



Roll Call Number

Agenda Item Number

61 F

Date September 12, 2022

ABATEMENT OF PUBLIC NUISANCE AT 1327 RANDALL PL.

WHEREAS, the property located at 1327 Randall Pl., 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, Jon G. Fussell, and Mortgage Holders, Chase Home Mortgage Corporation and Federal Home Loan Mortgage Corporation, were notified more than thirty days ago to repair or demolish the main 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 main structure on the real estate legally described as Lot 4 in CONDIT WOODS, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1327 Randall Pl., has previously been declared a public nuisance;

The City Legal Department, through Special Counsel Ahlers & Cooney, P.C., 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.

Second by _____

FORM APPROVED:

Kristine Stone, Special Counsel
Ahlers & Cooney, P.C.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	

CERTIFICATE

I, LAURA BAUMGARTNER, 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

61F



City of Des Moines
400 Robert D. Ray Drive
Des Moines, IA 50309

Case Number: NUIS-2022-000109	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 04/29/2022
	Date of Notice: 05/12/2022
	Date of Inspection: 04/29/2022

JON FUSSELL
2746 DALEWOOD AVE SE APT 325
CEDAR RAPIDS IA 52403

Address of Property: 1327 RANDALL PL, DES MOINES IA 50311
Parcel Number: 792432452013
Legal Description: LOT 4 CONDIT WOODS

Upon inspection of the property located at and locally known as the Address of Property shown above, located in Des Moines, Iowa, ("Property"), there was/were found to be violation(s) of the Municipal Code of the City of Des Moines, Iowa. It has been determined from that inspection that the dwelling currently constitutes a danger to health and safety to the public and is a public nuisance.

We are notifying you that you have the time set out in this notice (below under "Compliance Due Date") to abate the following violation(s) and complete the required remedial action.

VIOLATION(S)

Violation	Corrective Action	Compliance Due Date
60-191 - Vacation and Abatement	MAIN STRUCTURE THROUGH OUT Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	06/13/2022

60-192(10) - Dangerous Structure or
Premise - Lack of Sufficient Construction

MAIN STRUCTURE THROUGH OUT
Vacate and secure the structure or
premises, OR,
demolish the structure after obtaining
required demolition permit, OR,
repair or replace insufficient construction,
fire protection systems, electrical system,
fuel connections, mechanical system,
plumbing system or other cause that is a
threat to life or health.

06/13/2022

* HOLE IN ROOF. WATER ELEMENTS OF
WEATHER ACCESSING STRUCTURE
COMPROMISING ELECTRICAL AND
INTERIOR OF STRUCTURE
HOLES, ROTTED WOOD, CHIPPED PAINT ON
FASCIA ALL AROUND STRUCTURE IN POOR
REPAIR.

60-192(3) - Dangerous Structure or Premise
- Damaged

1325 GARAGE THROUGH OUT
Repair or replace any portion of a building,
structure or appurtenance that has been
damaged by fire, earthquake, wind, flood,
deterioration, neglect, abandonment,
vandalism or by any other cause to such an
extent that it is likely to partially or
completely collapse, or to become
detached or dislodged.

06/13/2022

* HAVE A LICENSED ELECTRICAL
CONTRACTOR INSPECT THE ENTIRE
ELECTRICAL SYSTEM AND PROVIDE A COPY
OF THE FINDINGS. REPAIR AND/OR
REPLACE ALL DEFICIENT ELEMENTS OF THE
ELECTRICAL SYSTEM THROUGHOUT THE
ENTIRE STRUCTURE. WORK MUST BE DONE
BY A LICENSED ELECTRICAL CONTRACTOR.

* OBTAIN FINAL ON PERMIT TO REPAIR OR
REPLACE OF ANY DAMAGED OR MISSING
EXTERIOR WALLS.

* UNSAFE OR UNABLE TO GAIN ACCESS
INTO STRUCTURE, POSSIBLE MORE
VIOLATIONS.

*HOLE IN ROOF
EXTERIOR WALLS ROTTED AND DETERIATED

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- Damaged

06/13/2022

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* HAVE LICENSED CONTRACTOR CHECK AND OBTAIN FINAL ON PERMIT REPLACE ALL DAMAGE AND DETERIORATED TRUSSES.

* REPLACE ANY DAMAGED ROOFING MATERIAL. PER CITY CODE SHINGLES LIMITED TO ONE LAYER. ANY STRUCTURAL REPAIRS WILL REQUIRE A PERMIT

* REPLACE ALL DAMAGED ROOFING COMPONENTS BY LICENSED CONTRACTOR. BUILDING PERMIT REQUIRED IF REPLACING SHEETING.

* OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE DAMAGE DECKING, RAILING, JOIST, BEAMS, HANDRAIL, AND STAIRS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.

* OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR PROPERLY

REMEDiate ALL MOLD.

* 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.

* WAS UNABLE TO DETERMINE IF MAIN STRUCTURE IS DAMAGED AS WELL. WILL REQUIRE A STRUCTURE INSPECTION ONCE THE GARAGE IS DEMOLISHED OR SAFE TO ENTER.

* UNSAFE OR UNABLE TO GAIN ACCESS INTO STRUCTURE, POSSIBLE MORE VIOLATIONS.

60-192(5) - Dangerous Structure or Premise
- Dilapidated or Deteriorated

MAIN STRUCTURE THROUGH OUT
Repair or replace the building or structure, or part of a structure which is likely to partially or completely collapse because of dilapidation, deterioration, decay, faulty construction, the removal of movement of some portion of the ground necessary for the support, or for any other reason, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.

06/13/2022

60-192(6) - Dangerous Structure or Premise
- Unsafe

MAIN STRUCTURE THROUGH OUT
Vacate and secure any structure that is clearly unsafe for its use and occupancy, OR,
demolish the structure after obtaining required permit, OR
repair or replace the building or structure, or any portion thereof, that is clearly unsafe for its use and occupancy.

06/13/2022

60-192(7) - Dangerous Structure or Premise
- Attractive Nuisance, Harbor for Vagrants

MAIN STRUCTURE THROUGH OUT
Vacate and secure the structure, OR,
repair or replace the building or structure that is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.

06/13/2022

60-194 - Defacing and Removing Placard

Replace or restore defaced or removed placard.

06/13/2022

If not occupied, the structure is to remain vacant and unoccupied until occupancy is authorized by this office.

If the structure 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 may seek a court order directing you to vacate the structure, pursuant to Section 60-191 and 60-192 of the Municipal Code of the City of Des Moines, Iowa.

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. Should you have any 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 over a year, there may be zoning issues, which may affect the renovation plans. Please contact the Development Zoning Division at (515) 283-4207 to determine if there is anything you should be aware of.

If you decide to demolish the building or take the structure down, you will need a demolition permit.

If you cannot renovate or demolish the structure, contact me to discuss allowing the City to remove the structure. There will be costs billed out to you and possibly a judgment. It may be cheaper for you to remove the structure yourself.

If you no longer own this property, please let us know.

Unpaid costs may be collected by personal judgment, collection, or assessment to be collected as a property tax.

Should you have any questions, feel free to call. I can usually be reached between 8:00 a.m. and 9:00 a.m., Monday through Friday.

Thank you for your help,

Respectfully,



Charles McClaran

Neighborhood Inspector

Neighborhood Services

602 Robert D. Ray Drive, Des Moines, IA 50309

(515) 283-4143

CWMcClaran@dmgov.org

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City of Des Moines
400 Robert D. Ray Drive
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Notice of Violation	Case Type: Public Nuisance
	Case Opened: 04/29/2022
	Date of Notice: 06/29/2022
	Date of Inspection: 04/29/2022

FEDERAL HOME LOAN MORTGAGE CORP
8200 JONES BRANCH DR
MCLEAN VA 221023110

Address of Property: 1327 RANDALL PL, DES MOINES IA 50311
Parcel Number: 792432452013
Legal Description: LOT 4 CONDIT WOODS

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Premise - Lack of Sufficient Construction

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60-192(3) - Dangerous Structure or Premise
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60-192(6) - Dangerous Structure or Premise - Unsafe	MAIN STRUCTURE THROUGH OUT Vacate and secure any structure that is clearly unsafe for its use and occupancy, OR, demolish the structure after obtaining required permit, OR repair or replace the building or structure, or any portion thereof, that is clearly unsafe for its use and occupancy.	06/13/2022
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If you plan to renovate the structure and it has been vacant for over a year, there may be zoning issues, which may affect the renovation plans. Please contact the Development Zoning Division at (515) 283-4207 to determine if there is anything you should be aware of.

If you decide to demolish the building or take the structure down, you will need a demolition permit.

