



**Roll Call Number**

Agenda Item Number

**BDH 1-E**

January 5, 2009

Date

WHEREAS, the property located at 1552 23<sup>rd</sup> Street, 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 Titleholders Inie Clement and Augustine Akpan and the Contract Buyer Kathryn Guile a/k/a Kathryn Byron were notified by personal service more than thirty days ago to repair or demolish the 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, SITTING AS THE LOCAL BOARD OF HEALTH:

The structure on the real estate legally described as LOT 30 WILLIAMSON PLACE now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1552 23<sup>rd</sup> Street 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 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.

FORM APPROVED:

Vicky Long Hill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

**CERTIFICATE**

I, DIANE RAUH, 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



**PUBLIC NUISANCE  
NOTICE OF INSPECTION  
NEIGHBORHOOD INSPECTION DIVISION  
COMMUNITY DEVELOPMENT DEPARTMENT  
CITY OF DES MOINES, IOWA**

**BDH** 1-E

**DATE OF NOTICE:** September 16, 2008

**DATE OF INSPECTION:** September 02, 2008

**CASE NUMBER:** COD2008-06143

**PROPERTY ADDRESS:** 1552 23RD ST

**LEGAL DESCRIPTION:** LOT 30 WILLIAMSON PLACE

AUGUSTINE AKPAN & INIE CLEMENT

Title Holder

7404 BRYN MAWR DR

URBANDALE IA 50322

KATHRYN GUILÉ A/K/A KATHRYN BYRON

Contract Buyer

615 SW 7TH ST APT 32

STUART IA 50250

An inspection of the referenced property was conducted for its conformance to the Municipal Code of the City of Des Moines. It has been determined from that inspection that the dwelling currently constitutes not only a menace to health and safety, but is also a public nuisance. Accordingly, the dwelling will be placarded as unfit for human habitation pursuant to the Municipal Code of the City of Des Moines and the Code of Iowa.

If not occupied at the present time, the dwelling is to remain vacant and unoccupied until occupancy is authorized by this office. If the dwelling 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 will issue a Municipal Infraction in accordance with Section 60-304 and 60-306 pursuant to the Municipal code of the City of Des Moines. Additionally, if the property had a Certificate of Inspection, it is hereby revoked.

Attached is a listing of the violations existing on the date of the inspection and a recommendation as to the remedial action required to correct such violations. Failure to correct these violations will result in legal action. The violations noted must be corrected within 30 days from the date of this notice. The violations noted must be corrected within 30 days from the date of this notice. Failure to correct these violations will result in a request to the City Council, sitting as the board of Health, to approve legal action. As a result of this public nuisance action there will be costs incurred by the City. Costs will be billed out when the nuisance has been abated. Failure to pay the costs will result in collection by assessment to the property or personal judgment.

**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.**

Appropriate building permits may be required for those violations noted in the "Special Requirements" section on the notice. Should you have questions regarding permits, contact the Permit and Development Center at 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 a period in excess of one year, there may be zoning issues, which will affect the proposed use of the structure and/or real estate. Please contact the Development Zoning Division at 283-4207 to determine what the legal use for the structure and/or the real estate is prior to commencement of any renovation.

If you believe the building is beyond repair and decide to remove it, all debris must be removed from the property and the basement excavation if any, filled in the manner required by the City. You are encouraged to arrange for this demolition yourself; however a demolition permit must be obtained from the Building Department. In the event you are unable to arrange for demolition, you may sign a waiver voluntarily authorizing the City to do so. However, the city may take a personal judgment against you 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 at the Polk county Recorder's Office, shall likewise be furnished to the Neighborhood Inspection Division.

