



Roll Call Number

Agenda Item Number

27B

Date August 21, 2023

ABATEMENT OF PUBLIC NUISANCE AT 1450 E FLEMING AVENUE

WHEREAS, the property located at 1450 E Fleming 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, M E Dilse and All Known & Unknown Heirs of Mamie Dilse, 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.

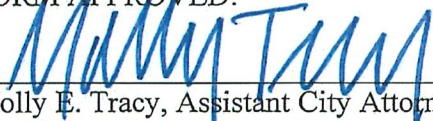
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure on the real estate legally described as Lot 37 in MADISON PLACE, an Official Plat, and all that part of the vacated portion of Lot C, MADISON PLACE, an Official Plat, lying East of and adjoining Lot 37 of said Madison Place, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1450 E Fleming 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:


Molly E. Tracy, Assistant City Attorney

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

MOTION CARRIED APPROVED

CERTIFICATE

I, Laura Baumgartner, 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

21B



Network: Jul 19, 2023 at 9:11:13 AM CDT
Local: Jul 19, 2023 at 9:11:13 AM CDT
Des Moines

07-19-2023 09:11 AM



Network: Jul 19, 2023 at 9:11:22 AM CDT
Local: Jul 19, 2023 at 9:11:22 AM GDT
Des Moines

07-19-2023 09:11 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

27B

Location					
Address	1450 E FLEMING AVE				
City	DES MOINES	Zip	50313	Jurisdiction	Des Moines
District/Parcel	110/03897-001-000	Geoparcels	7924-24-351-037	Status	<u>Active</u>
School	Des Moines	Nbhd/Pocket	DM06/Z	Tax Authority Group	DEM-C-DEM-77131
TIF	103/Des Moines NE Gateway 2 UR	Submarket	Northeast Des Moines	Appraiser	Katelyn Evans 515-286-3832

Map and Current Photos - 1 Record

Click on parcel to get a new listing

E-FLEMING-AVE

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

Photo Processed on 2011-04-04 a

[Historical Photos](#)

Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	DILSE, M E	1957-08-09	3055/115
Title Holder	2	DILSE, MAMIE		

Legal Description and Mailing Address

VAC LT C E & ADJ & ALL LT 37 MADISON PLACE	MARILYN TOUNSLEY 2522 26TH ST DES MOINES, IA 50310-5531
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Current Values

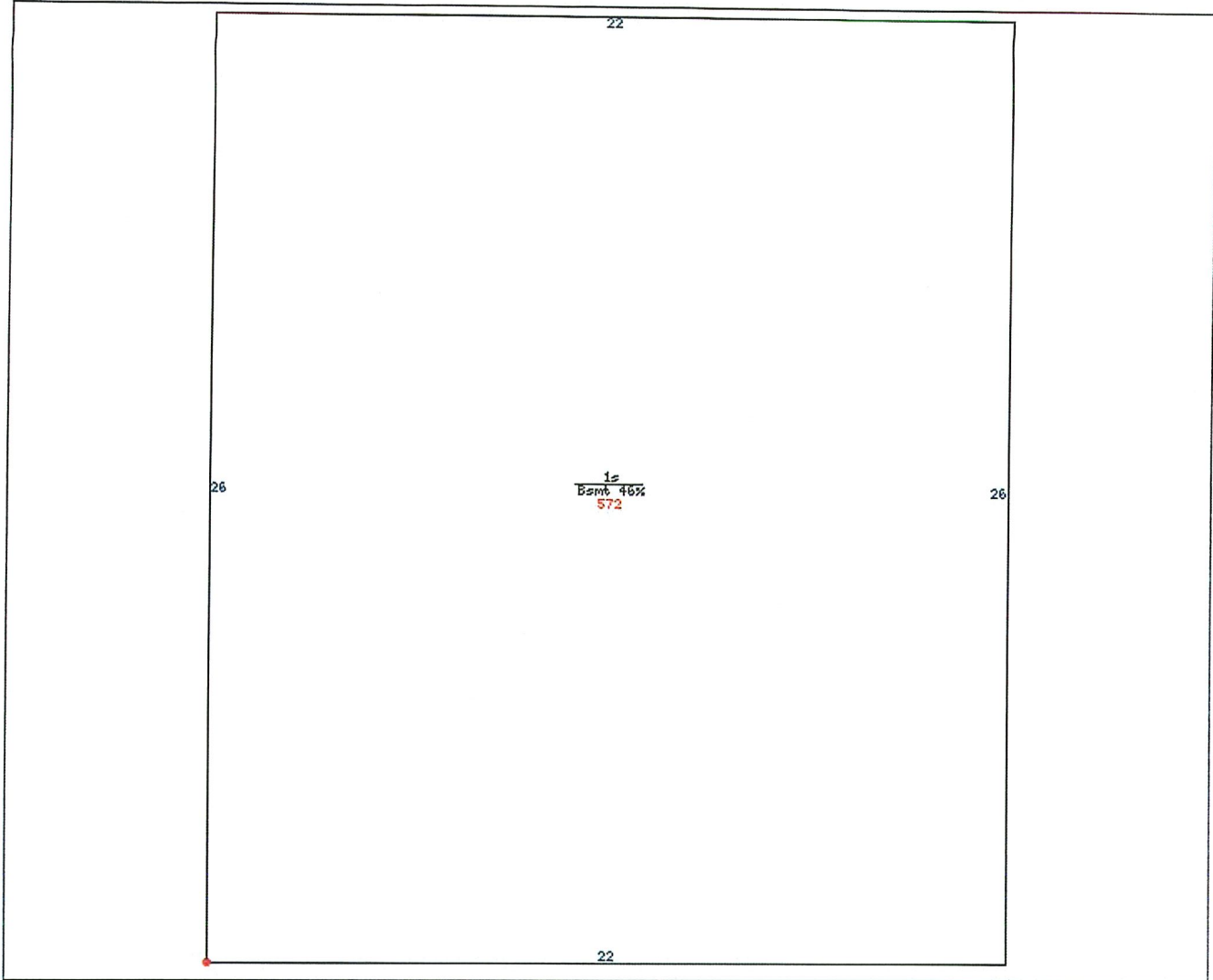
Type	Class	Kind	Land	Bldg	Total
2023 Value	Residential	Full	\$8,000	\$16,700	\$24,700