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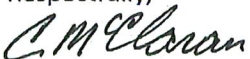
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Case Number: NUIS-2022-000109	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 04/29/2022
	Date of Notice: 06/29/2022
Date of Inspection: 04/29/2022	

US ATTORNEY GENERAL, US DEPT OF JUSTICE
950 PENNSYLVANIA AVE NW
WASHINGTON DC 205300001

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Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
(515) 283-4143
CWMcClaran@dmgov.org

WIF



City of Des Moines
400 Robert D. Ray Drive
Des Moines, IA 50309

Case Number: NUIS-2022-000109	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 04/29/2022
	Date of Notice: 06/29/2022
Date of Inspection: 04/29/2022	

CHASE HOME MORTGAGE CORP C/O CT CORP SYSTEM, REG. AGENT
2222 GRAND AVE
DES MOINES IA 50312

Address of Property: **1327 RANDALL PL, DES MOINES IA 50311**
Parcel Number: **792432452013**
Legal Description: **LOT 4 CONDIT WOODS**

Upon inspection of the property located at and locally known as the Address of Property shown above, located in Des Moines, Iowa, ("Property"), there was/were found to be violation(s) of the Municipal Code of the City of Des Moines, Iowa. It has been determined from that inspection that the dwelling currently constitutes a danger to health and safety to the public and is a public nuisance.

We are notifying you that you have the **time set out in this notice (below under "Compliance Due Date")** to abate the following violation(s) and complete the required remedial action.

VIOLATION(S)

Violation	Corrective Action	Compliance Due Date
60-191 - Vacation and Abatement	MAIN STRUCTURE THROUGH OUT Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	06/13/2022

60-192(10) - Dangerous Structure or
Premise - Lack of Sufficient Construction

MAIN STRUCTURE THROUGH OUT
Vacate and secure the structure or
premises, OR,
demolish the structure after obtaining
required demolition permit, OR,
repair or replace insufficient construction,
fire protection systems, electrical system,
fuel connections, mechanical system,
plumbing system or other cause that is a
threat to life or health.

06/13/2022

* HOLE IN ROOF. WATER ELEMENTS OF
WEATHER ACCESSING STRUCTURE
COMPROMISING ELECTRICAL AND
INTERIOR OF STRUCTURE
HOLES, ROTTED WOOD, CHIPPED PAINT ON
FASCIA ALL AROUND STRUCTURE IN POOR
REPAIR.

60-192(3) - Dangerous Structure or Premise
- Damaged

1325 GARAGE THROUGH OUT
Repair or replace any portion of a building,
structure or appurtenance that has been
damaged by fire, earthquake, wind, flood,
deterioration, neglect, abandonment,
vandalism or by any other cause to such an
extent that it is likely to partially or
completely collapse, or to become
detached or dislodged.

06/13/2022

* HAVE A LICENSED ELECTRICAL
CONTRACTOR INSPECT THE ENTIRE
ELECTRICAL SYSTEM AND PROVIDE A COPY
OF THE FINDINGS. REPAIR AND/OR
REPLACE ALL DEFICIENT ELEMENTS OF THE
ELECTRICAL SYSTEM THROUGHOUT THE
ENTIRE STRUCTURE. WORK MUST BE DONE
BY A LICENSED ELECTRICAL CONTRACTOR.

* OBTAIN FINAL ON PERMIT TO REPAIR OR
REPLACE OF ANY DAMAGED OR MISSING
EXTERIOR WALLS.

* UNSAFE OR UNABLE TO GAIN ACCESS
INTO STRUCTURE, POSSIBLE MORE
VIOLATIONS.

*HOLE IN ROOF
EXTERIOR WALLS ROTTED AND DETERIATED

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06/13/2022

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* HAVE LICENSED CONTRACTOR CHECK AND OBTAIN FINAL ON PERMIT REPLACE ALL DAMAGE AND DETERIORATED TRUSSES.

* REPLACE ANY DAMAGED ROOFING MATERIAL. PER CITY CODE SHINGLES LIMITED TO ONE LAYER. ANY STRUCTURAL REPAIRS WILL REQUIRE A PERMIT

* REPLACE ALL DAMAGED ROOFING COMPONENTS BY LICENSED CONTRACTOR. BUILDING PERMIT REQUIRED IF REPLACING SHEETING.

* OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE DAMAGE DECKING, RAILING, JOIST, BEAMS, HANDRAIL, AND STAIRS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.

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REMEDiate ALL MOLD.

* 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.

* WAS UNABLE TO DETERMINE IF MAIN STRUCTURE IS DAMAGED AS WELL. WILL REQUIRE A STRUCTURE INSPECTION ONCE THE GARAGE IS DEMOLISHED OR SAFE TO ENTER.

