Roll Call Number

Agenda Item Number 33A

Date December 5, 2016

ABATEMENT OF PUBLIC NUISANCES AT 229 SE 28TH STREET

WHEREAS, the property located at 229 SE 28th Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and garage structure in their present condition constitutes not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholder, Wayne H. Yaw, was notified more than thirty days ago to repair or demolish the main structure and garage structure and as of this date has failed to abate the nuisances.

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

The main structure and garage structure on the real estate legally described as The North 100 feet of South 124 feet East 130 feet of Lot 1 of Official Plat of Lots 12 and 13 of Official Plat of South ½ of Section 1, Township 78, Range 24, West of 5th P.M., now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 229 SE 28th Street, have previously been declared public nuisances;

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisances, and should the owner(s) fail to abate the nuisances, 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:

Jessica D. Spoden

Jessica D. Spoden, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
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

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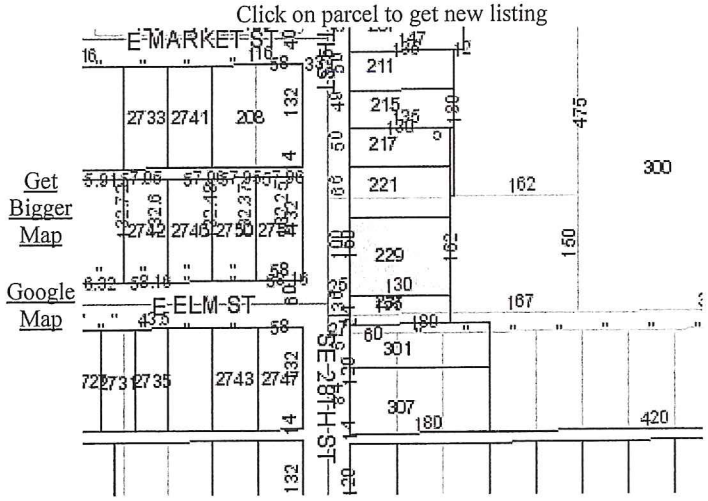
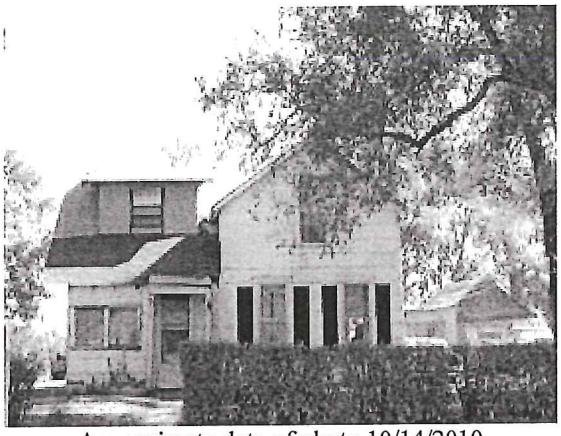
Polk County Assessor
Iowa

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

District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
050/04463-000-000	7824-01-477-008	0442	DM20/Z	DES MOINES	ACTIVE
School District	**Tax Increment Finance District**	**Bond/Fire/Sewer/Cemetery**			
1/Des Moines	30/DM 98 SE Agri Bus Park				
Street Address		**City State Zipcode**			
229 SE 28TH ST		**DES MOINES IA 50317-7705**			

Click on parcel to get new listing





Approximate date of photo 10/14/2010

Mailing Address
WAYNE H YAW 1525 13TH ST DES MOINES, IA 50314-1906

Legal Description
N 100 F S 124 F E 130 F LOT 1 SD OP LTS 12-13 S 1/2 SEC 1-78-24

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	YAW, WAYNE H	2011-02-08	13766/293	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	6,600	20,500	0	27,100
Estimate Taxes Polk County Treasurer Tax Information Pay Taxes						

