



Roll Call Number

Agenda Item Number

28A

Date May 7, 2018

ABATEMENT OF PUBLIC NUISANCE AT 3925 51<sup>ST</sup> STREET

WHEREAS, the property located at 3925 51<sup>st</sup> 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, Hunter Cook, and Mortgage Holder, Quicken Loans, 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 Lots 75 and 76 in Block "I" in AVIATION PARK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3925 51<sup>st</sup> 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				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
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

28A

**Polk County Assessor** 

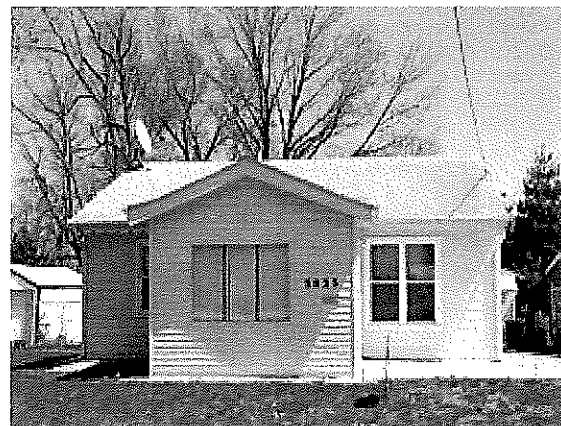
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 [ [Comm Sales Query](#) ] [ [Help](#) ]

District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
100/00790-000-000	7924-19-379-005	1141	DM64/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
Street Address			City State Zipcode		
3925 51ST ST			DES MOINES IA 50310-1814		

Click on parcel to get new listing

MADISON AVE					
3945	3944	3943	3942	3941	3940
3935	3935	3935	3935	3935	3935
3929	3934	3929	3934	3941	1842
3925	3925	3925	3930		
3923	3922	3921	3925		
3921	3920	3917	3924	1842	3925
3915	3914	3913	3916		
3909	3910	3907	3910		
3905		3905	3908		

Get Bigger Map  
 Google Map



Approximate date of photo 04/22/2014

Mailing Address
HUNTER COOK 3925 51ST ST DES MOINES, IA 50310-1814

Legal Description
LOTS 75 & 76 BLK I AVIATION PARK

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	COOK, HUNTER	2017-04-26	16455/451	

Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Residential	Full	29,800	74,900	0	104,700