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60-192(5) - Dangerous Structure or Premise
- Dilapidated or Deteriorated

MAIN STRUCTURE THROUGH OUT
Repair or replace the building or structure, or part of a structure which is likely to partially or completely collapse because of dilapidation, deterioration, decay, faulty construction, the removal of movement of some portion of the ground necessary for the support, or for any other reason, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.

06/13/2022

60-192(6) - Dangerous Structure or Premise
- Unsafe

MAIN STRUCTURE THROUGH OUT
Vacate and secure any structure that is clearly unsafe for its use and occupancy, OR,
demolish the structure after obtaining required permit, OR
repair or replace the building or structure, or any portion thereof, that is clearly unsafe for its use and occupancy.

06/13/2022

60-192(7) - Dangerous Structure or Premise
- Attractive Nuisance, Harbor for Vagrants

MAIN STRUCTURE THROUGH OUT
Vacate and secure the structure, OR,
repair or replace the building or structure that is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.

06/13/2022

60-194 - Defacing and Removing Placard

Replace or restore defaced or removed placard.

06/13/2022

If not occupied, the structure is to remain vacant and unoccupied until occupancy is authorized by this office.

If the structure 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 may seek a court order directing you to vacate the structure, pursuant to Section 60-191 and 60-192 of the Municipal Code of the City of Des Moines, Iowa.

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. Should you have any 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 over a year, there may be zoning issues, which may affect the renovation plans. Please contact the Development Zoning Division at (515) 283-4207 to determine if there is anything you should be aware of.

If you decide to demolish the building or take the structure down, you will need a demolition permit.

If you cannot renovate or demolish the structure, contact me to discuss allowing the City to remove the structure. There will be costs billed out to you and possibly a judgment. It may be cheaper for you to remove the structure yourself.

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Thank you for your help,

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FEDERAL HOME LOAN MORTGAGE CORP
 US ATTORNEYS OFFICE FO THE SOUTHERN DISTRICT OF IA UNITED STATES COURT ANNEX
 110 E COURT AVE STE 286
 DES MOINES IA 50309

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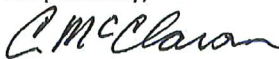
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Charles McClaran

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Polk County Assessor

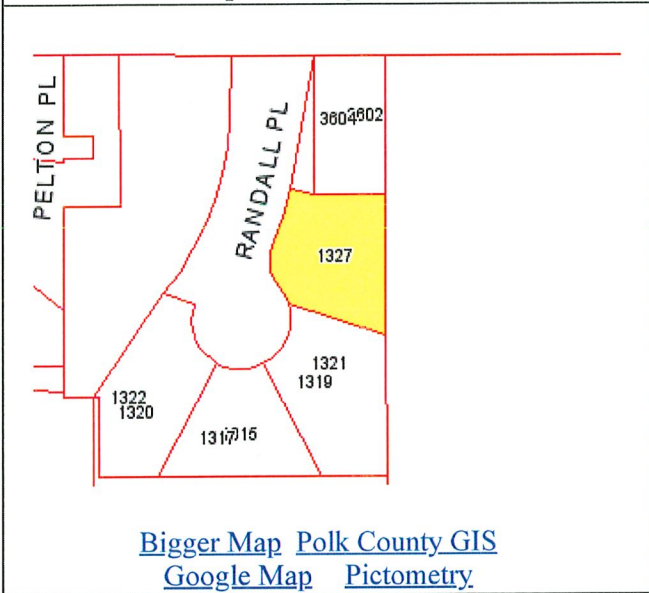
111 Court Avenue #195
Des Moines, IA 50309-0904

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

Location					
Address	1327 RANDALL PL				
City	DES MOINES	Zip	50311	Jurisdiction	Des Moines
District/Parcel	100/03149-004-000	Geoparcels	7924-32-452-013	Status	Active
School	Des Moines	Nbhd/Pocket	DM59/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northwest Des Moines	Appraiser	Braxton Peats 515-286-3839		

Map and Current Photos - 1 Record

Click on parcel to get a new listing



[Historical Photos](#)

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	FUSSELL, JON G	1987-01-30	5676/678

Legal Description and Mailing Address

LOT 4 CONDIT WOODS	JON G FUSSELL 2746 DALEWOOD AVE SE CEDAR RAPIDS, IA 52403-3031
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Current Values

Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential	Full	\$47,200	\$196,500	\$243,700

