

★ **Roll Call Number**

Agenda Item Number

**RDH - 1F**

Date .....August 7, 2006.....

WHEREAS, the property located at 1433 E. Walnut Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the structures in their present condition constitute not only a menace to health and safety but are also a public nuisance; and

WHEREAS, the titleholder, Gary Oeth and Suzanne Oeth, were notified by personal service more than thirty days ago to repair or demolish the structures and as of this date have failed to abate the nuisance; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA, SITTING AS THE LOCAL BOARD OF HEALTH:

The structures located on the property legally described as LOT 5 GOVERNORS SQUARE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1433 E. Walnut Street have 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 structures.

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

\_\_\_\_\_  
Vicky Long Hill, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
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-IF

**DATE OF NOTICE:** June 28, 2006

**DATE OF INSPECTION:** January 27, 2006

**CASE NUMBER:** COD2006-01051

**PROPERTY ADDRESS:** 1433 E WALNUT ST

**LEGAL DESCRIPTION:** LOT 5 GOVERNORS SQUARE

GARY OETH & SUSAN OETH  
Title Holder  
6501 MADISON AVE  
URBAN DALE IA 50322

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. 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.**

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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.

Steve Drane



Neighborhood Inspector

DATE MAILED: 6/28/2006

MAILED BY: JDH

**Areas that need attention:** 1433 E WALNUT ST

<b><u>Component:</u></b>	Interior Walls /Ceiling	<b><u>Defect:</u></b>	Cracked/Broken
<b><u>Requirement:</u></b>		<b><u>Location:</u></b>	Bedroom
<b><u>Comments:</u></b>	Second floor		
<b><u>Component:</u></b>	Exterior Walls	<b><u>Defect:</u></b>	Deteriorated
<b><u>Requirement:</u></b>		<b><u>Location:</u></b>	Shed
<b><u>Comments:</u></b>			
<b><u>Component:</u></b>	Interior Walls /Ceiling	<b><u>Defect:</u></b>	Cracked/Broken
<b><u>Requirement:</u></b>	Building Permit	<b><u>Location:</u></b>	Basement
<b><u>Comments:</u></b>			
<b><u>Component:</u></b>	Interior Walls /Ceiling	<b><u>Defect:</u></b>	Major sagging
<b><u>Requirement:</u></b>	Building Permit	<b><u>Location:</u></b>	Basement
<b><u>Comments:</u></b>	Wall is bowed.		
<b><u>Component:</u></b>	Windows/Window Frames	<b><u>Defect:</u></b>	Deteriorated
<b><u>Requirement:</u></b>		<b><u>Location:</u></b>	Basement
<b><u>Comments:</u></b>			
<b><u>Component:</u></b>	Waste Lines	<b><u>Defect:</u></b>	Improperly Installed
<b><u>Requirement:</u></b>	Plumbing Permit	<b><u>Location:</u></b>	Basement
<b><u>Comments:</u></b>			
<b><u>Component:</u></b>	Roof	<b><u>Defect:</u></b>	Deteriorated
<b><u>Requirement:</u></b>		<b><u>Location:</u></b>	Main Structure
<b><u>Comments:</u></b>			
<b><u>Component:</u></b>	Exterior Walls	<b><u>Defect:</u></b>	Severly peeling paint
<b><u>Requirement:</u></b>		<b><u>Location:</u></b>	Main Structure
<b><u>Comments:</u></b>			

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<b>Component:</b> Exterior Walls <b>Requirement:</b> Building Permit <b>Comments:</b>	<b>Defect:</b> Deteriorated <b>Location:</b> Main Structure
<b>Component:</b> Roof <b>Requirement:</b> <b>Comments:</b>	<b>Defect:</b> Leaks <b>Location:</b> Main Structure
<b>Component:</b> Windows/Window Frames <b>Requirement:</b> <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Main Structure
<b>Component:</b> Stairs/Stoop <b>Requirement:</b> Building Permit <b>Comments:</b> Stairway to street	<b>Defect:</b> Cracked/Broken <b>Location:</b> Incential Use Areas
<b>Component:</b> Soffit/Facia/Trim <b>Requirement:</b> <b>Comments:</b>	<b>Defect:</b> Severly peeling paint <b>Location:</b> Main Structure
<b>Component:</b> Windows/Window Frames <b>Requirement:</b> <b>Comments:</b>	<b>Defect:</b> Cracked/Broken <b>Location:</b> Basement
<b>Component:</b> Soffit/Facia/Trim <b>Requirement:</b> Building Permit <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Main Structure
<b>Component:</b> Exterior Doors/Jams <b>Requirement:</b> <b>Comments:</b>	<b>Defect:</b> Missing <b>Location:</b> Shed
<b>Component:</b> Wiring <b>Requirement:</b> <b>Comments:</b> First floor	<b>Defect:</b> Exposed <b>Location:</b> Kitchen

