



**Date** September 12, 2016

**ABATEMENT OF PUBLIC NUISANCE AT 1941 SOUTH UNION STREET**

WHEREAS, the property located at 1941 South Union Street, 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, Quiktrip Corporation, was notified more than thirty days ago to repair or demolish the main 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 main structure on the real estate legally described as Lot 13 in FIRST PLAT OF CLIFTON HEIGHTS (except that part deeded to the City of Des Moines by Quit Claim Deed recorded in book 852 at Page 52) and that part of Lot 4 lying south of and abutting Indianola Avenue of the Official Plat of the West 1/2 Section 10, Township 78 North, Range 24 all now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1941 South Union Street, 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.

FORM APPROVED:

  
\_\_\_\_\_  
Jessica D. Spoden, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

**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.

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



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

63 E

**DATE OF NOTICE:** June 9, 2016

**DATE OF INSPECTION:** April 20, 2016

**CASE NUMBER:** COD2016-02272

**PROPERTY ADDRESS:** 1941 S UNION ST

**LEGAL DESCRIPTION:** ALL S OF IND AVE LOT 4 OP W 1/2 S OF DM RIVER SEC 10-78-24 AND -EX ST- LOT 13 FIRST PLAT OF CLIFTON HEIGHTS

QUIKTRIP CORP  
Title Holder  
C T CORPORATION 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 60-304 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.**

E

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.

Mike F Lehman  
(515) 283-4299



Nid Inspector

DATE MAILED: 6/9/2016

MAILED BY: JDH

**Areas that need attention:** 1941 S UNION ST


<b>Component:</b>		<b>Defect:</b> Fire damaged
<b>Requirement:</b>	Mechanical Permit	<b>Location:</b> Main Structure
<b>Comments:</b>		

<b>Component:</b>		<b>Defect:</b> Fire damaged
<b>Requirement:</b>	Building Permit	<b>Location:</b> Main Structure
<b>Comments:</b>		

<b>Component:</b>		<b>Defect:</b> Fire damaged
<b>Requirement:</b>	Plumbing Permit	<b>Location:</b> Main Structure
<b>Comments:</b>		

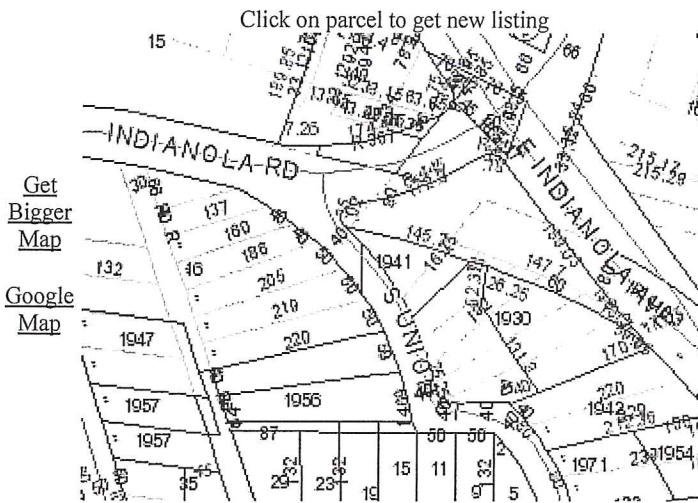
<b>Component:</b>		<b>Defect:</b> Fire damaged
<b>Requirement:</b>	Electrical Permit	<b>Location:</b> Main Structure
<b>Comments:</b>		

E

*Polk County Assessor*  Iowa

[ [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>
020/00208-001-000	7824-10-356-010	0563	DM26/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>		
1941 SOUTH UNION ST			DES MOINES IA 50315-7137		



Approximate date of photo 03/20/2014

<b>Mailing Address</b>
QUIKTRIP CORPORATION 5725 FOXRIDGE DR MISSION, KS 66202-2401