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

Taxable Value Credit	Name	Number	Info
Homestead	COOK, HUNTER	371639	

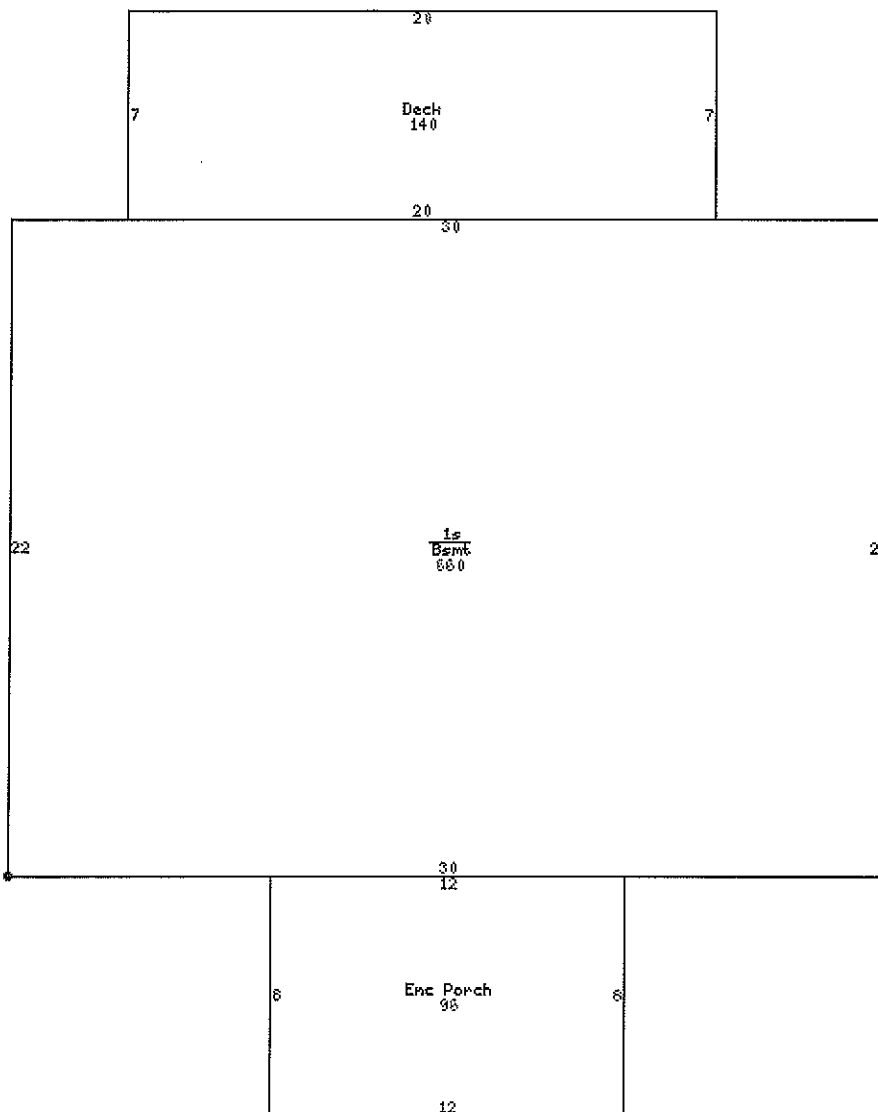
Zoning	Description	SF	Assessor Zoning

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

<b>Land</b>					
<b>SQUARE FEET</b>	8,400	<b>FRONTAGE</b>	60.0	<b>DEPTH</b>	140.0
<b>ACRES</b>	0.193	<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>	RN/Ranch
<b>YEAR BUILT</b>	1949	<b># FAMILIES</b>	1	<b>GRADE</b>	5
<b>GRADE ADJUST</b>	+10	<b>CONDITION</b>	NM/Normal	<b>TSFLA</b>	660
<b>MAIN LV AREA</b>	660	<b>BSMT AREA</b>	660	<b>ENCL PORCH</b>	96
<b>DECK AREA</b>	140	<b>FOUNDATION</b>	C/Concrete Block	<b>EXT WALL TYP</b>	MS/Hardboard
<b>ROOF TYPE</b>	GB/Gable	<b>ROOF MATERL</b>	A/Asphalt Shingle	<b>HEATING</b>	A/Gas Forced Air
<b>AIR COND</b>	100	<b>BATHROOMS</b>	1	<b>BEDROOMS</b>	2
<b>ROOMS</b>	4				

28A



<b>Detached # 101</b>					
<b>OCCUPANCY</b>	GAR/Garage	<b>CONSTR TYPE</b>	FR/Frame	<b>MEASCODE</b>	D/Dimensions
<b>MEASURE1</b>	24	<b>MEASURE2</b>	24	<b>GRADE</b>	4
<b>YEAR BUILT</b>	2006	<b>CONDITION</b>	NM/Normal		

<u>Seller</u>	<u>Buyer</u>	<u>Sale Date</u>	<u>Sale Price</u>	<u>Instrument</u>	<u>Book/Page</u>
MEHMEDOVIC, AISA	COOK, HUNTER	2017-02-17	115,000	D/Deed	16455/451
SIMONS, RACHELLE	MEHMEDOVIC, LUTVO	2003-08-08	78,500	D/Deed	10074/363
OPONSKI, AMELIA	SIMONS, RACHELLE	2001-05-07	71,000	D/Deed	8824/195
NEAD, BRYAN D	OPONSKI, AMELIA	1989-09-26	41,000	D/Deed	6156/165
FERGUSON, MICHAL R.	NEAD, BRYAN D.	1987-10-30	39,100	D/Deed	5792/742