Taxable Value Credit	Name	Number	Info
Homestead	YAW, WAYNE H	258449	

Zoning	Description	SF	Assessor Zoning

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R1-60	One Family, Low Density Residential District		Residential

Source: City of Des Moines Community Development **Published:** 2012-03-20 **Contact:** Planning and Urban Design 515 283-4182

Land

SQUARE FEET	13,000	**FRONTAGE**	100.0	**DEPTH**	130.0
ACRES	0.298	**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	1890	**# FAMILIES**	1	**GRADE**	5
GRADE ADJUST	+05	**CONDITION**	PR/Poor	**TSFLA**	922
MAIN LV AREA	552	**UPPR LV AREA**	370	**BSMT AREA**	99
ENCL PORCH	160	**FOUNDATION**	P/Poured Concrete	**EXT WALL TYP**	CO/Composition
ROOF TYPE	GB/Gable	**ROOF MATERL**	C/Composition	**HEATING**	A/Gas Forced Air
AIR COND	0	**BATHROOMS**	1	**BEDROOMS**	3
ROOMS	6				

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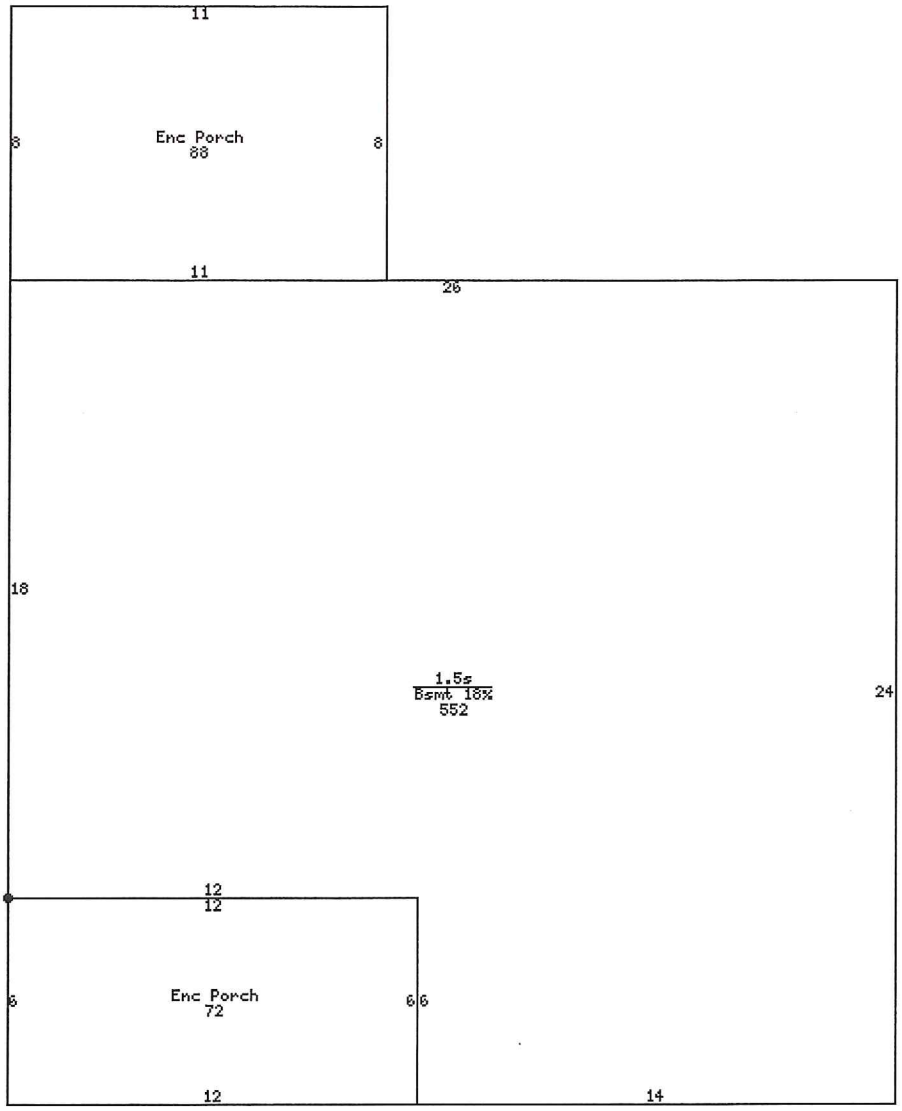

