



**Roll Call Number**

**Agenda Item Number**

426

**Date** March 23, 2020

**ABATEMENT OF PUBLIC NUISANCE AT 3121 MERLE HAY ROAD**

WHEREAS, the property located at 3121 Merle Hay Road, 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, Imperial Properties, Inc. and Mortgage Holder, TruBank, 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 20, except the East 150 feet thereof, in GOODWIN PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3121 Merle Hay Road, 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:

Megan Norberg, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

**CERTIFICATE**

I, P. Kay Cmelik, 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.

MOTION CARRIED APPROVED  
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
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)

Location					
<b>Address</b>	3121 MERLE HAY RD				
<b>City</b>	DES MOINES	<b>Zip</b>	50310	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	100/05476-000-000	<b>Geoparcels</b>	7924-30-151-002	<b>Status</b>	Active
<b>School</b>	Des Moines	<b>Nbhd/Pocket</b>	DM63/Z	<b>Tax Authority Group</b>	DEM-C-DEM-77131
<b>Submarket</b>	Northwest Des Moines	<b>Appraiser</b>	Joe Tursi 515-286-3151		

## Map and Current Photos - 1 Record

Click on parcel to get a new listing

3214	MERLE HAY RD	3333	5716	5708	5706	5702	5634	5630	
3210									
3204									
3200									
							3218		321
							3214		320
							3204		
							3200		
3130							3121		3204
							3117		3120
3120					3115		3118		
					3111		3112		
3112					3107		3110		
3110							3108		
3108							3108		
3106							3108		

[Bigger Map](#) [Polk County GIS](#)  
[Google Map](#) [Pictometry](#)

Photo Processed on 2013-05-14 a



## Historical Photos

## Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	IMPERIAL PROPERTIES INC	2000-10-03	8605/651

## Legal Description and Mailing Address

-EX E 150 F- LT 20 GOODWIN PLACE	IMPERIAL PROPERTIES INC 801 SE 14TH ST DES MOINES, IA 50317
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## Current Values

Type	Class	Kind	Land	Bldg	Total
2019 Value	Residential	Full	\$37,400	\$22,200	\$59,600

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

## Zoning - 2 Records

Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential

Zoning	Description	SF	Assessor Zoning
C-2	General Retail and Highway Oriented Commercial District		Highway Commercial