<b>Legal Description</b>
ALL S OF IND AVE LOT 4 OP W 1/2 S OF DM RIVER SEC 10-78-24 AND -EX ST- LOT 13 FIRST PLAT OF CLIFTON HEIGHTS

<b>Ownership</b>	<b>Name</b>	<b>Recorded</b>	<b>Book/Page</b>	<b>RevStamps</b>
Title Holder #1	QUIKTRIP CORP	2016-05-02	15982/114	

<b>Assessment</b>	<b>Class</b>	<b>Kind</b>	<b>Land</b>	<b>Bldg</b>	<b>AgBd</b>	<b>Total</b>
Current	Commercial	Full	12,500	54,900	0	67,400

[Protest Notice](#) [Estimate Taxes](#) [Polk County Treasurer](#) [Tax Information](#) [Pay Taxes](#)

<b>Zoning</b>	<b>Description</b>	<b>SF</b>	<b>Assessor Zoning</b>
C-1	Neighborhood Retail Commercial District		Commercial

**Source:** City of Des Moines Community Development **Published:** 2012-03-20 **Contact:** Planning and Urban Design  
515 283-4182

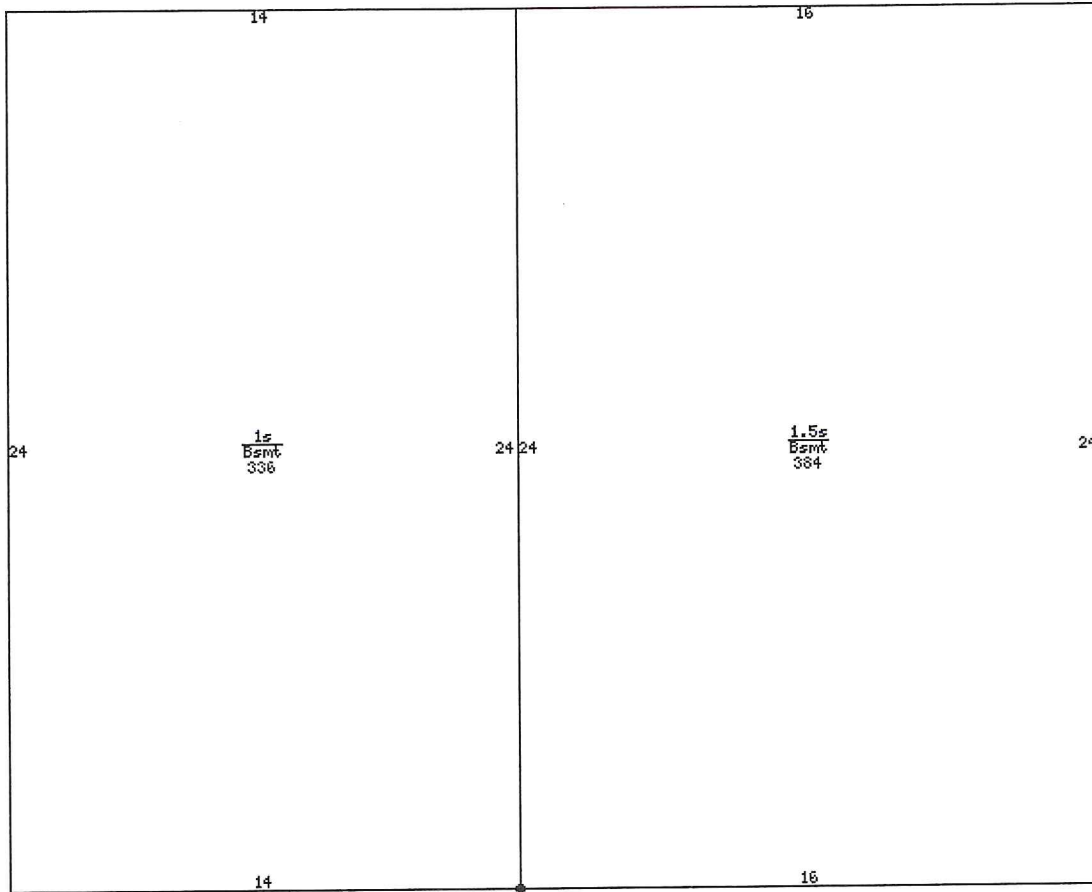
63 E

<b>Land</b>					
<b>SQUARE FEET</b>	7,280	<b>ACRES</b>	0.167	<b>SHAPE</b>	IR/Irregular
<b>TOPOGRAPHY</b>	B/Blank				

