



**Roll Call Number**

**Agenda Item Number**

31M

Date March 9, 2020

**ABATEMENT OF PUBLIC NUISANCE AT 4617 SE 5<sup>th</sup> STREET**

WHEREAS, the property located at 4617 SE 5<sup>th</sup> Street, 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, 11T IA, LLC, 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 The North 70 feet of Lots 1 and 2 in YODER ACRES, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 4617 SE 5<sup>th</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(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, 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

# 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	4617 SE 5TH ST				
City	DES MOINES	Zip	50315	Jurisdiction	Des Moines
District/Parcel	120/06877-000-000	Geoparcels	7824-22-452-005	Status	Active
School	Des Moines	Nbhd/Pocket	DM39/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	South Des Moines	Appraiser	Patrick Zaimes, ICA 515-286-3832		

### 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 2015-04-07 a**

### Historical Photos

### Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	11T IA LLC	2019-09-27	17515/432

### Legal Description and Mailing Address

-EX ST- N 70F LTS 1 & 2 YODER ACRES	11T IA LLC 13575 LYNAM DR OMAHA, NE 68138
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### Current Values

Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential	Full	\$27,400	\$72,300	\$99,700

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

### Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>			

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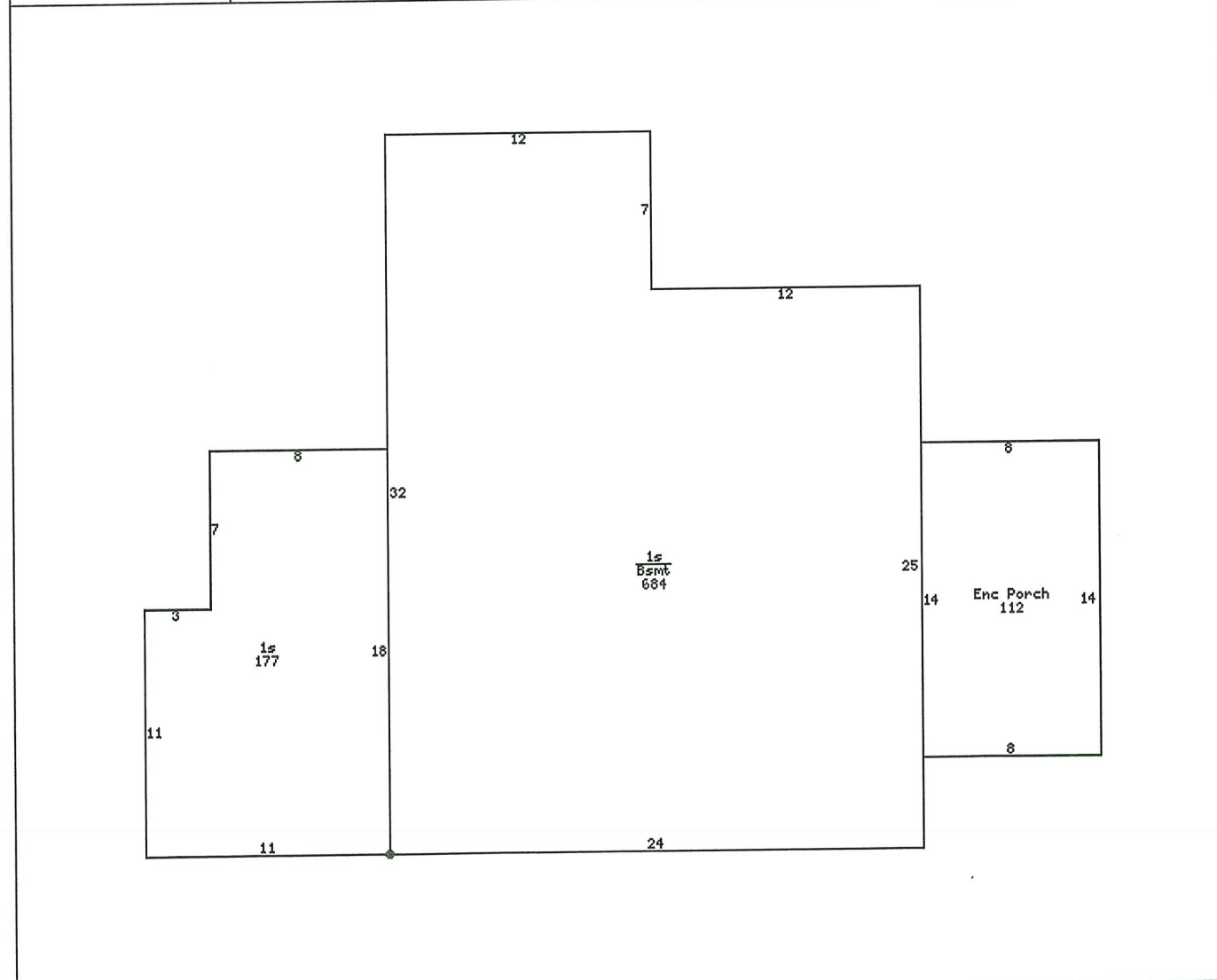
**Land**

