



**Roll Call Number**

**Agenda Item Number**

596

Date October 2, 2023

**ABATEMENT OF PUBLIC NUISANCE AT 333 E PARK AVENUE**

WHEREAS, the property located at 333 E Park Avenue, 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 Titleholders, William Colville and Virginia Colville, and Mortgage Holder, LAB Investment Company, Inc., 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 2 in LETHA PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 333 E Park 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 structure.

Moved by \_\_\_\_\_ to adopt.

Second by \_\_\_\_\_

FORM APPROVED:

  
Molly E. Tracy, Assistant City Attorney

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

**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.

\_\_\_\_\_  
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](mailto:polkweb@assess.co.polk.ia.us)

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Location					
<b>Address</b>	333 E PARK AVE				
<b>City</b>	DES MOINES	<b>Zip</b>	50315	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	010/03212-002-000	<b>Geoparcels</b>	7824-22-127-006	<b>Status</b>	<a href="#">Active</a>
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM27/B	<b>Tax Authority Group</b>	DEM-C-DEM-77131
<b>Submarket</b>	South Des Moines	<b>Appraiser</b>	Joseph Peterson 515-286-3011		

### 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 - 2 Records

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	COLVILLE, WILLIAM	2023-04-28	<a href="#">19458/8</a>
Title Holder	2	COLVILLE, VIRGINIA	2023-04-28	<a href="#">19458/8</a>

### Legal Description and Mailing Address

LOT 2 LETHA PLACE	WILLIAM COLVILLE 333 E PARK AVE DES MOINES, IA 50315-2852
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### Current Values

Type	Class	Kind	Land	Bldg	Total
2023 Value	Residential	Full	\$29,300	\$137,500	\$166,800

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

### Zoning - 1 Record

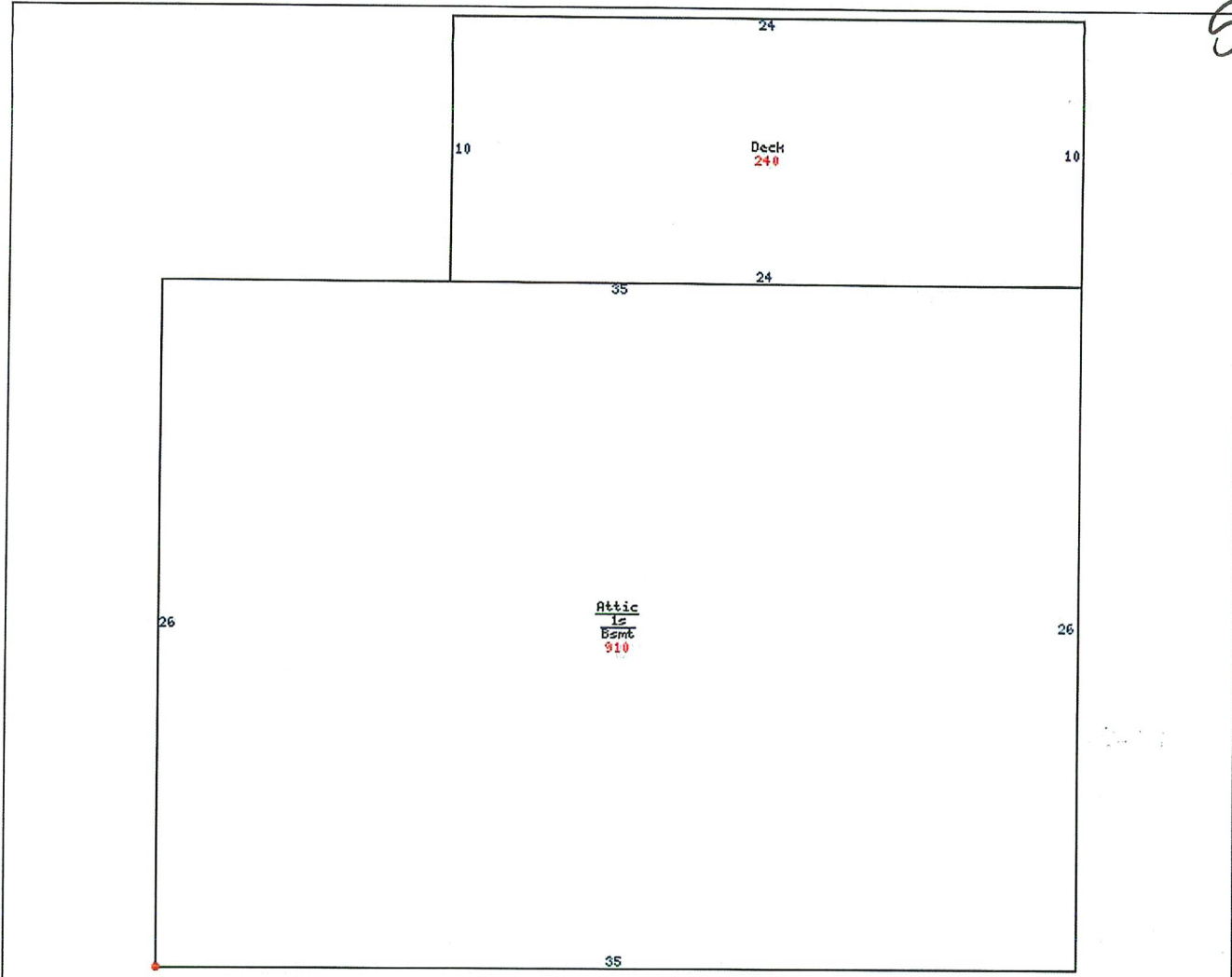
Zoning	Description	SF	Assessor Zoning
N3A	N3a Neighborhood District		Residential