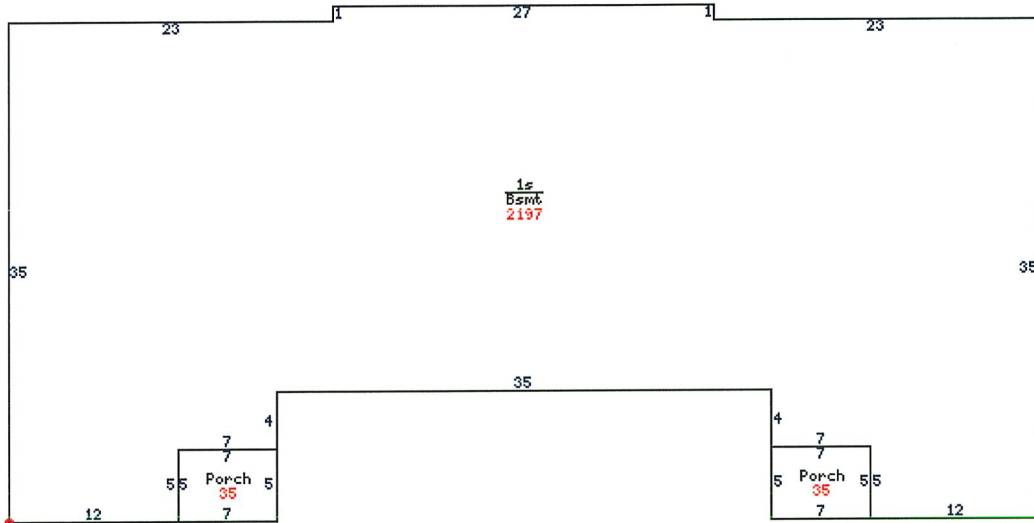
[Market Adjusted Cost Report](#)

Auditor Adjustments to Value

Category	Name	Information
2021 Homestead Credit	FUSSELL, JON G	Application #13271

Zoning - 1 Record

Zoning	Description		SF	Assessor Zoning	
N3A	N3a Neighborhood District			Residential	
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	11,000	Acres	0.253	Topography	Normal
Shape	Cul-de-sac	Vacancy	No	Unbuildable	No
Residences - 1 Record					
Residence #1					
Occupancy	Duplex	Residence Type	1 Story	Building Style	Ranch
Year Built	1960	Number Families	2	Grade	3-10
Condition	Normal	Total Square Foot Living Area	2197	Main Living Area	2197
Basement Area	2197	Finished Basement Area 1	240	Finished Basement Quality 1	Low
Total Basement Finish	240	Open Porch Area	70	Foundation	Concrete Block
Exterior Wall Type	Brick	Brick%	100	Roof Type	Hip
Roof Material	Asphalt Shingle	Heating	Gas Forced Air	Air Conditioning	100
Number Bathrooms	2	Number Extra Fixtures	1	Bedrooms	4
Rooms	8				



Detached Structures - 2 Records

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	12	Measure 2	22	Story Height	1
Grade	5	Year Built	1961	Condition	Normal

Detached Structure #201

Occupancy	Garage	Construction Type	Frame	Measurement Code	Dimensions
Measure 1	12	Measure 2	22	Story Height	1
Grade	5	Year Built	1961	Condition	Normal

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$47,200	\$196,500	\$243,700
2019	Assessment Roll	Residential	Full	\$43,100	\$181,600	\$224,700
2017	Assessment Roll	Residential	Full	\$37,700	\$166,600	\$204,300
2015	Assessment Roll	Residential	Full	\$33,800	\$150,100	\$183,900
2013	Assessment Roll	Residential	Full	\$30,200	\$136,900	\$167,100
2011	Assessment Roll	Residential	Full	\$30,200	\$138,900	\$169,100
2009	Assessment Roll	Residential	Full	\$32,800	\$148,100	\$180,900
2007	Assessment Roll	Residential	Full	\$30,200	\$136,500	\$166,700
2005	Board Action	Residential	Full	\$28,400	\$135,700	\$164,100

Yr	Type	Class	Kind	Land	Bldg	Total
2005	Assessment Roll	Residential	Full	\$28,400	\$141,900	\$170,300
2003	Board Action	Residential	Full	\$25,590	\$129,340	\$154,930
2003	Assessment Roll	Residential	Full	\$25,590	\$135,710	\$161,300
2001	Board Action	Residential	Full	\$23,230	\$116,210	\$139,440
2001	Assessment Roll	Residential	Full	\$23,230	\$116,210	\$139,440
1999	Assessment Roll	Residential	Full	\$23,850	\$92,420	\$116,270
1997	Assessment Roll	Residential	Full	\$22,330	\$86,540	\$108,870
1995	Board Action	Residential	Full	\$19,580	\$76,690	\$96,270
1995	Assessment Roll	Residential	Full	\$19,580	\$79,690	\$99,270
1991	Board Action	Residential	Full	\$17,320	\$75,180	\$92,500
1991	Assessment Roll	Residential	Full	\$17,320	\$77,270	\$94,590
1991	Was Prior Year	Residential	Full	\$17,320	\$70,680	\$88,000

