



Roll Call Number

Agenda Item Number

53C

Date July 15, 2024

ABATEMENT OF PUBLIC NUISANCE AT 130 E 33rd ST.

WHEREAS, the property located at 130 E 33rd St., Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the garage structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholders, Eugene A. Schubert and Patricia R. Schubert, and the Contract Buyer, Kathy Beveridge, were notified more than thirty days ago to repair or demolish the garage structure and as of this date have failed to abate the nuisance.

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

The garage structure on the real estate legally described as Lots 37 and 38 in GEO. P. CURRAN'S ADDITION to the City of Des Moines, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa., and locally known as 130 E. 33rd 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.

Seconded by _____

FORM APPROVED:

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
SIMONSON				
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



05-24-2024 07:59 AM

530



05-24-2024 08:00 AM



05-24-2024 07:59 AM

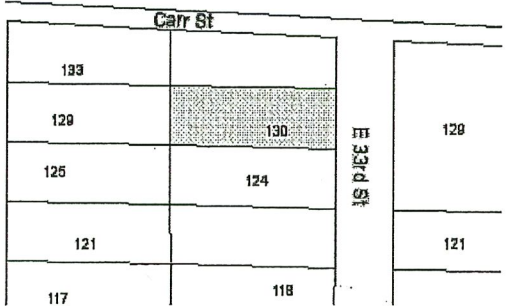
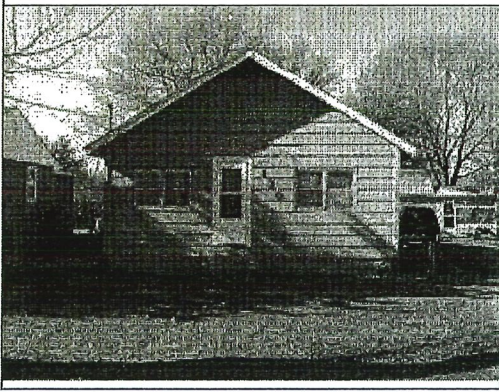
Polk County Assessor

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

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

Location					
Address	130 E 33RD ST				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	050/00615-000-000	Geoparcels	7823-06-328-009	Status	<u>Active</u>
School	Des Moines	Nbhd/Pocket	DM19/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Brett Tierney 515-286-3019		

Map and Current Photos - 1 Record

<p>Click on parcel to get a new listing</p>  <p>Bigger Map Engineering Support Google Map Pictometry</p>	<p>Photo Processed on 2006-11-22 a</p> 
---	---

Historical Photos

Ownership - 3 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	SCHUBERT, EUGENE A	2015-01-05	<u>15431/839</u>
Title Holder	2	SCHUBERT, PATRICIA R	2015-01-05	<u>15431/839</u>
Contract Buyer	1	BEVERIDGE, KATHY	2002-05-08	<u>9134/411</u>

