



Date November 23, 2020

ABATEMENT OF PUBLIC NUISANCE AT 2009 E 40th COURT

WHEREAS, the property located at 2009 E 40th Court, 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, IB FLIPPING, 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 Lot 149 in SUNRISE PARK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 2009 E 40th Court, 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	

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.

Mayor

City Clerk

43F

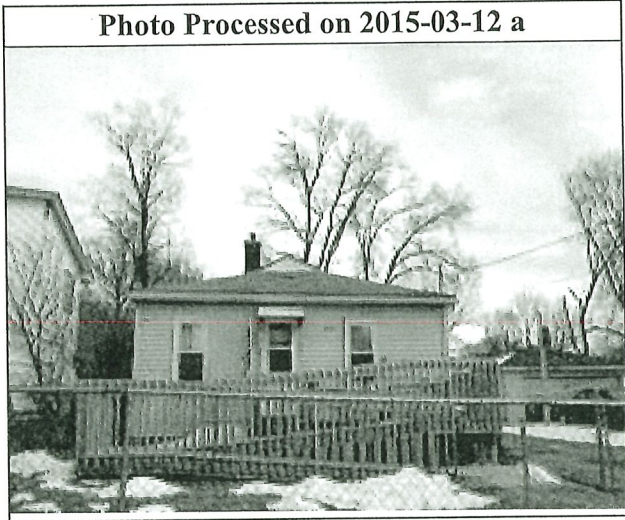
Polk County Assessor

111 Court Avenue #195
Des Moines, IA 50309-0904

(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	2009 E 40TH CT				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	060/08076-000-000	Geoparcel	7923-33-127-017	Status	Active
School	Des Moines	Nbhd/Pocket	DM12/A	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northeast Des Moines	Appraiser	Victor Scaglione 515-286-3898		

Map and Current Photos - 1 Record

<p>Click on parcel to get a new listing</p> <table border="1"> <tr> <td>2014</td> <td rowspan="5" style="writing-mode: vertical-rl; transform: rotate(180deg);">E 40TH CT</td> <td>2015</td> <td>2016</td> </tr> <tr> <td>2012</td> <td>2013</td> <td>2012</td> </tr> <tr> <td>2004</td> <td>2009</td> <td>2010</td> </tr> <tr> <td></td> <td></td> <td>2008</td> </tr> <tr> <td></td> <td>2001</td> <td>2006</td> </tr> </table> <p>Bigger Map Polk County GIS Google Map Pictometry</p>			2014	E 40TH CT	2015	2016	2012	2013	2012	2004	2009	2010			2008		2001	2006	<p>Photo Processed on 2015-03-12 a</p> 		
2014	E 40TH CT	2015	2016																		
2012		2013	2012																		
2004		2009	2010																		
			2008																		
		2001	2006																		

Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	IB FLIPPING LLC	2020-03-11	17730/650

Legal Description and Mailing Address

LOT 149 SUNRISE PARK	KOGA BARTON 2815 100TH ST UNIT 333 URBANDALE, IA 50323
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Current Values

Type	Class	Kind	Land	Bldg	Total
2020 Value <i>Partial Value</i>	Residential	Full	\$18,700	\$31,500	\$50,200

[Assessment Roll Notice](#) [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)