<b>Square Feet</b>	12,880	<b>Acres</b>	0.296	<b>Frontage</b>	70.0
<b>Depth</b>	184.0	<b>Topography</b>	Normal	<b>Shape</b>	Rectangle
<b>Vacancy</b>	No	<b>Unbuildable</b>	No		

**Residences - 1 Record**

**Residence #1**

<b>Occupancy</b>	Single Family	<b>Residence Type</b>	1 Story	<b>Building Style</b>	Ranch
<b>Year Built</b>	1950	<b>Number Families</b>	1	<b>Grade</b>	4-05
<b>Condition</b>	Normal	<b>Total Square Foot Living Area</b>	861	<b>Main Living Area</b>	861
<b>Basement Area</b>	684	<b>Enclosed Porch Area</b>	112	<b>Foundation</b>	Concrete Block
<b>Exterior Wall Type</b>	Vinyl Siding	<b>Roof Type</b>	Gable	<b>Roof Material</b>	Asphalt Shingle
<b>Number Fireplaces</b>	1	<b>Basement Floor Earth</b>	100	<b>Heating</b>	Gas Forced Air
<b>Air Conditioning Rooms</b>	0	<b>Number Bathrooms</b>	1	<b>Bedrooms</b>	3



**Sales - 1 Record**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
KATERI LAND HOLDINGS 2 LLC	11TIA, LLC	<u>2019-09-23</u>	\$38,500	Deed	<u>17515/432</u>

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**Recent Ownership Transfers**

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
KATERI LAND HOLDINGS 2 LLC	11T IA LLC	2019-09-23	2019-09-27	Warranty Deed	<u>17515/432</u>
MALONEY, MARY (Treasurer) LACEY, BEN (Agent)	KATERI LAND HOLDINGS 2 LLC	2019-01-30	2019-02-01	Tax Sale Deed	<u>17224/971</u>

**Permits - 1 Record**

Year	Type	Permit Status	Application	Description
1994	Pickup	No Add	1992-09-29	fire damage

**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$27,400	\$72,300	\$99,700
2017	<u>Assessment Roll</u>	Residential	Full	\$22,000	\$59,700	\$81,700
2015	<u>Assessment Roll</u>	Residential	Full	\$20,800	\$57,600	\$78,400
2013	<u>Assessment Roll</u>	Residential	Full	\$21,100	\$59,900	\$81,000
2011	<u>Assessment Roll</u>	Residential	Full	\$21,100	\$60,300	\$81,400
2009	<u>Assessment Roll</u>	Residential	Full	\$22,300	\$62,900	\$85,200
2007	<u>Assessment Roll</u>	Residential	Full	\$22,500	\$45,600	\$68,100
2005	<u>Assessment Roll</u>	Residential	Full	\$22,400	\$41,100	\$63,500
2003	<u>Assessment Roll</u>	Residential	Full	\$20,070	\$37,230	\$57,300
2001	<u>Assessment Roll</u>	Residential	Full	\$18,320	\$33,030	\$51,350
1999	Assessment Roll	Residential	Full	\$10,770	\$25,910	\$36,680
1997	Assessment Roll	Residential	Full	\$9,780	\$23,530	\$33,310
1995	Assessment Roll	Residential	Full	\$8,940	\$21,510	\$30,450
1991	Assessment Roll	Residential	Full	\$8,130	\$19,550	\$27,680
1991	Was Prior Year	Residential	Full	\$8,130	\$17,360	\$25,490