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

SAG

Land					
Square Feet	9,102	Acres	0.209	Frontage	74.0
Depth	123.0	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	1959	Number Families	1	Grade	4+00
Condition	Above Normal	Total Square Foot Living Area	1411	Main Living Area	910
Attic Finished Area	501	Basement Area	910	Deck Area	240
Foundation	Concrete Block	Exterior Wall Type	Wood Siding	Roof Type	Gable
Roof Material	Asphalt Shingle	Heating	Gas Forced Air	Air Conditioning	100
Number Bathrooms	2	Bedrooms	4	Rooms	6

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**Detached Structures - 1 Record**

**Detached Structure #101**

Occupancy	Shed
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**Sales - 5 Records**

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
MEDEARIS, ABBY L	COLVILLE, WILLIAM	<a href="#">2023-04-25</a>	\$115,000	Deed	<a href="#">19458/8</a>
OTTO WARD, LYNN A	PURDY, KEITH A.	<a href="#">1998-11-11</a>	\$80,500	Deed	<a href="#">8060/416</a>
SCHUEMANN, ERIC L	WARD, DAVID L	<a href="#">1994-08-09</a>	\$68,500	Deed	<a href="#">7070/137</a>
BARNES, MICHAEL D	SCHUEMANN, ERIC L	<a href="#">1990-09-21</a>	\$43,000	Deed	<a href="#">6288/587</a>
CLARK, JAMES E	BARNES, MICHAEL D	<a href="#">1990-07-11</a>	\$24,000	Deed	<a href="#">6260/805</a>

**Recent Ownership Transfers**

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
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Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
MEDEARIS, ABBY L	COLVILLE, WILLIAM COLVILLE, VIRGINIA	2023-04-25	2023-04-28	Warranty Deed	<u>19458/8</u>
CHENNAMSETTY, RAMA KRISHNA (Petitioner) CHENNAMSETTY, ABBY LYNN (Respondent) Also Known As MEDEARIS, ABBY LYNN (Respondent)	MEDEARIS, ABBY LYNN	2016-11-17	2018-04-06	Decree of Dissolution of Marriage	<u>16874/940</u>
Formerly Known As MEDEARIS, ABBY L Now Known As CHENNAMSETTY, ABBY L	CHENNAMSETTY, ABBY L CHENNAMSETTY, RAMA K	2013-03-14	2013-03-14	Quit Claim Deed	<u>14697/318</u>

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Permits - 2 Records

Year	Type	Permit Status	Application	Reason	Reason1
Current	Permit	To Work	2023-05-15	Fix Damage	FOUNDATION
1991	Permit	No Add	1990-07-31		Wood Deck