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<b>Component:</b> Flooring <b>Requirement:</b> <b>Comments:</b> First floor	<b>Defect:</b> In poor repair <b>Location:</b> Kitchen
<b>Component:</b> Sub Floor <b>Requirement:</b> <b>Comments:</b> First floor	<b>Defect:</b> Missing <b>Location:</b> Living Room
<b>Component:</b> Interior Walls /Ceiling <b>Requirement:</b> <b>Comments:</b> First floor	<b>Defect:</b> In poor repair <b>Location:</b> Living Room
<b>Component:</b> Interior Walls /Ceiling <b>Requirement:</b> <b>Comments:</b> First floor	<b>Defect:</b> In poor repair <b>Location:</b> Den/Family Room
<b>Component:</b> Flooring <b>Requirement:</b> <b>Comments:</b> First floor	<b>Defect:</b> In poor repair <b>Location:</b> Den/Family Room
<b>Component:</b> Ductwork <b>Requirement:</b> <b>Comments:</b> First floor	<b>Defect:</b> Missing <b>Location:</b> Den/Family Room
<b>Component:</b> Water Service <b>Requirement:</b> Plumbing Permit <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Basement
<b>Component:</b> Interior Walls /Ceiling <b>Requirement:</b> <b>Comments:</b> Second floor	<b>Defect:</b> Deteriorated <b>Location:</b> Bedroom
<b>Component:</b> Interior Walls /Ceiling <b>Requirement:</b> <b>Comments:</b> First floor	<b>Defect:</b> Cracked/Broken <b>Location:</b> Kitchen

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<p><b>Component:</b> Interior Walls /Ceiling  <b>Requirement:</b>  <b>Comments:</b> First floor</p>	<p><b>Defect:</b> Cracked/Broken  <b>Location:</b> Hall/Corridor</p>
<p><b>Component:</b> Electrical Lighting Fixtures  <b>Requirement:</b>  <b>Comments:</b> Second floor</p>	<p><b>Defect:</b> Missing  <b>Location:</b> Bedroom</p>
<p><b>Component:</b> Interior Stairway  <b>Requirement:</b> Building Permit  <b>Comments:</b> Baluster</p>	<p><b>Defect:</b> Missing  <b>Location:</b> Basement</p>
<p><b>Component:</b> Shingles Flashing  <b>Requirement:</b>  <b>Comments:</b></p>	<p><b>Defect:</b> In poor repair  <b>Location:</b> Main Structure</p>
<p><b>Component:</b> Mechanical System  <b>Requirement:</b> Mechanical Permit  <b>Comments:</b></p>	<p><b>Defect:</b> In poor repair  <b>Location:</b> Throughout</p>
<p><b>Component:</b> Plumbing System  <b>Requirement:</b> Plumbing Permit  <b>Comments:</b></p>	<p><b>Defect:</b> In poor repair  <b>Location:</b> Throughout</p>
<p><b>Component:</b> Electrical System  <b>Requirement:</b> Electrical Permit  <b>Comments:</b></p>	<p><b>Defect:</b> In poor repair  <b>Location:</b> Throughout</p>
<p><b>Component:</b> Hand Rails  <b>Requirement:</b> Building Permit  <b>Comments:</b></p>	<p><b>Defect:</b> Missing  <b>Location:</b> Basement</p>
<p><b>Component:</b> Protective Covering/Jjunction Box  <b>Requirement:</b>  <b>Comments:</b> Panel box</p>	<p><b>Defect:</b> Missing  <b>Location:</b> Basement</p>