**Conditional Zoning**

Docket\_no 11226

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

**Land**

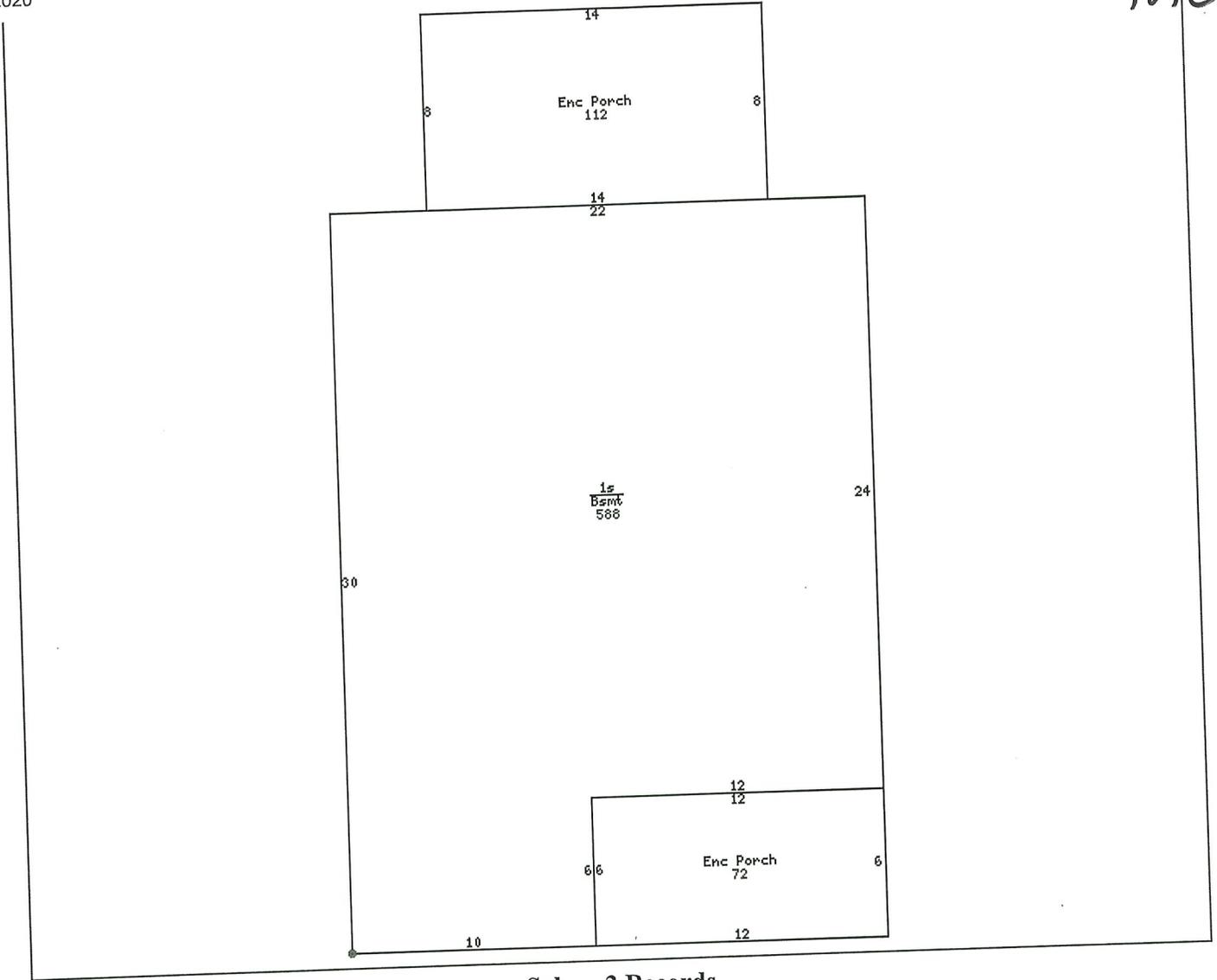
<b>Square Feet</b>	12,500	<b>Acres</b>	0.287	<b>Frontage</b>	50.0
<b>Depth</b>	250.0	<b>Topography</b>	Normal	<b>Shape</b>	Rectangle
<b>Vacancy</b>	No	<b>Unbuildable</b>	No		

**Residences - 1 Record**

**Residence #1**

<b>Occupancy</b>	Single Family	<b>Residence Type</b>	1 Story	<b>Building Style</b>	Bungalow
<b>Year Built</b>	1924	<b>Number Families</b>	1	<b>Grade</b>	5+00
<b>Condition</b>	Poor	<b>Total Square Foot Living Area</b>	588	<b>Main Living Area</b>	588
<b>Basement Area</b>	588	<b>Enclosed Porch Area</b>	184	<b>Foundation</b>	Brick
<b>Exterior Wall Type</b>	Wood Siding	<b>Roof Type</b>	Gable	<b>Roof Material</b>	Asphalt Shingle
<b>Heating</b>	Gravity Hot Air	<b>Air Conditioning</b>	0	<b>Number Bathrooms</b>	1
<b>Bedrooms</b>	1	<b>Rooms</b>	4		

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Sales - 3 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
IMPERIAL PROPERTIES INC	COOPER, LANCE	<u>2015-10-23</u>	\$100,000	Contract	<u>15824/408</u>
GHANATABADI, AMIR	IMPERIAL PROPERTIES, INC.	<u>2000-09-27</u>	\$80,560	Deed	<u>8605/651</u>
UNKNOWN	GHANATABADI, AMIR	<u>1987-12-01</u>	\$32,000	Contract	<u>5800/132</u>

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
COOPER, LANCE	IMPERIAL PROPERTIES INC	2018-01-19	2018-02-02	Warranty Deed	<u>16809/362</u>
IMPERIAL PROPERTIES INC	COOPER, LANCE	2015-10-23	2015-12-02	Contract	<u>15824/408</u>

Permits - 2 Records

3/12/2020

Year	Type	Permit Status	Application	Description
2015	Pickup	No Add	2013-07-02	review value/board of review
2014	Pickup	Pass	2013-07-02	review value/board of review

