

Date October 2, 2023

ABATEMENT OF PUBLIC NUISANCE AT 5804 HARWOOD DRIVE

WHEREAS, the property located at 5804 Harwood Drive, 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, Lorraine H. Brown estate, was notified more than thirty days ago to repair or demolish the garage 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 garage structure on the real estate legally described as Lot Fifty-five (55), (except the South 62 feet thereof), in ASHWORTH OAKS, PLAT TWO (2), an Official Plat, now in and forming a part of the City of Des Moines, Polk County, Iowa., and locally known as 5804 Harwood Drive, 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				
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.

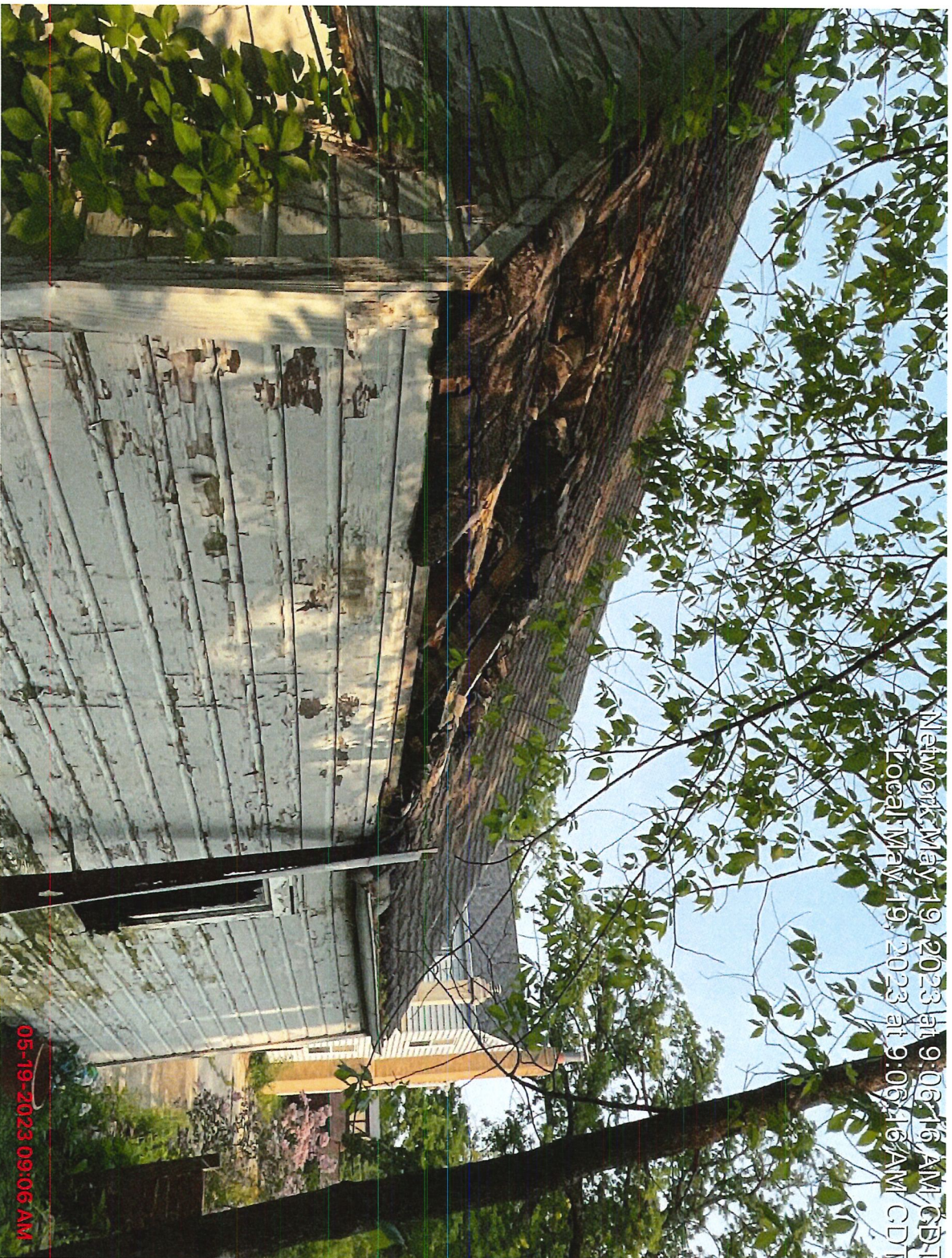
 Mayor

 City Clerk



Network: Mbr-19-2023 at 9:06:29 AM CDT
Local: May 19, 2023 at 9:06:29 AM CDT

S9D



Network: May 19, 2023 at 9:06:16 AM CDT
Local: May 19, 2023 at 9:06:16 AM CDT

05-19-2023 09:06 AM

Network: May 19, 2023 at 9:05:47 AM CDT
Local: May 19, 2023 at 9:05:47 AM CDT



05-19-2023 09:05 AM

Network: May 19, 2023 at 9:05:32 AM CDT
Local: May 19, 2023 at 9:05:32 AM CDT



05-19-2023 09:05 AM



Network: May 19, 2023 at 9:05:04 AM CDT
Local: May 19, 2023 at 9:05:04 AM CDT

05-19-2023 09:05 AM

59D

Polk County Assessor

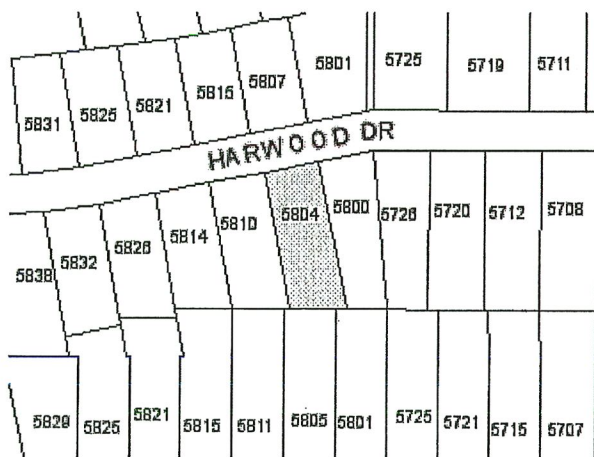