Legal Description and Mailing Address

LOT 38 GEORGE P CURRANS ADD	KATHY BEVERIDGE 130 E 33RD ST DES MOINES, IA 50317-7309
-----------------------------	---

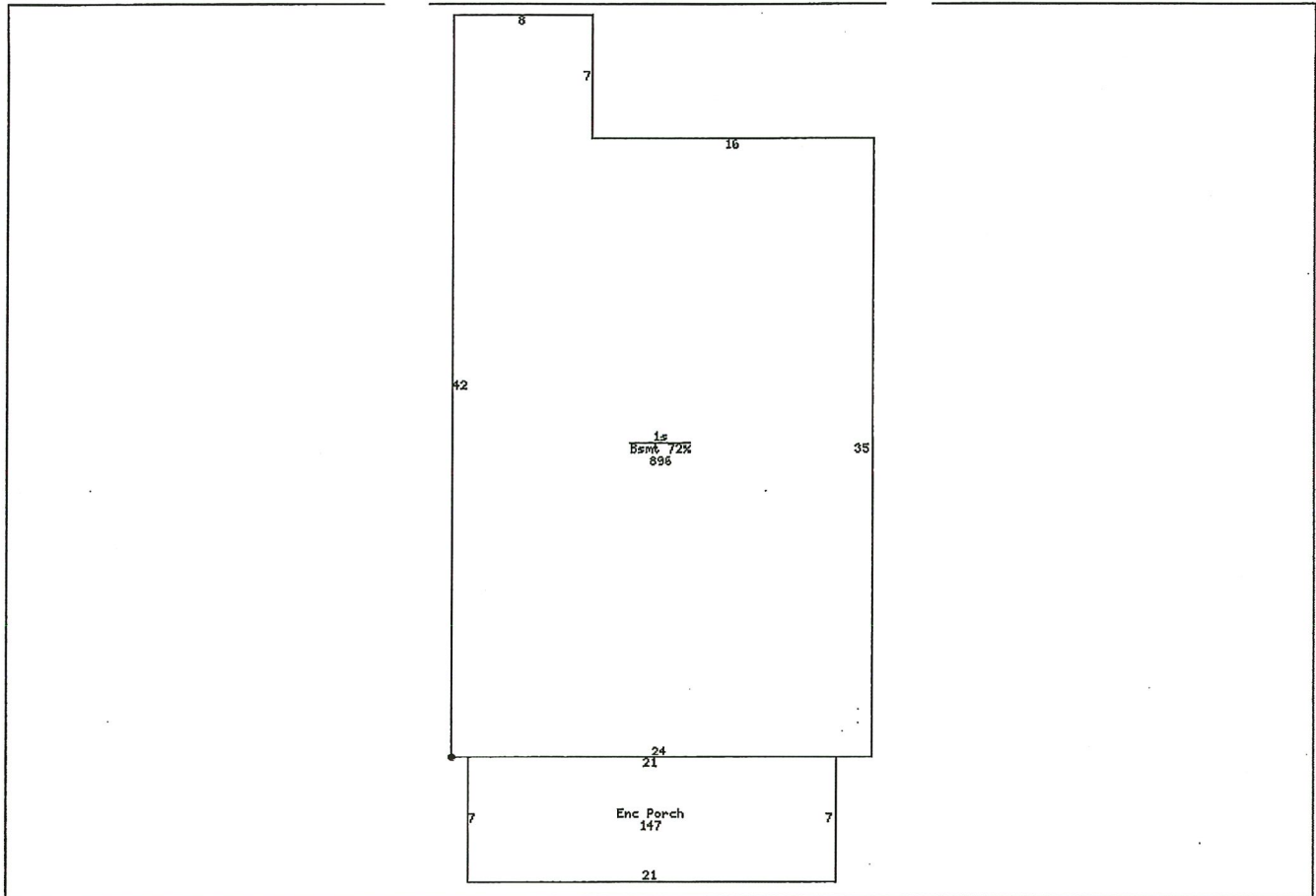
Current Values

Type	Class	Kind	Land	Bldg	Total
2023 Value	Residential	Full	\$6,900	\$62,700	\$69,600

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

Auditor Adjustments to Value

Category		Name		Information	
<u>2023 Homestead Credit</u>		BEVERIDGE, KATHY		Application #106947	
Zoning - 1 Record					
Zoning	Description		SF	Assessor Zoning	
N3C	N3c Neighborhood District			Residential	
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	7,205	Acres	0.165	Frontage	51.0
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	1901	Number Families	1	Grade	5+10
Condition	Normal	Total Square Foot Living Area	896	Main Living Area	896
Basement Area	645	Enclosed Porch Area	147	Foundation	Brick
Exterior Wall Type	Asbestos	Roof Type	Gable	Roof Material	Asphalt Shingle
Heating	Gas Forced Air	Air Conditioning	0	Number Bathrooms	1
Bedrooms	2	Rooms	5		



Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Square Feet
Measure 1	1,008	Story Height	1	Grade	4
Year Built	1964	Condition	Below Normal		
Comment	24 X 30 && 12 X 24				

Sales - 3 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
SAMANN LC	BEVERIDGE, KATHY	<u>2002-05-03</u>	\$50,070	Contract	<u>9134/411</u> Multiple Parcels
UNITED COMPANIES, LENDING CORP	SAMANN, L.C.	<u>2001-11-01</u>	\$26,000	Deed	<u>9068/229</u> Multiple Parcels
TRAFTER, MARJORIE J	FETTERS, LARRY	<u>1993-10-14</u>	\$32,000	Deed	<u>6894/245</u>

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
---------	---------	-----------------	----------------	-----------------	---------

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
CONTRACT EXCHANGE CORPORATION	SCHUBERT, EUGENE A SCHUBERT, PATRICIA R	2014-12-29	2015-01-05	Warranty Deed Corporate	<u>15431/839</u>
FIRST CONTRACT CORP	CONTRACT EXCHANGE CORPORATION	2014-11-14	2014-11-14	Warranty Deed Corporate	<u>15384/815</u>
SAMANN, LLC	FIRST CONTRACT CORP	2012-11-26	2012-12-04	Quit Claim Deed	<u>14558/52</u>

Permits - 1 Record

Year	Type	Permit Status	Application	Reason	Reason1
2010	Permit	No Add	2009-07-07	Addition	SWIMMING POOL