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<b>Component:</b> Protective Covering/Jjunction Box <b>Requirement:</b> <b>Comments:</b>	<b>Defect:</b> Missing <b>Location:</b> Basement
<b>Component:</b> Electrical Lighting Fixtures <b>Requirement:</b> <b>Comments:</b>	<b>Defect:</b> Improperly Installed <b>Location:</b> Basement
<b>Component:</b> Wiring <b>Requirement:</b> Electrical Permit <b>Comments:</b>	<b>Defect:</b> Improperly Installed <b>Location:</b> Basement
<b>Component:</b> Interior Stairway <b>Requirement:</b> Building Permit <b>Comments:</b>	<b>Defect:</b> Deteriorated <b>Location:</b> Basement



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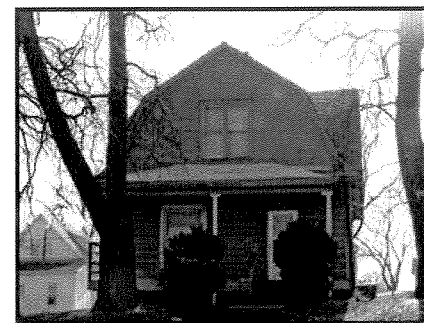
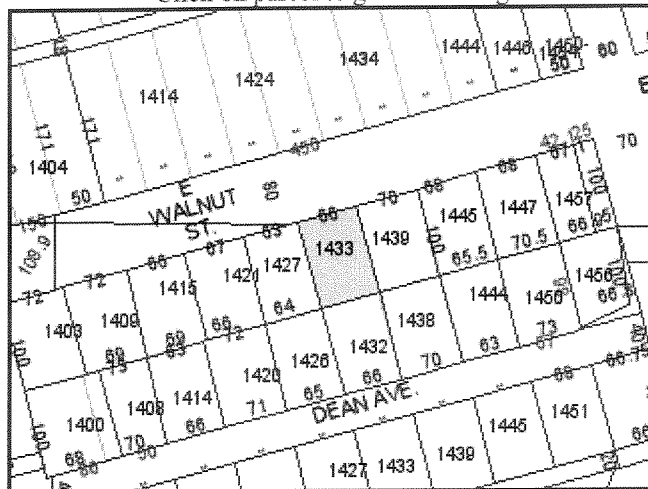


[ Home ] [ General Query ] [ Legal Query ] [ HomeOwner Query ] [ Book/Page Query ] [ Commercial Query ] [ Res Sales Query ] [ Comm Sales Query ] [ Help ]

<b>District/Parcel</b>	<b>GeoParcel</b>	<b>Map</b>	<b>Nbhd</b>	<b>Jurisdiction</b>	<b>Status</b>
040/02462-000-000	7824-02-301-006	0639	DM15/Z	DES MOINES	ACTIVE
<b>School District</b>	<b>Tax Increment Finance District</b>	<b>Bond/Fire/Sewer/Cemetery</b>			
1/Des Moines					
<b>Street Address</b>			<b>City State Zipcode</b>		
1433 E WALNUT ST			DES MOINES IA 50316		

Click on parcel to get new listing

Get Bigger Map



Approximate date of photo 11/30/2004

<b>Mailing Address</b>
GARY OETH 6501 MADISON AVE URBANDALE, IA 50322-2735

<b>Legal Description</b>
LOT 5 GOVERNORS SQUARE

Ownership	Name	Transfer	Book/Page	RevStamps
Title Holder #1	OETH, GARY	03/13/2006	11557/141	24.80

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	7,300	44,100	0	51,400

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Market Adjusted Cost Report Estimate Taxes Polk County Treasurer Tax Information Pay Taxes