<u>Year</u>	<u>Type</u>	<u>Status</u>	<u>Application</u>	<u>Permit/Pickup Description</u>
2007	P/Permit	CP/Complete	2006-07-10	NC/GARAGE (576 sf)

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2017	Assessment Roll	Residential	Full	29,800	74,900	0	104,700
2015	Assessment Roll	Residential	Full	26,700	68,400	0	95,100
			Adj	26,700	61,500	0	88,200
2013	Assessment Roll	Residential	Full	24,100	63,600	0	87,700
			Adj	24,100	56,800	0	80,900
2011	Assessment Roll	Residential	Full	24,100	64,200	0	88,300
			Adj	24,100	57,300	0	81,400
2009	Assessment Roll	Residential	Full	27,100	72,200	0	99,300
			Adj	27,100	65,300	0	92,400
2007	Assessment Roll	Residential	Full	25,200	67,200	0	92,400
			Adj	25,200	60,300	0	85,500
2005	Assessment Roll	Residential	Full	22,100	57,700	0	79,800
2004	Assessment Roll	Residential	Full	19,820	52,200	0	72,020
2003	Assessment Roll	Residential	Full	19,820	50,590	0	70,410
2001	Assessment Roll	Residential	Full	18,310	43,950	0	62,260
1999	Assessment Roll	Residential	Full	14,220	46,040	0	60,260
1997	Assessment Roll	Residential	Full	12,920	41,820	0	54,740
1995	Assessment Roll	Residential	Full	11,650	37,700	0	49,350
1993	Assessment Roll	Residential	Full	10,590	34,270	0	44,860
1991	Assessment Roll	Residential	Full	10,590	30,830	0	41,420
1991	Was Prior Year	Residential	Full	10,590	27,140	0	37,730

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)



28A

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

**DATE OF NOTICE:** February 8, 2018

**DATE OF INSPECTION:** January 11, 2018

**CASE NUMBER:** COD2018-00229

**PROPERTY ADDRESS:** 3925 51ST ST

**LEGAL DESCRIPTION:** LOTS 75 & 76 BLK I AVIATION PARK

HUNTER COOK  
Title Holder  
3925 51ST ST  
DES MOINES IA 50310

QUICKEN LOANS INC  
Mortgage Holder  
C T CORPORATION SYSTEM, RA  
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 60-192 and 60-191 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.

Justin S. Denning

(515) 237-1484

Nid Inspector

DATE MAILED: 2/8/2018

MAILED BY: JSD

**Areas that need attention:** 3925 51ST ST

<b>Component:</b>	Interior Walls /Ceiling	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Roof	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Flooring	<b>Defect:</b>	Water Damage
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Shingles Flashing	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Building Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Soffit/Facia/Trim	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Compliance with International Building Code	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Mechanical System	<b>Defect:</b>	Smoke Damage
<b>Requirement:</b>	Mechanical Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Plumbing System	<b>Defect:</b>	See Comments
<b>Requirement:</b>	Plumbing Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			
<b>Component:</b>	Electrical System	<b>Defect:</b>	Fire damaged
<b>Requirement:</b>	Electrical Permit	<b>Location:</b>	Throughout
<b>Comments:</b>			



**Component:** Accessory Buildings

**Defect:** See Comments

**Requirement:**

**Location:** Throughout

**Comments:**

The garage in its current condition does not constitute a public nuisance. However, if the primary structure is demolished and no primary structure is immediately built on the property, the garage must be demolished as well because it is an accessory use only pursuant to Des Moines Municipal Code Section 134-343.