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2023	<a href="#">Assessment Roll</a>	Residential	Full	\$29,300	\$137,500	\$166,800
2021	<a href="#">Assessment Roll</a>	Residential	Full	\$25,300	\$114,600	\$139,900
2019	<a href="#">Assessment Roll</a>	Residential	Full	\$22,500	\$102,700	\$125,200
2017	<a href="#">Assessment Roll</a>	Residential	Full	\$19,300	\$90,300	\$109,600
2015	<a href="#">Assessment Roll</a>	Residential	Full	\$17,700	\$84,100	\$101,800
2013	<a href="#">Assessment Roll</a>	Residential	Full	\$16,800	\$81,700	\$98,500
2011	<a href="#">Assessment Roll</a>	Residential	Full	\$16,700	\$81,800	\$98,500
2009	<a href="#">Assessment Roll</a>	Residential	Full	\$17,900	\$87,300	\$105,200
2007	<a href="#">Assessment Roll</a>	Residential	Full	\$17,700	\$100,500	\$118,200
2005	<a href="#">Assessment Roll</a>	Residential	Full	\$18,200	\$91,200	\$109,400
2003	<a href="#">Assessment Roll</a>	Residential	Full	\$16,840	\$84,930	\$101,770
2001	<a href="#">Assessment Roll</a>	Residential	Full	\$14,790	\$70,970	\$85,760
1999	Assessment Roll	Residential	Full	\$14,480	\$56,470	\$70,950
1997	Assessment Roll	Residential	Full	\$13,530	\$52,780	\$66,310
1995	Assessment Roll	Residential	Full	\$11,850	\$46,240	\$58,090
1993	Assessment Roll	Residential	Full	\$10,490	\$40,920	\$51,410
1993	Was Prior Year	Residential	Full	\$9,710	\$41,700	\$51,410



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

596

Case Number: NUIS-2023-000039	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 02/09/2023
	Date of Notice: 05/04/2023
	Date of Inspection: 04/14/2023

VIRGINIA COLVILLE  
 1019 W 88TH ST S  
 COLFAX IA 50054

Address of Property: 333 E PARK AVE, DES MOINES IA 50315  
 Parcel Number: 782422127006

Legal Description: LOT 2 LETHA PLACE

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><b>60-191 - Vacation and Abatement</b>            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>06/14/2023</p>
<p><b>60-192(13) - Unsafe and Dangerous Structure or Premise</b>            Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effects.</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>In the basement.</p>	<p>06/14/2023</p>
<p><b>60-192(14) - Unsafe and Dangerous Structure or Premise</b>            Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.</p>	<p>Repair or replace sections of building foundation to eliminate conditions that create a violation. All work must be done in a workmanlike manner with all required permits.</p> <p>In the basement, all walls and basement floors. Permits must be issued for all basement work.</p>	<p>06/14/2023</p>
<p><b>60-194 - Defacing and Removing Placard</b>            No person shall deface or remove the placard, except as authorized by the administrator.</p>	<p>Replace or restore defaced or removed placard.</p>	<p>06/14/2023</p>

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,



Scott Clauson  
Neighborhood Inspector  
Neighborhood Services  
602 Robert D. Ray Drive, Des Moines, IA 50309  
(515) 669-8231  
SAClauson@dmgov.org





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

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Case Number: NUIS-2023-000039	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 02/09/2023
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**City of Des Moines**  
 400 Robert D. Ray Drive  
 Des Moines, IA 50309

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	Case Opened: <b>02/09/2023</b>
	Date of Notice: <b>07/03/2023</b>
Date of Inspection: <b>06/07/2023</b>	

LAB INVESTMENT COMPANY, INC.  
 STEVE LIPOVAC, REG. AGENT  
 328 5TH ST  
 WEST DES MOINES IA 50265

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Thank you for your help,

Respectfully,



Scott Clauson  
Neighborhood Inspector  
Neighborhood Services  
602 Robert D. Ray Drive, Des Moines, IA 50309  
(515) 669-8231  
SAClauson@dmgov.org

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08-21-2023 10:28 AM

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08-21-2023 10:27 AM