



**Roll Call Number**

**Agenda Item Number**

60 D

**Date** November 23, 2015

**ADMINISTRATIVE REMOVAL OF PUBLIC NUISANCES AT 926 KIRKWOOD AVENUE**

WHEREAS, the property located at 926 Kirkwood Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure on the date of inspection constituted not only a menace to health and safety but was also a public nuisance and now requires administrative removal; and

WHEREAS, the Titleholder, MMB Investments, LLC, has been served notice of the public nuisance and notice of administrative removal regarding the structure more than 14 days ago and have failed to abate the nuisance; and

WHEREAS, the Department of Engineering of the City of Des Moines shall take all necessary action to demolish and remove said main structure; and

WHEREAS, the City of Des Moines should collect the costs of said demolition as an assessment to be levied against the real estate.

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 Lots 4 and 5 in ROOPS SUBDIVISION, and Official Plat now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 926 Kirkwood Avenue has previously been declared a public nuisance;

BE IT FURTHER RESOLVED:

That this matter be referred to the Department of Engineering to take all necessary action to demolish and remove said main structure as an administrative removal and the costs incurred for the demolition of the main structure located at 926 Kirkwood Avenue shall be collected by assessment against the real estate property.

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

FORM APPROVED:

*Luke DeSmet*  
Luke DeSmet, Assistant City Attorney

**CERTIFICATE**

I, DIANE RAUH, 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.


COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				

MOTION CARRIED APPROVED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

60D

Polk County Assessor 

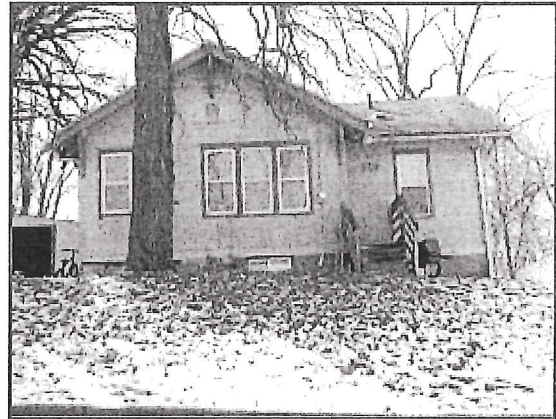
[ [Home](#) ] [ [General Query](#) ] [ [Legal Query](#) ] [ [HomeOwner Query](#) ] [ [Book/Page Query](#) ] [ [Commercial Query](#) ] [ [Res Sales Query](#) ] [ [Comm Sales Query](#) ] [ [Help](#) ]

<b>District/Parcel</b>	<b>GeoParcel</b>	<b>Map</b>	<b>Nbhd</b>	<b>Jurisdiction</b>	<b>Status</b>
010/04137-001-000	7824-16-253-019	0608	DM27/A	DES MOINES	ACTIVE
<b>School District</b>	<b>Tax Increment Finance District</b>	<b>Bond/Fire/Sewer/Cemetery</b>			
1/Des Moines					
<b>Street Address</b>			<b>City State Zipcode</b>		
926 KIRKWOOD AVE			DES MOINES IA 50315		

Click on parcel to get new listing

[Get Bigger Map](#)

[Google Map](#)



Approximate date of photo 02/19/2009

<b>Mailing Address</b>
MMB INVESTMENTS LLC POB 4872 DES MOINES, IA 50305-4872

<b>Legal Description</b>
LTS 4 & 5 ROOPS SUBDIVISION

<b>Ownership</b>	<b>Name</b>	<b>Recorded</b>	<b>Book/Page</b>	<b>RevStamps</b>
Title Holder #1	MMB INVESTMENTS LLC	2012-08-13	14391/672	15.20

<b>Assessment</b>	<b>Class</b>	<b>Kind</b>	<b>Land</b>	<b>Bldg</b>	<b>AgBd</b>	<b>Total</b>
Current	Residential	Full	19,700	4,000	0	23,700

[Market Adjusted Cost Report](#) [Assessment Roll Notice](#) [Estimate Taxes](#) [Polk County Treasurer Tax Information](#) [Pay Taxes](#)

