



Roll Call Number

Agenda Item Number

63 C

Date June 13, 2022

ABATEMENT OF PUBLIC NUISANCE AT 1857 E CRESTON AVEUNE

WHEREAS, the property located at 1857 E Creston Avenue, 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, Bank of the West, 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 The West 30 feet of Lot 24, PARK FOREST PLAT 3, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1857 E Creston Avenue, 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.
Second by \_\_\_\_\_

FORM APPROVED:

Judy K. Parks-Kruse
Judy K. Parks-Kruse, Assistant City Attorney

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, SHEUMAKER, MANDELBAUM, VOSS, WESTERGAARD, TOTAL, MOTION CARRIED, APPROVED, Mayor.

CERTIFICATE
I, Louva Baumgartner acting 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

630



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

Case Number: NUIS-2022-000067	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 03/09/2022
	Date of Notice: 03/15/2022
Date of Inspection: 03/09/2022	

BANK OF THE WEST  
CT CORPORATION SYSTEM, REG. AGENT  
400 E COURT AVE  
DES MOINES IA 50309

Address of Property: 1857 E CRESTON AVE, DES MOINES IA 50320  
Parcel Number: 782414403006  
Legal Description: W 30F LT 24 PARK FOREST PLAT 3

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.	04/20/2022
60-191 - Vacation and Abatement	Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	04/20/2022

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

04/20/2022

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.

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.

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.

UNSAFE TO GAIN ACCESS INTO STRUCTURE,  
POSSIBLE MORE VIOLATIONS.

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- Damaged

04/20/2022

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60-194 - Defacing and Removing Placard	Replace or restore defaced or removed placard.	04/20/2022
60-194 - Defacing and Removing Placard	Replace or restore defaced or removed placard.	04/20/2022

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,



Scott Clauson

Neighborhood Inspector

Neighborhood Services

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

SAClauson@dmgov.org

# Polk County Assessor

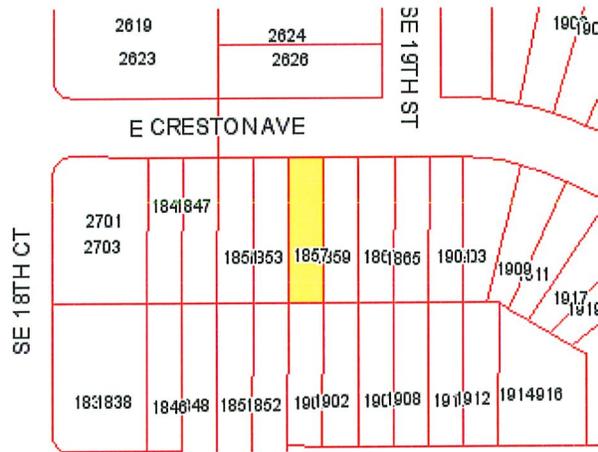
111 Court Avenue #195  
Des Moines, IA 50309-0904

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

Location					
<b>Address</b>	1857 E CRESTON AVE				
<b>City</b>	DES MOINES	<b>Zip</b>	50320	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	010/03972-624-001	<b>Geoparcels</b>	7824-14-403-006	<b>Status</b>	<a href="#">Active</a>
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM22/A	<b>Tax Authority Group</b>	DEM-C-DEM-77131
<b>Submarket</b>	South Des Moines	<b>Appraiser</b>	Joseph Peterson 515-286-3011		