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

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**DATE OF NOTICE:** December 18, 2019

**DATE OF INSPECTION:** April 02, 2019

**CASE NUMBER:** COD2019-01127

**PROPERTY ADDRESS:** 4617 SE 5TH ST

**LEGAL DESCRIPTION:** -EX ST- N 70F LTS 1 & 2 YODER ACRES

11T IA LLC  
Title Holder - TAMI GREEN - REG. AGENT  
211 N CENTER ST  
LAKE CITY IA 51449

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.

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: 12/18/2019

MAILED BY: TSY

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**Areas that need attention:** 4617 SE 5TH ST

<b>Component:</b> Electrical Lighting Fixtures <b>Requirement:</b> Complaine with Int Residential Code <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Main Structure Throughout
<b>Component:</b> Exterjor Doors/Jams <b>Requirement:</b> Complaine with Int Residential Code <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Main Structure Throughout
<b>Component:</b> Exterior Walls <b>Requirement:</b> Building Permit <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Main Structure Throughout
<b>Component:</b> Floor Joists/Beams <b>Requirement:</b> Building Permit <b>Comments:</b>	<b>Defect:</b> Excessive rot <b>Location:</b> Main Structure Throughout
<b>Component:</b> Flooring <b>Requirement:</b> Complaine with Int Residential Code <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Main Structure Throughout
<b>Component:</b> Foundation <b>Requirement:</b> Building Permit <b>Comments:</b>	<b>Defect:</b> Deteriorated <b>Location:</b> Main Structure Throughout
<b>Component:</b> Furnace <b>Requirement:</b> Mechanical Permit <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Basement
<b>Component:</b> General Grade Around Structure <b>Requirement:</b> Complaine with Int Residential Code <b>Comments:</b>	<b>Defect:</b> Holes or major defect <b>Location:</b> Common Area/Grounds

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<b>Component:</b> Interior Walls /Ceiling <b>Requirement:</b> Compliance with Int Residential Code <b>Comments:</b>	<b>Defect:</b> In poor repair <b>Location:</b> Main Structure Throughout
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<b>Component:</b> Smoke Detectors <b>Requirement:</b> Compliance with International Building Code <b>Comments:</b>	<b>Defect:</b> Not installed as required <b>Location:</b> Main Structure Throughout
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<b>Component:</b> Hand Rails <b>Requirement:</b> Building Permit <b>Comments:</b>	<b>Defect:</b> Not installed as required <b>Location:</b> Main Structure Throughout
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<b>Component:</b> Stairs/Stoop <b>Requirement:</b> Building Permit <b>Comments:</b>	<b>Defect:</b> In disrepair <b>Location:</b> Main Structure Throughout
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<b>Component:</b> Soffit/Facia/Trim <b>Requirement:</b> Compliance with Int Residential Code <b>Comments:</b>	<b>Defect:</b> In disrepair <b>Location:</b> Main Structure Throughout
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<b>Component:</b> Sub Floor <b>Requirement:</b> Building Permit <b>Comments:</b>	<b>Defect:</b> Deteriorated <b>Location:</b> Main Structure Throughout
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<b>Component:</b> Temp/Pressure Release Valve <b>Requirement:</b> Plumbing Permit <b>Comments:</b>	<b>Defect:</b> Not installed as required <b>Location:</b> Basement
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<b>Component:</b> Window Glazing/Paint <b>Requirement:</b> Compliance with Int Residential Code <b>Comments:</b>	<b>Defect:</b> In disrepair <b>Location:</b> Main Structure Throughout
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<b>Component:</b> Windows/Window Frames <b>Requirement:</b> Compliance with Int Residential Code <b>Comments:</b>	<b>Defect:</b> Cracked/Broken <b>Location:</b> Main Structure Throughout
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top

4617 SE 5th St  
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02/28/2020



top

4017 SE 8th St

31M

02/28/2020

31M

4617 SE 5th St

top

31M



02/28/2020