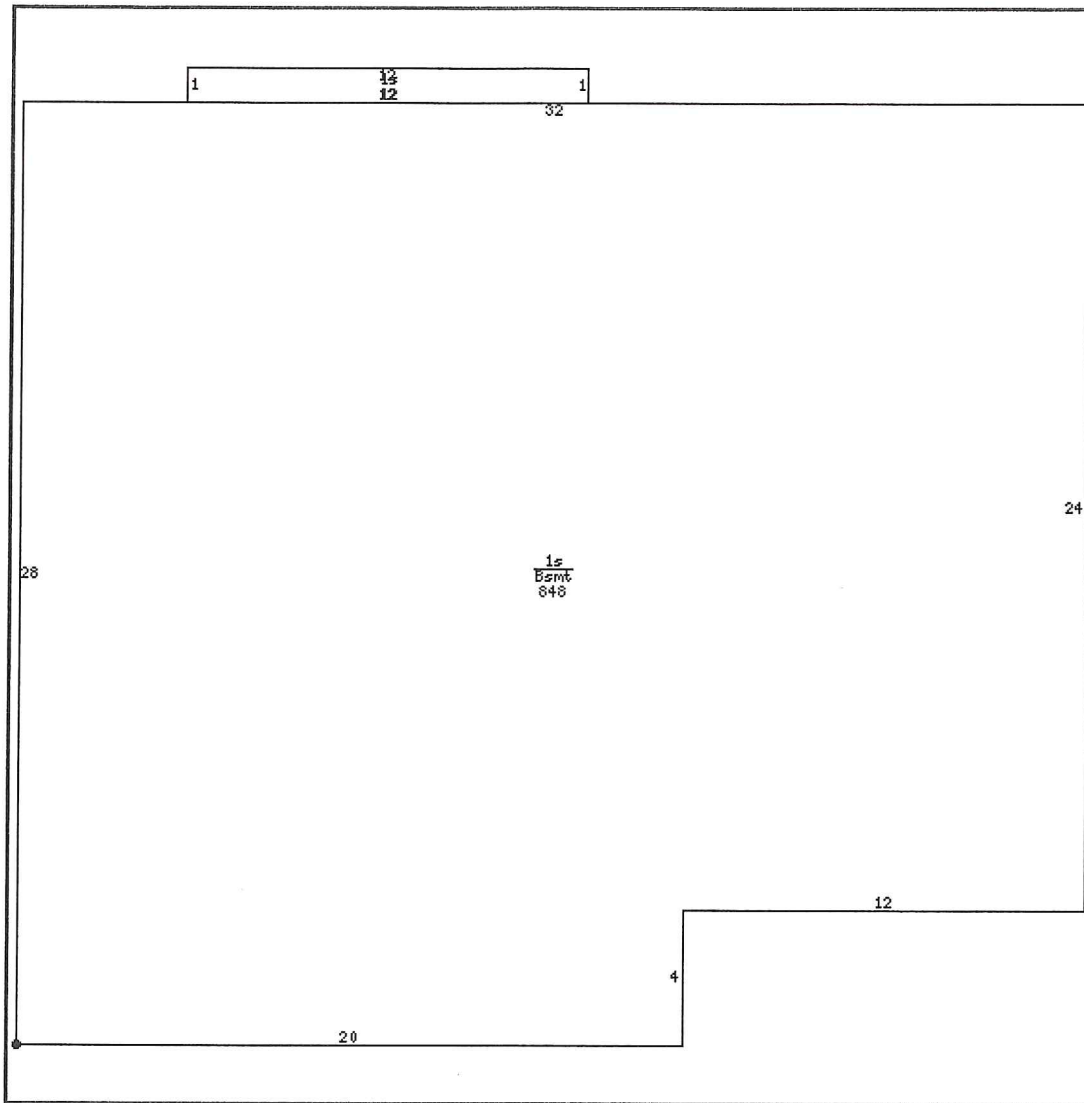
<b>Zoning</b>	<b>Description</b>	<b>SF</b>	<b>Assessor Zoning</b>

R1-60	One Family, Low Density Residential District	Residential
<b>Source:</b> City of Des Moines Community Development <b>Published:</b> 2012-03-20 <b>Contact:</b> Planning and Urban Design 515 283-4182		