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2023	<u>Assessment Roll</u>	Residential	Full	\$6,900	\$62,700	\$69,600
2021	<u>Assessment Roll</u>	Residential	Full	\$5,800	\$49,700	\$55,500
2019	<u>Assessment Roll</u>	Residential	Full	\$5,300	\$44,700	\$50,000
2017	<u>Assessment Roll</u>	Residential	Full	\$4,400	\$37,600	\$42,000
2015	<u>Assessment Roll</u>	Residential	Full	\$4,100	\$35,800	\$39,900
2013	<u>Assessment Roll</u>	Residential	Full	\$4,800	\$34,500	\$39,300
2011	<u>Assessment Roll</u>	Residential	Full	\$4,600	\$40,900	\$45,500
2009	<u>Assessment Roll</u>	Residential	Full	\$4,600	\$39,700	\$44,300
2007	<u>Assessment Roll</u>	Residential	Full	\$4,500	\$39,200	\$43,700
2005	<u>Assessment Roll</u>	Residential	Full	\$4,500	\$41,700	\$46,200
2003	<u>Assessment Roll</u>	Residential	Full	\$3,630	\$33,750	\$37,380
2001	<u>Assessment Roll</u>	Residential	Full	\$5,300	\$28,120	\$33,420
1999	Assessment Roll	Residential	Full	\$1,590	\$38,940	\$40,530
1997	Assessment Roll	Residential	Full	\$1,380	\$33,770	\$35,150
1995	Assessment Roll	Residential	Full	\$1,240	\$30,340	\$31,580
1993	Assessment Roll	Residential	Full	\$1,160	\$18,270	\$19,430
1993	Was Prior Year	Residential	Full	\$1,160	\$17,340	\$18,500

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



Iowa

PO Box 631851 Cincinnati, OH 45263-1851

GANNETT

PROOF OF PUBLICATION

Tammy Yaw
Jennifer Hulse
Des Moines, City Of
602 Robert D Ray DR
Des Moines IA 50309-1868

STATE OF WISCONSIN, COUNTY OF BROWN

The Des Moines Register and Tribune Company, a newspaper printed and published in the city of Des Moines, Polk County, State of Iowa, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

04/05/2024

and that the fees charged are legal.
Sworn to and subscribed before on 04/05/2024

PUBLIC NUISANCE
NOTICE OF INSPECTION
NEIGHBORHOOD INSPECTION
DIVISION
NEIGHBORHOOD SERVICES
DEPARTMENT
CITY OF DES MOINES, IOWA
ALL KNOWN AND UNKNOWN
EUGENE SCHUBERT, DECEASED
And all others having a legal interest in
The property located at
130 E 33RD ST
Des Moines IA 50317

ORIGINAL NOTICE OF PUBLIC NUISANCE

TO THE ABOVE NAMED PARTY/PARTIES and all others having a legal interest in the subject property,

You are hereby notified that on the 12th day of February, 2024, THE CITY OF DES MOINES, IOWA, conducted an inspection of the property located at 130 E 33rd St, Des Moines, IA 50317 and legally described as LOT 38 GEORGE F CURRANS ADD and found violations of Chapter 40 of the Municipal Code of the City of Des Moines Iowa. The violations constitute a menace to health and safety and the structure(s) on the premises are declared public nuisance. Property has been placarded as unfit for human habitation. Titleholder(s), contract purchaser(s) and/or legal interest holders have 7 days to vacate and secure the structure(s). Failure to vacate and secure may result in legal action pursuant to Chapter 61-190 and 61-191 of the Municipal Code of the City of Des Moines.

The notice of violation and pictures can be viewed or copied in the Office of the Neighborhood Inspection Division of the City of Des Moines, 602 Robert D. Ray Drive, Armory Bldg, 1ST Floor, Des Moines, IA, 8:00 am - 4:30 pm, (515) 283-4046. The violations must be abated within 30 days from the date of this published notice by taking steps to abate all other violations pursuant to the notice. You shall contact the inspector at the telephone number listed below to verify compliance. If you fail to abate the public nuisance, a request will be made to the City Council, authorizing further legal action. As a result of the public nuisance action, any costs incurred by the City will be billed to you when the nuisance has been abated. Failure to pay the costs may result in collection by assessment to the property or personal judgment.

Appropriate building permits may be required for violations listed in the notice and you should contact the Permit and Development Center at 283-4200. Renovation of the structure(s) may also involve zoning issues and you should contact Development Zoning at 283-4200 to address those issues. If you determine the structure(s) is beyond repair and decide to remove it, a demolition permit must be obtained and you must follow the guidelines for demolition outlined by the Building Department of the City of Des Moines. You may sign a waiver giving the City of Des Moines authorization to remove the structure; however, this may result in collection 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 with the County Recorder's Office shall be furnished to the Neighborhood Inspection Division.