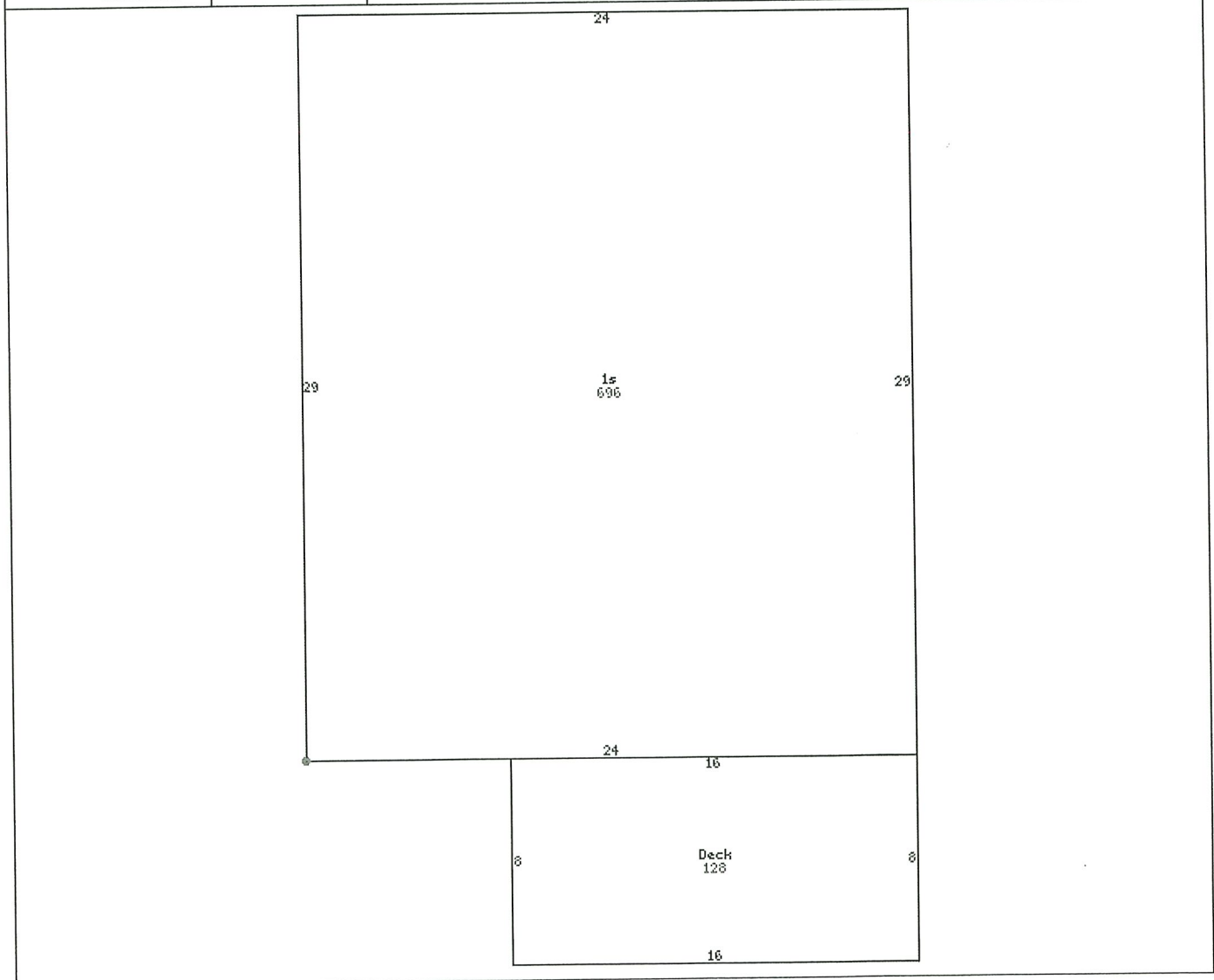
Land

Square Feet	6,300	Acres	0.145	Frontage	50.0
Depth	126.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record

Residence #1

Occupancy	Single Family	Residence Type	1 Story	Building Style	Ranch
Year Built	1947	Number Families	1	Grade	5-05
Condition	Below Normal	Total Square Foot Living Area	696	Main Living Area	696
Deck Area	128	Foundation	Poured Concrete	Exterior Wall Type	Vinyl Siding
Roof Type	Hip	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning	0	Number Bathrooms	1	Bedrooms	2
Rooms	4				



Sales - 3 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
CONTRACT EXCHANGE CORP	BARTON ENTERPRISES LLC	<u>2019-11-25</u>	\$47,500	Deed	<u>17613/19</u>
NATIONWIDE OFFICE CARE	WATFORD, ASHLEY	<u>2018-07-30</u>	\$64,900	Contract	<u>17018/592</u>
EGBERT, JOSEPH	NATIONWIDE OFFICE CLEANERS, LLC	<u>2018-06-01</u>	\$35,000	Deed	<u>16948/283</u>

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
BARTON ENTERPRISES LLC	IB FLIPPING LLC	2020-03-03	2020-03-11	Quit Claim Deed	<u>17730/650</u>
CONTRACT EXCHANGE CORP	BARTON ENTERPRISES LLC	2019-11-25	2019-12-03	Warranty Deed Corporate	<u>17613/19</u>
WATFORD, ASHLEY NICOLE	CONTRACT EXCHANGE CORP	2019-06-04	2019-06-07	Forfeiture of Contract	<u>17357/542</u>
NATIONWIDE OFFICE CLEANERS LLC Doing Business As NATIONWIDE OFFICE CARE	CONTRACT EXCHANGE CORP	2018-11-28	2018-12-05	Warranty Deed Corporate	<u>17170/226</u>
NATIONWIDE OFFICE CARE LLC	WATFORD, ASHLEY	2018-07-30	2018-07-30	Contract	<u>17018/592</u>
EGBERT, THELMA EGBERT, JOSEPH EUGENE SORTER, JENNY (Attorney-In-Fact)	EGBERT, THELMA	2018-06-11	2018-06-11	Affidavit of Surviving Tenant	<u>16955/796</u>

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
EGBERT, THELMA _____ SORTER, JENNY (Attorney-In-Fact)	NATIONWIDE OFFICE CLEANERS LLC _____ Doing Business As NATIONWIDE OFFICE CARE	2018-06-01	2018-06-05	Warranty Deed	<u>16948/283</u>