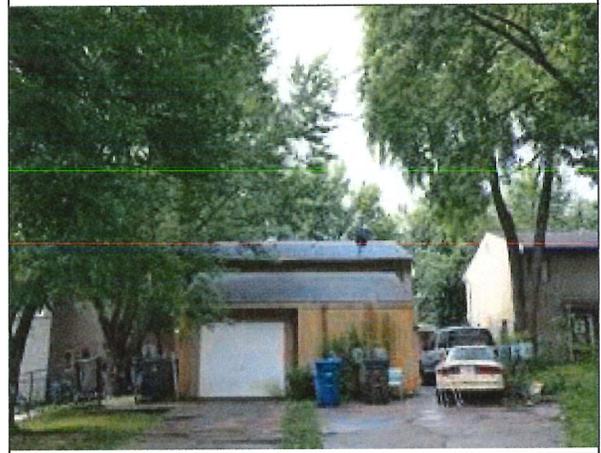
## Map and Current Photos - 1 Record

Click on parcel to get a new listing



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

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## Historical Photos

## Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	BANK OF THE WEST	2022-01-25	<a href="#">18961/426</a>

## Legal Description and Mailing Address

W 30F LT 24 PARK FOREST PLAT 3

BANK OF THE WEST  
13505 CALIFORNIA ST  
OMAHA, NE 68154-5247

## Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential	Full	\$11,500	\$65,700	\$77,200

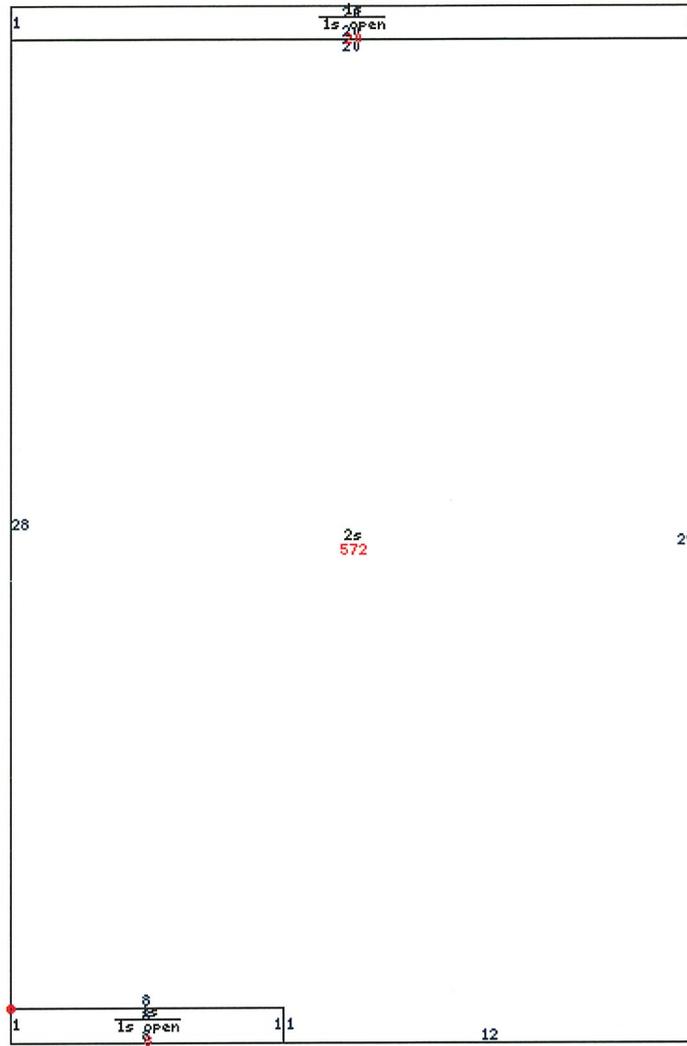
## Market Adjusted Cost Report

## Auditor Adjustments to Value

Category	Name	Information
<a href="#">2021 Homestead Credit</a>	MADONIA, JAMES P	Application #18572