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

Eric Moore  
(515) 283-4759



Nid Inspector

DATE MAILED: 9/16/2008

MAILED BY: KMN

**Areas that need attention:** 1552 23RD ST

<p><b><u>Component:</u></b> Exterior Walls  <b><u>Requirement:</u></b>  <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> Inadequate wall covering  <b><u>Location:</u></b></p>
<p><b><u>Component:</u></b> Hand Rails  <b><u>Requirement:</u></b>  <b><u>Comments:</u></b> Rear</p>	<p><b><u>Defect:</u></b> Missing  <b><u>Location:</u></b></p>
<p><b><u>Component:</u></b> Soffit/Facia/Trim  <b><u>Requirement:</u></b>  <b><u>Comments:</u></b> South porch roof</p>	<p><b><u>Defect:</u></b> Major sagging  <b><u>Location:</u></b> Roof</p>
<p><b><u>Component:</u></b> Soffit/Facia/Trim  <b><u>Requirement:</u></b>  <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> Holes or major defect  <b><u>Location:</u></b> Unknown</p>
<p><b><u>Component:</u></b> Soffit/Facia/Trim  <b><u>Requirement:</u></b>  <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> Absence of paint  <b><u>Location:</u></b></p>
<p><b><u>Component:</u></b> Soffit/Facia/Trim  <b><u>Requirement:</u></b>  <b><u>Comments:</u></b> Front porch ceiling</p>	<p><b><u>Defect:</u></b> Absence of paint  <b><u>Location:</u></b> Porch</p>
<p><b><u>Component:</u></b> Windows/Window Frames  <b><u>Requirement:</u></b>  <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> Cracked/Broken  <b><u>Location:</u></b></p>
<p><b><u>Component:</u></b> Windows/Window Frames  <b><u>Requirement:</u></b>  <b><u>Comments:</u></b></p>	<p><b><u>Defect:</u></b> In disrepair  <b><u>Location:</u></b></p>

BDH 1-E

**Component:** Windows/Window Frames  
**Defect:** Missing  
**Requirement:**  
**Location:**  
**Comments:**

**Component:** Plumbing System  
**Defect:** Not Supplied  
**Requirement:** Plumbing Permit  
**Location:**  
**Comments:** Urban minors have removed waterlines

**Component:** Water Heater  
**Defect:** In poor repair  
**Requirement:** Plumbing Permit  
**Location:**  
**Comments:** Vent is not connected

**Component:** Electrical Lighting Fixtures  
**Defect:** In poor repair  
**Requirement:**  
**Location:**  
**Comments:**

**Component:** Smoke Detectors  
**Defect:** Not Supplied  
**Requirement:**  
**Location:** Throughout  
**Comments:**

**Component:** Electrical Receptacles  
**Defect:** In poor repair  
**Requirement:**  
**Location:**  
**Comments:**

**Component:** Hand Rails  
**Defect:** Not Supplied  
**Requirement:**  
**Location:** Stairway  
**Comments:** Both stairways

**Component:** Flooring  
**Defect:** Deteriorated  
**Requirement:**  
**Location:** Throughout  
**Comments:**

**Component:** Flooring  
**Defect:** In disrepair  
**Requirement:**  
**Location:** Throughout  
**Comments:**

<b>Component:</b> Interior Stairway <b>Requirement:</b> <b>Comments:</b>	<b>Defect:</b> In disrepair <b>Location:</b> Throughout	<b>BDH</b> 1-E
<b>Component:</b> Interior Walls /Ceiling <b>Requirement:</b> <b>Comments:</b>	<b>Defect:</b> Holes or major defect <b>Location:</b> Throughout	
<b>Component:</b> Interior Walls /Ceiling <b>Requirement:</b> <b>Comments:</b>	<b>Defect:</b> Inadequate wall covering <b>Location:</b> Throughout	
<b>Component:</b> Interior Walls /Ceiling <b>Requirement:</b> <b>Comments:</b>	<b>Defect:</b> Severly peeling paint <b>Location:</b> Throughout	
<b>Component:</b> Interior Walls /Ceiling <b>Requirement:</b> <b>Comments:</b>	<b>Defect:</b> Water Damage <b>Location:</b> Unknown	
<b>Component:</b> Foundation <b>Requirement:</b> Engineering Report <b>Comments:</b>	<b>Defect:</b> Structurally Unsound <b>Location:</b>	
<b>Component:</b> Furnace <b>Requirement:</b> <b>Comments:</b> Must be checked for safe operable condition	<b>Defect:</b> In poor repair <b>Location:</b>	