Detached # 101					
OCCUPANCY	GAR/Garage	**CONSTR TYPE**	FR/Frame	**MEASCODE**	D/Dimensions
MEASURE1	14	**MEASURE2**	20	**STORY HEIGHT**	1
GRADE	5	**YEAR BUILT**	1939	**CONDITION**	PR/Poor

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2015	Assessment Roll	Residential	Full	6,600	20,500	0	27,100
2013	Assessment Roll	Residential	Full	6,600	21,000	0	27,600
2011	Assessment Roll	Residential	Full	6,600	20,700	0	27,300
2009	Assessment Roll	Residential	Full	6,900	20,700	0	27,600
2007	Assessment Roll	Residential	Full	6,800	20,500	0	27,300
2005	Assessment Roll	Residential	Full	5,900	18,600	0	24,500
2003	Assessment Roll	Residential	Full	5,200	16,030	0	21,230
2001	Assessment Roll	Residential	Full	6,850	10,880	0	17,730

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1999	Assessment Roll	Residential	Full	2,240	10,270	0	12,510
1995	Assessment Roll	Residential	Full	1,940	8,910	0	10,850
1993	Assessment Roll	Residential	Full	1,810	8,330	0	10,140
1993	Was Prior Year	Residential	Full	1,810	7,850	0	9,660

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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

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CITY OF DES MOINES
COMMUNITY DEVELOPMENT

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

DATE OF NOTICE: September 7, 2016 **DATE OF INSPECTION: July 26, 2016**

CASE NUMBER: COD2016-04301

PROPERTY ADDRESS: 229 SE 28TH ST

LEGAL DESCRIPTION: N 100 F S 124 F E 130 F LOT 1 SD OP LTS 12-13 S 1/2 SEC 1-78-24

WAYNE H YAW
Title Holder
1525 13TH ST
DES MOINES IA 50314-1906

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. The violations noted must be corrected within 30 days from date of 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 COMPONETS 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 (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 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 (515) 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 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.

Neighborhood Inspection Division

(515) 283-4208

Nid Inspector

DATE MAILED: 9/7/2016

MAILED BY: JDH

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Areas that need attention: 229 SE 28TH ST

Component:	Accessory Buildings	**Defect:**	In poor repair
Requirement:	Building Permit	**Location:**	Garage
Comments:			

Component:	Mechanical System	**Defect:**	In poor repair
Requirement:	Mechanical Permit	**Location:**	Main Structure
Comments:			

Component:	Interior Walls /Ceiling	**Defect:**	In poor repair
Requirement:	Building Permit	**Location:**	Main Structure
Comments:			

Component:	Plumbing System	**Defect:**	In poor repair
Requirement:	Plumbing Permit	**Location:**	Main Structure
Comments:			

Component:	Roof	**Defect:**	In poor repair
Requirement:	Building Permit	**Location:**	Main Structure
Comments:			

Component:	Flooring	**Defect:**	In poor repair
Requirement:	Building Permit	**Location:**	Main Structure
Comments:			

Component:	Soffit/Facia/Trim	**Defect:**	In poor repair
Requirement:	Building Permit	**Location:**	Main Structure
Comments:			

Component:	Windows/Window Frames	**Defect:**	In poor repair
Requirement:	Building Permit	**Location:**	Main Structure
Comments:			

Component:	Electrical System	**Defect:**	Improperly Installed
Requirement:	Electrical Permit	**Location:**	Main Structure

Comments:

top

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