## Zoning - 1 Record

<b>Zoning</b>	<b>Description</b>			<b>SF</b>	<b>Assessor Zoning</b>
N2B	N2b Neighborhood District				Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
<b>Land</b>					
<b>Square Feet</b>	3,750	<b>Acres</b>	0.086	<b>Frontage</b>	30.0
<b>Depth</b>	125.0	<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>	Bi-attached	<b>Residence Type</b>	2 Stories	<b>Building Style</b>	Conventional
<b>Year Built</b>	1980	<b>Number Families</b>	1	<b>Grade</b>	4+00
<b>Condition</b>	Normal	<b>Total Square Foot Living Area</b>	1172	<b>Main Living Area</b>	572
<b>Upper Living Area</b>	600	<b>Foundation</b>	Poured Concrete	<b>Exterior Wall Type</b>	Hardboard
<b>Roof Type</b>	Gable	<b>Roof Material</b>	Asphalt Shingle	<b>Heating</b>	Gas Forced Air
<b>Air Conditioning</b>	100	<b>Number Bathrooms</b>	1	<b>Number Toilet Rooms</b>	1
<b>Bedrooms</b>	3	<b>Rooms</b>	5		



**Detached Structures - 1 Record**

**Detached Structure #101**

<b>Occupancy</b>	Garage	<b>Construction Type</b>	Frame	<b>Measurement Code</b>	Dimensions
<b>Measure 1</b>	12	<b>Measure 2</b>	24	<b>Story Height</b>	1
<b>Grade</b>	4	<b>Year Built</b>	1980	<b>Condition</b>	Normal

**Sales - 2 Records**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
SECRETARY OF HUD,	MADONIA, JAMES P	<a href="#">1991-12-18</a>	\$33,000	Deed	<a href="#">6477/792</a>
BANC PLUS MORTGAGE CORP	SECRETARY OF HUD	<a href="#">1991-07-17</a>	\$44,610	Deed	<a href="#">6408/369</a>

**Recent Ownership Transfers**

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
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Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
MADONIA, JAMES P <hr/> Also Known As MADONIA, CYNTHIA A <hr/> COGLEY, CYNTHIA A <hr/> Also Known As MADONIA, JAMES <hr/> SCHNEIDER, KEVIN J	BANK OF THE WEST	2022-01-11	2022-01-25	Sheriffs Deed	<a href="#">18961/426</a>
MADONIA, JAMES P <hr/> Also Known As MADONIA, JAMES <hr/> MADONIA, CYNTHIA A <hr/> Formerly Known As COGLEY, CYNTHIA A	MADONIA, JAMES P <hr/> MADONIA, CYNTHIA A	2012-10-24	2012-11-08	Quit Claim Deed	<a href="#">14522/552</a>