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

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning

Zoning	Description		SF	Assessor Zoning	
MX3	MX3 Mixed Use District				
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	8,280	Acres	0.190	Frontage	60.0
Depth	138.0	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	1924	Number Families	1	Grade	5-05
Condition	Poor	Total Square Foot Living Area	572	Main Living Area	572
Basement Area	263	Foundation	Concrete Block	Exterior Wall Type	Wood Siding
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning	0	Number Bathrooms	1	Bedrooms	2
Rooms	4				



Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2023	Assessment Roll	Residential	Full	\$8,000	\$16,700	\$24,700
2021	Assessment Roll	Residential	Full	\$6,800	\$13,900	\$20,700
2019	Assessment Roll	Residential	Full	\$6,400	\$12,800	\$19,200
2017	Assessment Roll	Residential	Full	\$5,500	\$11,200	\$16,700
2015	Assessment Roll	Residential	Full	\$5,400	\$11,000	\$16,400
2013	Assessment Roll	Residential	Full	\$5,200	\$10,700	\$15,900
2011	Assessment Roll	Residential	Full	\$6,200	\$13,100	\$19,300
2009	Assessment Roll	Residential	Full	\$6,100	\$13,800	\$19,900
2007	Assessment Roll	Residential	Full	\$6,100	\$13,800	\$19,900
2005	Assessment Roll	Residential	Full	\$5,300	\$21,200	\$26,500
2003	Assessment Roll	Residential	Full	\$4,460	\$18,140	\$22,600
2001	Assessment Roll	Residential	Full	\$4,470	\$13,690	\$18,160
1999	Assessment Roll	Residential	Full	\$5,030	\$8,170	\$13,200
1995	Assessment Roll	Residential	Full	\$4,560	\$7,400	\$11,960

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



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

27B

Case Number: NUIS-2022-000247	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 12/28/2022
	Date of Notice: 06/01/2023
	Date of Inspection: 11/07/2022

ALL KNOWN & UNKNOWN HEIRS OF
 MAMIE DILSE
 2522 26TH ST
 DES MOINES IA 50310

Address of Property: **1450 E FLEMING AVE, DES MOINES IA 50313**
 Parcel Number: **792424351037**

Legal Description: **VAC LT C E & ADJ & ALL LT 37 MADISON PLACE**

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
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Violation	Corrective Action	Compliance Due Date
<p>60-191 - Vacation and Abatement Any structure, dwelling, mobile home, equipment, or premise declared to be a public nuisance and unfit for human habitation or use, and so designated by the administrator, shall immediately be vacated and the nuisance shall be abated by repair, rehabilitation, demolition, or any other City-approved corrective action. The owner(s) shall be responsible for the vacation and abatement of the nuisance at such owner's expense. If not complied by such owner(s), then the nuisance may be abated by the city at the owner's expense. As indicated by section 60-19, the owner of land upon which a mobile home sits is a responsible owner in the event that mobile home is declared to be a public nuisance. Both the owner of the mobile home and the owner of the land upon which the mobile home sits shall be responsible for vacation and abatement of the public nuisance.</p>	Vacate the structure.	07/17/2023
<p>60-192(1) - Unsafe and Dangerous Structure or Premise 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.</p>	Repair or replace all building components damaged to the point to effectively create a nuisance or a violation. All work must be done in a workmanlike manner with all required permits.	07/17/2023
<p>60-192(3) - Unsafe and Dangerous Structure or Premise The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.</p>	Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.	07/17/2023
<p>60-192(6) - Unsafe and Dangerous Structure or Premise Whenever the condition or maintenance of the premise creates a nuisance that endangers the health and safety of the residents or public.</p>	Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.	07/17/2023

Violation	Corrective Action	Compliance Due Date
60-194 - Defacing and Removing Placard No person shall deface or remove the placard, except as authorized by the administrator.	Replace or restore defaced or removed placard.	07/17/2023
60-192(22) - Unsafe and Dangerous Structure or Premise Surfaces, including windows and doors, shall be maintained in good clean and sanitary conditions. Peeling chipping flaking or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood or other defective surface conditions shall be corrected.	Repair or replace to eliminate conditions that create a nuisance or a violation in a workmanlike manner with permits as required.	07/17/2023

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,



Kevin Pyles
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
(515) 283-4122
KEPyles@dmgov.org



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