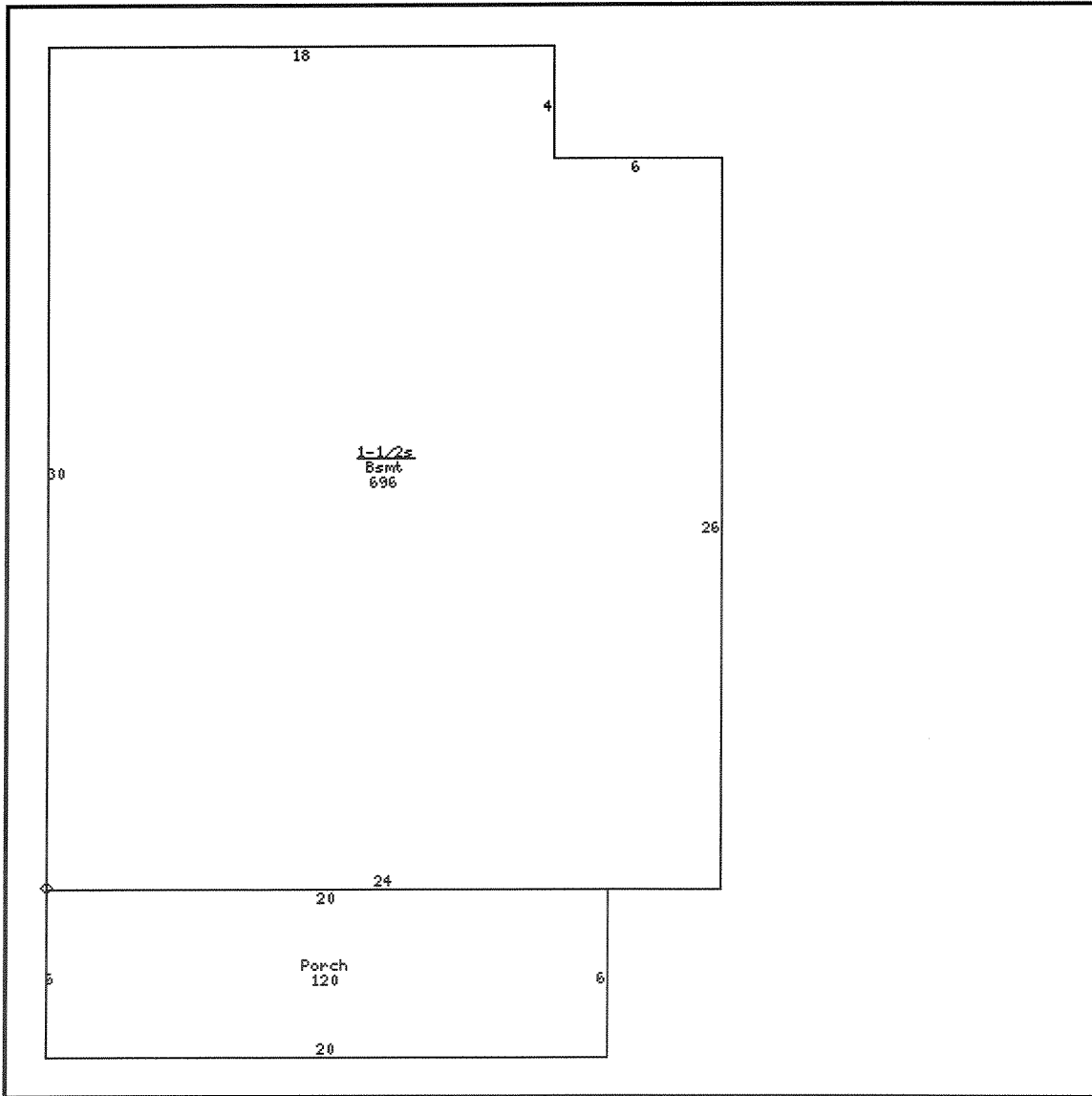
Zoning	Description	SF	Assessor Zoning
R-3	Multiple Family Residential District	6600	Multi-Family Residential

Source: City of Des Moines Community Development Published: 05/09/2006 Contact: Planning and Urban Design 515 283-4200

Land					
SQUARE FEET	6,600	FRONTAGE	66	DEPTH	100
ACRES	0.1520	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	SH/1.5 Stories	BLDG STYLE	ET/Early 20s
YEAR BUILT	1905	# FAMILIES	1	GRADE	4
GRADE ADJUST	-05	CONDITION	NM/Normal	TSFLA	1,162
MAIN LV AREA	696	UPPR LV AREA	466	BSMT AREA	696
OPEN PORCH	120	FOUNDATION	B/Brick	EXT WALL TYP	WS/Wood Siding
ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle	HEATING	A/Gas Forced Air
AIR COND	0	BATHROOMS	1	BEDROOMS	3
ROOMS	6				

