| Roll Call Number | A |
|------------------|---|
| | _ |

| Agenda | Item | Number |
|--------|------|--------|
| | 2 | 2 (|

Date April 5, 2021

ABATEMENT OF PUBLIC NUISANCE AT 526 ARTHUR AVENUE

WHEREAS, the property located at 526 Arthur Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the garage structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, Shelly R Myers, and Mortgage Holders, Freedom Mortgage Corporation and Lederman Brothers Property Management, LLC a/k/a Lederman Brothers Property Management Company, LLC, were notified more than thirty days ago to repair or demolish the garage structure and as of this date have failed to abate the nuisance.

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

The garage structure on the real estate legally described as Lot 6 in HAUGE'S SYCAMORE HILL PLAT 1, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 526 Arthur 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 garage structure.

| | Moved by | _to adopt. |
|--|----------|------------|
| FORM APPROVED: | | |
| /s/Megan Norberg | | |
| 0 | | |
| Megan Norberg, Assistant City Attorney | | |

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | | | | |
| BOESEN | | | | |
| GATTO | | | | |
| GRAY | | | | |
| MANDELBAUM | | | | |
| VOSS | | | | |
| WESTERGAARD | | | | |
| TOTAL | | | | |
| MOTION CARRIED | | | API | PROVED |

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 Clerl |
|------------------|
| |

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 | Address 526 ARTHUR AVE | | | | | | | |
| City | DES MOINES | Zip | 50313 | Jurisdiction | Des Moines | | | |
| District/Parcel | 070/01613-000-000 | Geoparcel | 7924-26-376-036 | Status | <u>Active</u> | | | |
| School | Des Moines | Nbhd/Pocket | DM86/Z | Tax Authority Group | DEM-C-DEM- 77131 | | | |
| Submarket | Northeast 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

Historical Photos

| | | Ownership - 1 Record | | | | |
|------------------|-----|----------------------|------------|------------------|--|--|
| Ownership | Num | Name | Recorded | Book/Page | | |
| Title Holder | 1 | MYERS, SHELLY R | 2008-04-25 | <u>12630/649</u> | | |
| T ID 'A' Address | | | | | | |

Legal Description and Mailing Address

LOT 6 HAUGES SYCAMORE HILL PLAT 1

SHELLY R BYRD 601 CUMMINS RD DES MOINES, IA 50315-5948

Current Values

| Type | Class | Kind | Land | Bldg | Total |
|------------|-------------|------|----------|-----------|-----------|
| 2020 Value | Residential | Full | \$21,000 | \$143,400 | \$164,400 |

Market Adjusted Cost Report

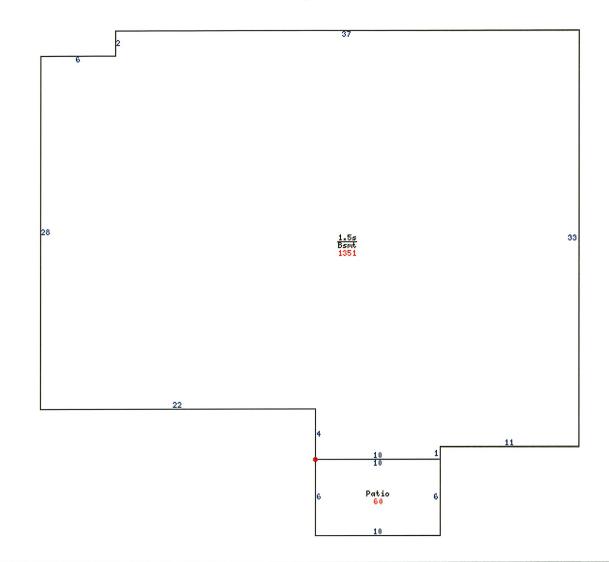
Auditor Adjustments to Value

| Category | Name | Information |
|-----------------------|-----------------|---------------------|
| 2020 Homestead Credit | MYERS, SHELLY R | Application #221234 |

Zoning - 1 Record



| .1 | | Tolk County 7 to | 363301 07 070 1 | 010 000 | | | |
|------------------------|----------------------|---|-------------------------|-----------------------------------|---------------------|--------------|--|
| Zoning | | Description | | | SF Assessor Zoning | | |
| N5 | N5 Neighbo | N5 Neighborhood District | | | Residential | | |
| City of Des Moi | nes Community | Development Planning | g and Urba | n Desi | gn 515 283-4182 | (2012-03-20) | |
| | | Land | | | | | |
| Square Feet | 10,500 | Acres | 0.2 | 41 | Frontage | 75.0 | |
| Depth | 140.0 | Topography | Norn | nal | Shape | Rectangle | |
| Vacancy | No | Unbuildable | | No | | | |
| | | Residences - | · 1 Record | | | | |
| | | Residenc | e #1 | | | | |
| Occupancy | Single Family | Residence Type | | 1.5 Building Stories Styl | | Conventiona | |
| Year Built | 1932 | Number Families | | 1 | Grade | 3-05 | |
| Condition | Normal | Total Square Foot Living Area Basement Area | 22: | 56 | Main Living Area | 135 | |
| Upper Living Area | 905 | | 13: | 51 | Patio Area | 60 | |
| Foundation | Brick | Exterior Wall Type | Fran pl Brie | us | Brick% | 59 | |
| Roof Type | Gable | Roof Material | | Asphalt Number Shingle Fireplaces | | : | |
| Heating | Gas Forced Air | Air Conditioning | 100 Number Bathrooms | | | | |
| Number Toilet Rooms | 1 | Bedrooms | | 4 | Rooms | 8 | |



| Detached | Structures - | 1 Record |
|----------|--------------|----------|
| Detached | SHUCHIES - | i necora |

| | Detached Structure #101 | | | | | | | |
|-----------|--|------------|------|--------------|--------|--|--|--|
| Occupancy | Occupancy Garage Construction Type Frame Measurement Code Dimensions | | | | | | | |
| Measure 1 | 18 | Measure 2 | 20 | Story Height | 1 | | | |
| Grade | 4 | Year Built | 1932 | Condition | Normal | | | |