111 Court Avenue #195
Des Moines, IA 50309-0904

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

Location					
Address	5804 HARWOOD DR				
City	DES MOINES	Zip	50312	Jurisdiction	Des Moines
District/Parcel	090/00110-000-000	Geoparcels	7825-02-429-006	Status	Active
School	Des Moines	Nbhd/Pocket	DM50/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northwest Des Moines	Appraiser	Brett Tierney 515-286-3019		

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 2016-04-12 a



Historical Photos

Ownership - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	BROWN (TRUSTEE), LORRAINE H	2005-01-04	10891/93
Title Holder	2	LORRIANE H BROWN TRUST		

Legal Description and Mailing Address

LOT 55 -EX S 62 F- ASHWORTH OAKS PLAT 2

LORRAINE H BROWN (TRUSTEE)
5804 HARWOOD DR
DES MOINES, IA 50312-1206

Current Values

Type	Class	Kind	Land	Bldg	Total
2023 Assessment Roll	Residential	Full	\$83,300	\$358,400	\$441,700
2022 Value	Residential	Full	\$70,700	\$329,900	\$400,600

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

Auditor Adjustments to Value

Category	Name	Information
<u>2022 Homestead Credit</u>	BROWN (TRUSTEE), LORRAINE H	Application #51276
<u>2022 Military Exemption</u>	BROWN, PAUL E	World War II Application #21584

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
N1B	N1b Neighborhood District		Residential