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Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
FLATT, SHIRLEY C	OETH, GARY	02/11/2006	16,000	D/Deed	11557/141
FLATT, HOWARD V	FLATT, LORI EATON	01/06/2001	25,200	C/Contract	8876/562

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2005	Assessment Roll	Residential	Full	7,300	44,100	0	51,400
2003	Assessment Roll	Residential	Full	6,360	37,790	0	44,150
2001	Assessment Roll	Residential	Full	6,430	31,300	0	37,730
1999	Assessment Roll	Residential	Full	8,860	20,880	0	29,740
1997	Assessment Roll	Residential	Full	7,640	18,000	0	25,640
1995	Assessment Roll	Residential	Full	6,940	16,350	0	23,290

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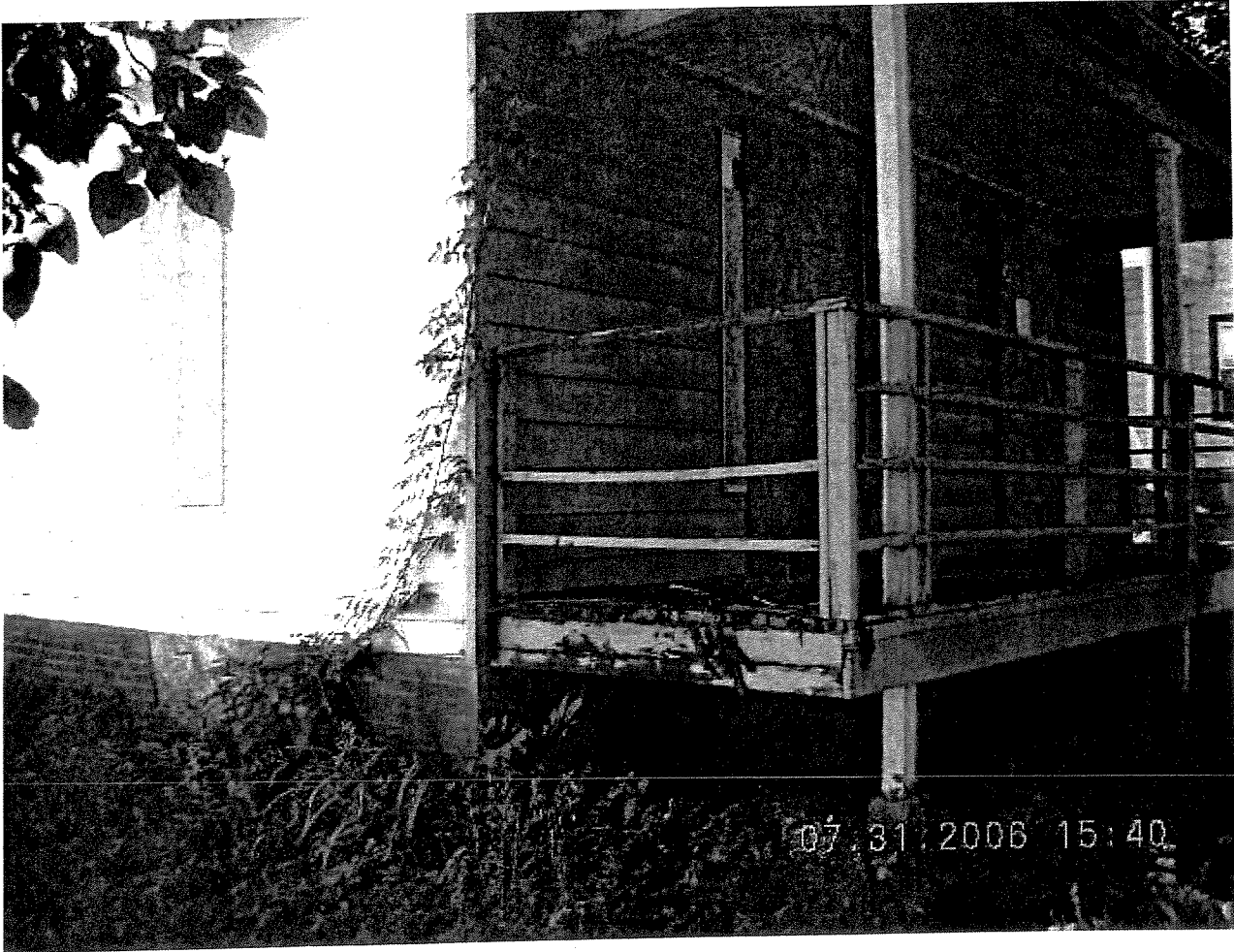
1993	Assessment Roll	Residential	Full	6,120	14,410	0	20,530
1989	Assessment Roll	Residential	Full	6,120	11,980	0	18,100