<b>Land</b>					
<b>SQUARE FEET</b>	13,800	<b>FRONTAGE</b>	100.0	<b>DEPTH</b>	138.0
<b>ACRES</b>	0.317	<b>SHAPE</b>	RC/Rectangle	<b>TOPOGRAPHY</b>	N/Normal

<b>Residence # 1</b>					
<b>OCCUPANCY</b>	SF/Single Family	<b>RESID TYPE</b>	S1/1 Story	<b>BLDG STYLE</b>	BG/Bungalow
<b>YEAR BUILT</b>	1916	<b># FAMILIES</b>	1	<b>GRADE</b>	5
<b>GRADE ADJUST</b>	+10	<b>CONDITION</b>	VP/Very Poor	<b>TSFLA</b>	860
<b>MAIN LV AREA</b>	860	<b>BSMT AREA</b>	848	<b>FOUNDATION</b>	M/Masonry
<b>EXT WALL TYP</b>	CO/Composition	<b>ROOF TYPE</b>	GB/Gable	<b>ROOF MATERL</b>	A/Asphalt Shingle
<b>HEATING</b>	A/Gas Forced Air	<b>AIR COND</b>	0	<b>BATHROOMS</b>	1
<b>BEDROOMS</b>	2	<b>ROOMS</b>	5		

GOD



<u>Seller</u>	<u>Buyer</u>	<u>Sale Date</u>	<u>Sale Price</u>	<u>Instrument</u>	<u>Book/Page</u>
1ST PLACE HOME BUYERS, LLC	MMB INVESTMENTS, LLC	2012-08-10	10,000	D/Deed	14391/672
POLK COUNTY BANK	GRINNELL STATE BANK	2012-04-26	100	D/Deed	14256/688

<u>Year</u>	<u>Type</u>	<u>Status</u>	<u>Application</u>	<u>Permit/Pickup Description</u>
2014	U/Pickup	CA/Cancel	2013-07-02	RV/BOARD OF REVIEW

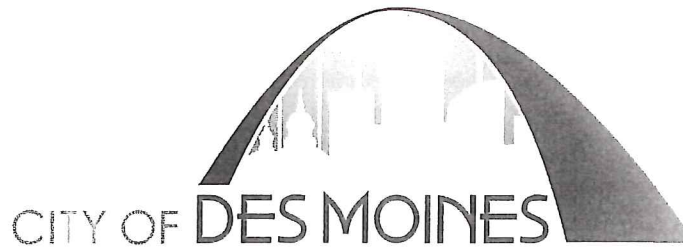
<u>Year</u>	<u>Type</u>	<u>Class</u>	<u>Kind</u>	<u>Land</u>	<u>Bldg</u>	<u>AgBd</u>	<u>Total</u>
2015	<u>Assessment Roll</u>	Residential	Full	19,700	4,000		23,700
2013	<u>Board Action</u>	Residential	Full	19,600	4,100	0	23,700
2013	<u>Assessment Roll</u>	Residential	Full	19,600	40,500	0	60,100

2011	<u>Assessment Roll</u>	Residential	Full	19,600	40,100	0	59,700
2009	<u>Assessment Roll</u>	Residential	Full	20,500	41,000	0	61,500
2007	<u>Assessment Roll</u>	Residential	Full	21,700	43,300	0	65,000
2005	<u>Assessment Roll</u>	Residential	Full	21,300	37,300	0	58,600

email this page

---

Room 195, 111 Court Avenue, Des Moines, IA 50309  
 Phone 515 286-3140 / Fax 515 286-3386  
[polkweb@assess.co.polk.ia.us](mailto:polkweb@assess.co.polk.ia.us)



## NOTICE OF ADMINISTRATIVE REMOVAL

October 27, 2015

TITLEHOLDER: MMB Investments LLC  
Basim Al Bakri, Registered Agent  
230 7<sup>th</sup> St  
West Des Moines IA 50265