**BDH 1-E**



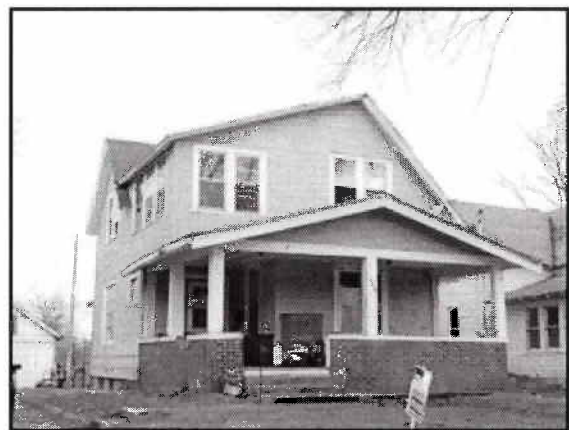
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District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
080/07381-000-000	7924-33-401-003	0168	DM75/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
<b>1552 23RD ST</b>			DES MOINES IA 50311		

Click on parcel to get new listing

Get Bigger Map

1614	188	100	1811	1814
	185	1808	1810	
241	1803	1804	1807	1806
240	181	1802	1805	1802
50	180	1800	1803	1548
62.5	1559	1554	1559	1548
88	1555	1552	1555	1542
	1553	1550	1551	
		1548	1547	1534
		1546	1541	
		1538	1537	1530
		1534	1535	1528
		1528	1531	1520



Approximate date of photo 02/20/2004

**Mailing Address**

INIE CLEMENT  
7404 BRYN MAWR DR  
URBANDALE, IA 50322-4149

**Legal Description**

LOT 30 WILLIAMSON PLACE

Ownership	Name	Transfer	Book/Page	RevStamps
Title Holder #1	CLEMENT, INIE	10/22/2001	9033/675	
Title Holder #2	AKPAN, AUGUSTINE			
Contract Buyer #1	GUILE, KATHRYN	12/29/2004	10885/400	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	6,100	55,900	0	62,000

[Market Adjusted Cost Report](#) [Estimate Taxes](#) [Polk County Treasurer Tax Information](#) [Pay](#)