<b>Commercial Summary</b>					
<b>OCCUPANCY</b>	1B/Apartment Conversion	<b>WEIGHTED AGE</b>	1930	<b>STORY HEIGHT</b>	2
<b>LAND AREA</b>	7,280	<b>GROSS AREA</b>	977	<b>FINISH AREA</b>	977
<b>BSMT UNFIN</b>	720	<b>BSMT FINISH</b>	0	<b>NUMBER UNITS</b>	1

<b>Residence # 1</b>					
<b>OCCUPANCY</b>	SF/Single Family	<b>RESID TYPE</b>	SH/1.5 Stories	<b>BLDG STYLE</b>	ET/Early 20s
<b>YEAR BUILT</b>	1930	<b># FAMILIES</b>	1	<b>GRADE</b>	4
<b>GRADE ADJUST</b>	-10	<b>CONDITION</b>	NM/Normal	<b>TSFLA</b>	977
<b>MAIN LV AREA</b>	720	<b>UPPR LV AREA</b>	257	<b>BSMT AREA</b>	720
<b>FOUNDATION</b>	C/Concrete Block	<b>EXT WALL TYP</b>	MT/Metal Siding	<b>ROOF TYPE</b>	GB/Gable
<b>ROOF MATERL</b>	A/Asphalt Shingle	<b>BSMT GAR CAP</b>	1	<b>HEATING</b>	A/Gas Forced Air
<b>AIR COND</b>	0	<b>BATHROOMS</b>	1	<b>BEDROOMS</b>	3
<b>ROOMS</b>	5				

E



Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
DU BAY, KEVIN W	QUIKTRIP CORPORATION	<u>2016-04-12</u>	104,500	D/Deed	15982/114
FLUYERAS, ALEXANDRA	DUBAY, KEVIN W	<u>2006-09-28</u>	73,500	D/Deed	11909/318
FEDERAL NATIONAL, MORTGAGE ASSN	FLUYERAS, ALEXANDRA	<u>2004-09-30</u>	43,000	D/Deed	10785/903
IOWA BANKERS, MORTGAGE CORP	FEDERAL NATIONAL MORTGAGE ASSOC	<u>2004-08-17</u>	51,140	D/Deed	10717/457
PASINELLI, HARRY ESTATE	GUDIN, JOHN L.	<u>2001-08-28</u>	46,350	D/Deed	8983/493

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2016	<u>Board Action</u>	Commercial	Full	12,500	54,900	0	67,400
2015	<u>Assessment Roll</u>	Residential	Full	12,500	54,900	0	67,400

63 E

2013	<u>Assessment Roll</u>	Residential	Full	12,000	53,900	0	65,900
2011	<u>Assessment Roll</u>	Residential	Full	12,000	54,300	0	66,300
2009	<u>Assessment Roll</u>	Residential	Full	13,200	59,100	0	72,300
2007	<u>Assessment Roll</u>	Residential	Full	13,000	58,300	0	71,300
2005	<u>Assessment Roll</u>	Residential	Full	10,400	56,300	0	66,700
2003	<u>Assessment Roll</u>	Residential	Full	9,430	51,070	0	60,500
2001	<u>Assessment Roll</u>	Residential	Full	8,900	39,560	0	48,460
2000	<u>Assessment Roll</u>	Residential	Full	5,950	19,490	0	25,440

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)



top

1941 South Union



09/02/2016 13:47