Property located at: 926 Kirkwood Ave

Legally described as: LTS 4 & 5 ROOPS SUBDIVISION

You are hereby notified that I, as the Neighborhood Inspection Zoning Administrator of the City of Des Moines, have determined that the housing structure(s) on the above described real estate is a public nuisance and threatening the health and safety of the public. Accordingly, you are ordered to demolish and remove said structure(s), or cause it to be demolished and removed, and to level the ground upon which it stands within 14 days after receipt of this notice. In the event said structure is not removed and the ground leveled within that time period, the matter of its removal shall be considered and voted upon at a public hearing by the City Council at its meeting in City Council Chambers, City Hall, East 1<sup>st</sup> and Locust Streets, at 4:30 p.m. on November 23<sup>rd</sup>, 2015.

If you decide to remove the building(s), 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.

If you wish to present evidence in resistance to the above determination or to otherwise contest such intended action at such hearing, then you must file a written statement with the City Clerk within five (5) days of receipt of this notice by personal service or by certified mail setting forth the reasons why such action should not be ordered by the City Council. Failure to file such statement shall be deemed a waiver of your right to contest the proposed action to present evidence in resistance of the determination of the Neighborhood Inspection Zoning Administrator.

At such hearing you have the right to be represented by an attorney, although it is not required. The hearing will be informal. If the City Council, upon such hearing, confirms the above determination, it shall order prompt demolition and removal and the leveling of such property and direct that all of the costs attendant to such action, including administrative costs, be either assessed against the property or collected from the owner. If the City Council, upon such hearing, determines that further time should be allowed for the owner to demolish and remove the structure it may extend the time within which such action shall be taken to a date certain but shall otherwise confirm the above determination and order the actions hereinabove set forth. If the City Council, upon such hearing, determines that such property should not be demolished, it will revoke such determination and direct such other action as it deems appropriate in the circumstances.

If you have any questions, please call the Housing Code Enforcement Office at 283-4046. A copy of the violation report is attached.



---

SuAnn Donovan  
Neighborhood Inspection Zoning Administrator



60D

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

**DATE OF NOTICE:** September 9, 2015

**DATE OF INSPECTION:** July 27, 2015

**CASE NUMBER:** COD2015-04419

**PROPERTY ADDRESS:** 926 KIRKWOOD AVE

**LEGAL DESCRIPTION:** LTS 4 & 5 ROOPS SUBDIVISION

MMB INVESTMENTS LLC  
Title Holder  
BASIM AL BAKRI, REG. AGENT  
230 7TH ST  
WEST DES MOINES IA 50265

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 60-304 and 60-306 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, sitting as the Board of Health, 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.