[email this page](#)

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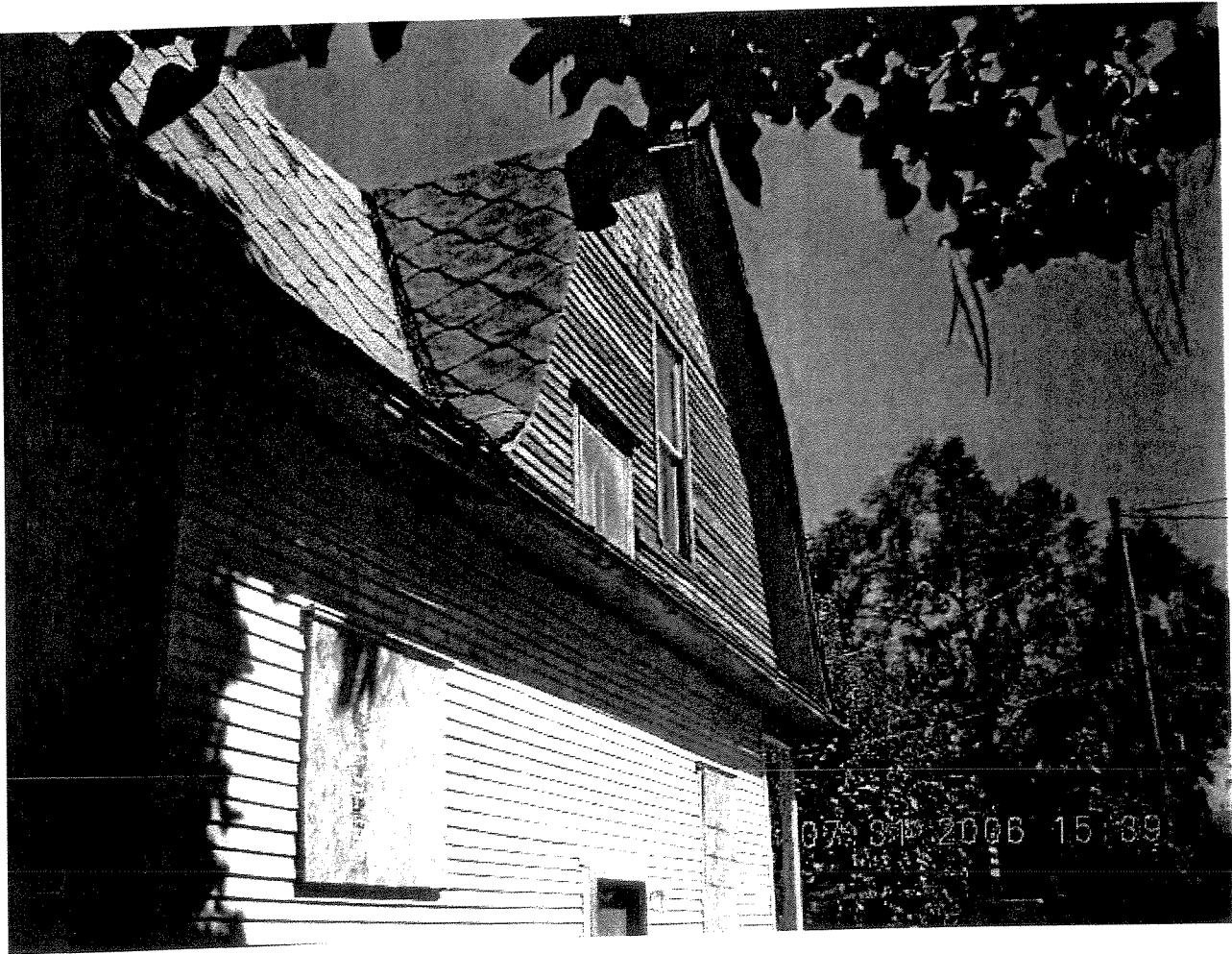
*Room 195, 111 Court Avenue, Des Moines, IA 50309  
Phone 515 286-3140 / Fax 515 286-3386  
[polkweb@assess.co.polk.ia.us](mailto:polkweb@assess.co.polk.ia.us)*