**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2019	<u>Board Action</u>	Residential	Full	\$37,400	\$22,200	\$59,600
2019	<u>Assessment Roll</u>	Residential	Full	\$37,400	\$22,200	\$59,600
2018	<u>Board Action</u>	Residential	Full	\$32,900	\$19,800	\$52,700
2017	<u>Assessment Roll</u>	Residential	Full	\$32,900	\$19,800	\$52,700
2015	<u>Assessment Roll</u>	Residential	Full	\$29,400	\$17,800	\$47,200
2013	<u>Board Action</u>	Residential	Full	\$27,100	\$16,600	\$43,700
2013	<u>Assessment Roll</u>	Residential	Full	\$27,100	\$33,100	\$60,200
2011	<u>Assessment Roll</u>	Residential	Full	\$27,100	\$35,500	\$62,600
2009	<u>Assessment Roll</u>	Residential	Full	\$29,000	\$39,900	\$68,900
2007	<u>Assessment Roll</u>	Residential	Full	\$29,000	\$39,900	\$68,900
2005	<u>Assessment Roll</u>	Residential	Full	\$25,200	\$35,600	\$60,800
2003	<u>Assessment Roll</u>	Residential	Full	\$21,890	\$31,220	\$53,110
2001	<u>Assessment Roll</u>	Residential	Full	\$19,970	\$27,780	\$47,750
1999	Assessment Roll	Residential	Full	\$14,230	\$28,270	\$42,500
1997	Assessment Roll	Residential	Full	\$13,350	\$26,520	\$39,870
1995	Assessment Roll	Residential	Full	\$12,180	\$24,200	\$36,380
1993	Assessment Roll	Residential	Full	\$10,650	\$21,160	\$31,810
1991	Assessment Roll	Residential	Full	\$10,650	\$17,600	\$28,250
1991	Was Prior Year	Residential	Full	\$10,650	\$22,590	\$33,240

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

**DATE OF NOTICE:** January 15, 2020

**DATE OF INSPECTION:** October 23, 2019

**CASE NUMBER:** COD2019-06967

**PROPERTY ADDRESS:** 3121 MERLE HAY RD

**LEGAL DESCRIPTION:** -EX E 150 F- LT 20 GOODWIN PLACE

IMPERIAL PROPERTIES INC  
Title Holder - GREGG C MOYER, REG AGENT  
4550 MERLE HAY RD  
DES MOINES IA 50310

TRUBANK  
Mortgage Holder - ATTN: KEITH WELLING, PRESIDENT  
6205 MILLS CIVIC PKWY  
WEST DES MOINES IA 50266

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 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.

Brad Rissman  
(515) 283-4754



Nid Inspector

DATE MAILED: 1/15/2020

MAILED BY: BJR

**Areas that need attention:** 3121 MERLE HAY RD

<b>Component:</b>	Electrical System	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Have licensed contractor repair or replace system. Bring up to code. Electrical Permit Required		
<b>Component:</b>	Plumbing System	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Have licensed contractor repair or replace system. Bring up to code. Plumbing Permit Required		
<b>Component:</b>	Mechanical System	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Have licensed contractor repair or replace system. Bring up to code. Mechanical Permit Required		
<b>Component:</b>	Exterior Doors/Jams	<b>Defect:</b>	Cracked/Broken
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Repair or replace all damaged. Building permit may be required.		
<b>Component:</b>	Exterior Walls	<b>Defect:</b>	Deteriorated
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Repair or replace all damaged or missing exterior wall components.		
<b>Component:</b>	Floor Joists/Beams	<b>Defect:</b>	In poor repair
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Have licensed contractor repair or replace all damaged joist and beams. Building permit required		
<b>Component:</b>	Foundation	<b>Defect:</b>	Deteriorated
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Foundation Needs Engineers Report		
<b>Component:</b>	Roof	<b>Defect:</b>	Holes or major defect
<b>Requirement:</b>	Compliance with Int Residential Code	<b>Location:</b>	Main Structure Throughout
<b>Comments:</b>	Have licensed contractor repair or replace entire roof and components. Building permit may be required.		

**Component:** Sub Floor  
**Requirement:** Compliance with Int Residential Code  
**Defect:** Holes or major defect  
**Location:** Main Structure Throughout  
**Comments:** Have licensed contractor repair or replace major defects in sub floor. Building permit may be required.

**Component:** Windows/Window Frames  
**Requirement:** Compliance with Int Residential Code  
**Defect:** Cracked/Broken  
**Location:** Main Structure Throughout  
**Comments:** Repair or replace all damaged. Building permit may be required.

**Component:** See Comments  
**Requirement:** Compliance with Int Residential Code  
**Defect:** In poor repair  
**Location:** Kitchen  
**Comments:** Must provide a kitchen with sink.

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3121 Merle Hwy Rd



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3121 Merle Hay Rd

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