	18	Story Height	1
Grade	5	Year Built	1913	Condition	Poor

Sales - 2 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
STATESMAN MORTGAGE COMPANY	DOLAN, SOURINH	1992-11-17	\$14,500	Deed	6679/572
UNKNOWN	HUGHES, HOLLIE	1987-12-28	\$14,500	Contract	5809/415

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$7,400	\$61,800	\$69,200
2019	Assessment Roll	Residential	Full	\$6,600	\$54,300	\$60,900
2017	Assessment Roll	Residential	Full	\$6,300	\$52,200	\$58,500
2015	Assessment Roll	Residential	Full	\$5,700	\$47,600	\$53,300
2013	Assessment Roll	Residential	Full	\$5,500	\$44,800	\$50,300

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2011	Assessment Roll	Residential	Full	\$5,500	\$46,100	\$51,600
2009	Assessment Roll	Residential	Full	\$5,700	\$45,600	\$51,300
2007	Assessment Roll	Residential	Full	\$6,000	\$48,100	\$54,100
2005	Assessment Roll	Residential	Full	\$6,100	\$36,400	\$42,500
2003	Assessment Roll	Residential	Full	\$5,630	\$33,120	\$38,750
2001	Assessment Roll	Residential	Full	\$4,930	\$26,220	\$31,150
1999	Assessment Roll	Residential	Full	\$4,370	\$21,470	\$25,840
1997	Assessment Roll	Residential	Full	\$3,580	\$17,570	\$21,150
1995	Assessment Roll	Residential	Full	\$3,220	\$15,780	\$19,000
1994	Assessment Roll	Residential	Full	\$2,790	\$16,210	\$19,000
1992	Assessment Roll	Residential	Full	\$2,790	\$16,210	\$19,000
			Adj	\$2,790	\$13,170	\$15,960
1990	Assessment Roll	Residential	Full	\$2,790	\$16,210	\$19,000
			Adj	\$2,790	\$11,660	\$14,450
1989	Assessment Roll	Residential	Full	\$2,790	\$16,210	\$19,000
			Adj	\$2,790	\$10,140	\$12,930

This template was last modified on Thu Jun 3 19:39:49 2021 .