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

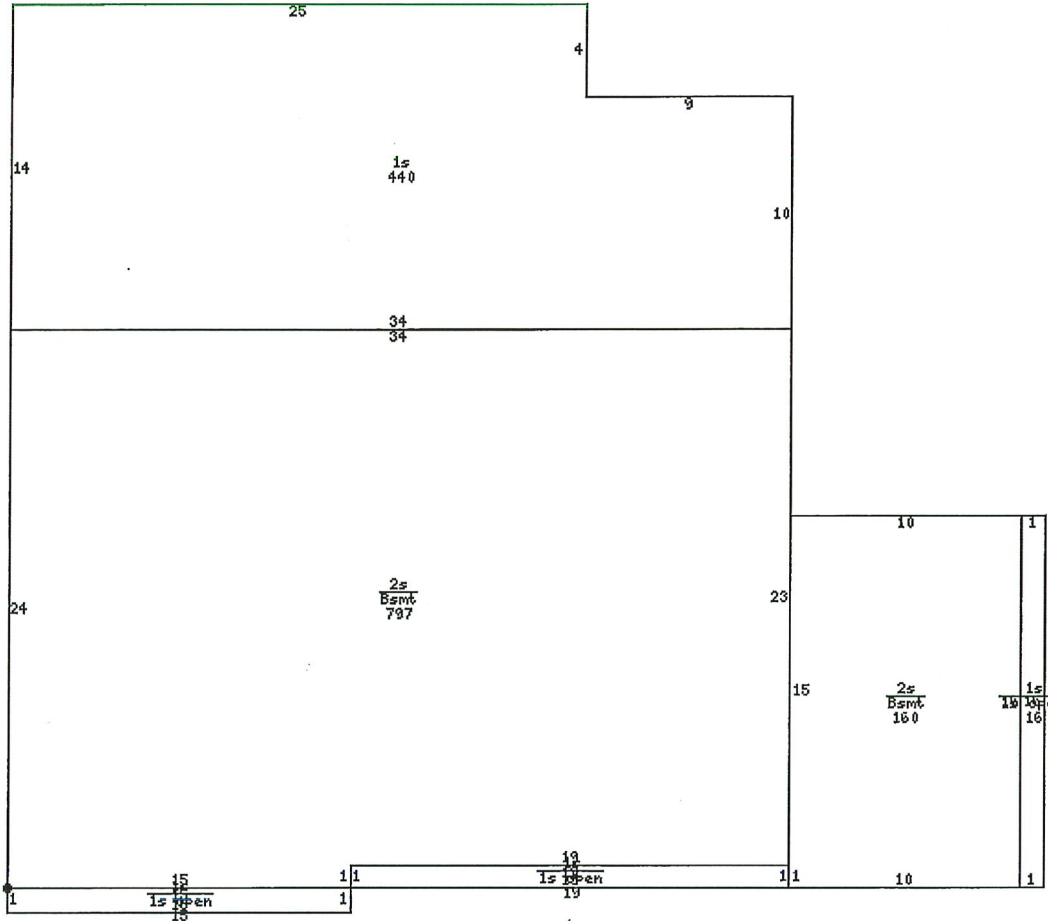
Land

Square Feet	13,020	Acres	0.299	Frontage	70.0
Depth	186.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record

Residence #1

Occupancy	Single Family	Residence Type	2 Stories	Building Style	Conventional
Year Built	1948	Number Families	1	Grade	3+05
Condition	Normal	Total Square Foot Living Area	2404	Main Living Area	1397
Upper Living Area	1007	Basement Area	957	Finished Basement Area 1	432
Finished Basement Quality 1	Average Plus	Total Basement Finish	432	Veneer Area	272
Foundation	Concrete Block	Exterior Wall Type	Wood Siding	Roof Type	Gable
Roof Material	Asphalt Shingle	Number Fireplaces	3	Heating	Gas Forced Air
Air Conditioning	100	Number Bathrooms	2	Number Toilet Rooms	1
Bedrooms	3	Rooms	8		



Detached Structures - 2 Records

Detached Structure #101

Occupancy	Garage	Construction Type	Frame	Measurement Code		Dimensions	
Measure 1	18	Measure 2	20	Story Height		1	
Grade	4	Year Built	1950	Condition		Very Poor	

Detached Structure #102

Occupancy	Lean-to Closed on All Sides	Construction Type	Frame	Measurement Code		Dimensions	
Measure 1	5	Measure 2	18	Story Height		1	
Grade	5	Year Built	1948	Condition		Very Poor	

Permits - 1 Record

Year	Type	Permit Status	Application	Reason	Reason1
1989	Permit	Complete	1988-04-11		Addition

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<u>Assessment Roll</u>	Residential	Full	\$70,700	\$329,900	\$400,600
2019	<u>Assessment Roll</u>	Residential	Full	\$63,200	\$295,600	\$358,800

