



Roll Call Number

Agenda Item Number

25M

Date April 20, 2020

ABATEMENT OF PUBLIC NUISANCES AT 2229 ELIZABETH AVENUE

WHEREAS, the property located at 2229 Elizabeth Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure and accessory structure in their present condition constitutes not only a menace to health and safety but are also public nuisances; and

WHEREAS, the Titleholder, Jeno E. Rigley, was notified more than thirty days ago to repair or demolish the main structure and accessory 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 accessory structure on the real estate legally described as Lot 33 and 34 in COLSON'S ADDITION to East Des Moines, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2229 Elizabeth Avenue, 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:

/s/ Megan Norberg
Megan Norberg, Assistant City Attorney

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

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.

MOTION CARRIED APPROVED

Mayor

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	2229 ELIZABETH AVE				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	060/00892-000-000	Geoparcels	7923-31-357-012	Status	Active
School	Des Moines	Nbhd/Pocket	DM14/Z	Tax Authority Group	DEM-C-DEM-77392
TIF	3/Des Moines Accent UR	Submarket	Northeast Des Moines	Appraiser	Victor Scaglione 515-286-3898

Map and Current Photos - 1 Record

Click on parcel to get a new listing

2216	2218	2224	2228	2234	2238	2240	2246	
ELIZABETH AVE								
2213	2221	2223	2227	2229	2235	2238	2243	2245
2214	2218	2220	2224	2228	2234	2242	2246	2250

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

Photo Processed on 2012-06-30 a



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	WELLS FARGO BANK NA	2009-11-17	13278/300

Legal Description and Mailing Address

LOTS 33 & 34 COLSONS ADDITION

OCWEN LOAN SERVICING LLC
POB 24737
WEST PALM BEACH, FL 33416-4737

Current Values

Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential	Full	\$20,400	\$49,200	\$69,600

Market Adjusted Cost Report

Zoning - 1 Record

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

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

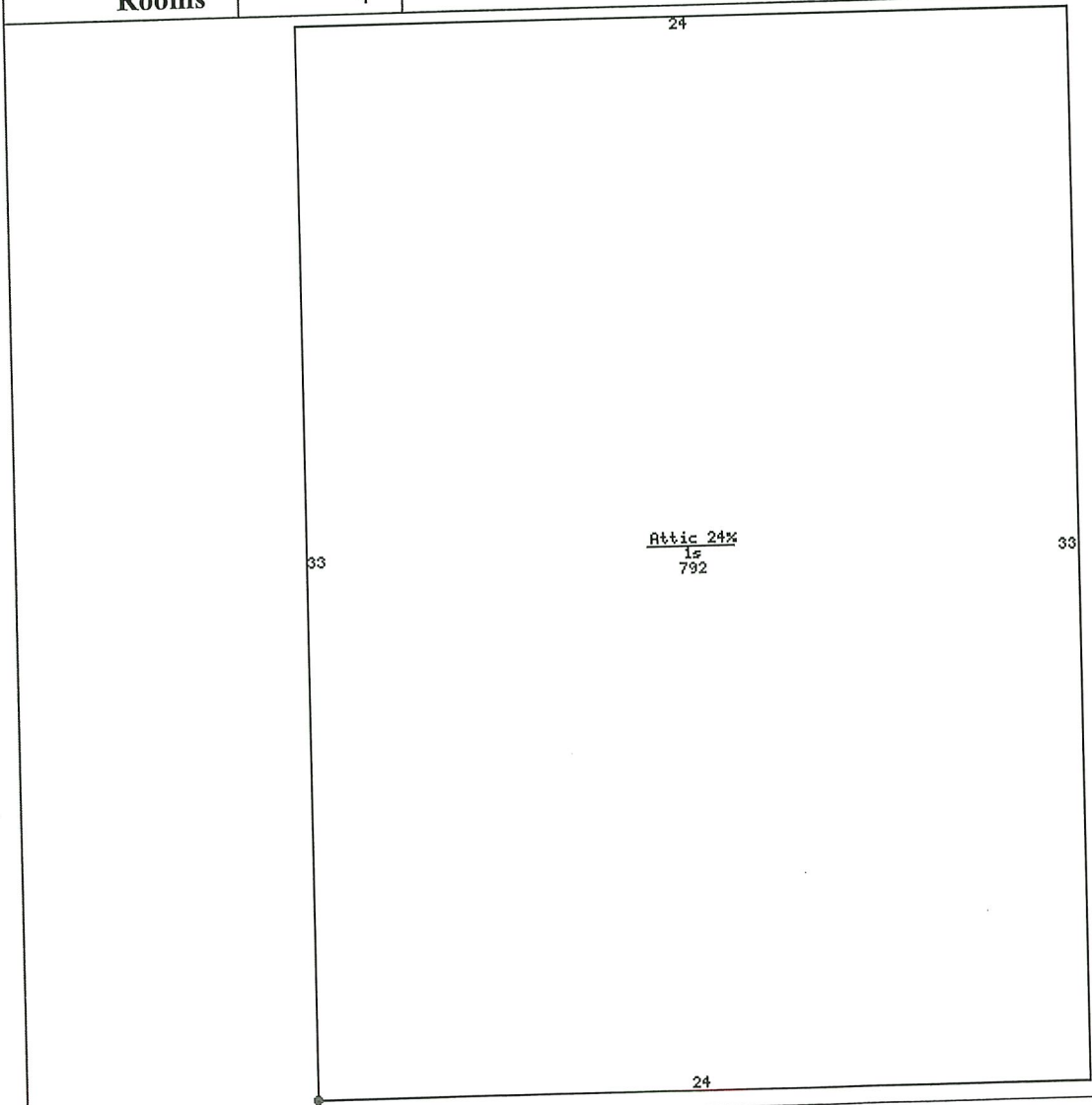
Land

Square Feet	7,920	Acres	0.182	Frontage	60.0
Depth	132.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record

