



Date March 9, 2020

ABATEMENT OF PUBLIC NUISANCE AT 245 E EDISON AVENUE

WHEREAS, the property located at 245 E Edison 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, Noel Nelson, and Mortgage Holder, CitiGroup Mortgage Loan Trust 2018-B, 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 13 in Block 6 in SECOND PLAT OF CLIFTON HEIGHTS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 245 E Edison 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.

FORM APPROVED:

Megan Norberg
Megan Norberg, Assistant City Attorney

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

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, P. Kay Cmelik, 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**

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DATE OF NOTICE: September 12, 2019

DATE OF INSPECTION: July 02, 2019

CASE NUMBER: COD2019-03862

PROPERTY ADDRESS: 245 E. EDISON AVE

LEGAL DESCRIPTION: LOT 13 BLK 6 SECOND PLAT OF CLIFTON HEIGHTS

NOEL NELSON
Title Holder
113 E JACKSON AVE
DES MOINES IA 50315

CITI GROUP MORTGAGE LOAN TRUST 2018-B
Mortgage Holder
60 LIVINGSTON AVE
ST PAUL MN 55107

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 60-192 and 60-191 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 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 (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.

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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.

Daniel Adams
(515) 237-1612



Nid Inspector

DATE MAILED: 9/12/2019

MAILED BY: TSY

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Areas that need attention: 245 E EDISON AVE

Component: Foundation Requirement: Building Permit Comments:	Defect: Structurally Unsound Location: Main Structure Throughout
Component: Floor Joists/Beams Requirement: Building Permit Comments: As they relate to the foundation collapse.	Defect: Structurally Unsound Location: Main Structure
Component: Accessory Buildings Requirement: Unknown Comments: The garage in its current condition does not constitute a public nuisance. However, if the primary structure is demolished and no primary structure is immediately built on the property, the garage must be demolished as well because it is an accessory use only pursuant to Des Moines Municipal Code Section 134-343.	Defect: See Comments Location: Garage

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

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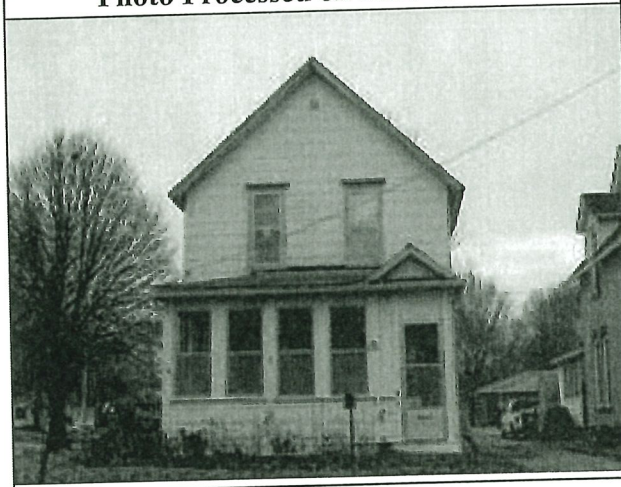
Location					
Address	245 E EDISON AVE				
City	DES MOINES	Zip	50315	Jurisdiction	Des Moines
District/Parcel	020/00453-000-000	Geoparcels	7824-10-358-004	Status	Active
School	Des Moines	Nbhd/Pocket	DM23/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	South Des Moines	Appraiser	Andrew Rand 515-286-3368		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

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

Photo Processed on 2014-03-25 a



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	NELSON, NOEL	2007-02-20	12078/491

Legal Description and Mailing Address

LOT 13 BLK 6 SECOND PLAT OF CLIFTON HEIGHTS	NOEL NELSON 245 E EDISON AVE DES MOINES, IA 50315-1372
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Current Values

Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential	Full	\$9,800	\$67,200	\$77,000

Assessment Roll Notice Market Adjusted Cost Report

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential

Conditional Zoning

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Conditional Zoning

Docket_no 14361

City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)