28A  
3925 51st St

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28A

04/30/2018

28A

3925 51st St

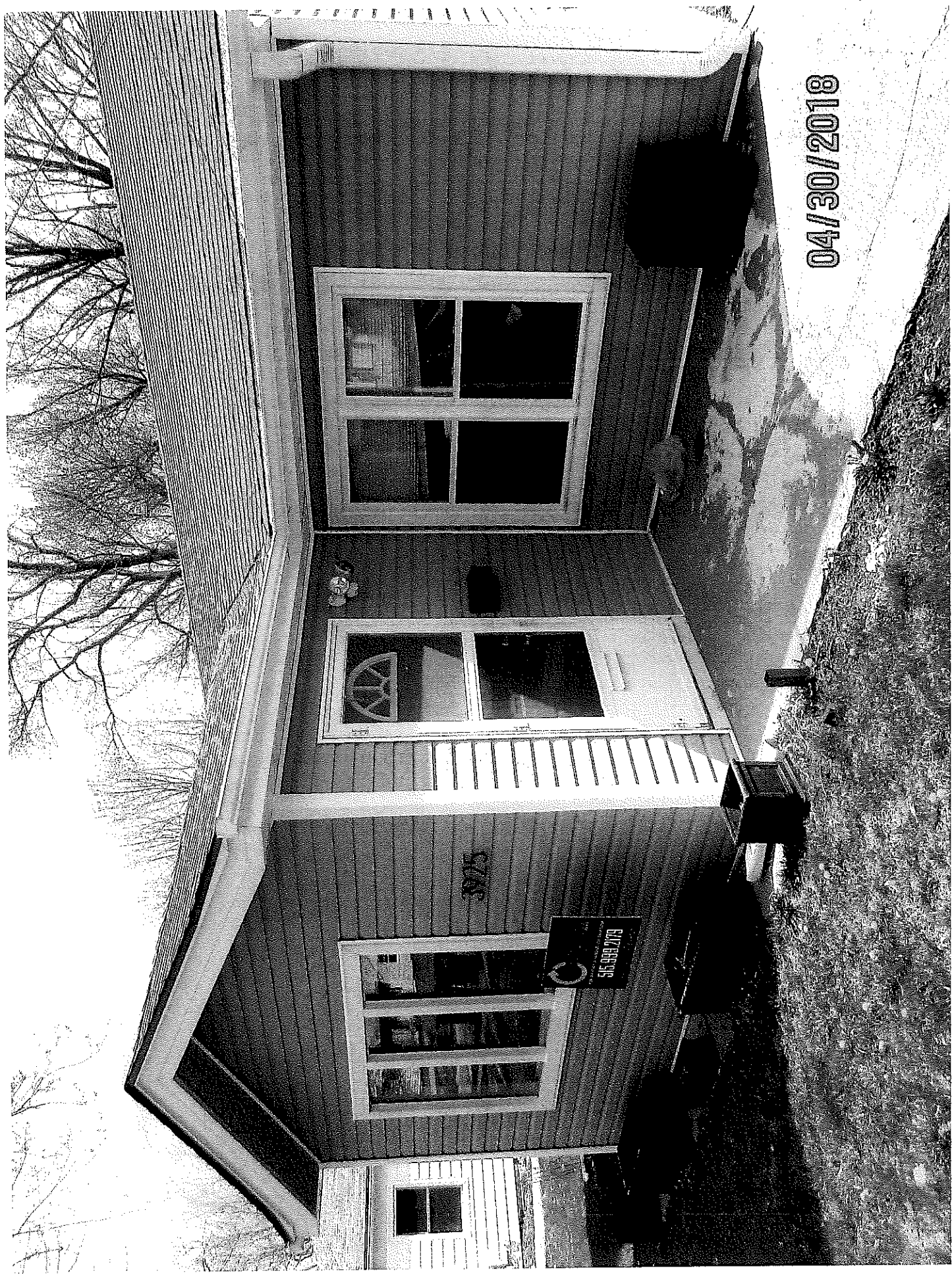
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01/10/2018