Residence #1

Occupancy	Single Family	Residence Type	1 Story Finished Attic	Building Style	Conventional
Year Built	1950	Number Families	1	Grade	4-10
Condition	Below Normal	Total Square Foot Living Area	982	Main Living Area	792
Attic Finished Area	190	Foundation	Concrete Block	Exterior Wall Type	Asbestos
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning Rooms	0	Number Bathrooms	1	Bedrooms	2



Sales - 6 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
KING, MEGGAN A	RIGLEY, JENO E.	<u>2007-02-21</u>	\$68,000	Deed	<u>12099/207</u>
SRS, INC	KING, MEGGAN A.	<u>2002-03-01</u>	\$60,000	Deed	<u>9102/645</u>
AMERIQUEST MORTG CO	SRS, INC.	<u>2001-02-21</u>	\$32,500	Deed	<u>8726/635</u>
REED, DAVID L	WATSON, THOMAS L.	<u>1998-05-01</u>	\$28,500	Contract	<u>7906/525</u>
CORT, KELLY F	ANDERSON, JEFFREY W	<u>1995-03-13</u>	\$33,000	Deed	<u>7164/687</u>
JR, CHARLES CLARK	CORT, JEFFREY A	<u>1989-11-07</u>	\$17,500	Deed	<u>6172/219</u>

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Assessment Roll</u>	Residential	Full	\$20,400	\$49,200	\$69,600
2017	<u>Assessment Roll</u>	Residential	Full	\$18,000	\$52,300	\$70,300
2015	<u>Assessment Roll</u>	Residential	Full	\$17,000	\$50,900	\$67,900
2013	<u>Assessment Roll</u>	Residential	Full	\$15,900	\$48,700	\$64,600
2011	<u>Assessment Roll</u>	Residential	Full	\$15,900	\$49,000	\$64,900
2009	<u>Assessment Roll</u>	Residential	Full	\$16,600	\$50,300	\$66,900
2007	<u>Assessment Roll</u>	Residential	Full	\$16,600	\$50,300	\$66,900
2005	<u>Assessment Roll</u>	Residential	Full	\$17,200	\$46,400	\$63,600
2003	<u>Assessment Roll</u>	Residential	Full	\$14,860	\$40,210	\$55,070
2001	<u>Assessment Roll</u>	Residential	Full	\$13,100	\$33,410	\$46,510
1999	Assessment Roll	Residential	Full	\$8,160	\$32,590	\$40,750
1997	Assessment Roll	Residential	Full	\$7,390	\$29,520	\$36,910
1995	Assessment Roll	Residential	Full	\$6,720	\$26,860	\$33,580
1993	Assessment Roll	Residential	Full	\$5,800	\$23,190	\$28,990
1991	Assessment Roll	Residential	Full	\$5,800	\$10,470	\$16,270
1991	Was Prior Year	Residential	Full	\$5,800	\$8,700	\$14,500

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

25M

DATE OF NOTICE: December 27, 2019

DATE OF INSPECTION: April 16, 2019

CASE NUMBER: COD2019-01699

PROPERTY ADDRESS: 2229 ELIZABETH AVE

LEGAL DESCRIPTION: LOTS 33 & 34 COLSONS ADDITION

JENO E RIGLEY
Title Holder
2229 ELIZABETH AVE
DES MOINES IA 50317

KAREN J RIGLEY
Title Holder
2025 MAPLE ST
DES MOINES IA 50317

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.

Casey Doran
(515) 283-4183

Nid Inspector



DATE MAILED: 12/27/2019

MAILED BY: JDH

25M

Areas that need attention: 2229 ELIZABETH AVE

Component: Exterior Doors/Jams Requirement: Building Permit Comments:	Defect: Deteriorated Location: Main Structure Throughout
Component: Foundation Requirement: Building Permit Comments:	Defect: Structurally inadequate Location: Main Structure Throughout
Component: Roof Requirement: Building Permit Comments: Building permit required if sheeting is replaced.	Defect: In disrepair Location: Main Structure Throughout
Component: Soffit/Facia/Trim Requirement: Comments:	Defect: Deteriorated Location: Main Structure Throughout
Component: Exterior Walls Requirement: Building Permit Comments: Building permit required for disrepair on south wall. Not needed for deteriorated siding.	Defect: Deteriorated Location: Main Structure Throughout
Component: Accessory Buildings Requirement: Permit Required Comments: Shed throughout.	Defect: Structurally inadequate Location: Shed

top

2229 Elizabeth Ave



04/07/2020 08:58

ASM

top

2229 Elizabeth Ave



04/07/2020 08:56

2SM

top

2229 Elizabeth Ave



04/07/2020 08:55

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