Permits - 7 Records

Year	Type	Permit Status	Application	Reason	Reason1
Current	Permit	To Work	2020-08-21	Fix Damage	FIRE
Current	Permit	To Work	2020-03-31	Construction	GARAGE
Current	Permit	To Work	2020-03-05	Alterations	DECK
Current	Permit	To Work	2020-01-08	Construction	GARAGE
Current	Pickup	To Work	2019-12-18	Review Value	CHECK CONDITION
2020	Pickup	Partial	2019-12-18	Review Value	CHECK CONDITION
2015	Permit	No Add	2014-01-03	Addition	DECK (20 sf)

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2020	<u>Assessment Roll</u>	Residential	Full	\$18,700	\$31,500	\$50,200
2019	<u>Assessment Roll</u>	Residential	Full	\$18,700	\$37,400	\$56,100
2017	<u>Assessment Roll</u>	Residential	Full	\$17,200	\$44,500	\$61,700
2015	<u>Assessment Roll</u>	Residential	Full	\$16,400	\$43,400	\$59,800
2013	<u>Assessment Roll</u>	Residential	Full	\$16,000	\$43,200	\$59,200
2011	<u>Assessment Roll</u>	Residential	Full	\$15,900	\$43,400	\$59,300
2009	<u>Assessment Roll</u>	Residential	Full	\$16,600	\$44,700	\$61,300
2007	<u>Assessment Roll</u>	Residential	Full	\$16,100	\$44,200	\$60,300
2005	<u>Assessment Roll</u>	Residential	Full	\$15,600	\$42,400	\$58,000
2003	<u>Assessment Roll</u>	Residential	Full	\$13,980	\$38,120	\$52,100
2001	<u>Assessment Roll</u>	Residential	Full	\$12,610	\$33,050	\$45,660
1999	Assessment Roll	Residential	Full	\$6,420	\$26,470	\$32,890
1997	Assessment Roll	Residential	Full	\$5,660	\$23,340	\$29,000
1995	Assessment Roll	Residential	Full	\$5,360	\$22,110	\$27,470
1993	Assessment Roll	Residential	Full	\$4,740	\$9,800	\$14,540
1991	Assessment Roll	Residential	Full	\$4,390	\$9,070	\$13,460
1991	Was Prior Year	Residential	Full	\$4,390	\$7,740	\$12,130

This template was last modified on Sat Mar 4 12:31:48 2017 .



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

43F

DATE OF NOTICE: September 21, 2020

DATE OF INSPECTION: July 07, 2020

CASE NUMBER: COD2020-03168

PROPERTY ADDRESS: 2009 E 40TH CT

LEGAL DESCRIPTION: LOT 149 SUNRISE PARK

IB FLIPPING LLC
Title Holder
KOGA BARTON, REG. AGENT
2815 100TH ST STE 333
URBANDALE 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 60-192 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.

Kevin Pyles

(515) 283-4122



Nid Inspector

DATE MAILED: 9/21/2020

MAILED BY: JDH

Areas that need attention: 2009 E 40TH CT

Component:	Electrical System	Defect:	Fire damaged
Requirement:	Electrical Permit	Location:	Main Structure Throughout
Comments:	Hire licensed electrical contractor to verify safety of electrical system and correct any violations that may exist.		
Component:	Mechanical System	Defect:	Disconnected Utility
Requirement:	Mechanical Permit		Water/Gas/Electric
Comments:	Gas service has been shut off need licensed mechanical contractor to verify safety of mechanical systems and correct any violations prior to service being restored. Permit required.		
Component:	Exterior Walls	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Main Structure Throughout
Comments:	Repair/replace any rotted, damaged or broken boards. Any repairs to the structure will require a building permit.		
Component:	Exterior Walls	Defect:	Fire damaged
Requirement:	Compliance, International Property Maintenance Code	Location:	Main Structure Throughout
Comments:	Repair/replace any broken, missing, damaged or rotted siding. Any repairs to the structure will require a building permit.		
Component:	Trusses	Defect:	Fire damaged
Requirement:	Building Permit	Location:	Main Structure Throughout
Comments:	Repair/replace any damaged trusses. Any repairs to the structure will require a building permit.		
Component:	Roof	Defect:	Fire damaged
Requirement:	Compliance, International Property Maintenance Code	Location:	Main Structure Throughout
Comments:	Replace any damaged roofing material. Per city code shingles limited to one layer. Any structural repairs will require a permit.		
Component:	See Comments	Defect:	See Comments
Requirement:	Compliance, International Property Maintenance Code	Location:	Main Structure Throughout
Comments:	Other violations may exist inside the structure due to inspection being limited to exterior only at this time.		
Component:	Accessory Buildings	Defect:	See Comments
Requirement:	Compliance, International Property Maintenance Code	Location:	Garage Throughout
Comments:	The garage or shed 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.		

top

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2009 E 40th Ct



11/12/2020 10:41

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2009 E 40th Ct

top



11/12/2020 10:40