Taxes

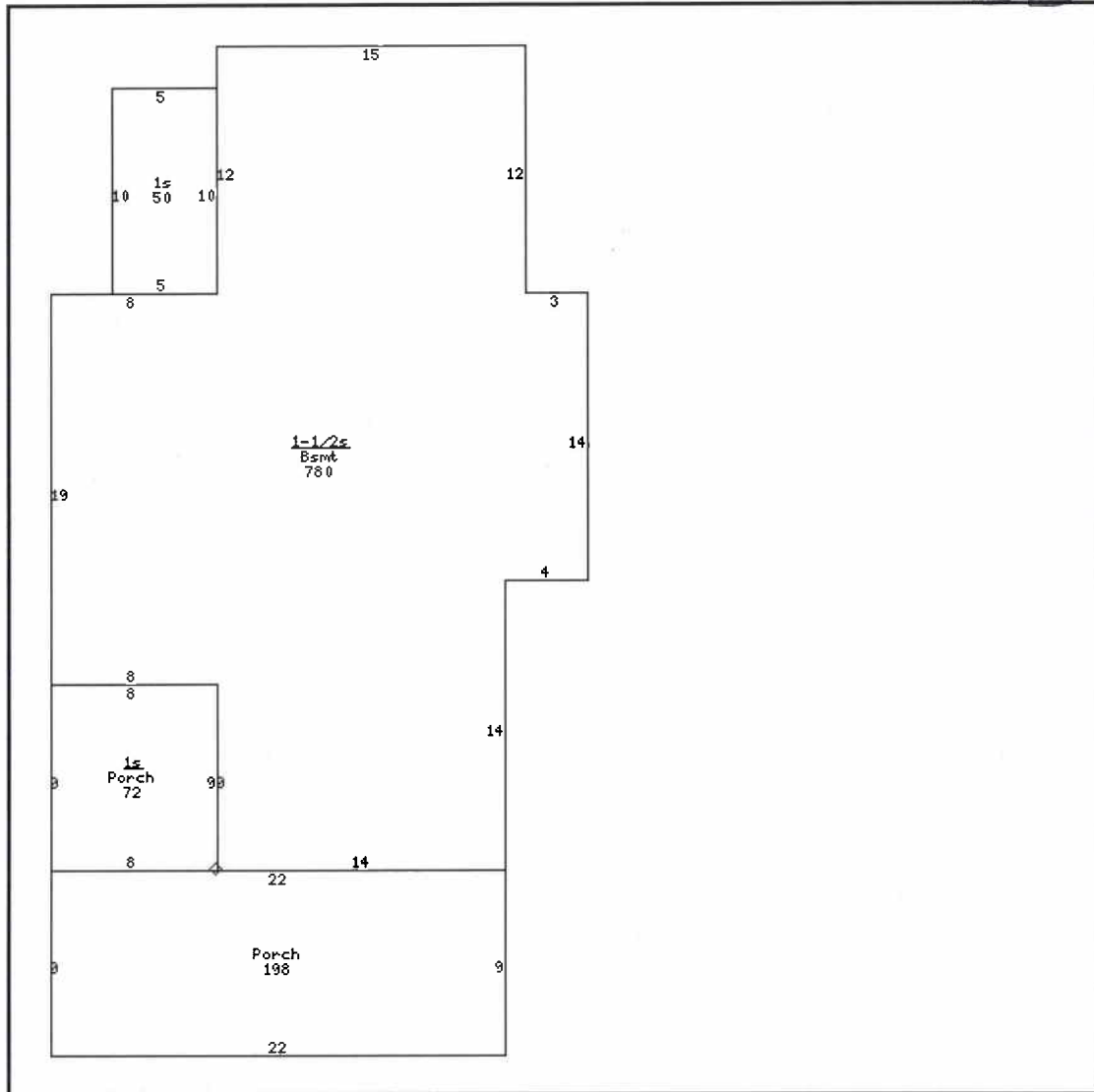
Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District	5080	Residential
Source: City of Des Moines Community Development Published: 11/25/2008 Contact: Planning and Urban Design 515 283-4200			

Land					
SQUARE FEET	5,080	FRONTAGE	40	DEPTH	127
ACRES	0.1170	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	S2/2 Stories	BLDG STYLE	ET/Early 20s
YEAR BUILT	1896	YEAR REMODEL	1999	# FAMILIES	1
GRADE	4	GRADE ADJUST	+00	CONDITION	NM/Normal
TSFLA	1,425	MAIN LV AREA	830	UPPR LV AREA	595
BSMT AREA	780	OPEN PORCH	270	FOUNDATION	B/Brick
EXT WALL TYP	AS/Asbestos	ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle
HEATING	A/Gas Forced Air	AIR COND	0	BATHROOMS	2
BEDROOMS	2	ROOMS	5		



**BDH** 1-E



Detached # 101					
OCCUPANCY	GAR/Garage	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	16	MEASURE2	18	STORY HEIGHT	1
GRADE	5	YEAR BUILT	1910	CONDITION	PR/Poor

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
CLEMENT, INIE	GUILLE, KATHRYN	12/15/2004	75,000	C/Contract	10885/400

Year	Type	Status	Application	Permit/Pickup Description
2001	U/Pickup	CA/Cancel	08/15/2000	AD/AIR CONDITIONING
2001	P/Permit	CP/Complete	08/11/2000	AL/BASEMENT