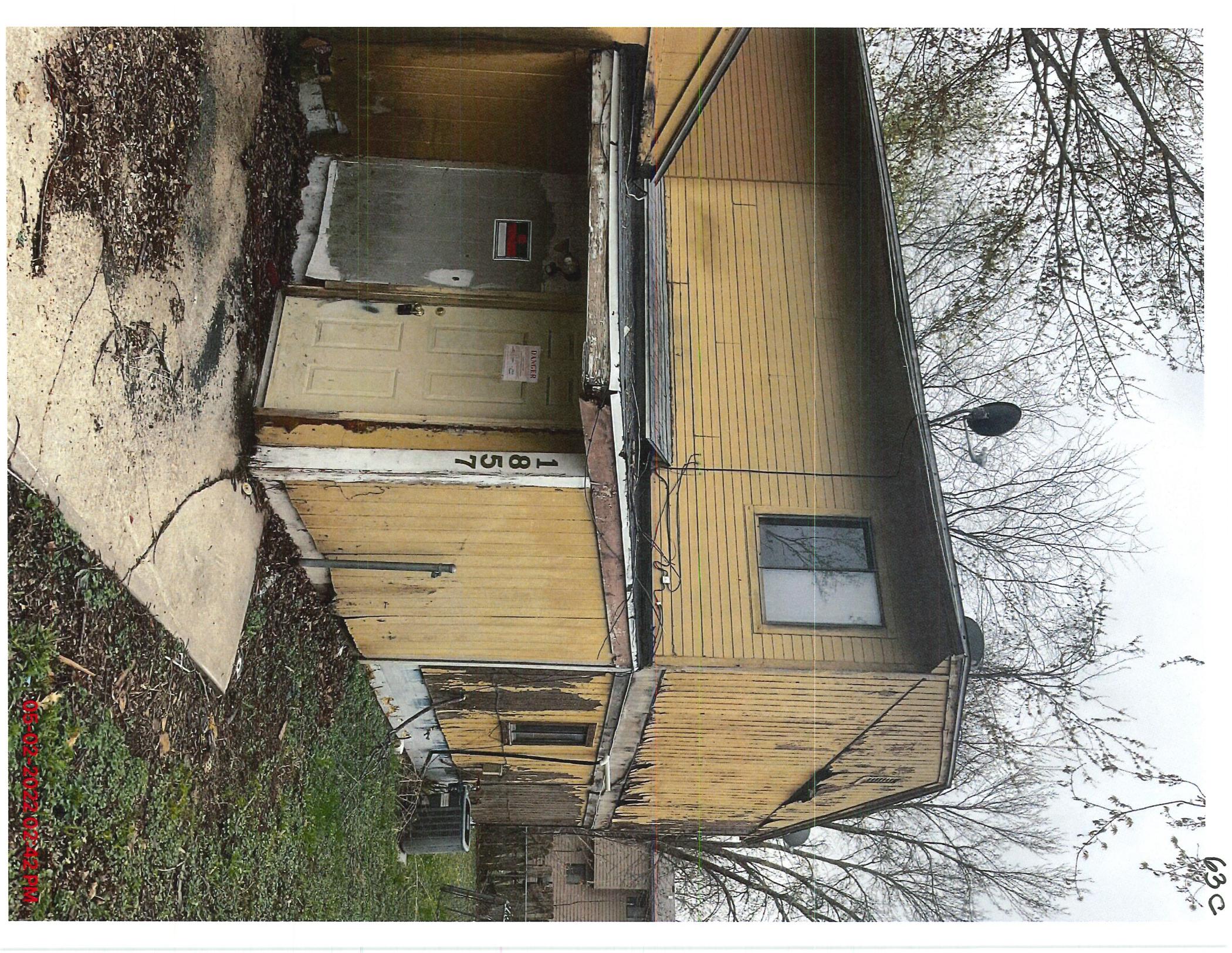
#### Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<a href="#">Assessment Roll</a>	Residential	Full	\$11,500	\$65,700	\$77,200
2019	<a href="#">Assessment Roll</a>	Residential	Full	\$10,700	\$62,000	\$72,700
2017	<a href="#">Assessment Roll</a>	Residential	Full	\$10,100	\$60,200	\$70,300
2015	<a href="#">Assessment Roll</a>	Residential	Full	\$10,800	\$54,700	\$65,500
2013	<a href="#">Assessment Roll</a>	Residential	Full	\$10,100	\$50,300	\$60,400
2011	<a href="#">Assessment Roll</a>	Residential	Full	\$10,600	\$54,500	\$65,100
2009	<a href="#">Assessment Roll</a>	Residential	Full	\$11,300	\$56,200	\$67,500
2007	<a href="#">Assessment Roll</a>	Residential	Full	\$11,600	\$55,000	\$66,600
2005	<a href="#">Assessment Roll</a>	Residential	Full	\$13,300	\$51,400	\$64,700
2003	<a href="#">Assessment Roll</a>	Residential	Full	\$12,390	\$47,440	\$59,830
2001	<a href="#">Assessment Roll</a>	Residential	Full	\$6,800	\$42,730	\$49,530
1999	Assessment Roll	Residential	Full	\$5,110	\$37,940	\$43,050
1997	Assessment Roll	Residential	Full	\$4,950	\$36,760	\$41,710
1995	Assessment Roll	Residential	Full	\$4,540	\$36,760	\$41,300
1993	Assessment Roll	Residential	Full	\$3,950	\$36,760	\$40,710
1993	Was Prior Year	Residential	Full	\$3,690	\$37,020	\$40,710