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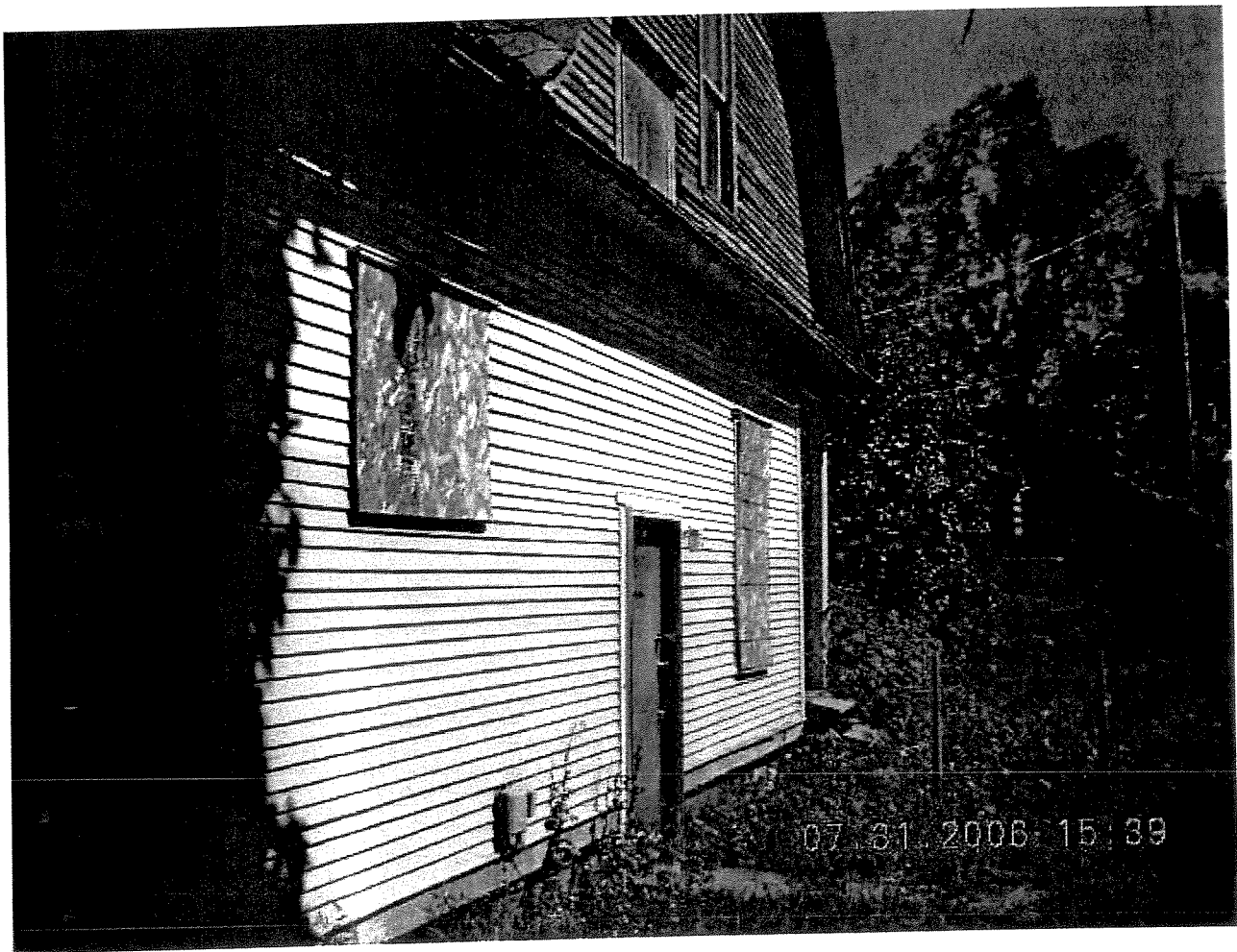


1433 E. Walnut

BDH LF



433 E. WALNUT



1433 E. WALNUT

BDH IF



1433 E. WALNUT