Brian Anderson

(515) 237-1412



Nid Inspector

DATE MAILED: 9/8/2015

MAILED BY: JDH

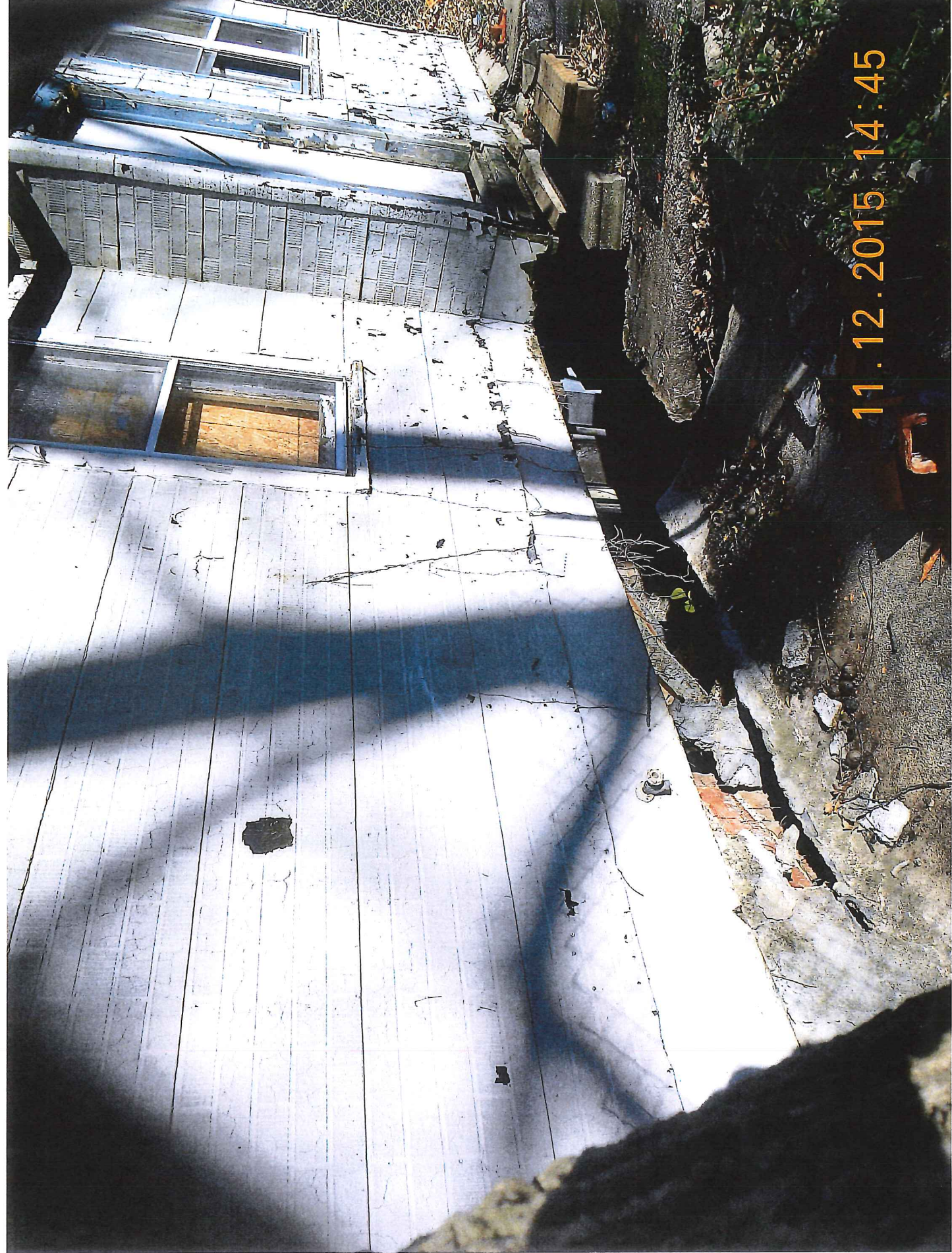
**Areas that need attention:** 926 KIRKWOOD AVE

<b>Component:</b>	Foundation	<b>Defect:</b>	Collapsed
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Unknown
<b>Comments:</b>	BUILDING PERMIT AND ENGINEER'S REPORT REQUIRED. Repair the foundation and ensure the house is structurally safe.		
<b>Component:</b>	Shingles Flashing	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Compliance, International Property Maintenance Code	<b>Location:</b>	Roof
<b>Comments:</b>	Repair any damaged or missing roof shingles.		
<b>Component:</b>	Exterior Walls	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Compliance, International Property Maintenance Code	<b>Location:</b>	Throughout
<b>Comments:</b>	Repair any damaged or missing exterior siding.		
<b>Component:</b>	Soffit/Facia/Trim	<b>Defect:</b>	Absence of paint
<b>Requirement:</b>	Compliance, International Property Maintenance Code	<b>Location:</b>	Throughout
<b>Comments:</b>	Scrape and paint the facia, soffit and trimwork as needed.		
<b>Component:</b>	Windows/Window Frames	<b>Defect:</b>	Missing
<b>Requirement:</b>	Compliance, International Property Maintenance Code	<b>Location:</b>	Throughout
<b>Comments:</b>	Repair or replace the damaged or missing windows.		
<b>Component:</b>	Exterior Stairs	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Compliance with International Building Code	<b>Location:</b>	Unknown
<b>Comments:</b>	Repair the front concrete steps so that they are level and at the correct heights.		
<b>Component:</b>	66	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Unknown
<b>Comments:</b>	BUILDING PERMIT REQUIRED. Repair the front retaining wall.		

GOD

left

926 Kirkwood Ave



11.12.2015 14:45

top

926 Kirkwood Ave



11-12-2015 14:43