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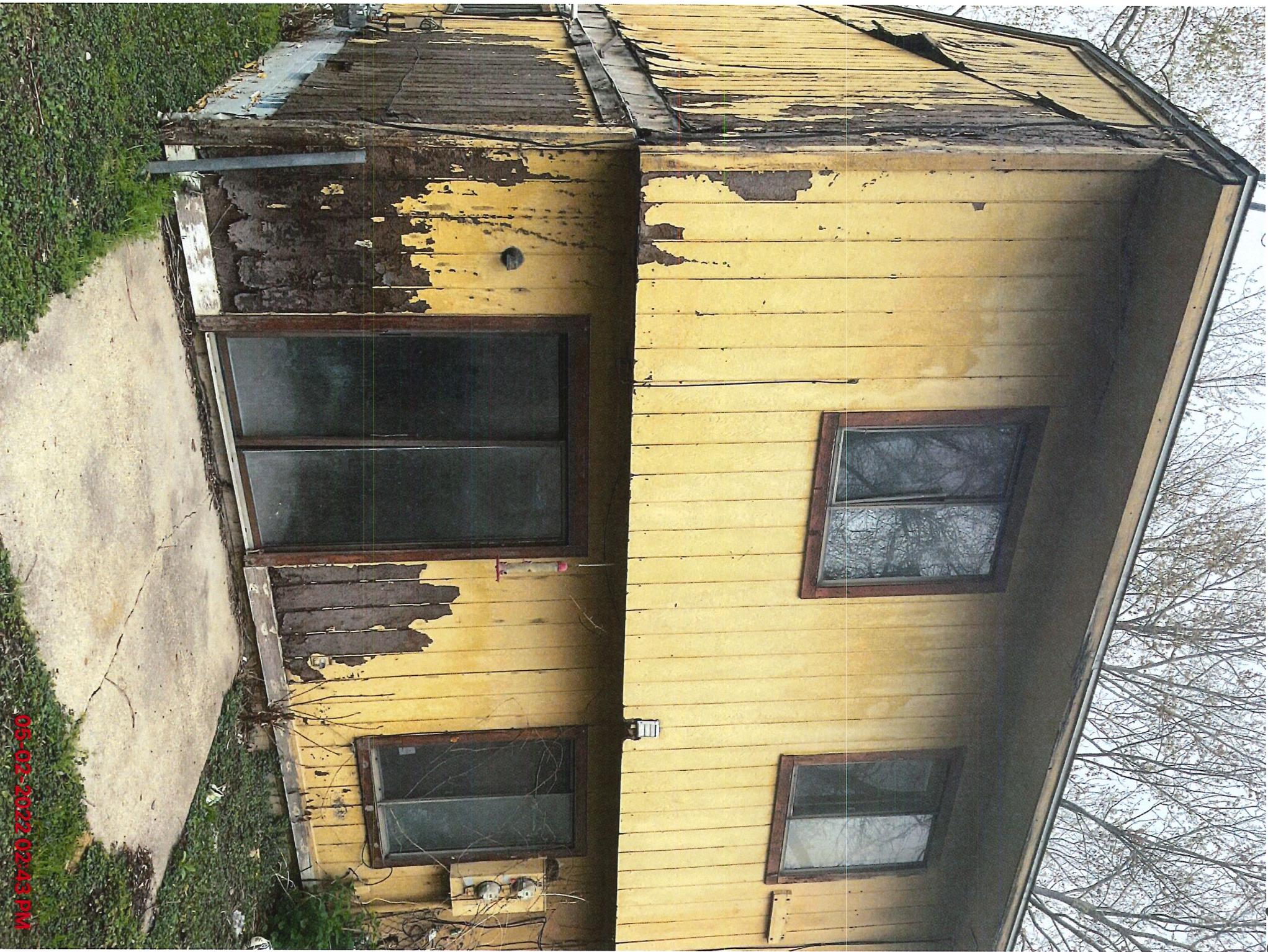


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