28A  
3925 51st St

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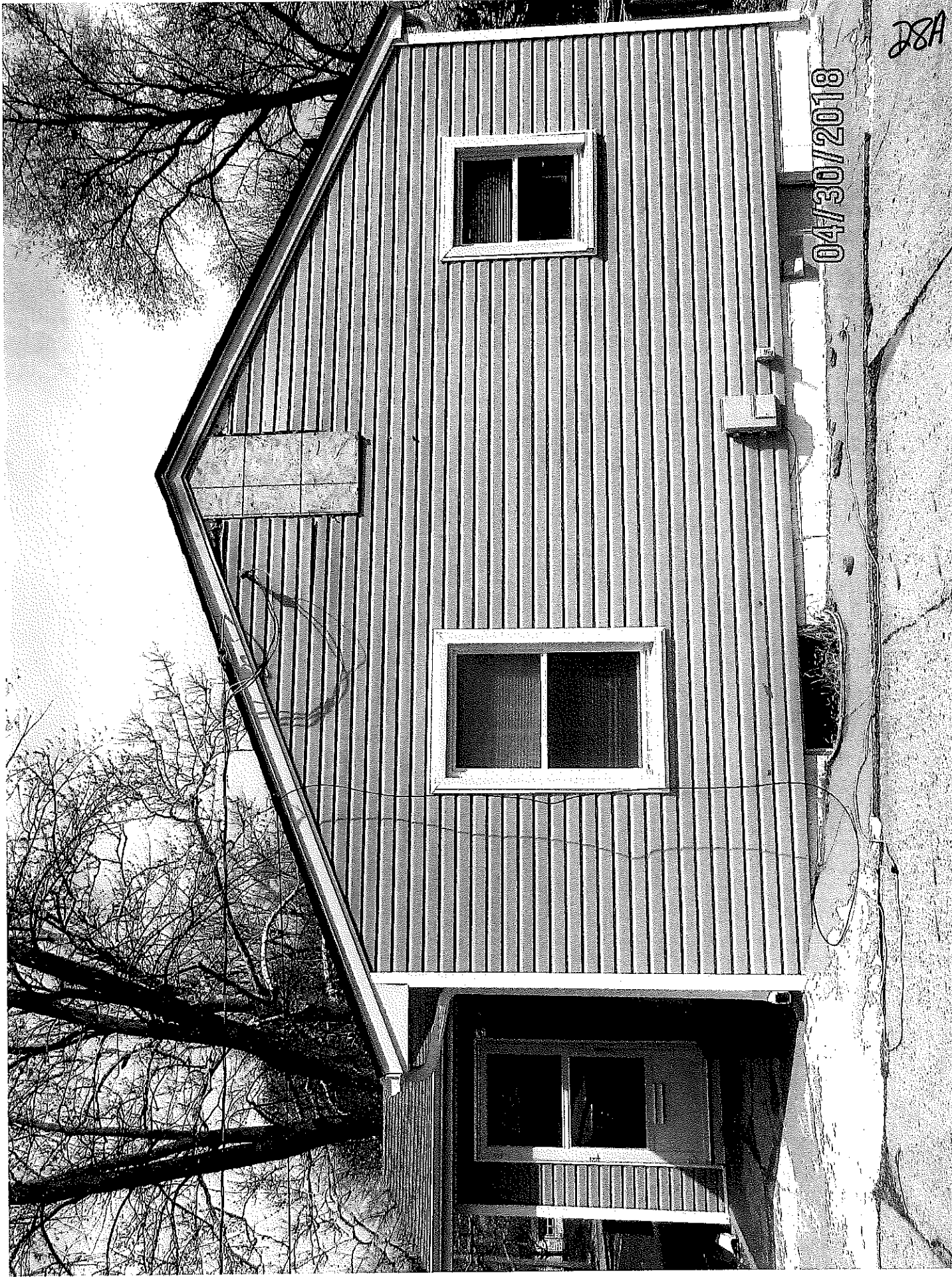


04/30/2018

28A

3925 51st St

top



04/30/2018

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