Yr	Type	Class	Kind	Land	Bldg	Total
2017	<u>Assessment Roll</u>	Residential	Full	\$56,600	\$271,000	\$327,600
2015	<u>Assessment Roll</u>	Residential	Full	\$50,200	\$244,400	\$294,600
2013	<u>Assessment Roll</u>	Residential	Full	\$46,900	\$234,000	\$280,900
2011	<u>Assessment Roll</u>	Residential	Full	\$46,900	\$235,100	\$282,000
2009	<u>Assessment Roll</u>	Residential	Full	\$51,700	\$253,800	\$305,500
2007	<u>Assessment Roll</u>	Residential	Full	\$50,700	\$251,900	\$302,600
2005	<u>Assessment Roll</u>	Residential	Full	\$48,200	\$214,500	\$262,700
2003	<u>Assessment Roll</u>	Residential	Full	\$41,410	\$184,960	\$226,370
2001	<u>Assessment Roll</u>	Residential	Full	\$37,050	\$153,970	\$191,020
1999	Assessment Roll	Residential	Full	\$32,740	\$147,820	\$180,560
1997	Assessment Roll	Residential	Full	\$30,920	\$139,580	\$170,500
			Adj	\$30,920	\$124,640	\$155,560
1995	Assessment Roll	Residential	Full	\$27,460	\$137,040	\$164,500
			Adj	\$27,460	\$122,100	\$149,560
1993	Assessment Roll	Residential	Full	\$22,980	\$114,670	\$137,650
			Adj	\$22,980	\$99,730	\$122,710
1991	Assessment Roll	Residential	Full	\$18,430	\$101,660	\$120,090
			Adj	\$18,430	\$86,720	\$105,150
1989	Assessment Roll	Residential	Full	\$18,430	\$90,920	\$109,350
			Adj	\$18,430	\$75,980	\$94,410

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59D



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

Case Number: NUIS-2023-000131	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 05/19/2023
	Date of Notice: 05/23/2023
Date of Inspection: 05/19/2023	

LORRAINE HILL BROWN ESTATE
SCOTT E BROWN, EXECUTOR
412 47TH ST
WEST DES MOINES IA 50265

Address of Property: 5804 HARWOOD DR, DES MOINES IA 50312
Parcel Number: 782502429006

Legal Description: LOT 55 -EX S 62 F- ASHWORTH OAKS PLAT 2

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
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Violation	Corrective Action	Compliance Due Date
<p>60-191 - Vacation and Abatement Any structure, dwelling, mobile home, equipment, or premise declared to be a public nuisance and unfit for human habitation or use, and so designated by the administrator, shall immediately be vacated and the nuisance shall be abated by repair, rehabilitation, demolition, or any other City-approved corrective action. The owner(s) shall be responsible for the vacation and abatement of the nuisance at such owner's expense. If not complied by such owner(s), then the nuisance may be abated by the city at the owner's expense. As indicated by section 60-19, the owner of land upon which a mobile home sits is a responsible owner in the event that mobile home is declared to be a public nuisance. Both the owner of the mobile home and the owner of the land upon which the mobile home sits shall be responsible for vacation and abatement of the public nuisance.</p>	<p>Vacate the structure.</p>	<p>07/07/2023</p>
<p>60-192(2) - Unsafe and Dangerous Structure or Premise The building or structure, or part of a structure, 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, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.</p>	<p>Repair or replace all building components deteriorated to the point to effectively create a nuisance or a violation. All work must be done in a workmanlike manner with all required permits.</p>	<p>07/07/2023</p>
<p>60-192(13) - Unsafe and Dangerous Structure or Premise Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load affects.</p>	<p>Repair or replace all structural members, floors, walls, partitions, projections, and appurtenances to be properly anchored, plumb, and of sound construction. All work must be done in a workmanlike manner with all required permits.</p>	<p>07/07/2023</p>

Violation	Corrective Action	Compliance Due Date
<p>60-192(17) - Unsafe and Dangerous Structure or Premise Roof or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is fatigued or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.</p>	Repair or replace all deficient roof components to provide a sound, weathertight condition that provides positive drainage. All work must be done in a workmanlike manner with all required permits.	07/07/2023
<p>60-194 - Defacing and Removing Placard No person shall deface or remove the placard, except as authorized by the administrator.</p>	Replace or restore defaced or removed placard.	07/07/2023

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,

C McClaran

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