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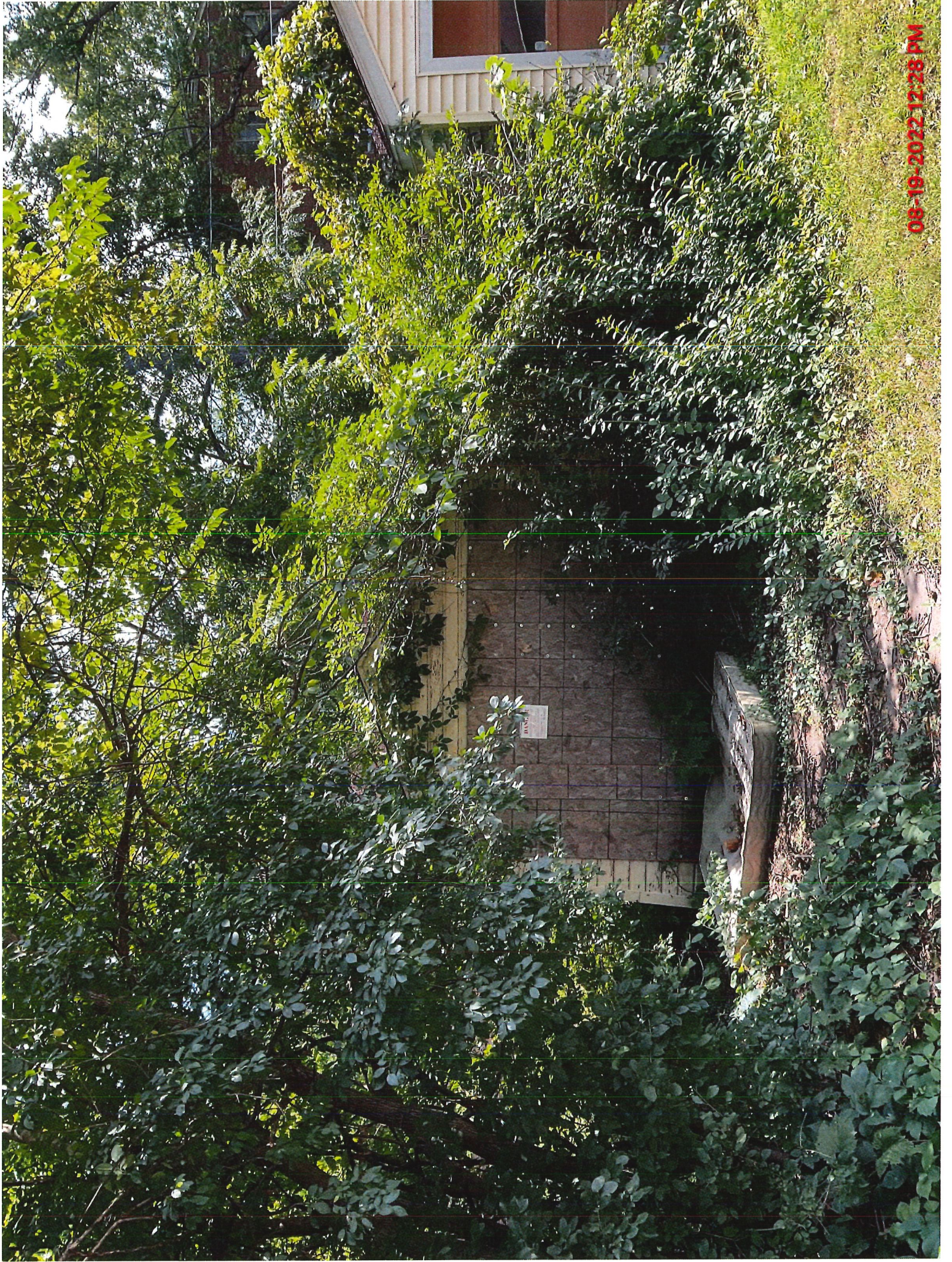
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