Land

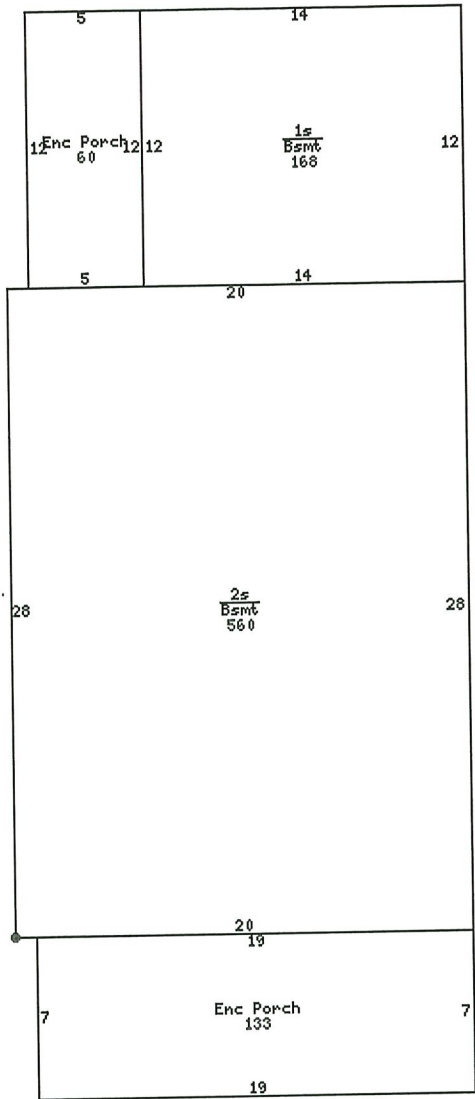
Square Feet	4,800	Acres	0.110	Frontage	40.0
Depth	120.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record

Residence #1

Occupancy	Single Family	Residence Type	2 Stories	Building Style	Early 20s
Year Built	1892	Number Families	1	Grade	4+00
Condition	Below Normal	Total Square Foot Living Area	1288	Main Living Area	728
Upper Living Area	560	Basement Area	728	Enclosed Porch Area	193
Foundation	Masonry	Exterior Wall Type	Asbestos	Roof Type	Gable
Roof Material	Asphalt Shingle	Heating	Gas Forced Air	Air Conditioning	100
Number Bathrooms	1	Bedrooms	4	Rooms	7

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Detached Structures - 1 Record

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	14	Measure 2	20	Story Height	1
Grade	4	Year Built	1960	Condition	Below Normal
Comment	NEWER RF SDN PNT				

Sales - 7 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
LIBERTY BANK, FSB	NELSON, NOEL	<u>2007-02-09</u>	\$57,000	Deed	<u>12078/491</u>
PEBBLES, ROBIN R	BROWN, DANIEL W	<u>2003-09-24</u>	\$79,900	Contract	<u>10180/431</u>
MARASCO, MICHAEL A	MC GINN, JOHN J JR	<u>2001-06-30</u>	\$59,560	Deed	<u>8890/200</u>
MARASCO, MICHAEL A	PEBBLES, RYLE A.	<u>1999-01-22</u>	\$70,000	Contract	<u>8212/958</u>
CONTIMORTGAGE, CORP	MARASCO, MICHAEL A	<u>1998-11-12</u>	\$37,900	Deed	<u>8061/481</u>

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
HALL, MAX D	WILSON, ROBERT L	<u>1990-07-07</u>	\$28,000	Contract	<u>6258/576</u>
MALSAM, GEORGE D.	ROEKEL, NORMAN VAN	<u>1988-03-28</u>	\$23,900	Deed	<u>5835/866</u>

Permits - 1 Record

Year	Type	Permit Status	Application	Description
2000	Pickup	Cancel	1999-08-09	correct data/condition

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$9,800	\$67,200	\$77,000
2017	<u>Assessment Roll</u>	Residential	Full	\$8,900	\$67,700	\$76,600
2015	<u>Assessment Roll</u>	Residential	Full	\$8,300	\$64,000	\$72,300
2013	<u>Assessment Roll</u>	Residential	Full	\$8,500	\$65,900	\$74,400
2011	<u>Assessment Roll</u>	Residential	Full	\$8,500	\$65,400	\$73,900
2009	<u>Assessment Roll</u>	Residential	Full	\$8,600	\$62,700	\$71,300
2007	<u>Assessment Roll</u>	Residential	Full	\$8,600	\$62,700	\$71,300
2005	<u>Assessment Roll</u>	Residential	Full	\$6,400	\$60,800	\$67,200
2003	<u>Assessment Roll</u>	Residential	Full	\$5,490	\$52,160	\$57,650
2001	<u>Assessment Roll</u>	Residential	Full	\$4,980	\$42,230	\$47,210
1999	Assessment Roll	Residential	Full	\$4,080	\$34,080	\$38,160
1997	Assessment Roll	Residential	Full	\$3,640	\$30,400	\$34,040
1995	Assessment Roll	Residential	Full	\$3,420	\$28,530	\$31,950
1993	Assessment Roll	Residential	Full	\$3,050	\$25,410	\$28,460
1991	Assessment Roll	Residential	Full	\$3,050	\$23,060	\$26,110
1991	Was Prior Year	Residential	Full	\$3,050	\$21,330	\$24,380

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245 E. Edison Ave

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