Sales - 4 Records

| Seller | Buyer | Sale Date | Sale Price | Instrument | Book/Page |
|--|-------------------------|------------|---------------|------------|-----------|
| LASALLE BANK NATIONAL ASSOCIATION | MYERS, SHELLY R | 2008-03-13 | \$114,000 | Deed | 12630/649 |
| KNAPE, DUSTIN | GODREDSEN, ANGELIQUE | 2004-10-25 | \$142,500 | Deed | 10798/337 |
| MORLAN, TIM C | KNAPE, DUSTIN | 2002-01-15 | \$122,750 | Deed | 9087/580 |
| SISAM, COLYER H ESTATE | MORLAN, TIMOTHY C | 1993-06-07 | \$75,000 | Deed | 6794/144 |
| Permits - 1 Record | | | | | |



| Year | Type | Permit Status | Application | Reason | Reason1 |
|------|--------|---------------|-------------|----------|------------------|
| 1996 | Pickup | Complete | | Addition | AIR CONDITIONING |

Historical Values

| Yr | Type | Class | Kind | Land | Bldg | Total |
|------|-----------------|-------------|------|----------|-----------|-----------|
| 2019 | Assessment Roll | Residential | Full | \$21,000 | \$143,400 | \$164,400 |
| 2017 | Assessment Roll | Residential | Full | \$18,500 | \$134,000 | \$152,500 |
| 2015 | Assessment Roll | Residential | Full | \$16,900 | \$124,800 | \$141,700 |
| 2013 | Assessment Roll | Residential | Full | \$17,000 | \$128,900 | \$145,900 |
| 2011 | Assessment Roll | Residential | Full | \$17,800 | \$135,400 | \$153,200 |
| 2009 | Assessment Roll | Residential | Full | \$19,500 | \$146,000 | \$165,500 |
| 2007 | Assessment Roll | Residential | Full | \$18,500 | \$138,700 | \$157,200 |
| 2005 | Assessment Roll | Residential | Full | \$24,400 | \$117,900 | \$142,300 |
| 2003 | Assessment Roll | Residential | Full | \$22,180 | \$108,690 | \$130,870 |
| 2001 | Assessment Roll | Residential | Full | \$20,030 | \$92,710 | \$112,740 |
| 1999 | Assessment Roll | Residential | Full | \$14,770 | \$76,270 | \$91,040 |
| 1997 | Assessment Roll | Residential | Full | \$13,260 | \$76,270 | \$89,530 |
| 1996 | Assessment Roll | Residential | Full | \$11,760 | \$67,650 | \$79,410 |
| 1995 | Assessment Roll | Residential | Full | \$11,760 | \$66,470 | \$78,230 |
| 1993 | Assessment Roll | Residential | Full | \$9,970 | \$56,360 | \$66,330 |
| 1990 | Assessment Roll | Residential | Full | \$9,970 | \$53,630 | \$63,600 |

This template was last modified on Sun Jan 31 22:36:22 2021.



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



DATE OF NOTICE: December 10, 2020

DATE OF INSPECTION:

October 24, 2019

CASE NUMBER:

COD2019-06985

PROPERTY ADDRESS:

526 ARTHUR AVE

LEGAL DESCRIPTION:

LOT 6 HAUGES SYCAMORE HILL PLAT 1

SHELLY R MYERS Title Holder 601 CUMMINS RD DES MOINES IA 50315-5948

AKA LEDERMAN BROS PROP. MGMT CO. LLC Mortgage Holder - LEDERMAN BROS PROP. MGMT LLC DAVID LEDERMAN, R.A. 712 SYCAMORE ST WATERLOO IA 50703

FREEDOM MORTGAGE CORPORATION
Mortgage Holder
C T CORP. SYSTEM, R.A.
400 E COURT AVE
DES MOINES IA 50309

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 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.

Kevin Pyles

(515) 283-4122

Nid Inspector

DATE MAILED: 12/10/2020

MAILED BY: JDH

Areas that need attention: 526 ARTHUR AVE

Component: Requirement:

Trusses

Building Permit

Defect:

Deteriorated

Comments:

Location: Garage Throughout

Have structure checked for any defects. Any repairs to the structure may require a

building permit.

Component:

Shingles Flashing

Defect:

Deteriorated

Requirement:

Compliance, International Property

Maintenance Code

Location: Garage Throughout

Comments:

Replace rotted material with one layer of new shingles.

Component:

Soffit/Facia/Trim

Deteriorated

Requirement:

Compliance, International Property

Defect:

Comments:

Maintenance Code

Location: Garage Throughout

Repair/replace any rotted material and chipped/peeling paint. Scrape and paint to

match.

Component: Requirement:

Exterior Walls

Defect:

Deteriorated

Compliance, International Property

Maintenance Code

Location: Garage Throughout

Comments:

Chipped/peeling paint. Scrape and paint to match.

Component:

Requirement:

Accessory Buildings

Defect:

See Comments

Permit Required

Location: Garage Throughout

Comments:

If you decide to demolish the structure a demo permit is required.

Component:

Requirement:

Comments:

Exterior Walls

Defect:

Absence of paint

Compliance, International Property Maintenance Code

Location: Garage Throughout

Component:

Exterior Walls Requirement:

Building Permit

Defect:

Structurally inadequate

Comments:

Garge need to be plumb.

Location: Garage