Scott Clauson: Neighborhood Inspection Inspector
602 Robert D. Ray Drive
Des Moines, Iowa
Telephone: (515) 283-4046

If you require the assistance of auxiliary aids or services to participate in the hearing because of a disability, immediately call your district ADA coordinator at (515) 282-3394. If you are hearing impaired call Relay Iowa TTY at 1-800-735-2942.

Legal Clerk

D. Roberts
Kathleen Allen

Notary, State of WI, County of Brown

1-7-25

My commission expires

Publication Cost: \$77.20
Order No: 10033195 # of Copies: 1
Customer No: 1250855

PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KATHLEEN ALLEN
Notary Public
State of Wisconsin

RECEIVED

APR 11 2024

NEIGHBORHOOD INSPECTION DIVISION



Iowa

PO Box 631851 Cincinnati, OH 45263-1851

GANNETT

PROOF OF PUBLICATION

Tammy Yaw
Jennifer Hulse
Des Moines, City Of
602 Robert D Ray DR
Des Moines IA 50309-1868

STATE OF WISCONSIN, COUNTY OF BROWN

The Des Moines Register and Tribune Company, a newspaper printed and published in the city of Des Moines, Polk County, State of Iowa, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

04/05/2024

and that the fees charged are legal.
Sworn to and subscribed before on 04/05/2024

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$77.80

Order No: 10033169

Customer No: 1250855

PO #:

of Copies: 1

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KATHLEEN ALLEN
Notary Public
State of Wisconsin

PUBLIC NUISANCE
NOTICE OF INSPECTION
NEIGHBORHOOD INSPECTION
DIVISION
NEIGHBORHOOD SERVICES
DEPARTMENT
CITY OF DES MOINES, IOWA
ALL KNOWN AND UNKNOWN
HEIRS OF
PATRICIA SCHUBERT,
DECEASED
And all others having a legal interest in
The property located at
130 E 33RD ST
Des Moines, IA 50317
ORIGINAL NOTICE OF PUBLIC
NUISANCE
TO THE ABOVE NAMED
PARTY/PARTIES and all others
having a legal interest in the subject
property:
You are hereby notified that on the
10th day of February, 2024, THE
CITY OF DES MOINES, IOWA,
conducted an inspection of the prop-
erty located at 130 E 33rd St, Des
Moines, IA 50317 and legally
described as LOT 38 GEORGE P
CURRANS ADD and found viola-
tions of Chapter 60 of the Municipal
Code of the City of Des Moines Iowa.
The violations constitute a menace
to health and safety and the struc-
ture(s) on the premise are declared a
public nuisance. Property has
been placarded as unfit for human
habitation. Titleholder(s), contract
purchaser(s) and/or legal interest
holders have 7 days to vacate and
secure the structure(s). Failure to
vacate and secure may result in
legal action pursuant to Chapter 60-
190 and 60-191 of the Municipal Code
of the City of Des Moines.
The notice of violation and pictures
can be viewed or copied in the
Office of the Neighborhood Inspec-
tion Division of the City of Des
Moines, 602 Robert D. Ray Drive,
Armory Bldg., 1ST Floor, Des
Moines, IA, 50309 am 4:30 pm, (515)
283-4046. The violations must be
abated within 30 days from the date
of this published notice by taking
steps to abate all other violations
pursuant to the notice. You shall
contact the inspector of the tele-
phone number listed below to verify
compliance. If you fail to abate the
public nuisance, a request will be
made to the City Council, authoriz-
ing further legal action. As a result
of the public nuisance action, any
costs incurred by the City will be
billed to you when the nuisance has
been abated. Failure to pay the
costs may result in collection by
assessment to the property or
personal judgment.
Appropriate building permits maybe
required for violations listed in the
notice and you should contact the
Permit and Development Center at
283-4200. Renovation of the struc-
ture(s) may also involve zoning
issues and you should contact Devel-
opment Zoning at 283-4200 to address
those issues. If you determine the
structure(s) is beyond repair and
decide to remove it, a demolition
permit must be obtained and you
must follow the guidelines for demoli-
tion outlined by the Building
Department of the City of Des
Moines. You may sign a waiver
giving the City of Des Moines author-
ization to remove the structure;
however, this may result in collec-
tion 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 with the County
Recorder's Office shall be furnished
to the Neighborhood Inspection Divi-
sion.
Scott Clauson: Neighborhood Inspec-
tion Inspector
602 Robert D. Ray Drive
Des Moines, Iowa
Telephone: (515) 283-4046
If you require the assistance of
auxiliary aids or services to partici-
pate in the hearing because of a
disability, immediately call your
district ADA coordinator at 1 (855)
286-3374. If you are hearing impaired
call Relay Iowa TTY of 1-800-735-
2942.

RECEIVED
APR 11 2024
NEIGHBORHOOD
INSPECTION DIVISION

